

SUMMARY OF SELECT GOVERNMENT AFFAIRS RELATED LEGISLATION APPROVED BY THE 2023 LEGISLATURE

The following are excerpts of the 2023 Summary of Legislation. To review all bills passed during the 2023 Legislative Session, please select the following link located on the Nevada Legislative website: <https://www.leg.state.nv.us/Division/Research/Content/items/summary-of-legislation-2023>. Please note that these summaries do not constitute legal analyses and are not intended for use in place of the actual statutes.

[Assembly Bill 139](#) authorizes agencies of criminal justice that collect demographic information on race or ethnicity—including courts, local law enforcement agencies, the Nevada Highway Patrol, and the Division of Parole and Probation of the Department of Public Safety and Department of Corrections—to include a separate category for persons of Middle Eastern or North African descent. Any other governmental agency that collects demographic information on race or ethnicity must include the separate category. Additionally, the bill appropriates \$140,400 from the State General Fund to the Division of Welfare and Supportive Services of the Department of Health and Human Services for the cost of computer programming to carry out the provisions of the bill.

Provisions related to the appropriation are effective on July 1, 2023. All other provisions are effective on June 14, 2023, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2024, for all other purposes.

[Senate Bill 362](#) requires that if a person who is in the custody of a peace officer indicates that he or she cannot breathe, the peace officer must ensure that medical aid is rendered to the person by an appropriate medical practitioner as soon as is practicable. Further, the bill requires law enforcement agencies to adopt policies prohibiting a peace officer from using copyrighted work to interfere with the sharing of recordings made of a peace officer while on duty.

The bill also provides that the Department of Motor Vehicles may adopt regulations governing the use of a single symbol on a driver's license or identification card to indicate that a person has a medical condition or conditions. If such regulations are adopted, the Department must maintain a record of the medical condition for which such a symbol was imprinted on an individual's driver's license or identification card and maintain that record in a manner that will be accessible to law enforcement agencies, and must make information available on its website regarding how a person may obtain a license or identification card with such a symbol imprinted on it.

Finally, the bill makes an appropriation from the State Highway Fund to the Department of Motor Vehicles for programming costs and necessary system enhancements associated with the issuance of driver's licenses and identification cards with the symbol indicating a medical condition.

Provisions of the bill appropriating money to the Department are effective on July 1, 2023, and provisions related to rendering medical aid and a peace officer using copyrighted work are effective on October 1, 2023. All other provisions are effective on June 13, 2023, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2024, for all other purposes.

Administrative Procedure and Process

[Senate Bill 105](#) makes the Department of Corrections subject to the Nevada Administrative Procedure Act for the purposes of adopting regulations related to fiscal policy and correspondence and visitation with inmates.

This bill is effective on July 1, 2023.

[Senate Bill 328](#) makes the Cannabis Compliance Board subject to the provisions of the Nevada Administrative Procedure Act for the purposes of adopting, amending, or repealing regulations and the adjudication of contested cases. The bill repeals statutes that set forth specific procedures for the Board to adopt, amend, or repeal regulations and revises the procedures for the Board to take disciplinary action to conform with the procedures for the adjudication of contested cases.

Additionally, the bill revises provisions relating to the legislative findings and declarations of the cannabis industry and the composition and general powers of the Board. The bill transfers the authority to appoint and remove the Executive Director of the Board from the Board to the Governor and requires the Board to adopt regulations providing for the investigation of unlicensed cannabis activities and the imposition of penalties for persons engaged in such activities.

Finally, the bill clarifies that any judicial or administrative proceedings commenced on or before the effective date, or any regulation proposed by the Board on or before the effective date, are not subject to the provisions of the bill.

This bill is effective on June 14, 2023.

Awards and Days of Observance

[Assembly Bill 82](#) requires the Governor to proclaim annually the Saturday immediately preceding the last Saturday in October as “World Esports Day.” The proclamation shall call upon news media, educators, business and labor leaders, and certain government officers to bring to the attention of the residents of Nevada the trailblazing Nevada Esports community and its contributions to this State, as well as the building of exciting careers in Electronic Sports, such as broadcasting, graphic arts, web design, video game design, coaching, athletics, and community building.

This bill is effective on May 24, 2023.

[Assembly Bill 140](#) establishes Juneteenth Day as a legal holiday in Nevada to be observed on June 19th or the Monday following if June 19th falls upon a Sunday or the Friday preceding if June 19th falls upon a Saturday.

This bill is effective on June 8, 2023.

[Assembly Bill 299](#) creates the Nevada Medal of Distinction and the Nevada Awards and Honors Board. The Medal must be awarded annually to two people—one who is living and one who is deceased—who have made significant and lasting contributions to the State. The Board is to be composed of five Nevada residents appointed by the Governor, and it must carry out certain duties related to the award.

The bill also sets forth a nomination and selection process to be carried out each year by a nine-member selection committee that is appointed by certain elected officers. Award recipients must be announced in an annual ceremony to be held in Clark County during even-numbered years and in Carson City during odd-numbered years on a date when the Legislature is in regular session.

This bill is effective on October 1, 2023.

Emergency Management

[Assembly Bill 24](#) adds two members to the Committee on Emergency Medical Services. One member must be employed by or serve as a volunteer with a local governmental agency that provides emergency medical services, but that is not a part of a fire-fighting agency or law enforcement agency. The other member must be

employed by or volunteer with an agency, organization, or other operator that provides emergency medical services on tribal land.

This bill is effective on July 1, 2023.

[Assembly Bill 43](#) revises several dates related to school emergency operations plans. Specifically, each development committee for such plans must provide an updated plan to the board of trustees of a school district—or to the governing body of a charter school or private school, as applicable—on or before August 1 of each year. The bill further changes from July 1 to August 15 the date by which these entities must submit the plan to the Division of Emergency Management of the Office of the Military and, for private schools, to local public safety agencies and emergency management organizations. Finally, the Chief of the Division of Emergency Management must report certain compliance information to the Superintendent of Public Instruction of Nevada’s Department of Education on or before November 15 rather than August 15.

This bill is effective on May 22, 2023.

[Senate Bill 2](#) clarifies that, under certain circumstances, the Chief of the Division of Emergency Management may activate the State Disaster Identification Coordination Committee or a subcommittee in preparation for an imminent emergency, disaster, public health emergency, or other health event. The bill also makes certain reporting by health care providers mandatory during such emergencies or events. Finally, SB 2 requires the Committee to share the information from reports submitted by health care providers with a county or city, upon request, for the purpose of reunification or identification services.

This bill is effective on May 24, 2023.

[Senate Bill 3](#) requires the Governor to appoint the Director of the Department of Public Safety, or his or her designee, to the Nevada Commission on Homeland Security.

This bill is effective on July 1, 2023.

[Senate Bill 5](#) authorizes the Division of Emergency Management in the Office of the Military to use money in the Emergency Assistance Account to pay any actual expenses incurred by the Division for the purpose of emergency management, regardless of whether the Governor or Legislature proclaims that an emergency or disaster exists.

This bill is effective on July 1, 2023.

[Senate Bill 294](#) requires a licensed firearms dealer to provide with each firearm sold, or otherwise transferred, a locking device capable of securing the firearm and to post a notice on its premises that informs a buyer that the negligent storage of a firearm may result in imprisonment or a fine.

The bill also requires a plan used by a school district or governing body of a charter school for responding to a crisis, emergency, or suicide to:

- Include the training of school police officers and certain other employees in active assailant movement techniques;
- Provide support to pupils, faculty, and staff who have experienced a crisis or emergency;
- Ensure that members of the faculty and staff and a pupil’s parents or legal guardians are notified of the occurrence, development, and conclusion of a crisis or an emergency; and

- Inform parents and legal guardians of State law related to the storage of firearms.

School police officers must also receive training in active assailant movement techniques and active assailant training prior to beginning their service as a school police officer.

Finally, the bill requires the Department of Health and Human Services to develop and implement a safe firearm storage education campaign.

This bill is effective on July 1, 2023.

[Senate Bill 331](#) requires emergency management plans prepared by the Governor or adopted by a political subdivision or local organization for emergency management, to the extent practicable, to designate at least one shelter to accommodate persons with pets and to include provisions for the evacuation, transport, and shelter of persons with pets.

This bill is effective on October 1, 2023.

[Senate Bill 431](#) makes various changes to the structure, organization, and policies of certain agencies within the Executive Branch of State government. Among other provisions, the bill:

- Creates the Office of Nevada Boards, Commissions and Councils Standards in the Department of Business and Industry;
- Eliminates the Division of Enterprise Information Technology Services and transfers its powers and duties to the Office of the Chief Information Officer within the Office of the Governor;
- Renames the Personnel Commission of the Division of Human Resource Management within the Department of Administration as the Human Resources Commission, and changes the name of the associated Personnel System to the Human Resources System;
- Makes various provisions relating to recruitment, application, and selection processes for certain State employment;
- Revises the monetary threshold for instances in which an Executive Branch agency must obtain approval from the Interim Finance Committee for revising a work program;
- Revises the monetary threshold for which State agencies may accept certain gifts or grants without approval from the Interim Finance Committee or the Governor;
- Allows the balance in the Account to Stabilize the Operation of the State Government to be up to 26 percent, rather than 20 percent, of the total appropriations from the State General Fund; and
- Requires the State Controller to transfer \$269,550,063 from the General Fund to the Account.

Finally, the bill makes an appropriation of \$900,000 in each year of the 2023–2025 Biennium for the salaries of staff and employees of the Office of the Governor.

Provisions of the bill related to the Account to Stabilize the Operation of the State Government are effective on June 16, 2023. All other provisions are effective on July 1, 2023.

[Senate Bill 445](#) authorizes the Division of Public and Behavioral Health of the Department of Health and Human Services to use money generated from certain fees, administrative penalties, and legislative appropriations to create and maintain an information system containing the records of individuals who have completed certain training programs for emergency medical services personnel.

This bill also provides that revenue from certain fees related to permits for emergency vehicles must be accounted for separately and does not revert to the State General Fund at the end of any fiscal year.

This bill is effective on July 1, 2023.

[Senate Bill 439](#) makes various changes to provisions related to communicable diseases and substance use disorder. Among other provisions, the bill requires certain public and private health plans to cover specified health care services relating to sexually transmitted diseases and substance use disorder, as well as certain drugs for treating human immunodeficiency virus (HIV), hepatitis C, or substance use disorder. The bill makes various provisions related to equality in reimbursement of related services for certain health care providers.

Further, SB 439 revises the severity of offenses involving certain actions by prisoners that may spread a communicable disease, making a violation a category A felony only if the disease was likely to be transmitted due to the prisoner's conduct and was actually transmitted as a result.

With respect to HIV, the bill further:

- Requires certain State and local agencies to develop policies to provide uninterrupted services during a public health emergency;
- Requires a public or private prison, jail, or detention facility to take certain measures to ensure access of prisoners to treatment and prevention;
- Revises continuing education requirements for certain health care providers; and
- Provides that the previous repeal of certain criminal offenses for which having HIV was an element of the offense applies retroactively to violations that occurred before the effective date of the bill.

Provisions of the bill relating to revising criminal offenses for certain actions by prisoners and retroactively applying the repeal of certain criminal offenses are effective on June 15, 2023. All other provisions are effective on June 15, 2023, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2024, for all other purposes.

Financial Administration

[Assembly Bill 3](#) requires the State Controller to prepare a complete financial report of the State Permanent School Fund annually instead of quarterly.

This bill is effective on July 1, 2023.

[Assembly Bill 33](#) expands the authorized investments for money in the State Permanent School Fund upon the State Treasurer obtaining a judicial determination that such an investment does not violate the *Nevada Constitution*. The measure revises provisions governing money transferred from the Fund to a corporation for public benefit to provide private equity funding to certain businesses.

The bill revises the authority of the State Treasurer to invest money from the General Portfolio of the State in certain categories of bonds and other securities. Finally, the measure revises provisions related to authorized investments for a local government and certain administrative entities.

This bill is effective on July 1, 2023.

[Assembly Bill 361](#) provides that if a department, institution, or agency of the Executive Branch of the State government is required to request the approval of the Interim Finance Committee (IFC) to accept a grant from the federal government and revise a work program to implement the grant, then the entity may, upon submission of the application for the grant, request that the IFC grant provisional approval to accept the grant and revise the work program. With this approval, the department, institution, or agency is not required to obtain additional approval from the IFC unless the actual amount of the grant or change to the work program exceeds the greater of: (1) the amount provisionally approved by the IFC, plus 10 percent; or (2) the amount provisionally approved by the IFC, plus \$75,000. Finally, the bill authorizes the IFC to consider such requests during a regular or special session of the Legislature.

This bill is effective on July 1, 2023.

Local Governments

[Assembly Bill 40](#) authorizes the inclusion of an electronic mail address in an application to a health authority for a permit to operate a food establishment by which the health authority may communicate with the applicant and send any inspection report form or other notice. The bill authorizes a health authority to furnish an electronic original food inspection report form after such an inspection and to serve an inspection report form or other written notice on a permit holder by sending the notice to the electronic mail address provided by the permit holder. The exceptions are notices related to the suspension or revocation of permits, which must not be provided via electronic communication.

This bill is effective on July 1, 2023.

[Assembly Bill 60](#) requires the governing body of a municipality that acquires or improves a neighborhood improvement project to annually prepare an amendment to the assessment roll and an estimate of the expenditures for the next fiscal year, to provide notice and hold a public hearing regarding the amendment, and to confirm and mail notice of the amendment.

This bill is effective on June 2, 2023.

[Assembly Bill 65](#) revises the definition of bullying and certain requirements for investigating and reporting certain instances of bullying, cyberbullying, and discrimination based on race. Furthermore, the bill requires the Superintendent of Public Instruction of Nevada's Department of Education, rather than the State Board of Education, to approve work-based learning programs. The bill makes changes relating to the admittance into certain grades and compulsory education, including requiring a child to: (1) be five years of age or six years of age on or before August 1 preceding a school year in order to be admitted to kindergarten or first grade, as applicable, with certain exceptions for pupils currently enrolled; and (2) begin attending public school once the child is six years of age, rather than seven years of age.

Additionally, AB 65 prohibits a board of trustees of a school district from taking any action at a regular or special meeting after 11:59 p.m. on the day of the meeting except in an emergency that impacts the school district. If the board of trustees has not acted on an agenda item before 11:59 p.m., then the board of trustees must schedule the delayed agenda item at a future meeting or wait at least 24 hours after the originally scheduled meeting time, but not later than three business days after the originally scheduled date, to act on the delayed agenda item.

Provisions of the bill concerning changing the required public school attendance age to six years of age are effective on July 1, 2024. All other provisions are effective on July 1, 2023.

[Assembly Bill 132](#) requires the Clark County Board of County Commissioners to establish a Regional Opioid Task Force to study certain issues relating to opioid overdose fatalities. The bill also establishes the membership

of the Task Force. The Task Force must submit a report to the Governor and the Director of the Legislative Counsel Bureau with a summary of its work and any recommendations for legislation.

This bill is effective on October 1, 2023, and expires by limitation on December 31, 2024.

[Assembly Bill 143](#) authorizes a board of county commissioners of a county whose population is less than 4,500 to convey, without consideration and without complying with certain requirements in existing law, real property that the county acquired directly from the federal government for the purpose of clearing title to the property. The real property must be conveyed, as prescribed, to the person or persons, as applicable, who have an interest in the property. The measure exempts such a conveyance from the provisions that generally apply to the sale or lease of property by a board of county commissioners and the real property transfer tax. The county recorder of a county in which the board of county commissioners conveys any real property per the provisions of this bill between October 1, 2023, and June 30, 2024, must report on or before July 1, 2024, to the Joint Interim Standing Committee on Government Affairs the number of such conveyances initiated or completed.

The bill is effective on October 1, 2023, and expires by limitation on June 30, 2025.

[Assembly Bill 189](#) provides that if the board of county commissioners in a county whose population is 700,000 or more (currently only Clark County) or the governing body of a city located in such a county adopts an ordinance restricting the hours in which construction work may begin in a common-interest community in which the original developer controls a majority of the units, the hours for construction work in a such a community must be allowed to begin at, but not earlier than, 5 a.m. during the period beginning on April 1 and ending on September 30. The governing body of a county or city to which these provisions apply must amend any ordinance not in compliance with these provisions as of the effective date of this measure. Any existing ordinance regulating excessive noise is also subject to these provisions.

This bill is effective on May 30, 2023.

[Assembly Bill 213](#) revises provisions relating to the adoption of measures concerning affordable housing in certain cities and counties. In addition, on or before July 1, 2024, the governing body of each county and city must enact certain ordinances relating to affordable housing projects. The measure provides that certain deadlines relating to land use planning that apply to counties also apply to cities.

The measure also requires a governing body of certain cities or counties to publish on its website a list of applications relating to land use planning in areas zoned for residential housing. Such governing bodies must annually submit a plan with specified information relating to housing to the Housing Division of the Department of Business and Industry and the Advisory Committee on Housing. The Housing Division must compile and post such reports on its website.

Provisions of the bill requiring a governing body to publish on its website a list of land use planning applications relating to residential housing are effective on January 1, 2024. All other provisions are effective on July 1, 2023.

[Assembly Bill 214](#) requires a regional transportation commission (RTC) in a county whose population is 100,000 or more to establish an advisory committee to provide certain information and advice to the RTC relating to public mass transportation in the county. The bill also makes various changes to the membership of such an advisory committee, including those that already exist in a county whose population is 700,000 or more (currently Clark County). Among other changes, the RTC must appoint all members of the advisory committee, of which at least two must be employees of the person who contracts with the commission to operate the public transit system.

The bill further requires an RTC, or any person who contracts with an RTC to operate a public transit system, to maintain any audio or video recording that is used as evidence in certain disciplinary actions or contains an incident on a public transit system that results in an injury to an employee. Upon request of an employee organization that is the exclusive bargaining agent of the employees of a person who contracts with the RTC, the audio or video recording must be provided to the employee organization.

Finally, AB 214 allows an RTC to establish fines for passengers who refuse to comply with a regional or statewide health and safety standard or mandate.

This bill is effective on October 1, 2023.

[Assembly Bill 266](#) requires each board of county commissioners and governing body of a city to develop a language access plan and revise it every two years. The bill further requires the board of county commissioners in a county whose population is 100,000 or more—and the governing body of a city whose population is 25,000 or more that is located in such a county—to ensure that certain public notices are issued in other languages. The Office for New Americans within the Office of the Governor must employ a language access coordinator to perform certain duties related to language interpreters, translators, and language access plans.

Finally, the bill makes an appropriation from the State General Fund to the Office for New Americans to carry out the provisions of AB 266.

Provisions of the bill governing the appropriation are effective on July 1, 2023. Provisions relating to language access plans and the employment and duties of the Office for New Americans are effective on October 1, 2023. Provisions relating to public notices are effective on January 1, 2024.

[Assembly Bill 286](#) requires the administrator of a county or city jail to establish a policy ensuring qualified persons who are detained in the jail may register to vote and vote in an election. The administrator must also establish a process for the collection and security of mail ballots.

The bill prohibits electioneering near the area of the jail where votes are cast and provides that a detained person must be provided a reasonable amount of privacy to vote his or her ballot and shall vote free of coercion or intimidation.

Lastly, AB 286 requires county and city jails to provide certain information relating to elections to detained persons and to report to the Secretary of State: (1) an explanation of the processes used to comply with the provisions of the bill; and (2) a summary of each complaint received from detained persons relating to registering to vote or voting in an election.

This bill is effective on June 14, 2023, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2024, for all other purposes.

[Assembly Bill 316](#) revises the penalty for the unlawful possession of a certain number of unregistered vehicles unfit for use to be punishable by a civil penalty of not more than \$100 for each day of the violation. The bill also authorizes a local authority to adopt an ordinance prohibiting the same conduct and imposing a different, non-criminal penalty. Lastly, the bill provides that such a local ordinance applies instead of the State law prohibiting the same conduct under the same circumstances.

This bill is effective on October 1, 2023.

[Assembly Bill 333](#) requires each housing authority in Nevada to conduct an inspection, on a regular basis as required by the United States Department of Housing and Urban Development, of each dwelling unit owned or managed by the housing authority and dwelling units leased pursuant to certain federal law. After performing

such an inspection, the housing authority must obtain the handwritten or electronic signature of the tenant to confirm that the inspection was conducted. The housing authority, or the housing authority in coordination with the private owner, as applicable, shall ensure that all necessary repairs are made as soon as practicable after the inspection so that the dwelling unit is in a decent, safe, and sanitary condition.

This bill is effective on October 1, 2023.

[Assembly Bill 454](#) revises provisions relating to the payment of compensation and expenses for attorneys who provide legal services to indigent defendants under certain circumstances. The measure provides that the compensation and expenses of an attorney are an obligation of the county unless the county has transferred its responsibility or met the maximum amount to be paid for indigent defense services. The bill provides for the payment to counties of amounts that are not an obligation of the county. Finally, the Board on Indigent Defense Services is required to adopt regulations establishing rates of hourly compensation for attorneys who provide certain legal services to indigent defendants.

This bill is effective on June 10, 2023.

[Assembly Bill 518](#) establishes a formula for determining the maximum amount a county is required to pay for the provision of indigent defense services and sets forth a procedure by which a county may seek State contributions for the provision of such services in excess of the maximum county contribution on a quarterly basis. The bill also establishes the maximum amount that each county whose population is less than 100,000 is required to pay for the provision of indigent defense services for Fiscal Year (FY) 2023–2024.

The bill appropriates \$6,306,880 in FY 2023–2024 and \$6,613,033 in FY 2024–2025 from the State General Fund to the Interim Finance Committee for allocation to the Department of Indigent Defense Services to fund the reimbursement of counties for costs in excess of their maximum contributions for the provision of indigent defense services; the costs of the Department related to compliance with the *Davis v. State* consent judgement; the costs of the Office of State Public Defender for contracting for legal services for complex cases; and the costs for training and pay parity for attorneys who provide indigent defense services.

Additionally, the bill appropriates \$1,474,200 in each year of the 2023–2025 Biennium from the State General Fund to the Department for certain costs related to pretrial release hearings that are or may be conducted on a weekend or holiday. Any remaining balance of the appropriations must be reverted to the State General Fund.

This bill is effective on July 1, 2023.

[Senate Bill 16](#) revises the Charter of Carson City to require the Board of Supervisors to realign the boundaries of city council wards whenever:

- Reliable evidence indicates the population of a ward exceeds any other ward by more than 5 percent; or
- The population in a ward exceeds the population in any other ward by more than 5 percent, as determined by the preceding national decennial census.

The measure also clarifies the term of office for members of the Board of Supervisors, extends the time period by which the Board must adopt or reject an ordinance, and provides that the Mayor Pro Tempore shall fill a vacancy in the Office of Mayor for the unexpired term of a former incumbent.

This bill is effective on May 29, 2023.

[Senate Bill 18](#) requires each planning commission in a county whose population is less than 100,000 (currently all counties other than Clark and Washoe) to hold at least one regular meeting in each quarter. Each planning

commission in a county whose population is 100,000 or more (currently Clark and Washoe Counties) must still hold at least one regular meeting in each month.

This bill is effective on July 1, 2023.

[Senate Bill 19](#) authorizes a board of county commissioners to provide by ordinance for the formation of an unincorporated town that:

- Includes territory that is conveyed or transferred to the county, or authorized to be conveyed or transferred to the county, pursuant to certain federal law; or
- Is located not more than one mile from such territory.

The bill also makes various related provisions involving public hearings, town advisory boards, corporate limits of a city, and annexation.

This bill is effective on May 29, 2023.

[Senate Bill 21](#) revises the classifications of populations in certain provisions of the *Nevada Revised Statutes*. The bill raises the county population threshold from 45,000 to 52,000 for various purposes related to county offices, county property sales and leases, emergency telephone systems, planning commissions, libraries, recycling, interactive gaming licensure, and others. The bill raises the county population threshold from 55,000 to 100,000 for purposes related to the collection of a residential construction tax on behalf of a school district.

This bill is effective on May 29, 2023.

[Senate Bill 23](#) authorizes a legislative body of a city whose population is less than 25,000 to amend a redevelopment plan to remove part of a redevelopment area if it determines, following a public hearing, that the removal will not adversely impair any outstanding bonds or securities; the area consists primarily of single-family or multifamily residential dwellings of three stories or less, or both; and the removal is necessary or desirable because it is in the public interest for the purpose of property tax collections. The measure also prohibits a legislative body from amending a redevelopment plan to remove an area if the removal would adversely impair outstanding obligations of any political subdivision of this State or any other public entity.

This bill is effective on May 29, 2023.

[Senate Bill 92](#) creates requirements for the licensing and regulation of sidewalk vendors by the governing body of a county whose population is 100,000 or more (currently Clark and Washoe Counties) or a city in such a county. The maximum criminal penalty for a violation of an ordinance adopted by a city or county regulating sidewalk vendors is a misdemeanor, and a violation of such an ordinance may not constitute a crime of moral turpitude. If a city or county enacts an ordinance regulating sidewalk vendors, the city or county must post to its website a map of where a person may engage in sidewalk vending. The bill requires a local board of health to establish a process for a person to apply for a permit, license, or other authorization to operate as a sidewalk vendor.

Finally, the bill creates the nine-member Task Force on Safe Sidewalk Vending in the Office of the Secretary of State and authorizes the Secretary of State to establish an advisory board to support the activities of the Task Force. The Task Force must review existing laws, recommend approaches to improve State and local laws governing sidewalk vending, and provide a report to the Legislature.

This bill is effective on June 7, 2023, for the purposes of appointing members of the Task Force on Safe Sidewalk Vending, performing certain preparatory administrative tasks, and other specified provisions. Certain

provisions concerning the location of vendors and associated penalties are effective on October 15, 2023. Certain provisions relating to the content of relevant ordinances are effective on July 1, 2024. Other provisions of the bill are effective on January 1, 2024.

[Senate Bill 166](#) requires the Government Employee-Management Relations Board to establish separate collective bargaining units for supervisory employees who are category I, category II, or category III peace officers and firefighters. The bill also excludes certain employees who provide civilian support services to a law enforcement agency from being deemed supervisory employees solely due to the exercise of certain duties under a paramilitary command structure.

This bill is effective on July 1, 2023.

[Senate Bill 192](#) changes the name of a “hospital advisory board” to a “hospital governing board” and requires such a board to adopt bylaws and related policies and procedures. Additionally, the bill expands the topics that may be discussed in a closed meeting of a board of hospital trustees of a county hospital or a hospital governing board to include:

- Privileged or confidential matters in deliberating the character, alleged misconduct, professional competence, or physical or mental health of a health care provider; and
- Matters related to a medical audit or the quality assurance programs of the county hospital.

The bill also authorizes a board of trustees of a county hospital district to hold closed meetings for the same purposes and under the same requirements as a board of hospital trustees of a county hospital. Finally, the bill authorizes a board of hospital trustees or hospital governing board to employ dentists and fix their compensation.

This bill is effective on October 1, 2023.

[Senate Bill 208](#) requires the governing body of a county or city to enact an ordinance that regulates battery-charged fences within certain parameters. The bill prohibits the ordinance from:

- Requiring a permit for the installation or use of a battery-charged fence that is in addition to an alarm system permit issued by the county or city;
- Imposing installation or operational requirements for a battery-charged fence that are inconsistent with the standards set forth by the International Electrotechnical Commission; or
- Prohibiting the installation or use of a battery-charged fence.

This bill is effective on July 1, 2023.

[Senate Bill 247](#) authorizes, instead of requires, the board of county commissioners and the city council of each of the three largest cities in a county whose population is 700,000 or more (currently only Clark County) to establish a regional planning coalition by cooperative agreement.

This bill is effective on October 1, 2023.

[Senate Bill 261](#) requires the governing body of a local government to notify chambers of commerce of any proposed rule that is likely to impose a direct and significant economic burden upon a business or directly restrict the formation, operation, or expansion of a business. The bill further requires a governing body to hold a workshop to solicit comments on one or more general topics to be addressed in a proposed rule upon the timely

request of two or more chambers of commerce or trade associations, or any combination thereof. Finally, among other provisions, the measure requires business impact statements to include:

- The total number of businesses likely to be affected by the proposed rule;
- A list of the chambers of commerce and trade associations notified of the proposed rule; and
- A summary of any workshop held regarding the proposed rule.

This bill is effective on October 1, 2023.

[Senate Bill 264](#) provides that a civilian employee of a metropolitan police department may be a member of an employee organization only if the employee organization is composed exclusively of such civilian employees.

This bill is effective on October 1, 2023.

[Senate Bill 391](#) prohibits a county, a city, and an unincorporated town that sounds or sounded a siren for certain purposes related to race, ethnicity, ancestry, national origin, or color from sounding a siren, bell, or alarm for any purpose other than:

- Alerting persons to an emergency;
- Testing the siren, bell, or alarm at reasonable time intervals of not more than once every six months; or
- Celebrating or recognizing a legal holiday.

The bill further authorizes the Attorney General to bring a civil action to collect a monetary penalty of up to \$50,000 from a county, city, or unincorporated town for each violation. Finally, the bill prohibits a county, a city, or an unincorporated town from taking adverse employment action against an employee for reporting such a violation to the Attorney General or law enforcement.

This bill is effective on June 7, 2023.

Open Government

[Assembly Bill 52](#) makes various changes to the Open Meeting Law (OML), including clarifying what constitutes a meeting of a public body. The bill specifies that nonvoting members are not counted for purposes of determining a quorum of a public body, and unless all members of the body must be elected officials, if a vacancy occurs in the voting membership of a public body, the necessary quorum and number of votes necessary to act on a matter is reduced as though the voting membership does not include the vacancy.

The bill changes the notice requirements for a meeting to consider administrative action against a person and provides that a quorum reduction provision in the Nevada Ethics in Government Law applies to all public bodies in the State. The bill makes conforming changes to include remote technology systems as one means by which public bodies may conduct meetings and exempts from the OML committees created by city councils or the Secretary of State to draft arguments and rebuttals for ballot questions. Finally, it provides that library foundations and educational foundations are not subject to the OML unless they otherwise meet a certain definition of a public body.

This bill is effective on July 1, 2023.

[Assembly Bill 219](#) provides that if the agenda for a meeting of a public body authorizes the continuation of the meeting to one or more other calendar days, public comment must be held each day of the meeting and at certain times during the meeting. Public notice of a meeting of a public body must be posted at the principal office of the public body or, if the meeting has a physical location, at the building in which the meeting is to be held. The agenda for a meeting that is held exclusively by a remote technology system must include clear and complete instructions for the public to be able to call into the meeting to provide public comment, and the instructions must be read verbally at the meeting before the first public comment period. Finally, the bill prohibits a public body from conducting a meeting relating to contested cases and regulations by means of a remote technology system without a physical location designated for the meeting where members of the public are permitted to attend and participate.

This bill is effective on July 1, 2023.

[Assembly Bill 225](#) sets forth a process for a person who is not otherwise authorized under existing law, or a representative of a governmental agency for whom such a person is an employee, to petition the district court to make the personal information of the person that is contained in the records of the county recorder, county assessor, county clerk, city clerk, or Secretary of State confidential. If the petition meets certain criteria and is granted, such order of the court expires after five years but may be extended in five-year increments. Finally, the bill makes the list of persons who are authorized to request such a court order consistent for the records of the county recorder, county assessor, county clerk, city clerk, or Secretary of State.

This bill is effective on May 30, 2023.

[Senate Bill 22](#) authorizes the additional publication of a legal notice or advertisement on the website of a newspaper of general circulation. If published on the website of a qualified, legal, and competent newspaper:

- An error in the legal notice or advertisement made by the newspaper, a temporary Internet outage, or a service interruption that prevents the posting or display of the notice is harmless; and
- The legal notice or advertisement must be deemed sufficient if it is printed and published in such a newspaper.

Finally, any and every legal notice or advertisement published on a website maintained by a newspaper in violation of certain provisions of law is void.

This bill is effective on October 1, 2023.

[Senate Bill 39](#) provides that, with certain exceptions, all records received by the Board on Indigent Defense Services and the Department of Indigent Defense Services that are protected by attorney-client privilege are confidential. Similarly, all records obtained or compiled during or after an investigation arising from a complaint related to attorney conduct are confidential except when releasing such records is necessary for the performance of oversight functions by the Board or the Department. The bill also sets forth circumstances under which the Department may share information with licensing boards or other entities that are investigating a complaint against an attorney pertaining to the representation of an indigent client by the attorney. The bill clarifies that attorney-client privilege is not waived if a disclosure is made to the Department or its designee in order to request prior approval of, or to submit a claim for, compensation of expenses or when submitting a complaint against an attorney providing indigent defense services.

This bill is effective on May 31, 2023.

Public Officers and State Employees

[Assembly Bill 13](#) imposes a time limit of 60 working days after the date on which an alleged violation of certain whistleblower laws occurred—or the date of a related reprisal or retaliatory action—for a State officer or employee to file a written appeal. The measure eliminates the authority of a hearing officer to order the termination of employment of the proper person determined to have violated certain whistleblower protections.

This bill is effective on July 1, 2023.

[Assembly Bill 239](#) revises provisions related to various entities and a merit award account for State employees. Specifically, the bill:

- Creates the Merit Award Account in the State General Fund for the purpose of funding awards to certain State employees;
- Requires the Advisory Council for Family Engagement to submit to the relevant appointing authorities a list of persons qualified for membership on the Council, under certain circumstances;
- Revises the membership of the Committee for the Statewide Alert System;
- Expands the duties and authority of the Committee on Testing for Intoxication;
- Revises the term of membership for the Chair of the Appeals Panel for Industrial Insurance and authorizes the Commissioner of Insurance to perform certain actions relating to meetings of the Appeals Panel;
- Clarifies provisions relating to meetings of the Credit Union Advisory Council and eliminates the requirement that members of the Advisory Council receive a salary for attendance at meetings; and
- Revises provisions relating to vacancies in the membership of the Medical Laboratory Advisory Committee.

Provisions of the bill relating to the Merit Award Account are effective on June 15, 2023. Provisions relating to the Committee on Testing for Intoxication are effective on June 15, 2023, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2024, for all other purposes. All other provisions of the bill are effective on July 1, 2023.

[Assembly Bill 268](#) makes several appropriations from the State General Fund for the payment of retention incentives of \$500 to certain employees of the State government employed on March 31, 2023, and June 16, 2023. Specifically, the bill appropriates:

- \$20,970,000 to the Office of Finance in the Office of the Governor for employees of the Executive and Judicial Departments except: (1) persons whose positions are temporary, intermittent, or seasonal or are positions for which there is a critical labor shortage; (2) professional staff of the Nevada System of Higher Education; and (3) persons whose compensation is paid from a budget account that is not subject to the State Budget Act;
- \$325,000 to the Legislative Fund for employees of the Legislative Department, except persons whose positions are for a legislative session or are otherwise temporary, intermittent, or seasonal;
- \$81,000 to the Public Employees' Retirement System (PERS) for employees of PERS, except persons whose positions are temporary, intermittent, or seasonal or are positions for which there is a critical labor shortage; and
- \$3,500,000 to the Nevada System of Higher Education for certain professional staff.

This bill is effective on April 4, 2023.

[Assembly Bill 376](#) provides that an employee of the Executive Branch of State government is entitled to take eight weeks of paid family leave over the course of a 12-month period for certain purposes. To qualify for this paid family leave, an employee must be employed by the State for at least 12 consecutive months; have accrued at least 40 hours of sick leave; and have used any accrued sick leave in excess of 40 hours before taking this paid family leave. Qualified employees are entitled to receive 50 percent of their regular wages while on this paid family leave, and their employers are prohibited from retaliating or taking any adverse action against them for taking paid family leave.

Finally, AB 376 appropriates \$18,154 from the State General Fund to the Department of Administration for the cost of computer programming to carry out the provisions of the bill.

This bill is effective on June 14, 2023, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2024, for all other purposes.

[Assembly Bill 378](#) requires the designated representative of the Executive Branch of State government and the exclusive representative of a bargaining unit, before engaging in collective bargaining, to select a mediator and an arbitrator for the purposes of potential mediation and arbitration and, to the extent possible, determine and reserve with the selected mediator and arbitrator the calendar days when such mediation and arbitration would occur should the parties not reach a collective bargaining agreement. The bill revises certain provisions related to the timing of negotiation, mediation, and arbitration of these collective bargaining agreements. Finally, the bill appropriates \$20,000 to the Division of Human Resource Management of the Department of Administration for costs relating to the prescheduling of arbitrations and mediations.

Provisions related to the appropriation are effective on July 1, 2024. All other provisions are effective on July 1, 2023.

[Assembly Bill 451](#) allows unclassified employees of the Budget Division of the Office of Finance to receive compensation for overtime performed relating to the preparation of the *Executive Budget* report or proposed budget during the period beginning on September 1 of an even-numbered year and ending on January 31 of the following year. Additionally, the bill requires the Division of Human Resource Management of the Department of Administration to conduct a study, or contract with a third party to conduct a study, to evaluate the pay of all classified and unclassified positions within the Executive Department of the State government. The bill appropriates \$500,000 from the State General Fund to the Division for the study and requires any remaining balance of the appropriation to be reverted to the State General Fund.

This bill is effective on July 1, 2023. Provisions relating to overtime pay for unclassified employees of the Budget Division expire by limitation on June 30, 2025.

[Assembly Bill 522](#) 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. Additionally, AB 522 provides various grade increases for certain employees; incentive bonuses of personnel employed on certain dates; and the restoration of longevity pay for personnel in the Executive, Legislative, and Judicial Departments with the addition of professional personnel employed by the Nevada System of Higher Education (NSHE).

The bill is effective on July 1, 2023. Provisions providing salary increases for classified, nonclassified, and unclassified State employees and classified and professional employees of NSHE are effective on July 1, 2023, due to the veto of [Assembly Bill 498](#).

[Senate Bill 8](#) designates criminal investigators employed by the Division of Child and Family Services of the Department of Health and Human Services as category II peace officers.

This bill is effective on May 30, 2023.

[Senate Bill 58](#) authorizes the Nevada Supreme Court, within the limits of available money, to employ persons necessary to provide an appropriate staff for the State's Judicial Department. The Supreme Court must determine the salaries and benefits of such employed persons and submit quarterly reports to the Interim Finance Committee during the 2023–2025 Biennium regarding any changes in salaries for new or existing positions.

This bill is effective on July 1, 2023.

[Senate Bill 87](#) authorizes a position in the classified service of the Executive Department of State government to be filled without competition by a person who:

- Meets the minimum qualifications for the position; and
- Has successfully completed at least 900 hours of service in an AmeriCorps, Youth Conservation Corps, or Job Corps program in this State within the two years prior to applying for the position.

The hours of service must be directly related to the position applied for.

This bill is effective on October 1, 2023.

[Senate Bill 166](#) requires the Government Employee-Management Relations Board to establish separate collective bargaining units for supervisory employees who are category I, category II, or category III peace officers and firefighters. The bill also excludes certain employees who provide civilian support services to a law enforcement agency from being deemed supervisory employees solely due to the exercise of certain duties under a paramilitary command structure.

This bill is effective on July 1, 2023.

[Senate Bill 225](#) requires an application for certification as a peace officer to include an affidavit stating that the applicant:

- Is not disqualified from serving as a peace officer;
- Has not been discharged, disciplined, or asked to resign from employment with a law enforcement agency for certain conduct; and
- Has not resigned or otherwise separated from employment with a law enforcement agency while an investigation concerning certain alleged conduct was pending.

In addition to other provisions, the bill also requires a law enforcement agency to immediately notify the Peace Officers' Standards and Training Commission (POST) if a peace officer is charged with certain crimes or separates from employment while an investigation concerning alleged misconduct is pending. Further, POST must search the National Decertification Index, or an equivalent database, to ensure that the name of an applicant does not appear in any such index or database and must report to the Index the name of each decertified peace officer in this State.

Finally, SB 225 provides that a person is not qualified to serve as a peace officer if the person has been convicted of domestic violence, reported to the Decertification Index, or decertified by POST or a similar licensing authority in another state.

This bill is effective on June 14, 2023, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2023, for all other purposes.

[Senate Bill 279](#) establishes the State as a Model Employer Program in the Division of Human Resources of the Department of Administration. The Program is designed to ensure that the State is implementing the best, most promising, and emerging policies, practices, and procedures relating to the hiring, promotion, and retention of persons with disabilities. The bill also legislatively declares that it is the policy of the State to provide agencies in the Executive Branch of State government a framework for recruiting, hiring, promoting, and retaining qualified persons with disabilities.

Finally, the bill appropriates \$80,195 in Fiscal Year (FY) 2023–2024 and \$98,171 in FY 2024–2025 from the State General Fund to carry out the Program.

Provisions of the bill related to the appropriation are effective on July 1, 2023. Other provisions are effective on June 13, 2023, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2024, for all other purposes.

[Senate Bill 323](#) requires the Peace Officers' Standards and Training Commission to adopt regulations to establish standards for the reciprocity of a person from another state or the federal government with a certification or law enforcement training equivalent to serve as a category III peace officer in this State.

This bill is effective on June 1, 2023, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2024, for all other purposes.

[Senate Bill 387](#) requires the Administrator of the Division of Human Resource Management of the Department of Administration to periodically review the positions in the classified service that require a person to hold a bachelor's degree and, whenever the Administrator deems it necessary for the efficiency of the public service, to revise the qualifications to allow a person to substitute equivalent experience or skills in lieu of such a degree.

This bill is effective on October 1, 2023.

[Senate Bill 406](#) makes it unlawful for a person to use, threaten, or attempt to use any force, intimidation, coercion, violence, restraint, or undue influence to interfere with the performance of the duties of an elections official or retaliate against an elections official for performing such duties. The bill also makes it unlawful to disseminate certain information about an elections official without consent. All of these crimes are punishable as a category E felony.

Additionally, SB 406 prohibits the Secretary of State, State Treasurer, State Controller, and Attorney General from soliciting or accepting monetary contributions for any political purpose during a certain period before and after a legislative session, as well as during a legislative session.

The provisions of the bill prohibiting certain constitutional officers from soliciting or accepting political contributions during certain periods are effective on October 1, 2023. All other provisions are effective on May 24, 2023.

[Senate Bill 434](#) makes substitute teachers eligible for membership in the Public Employees' Retirement System. The bill also provides System members the option of a reduced service retirement allowance with a benefit paid to a beneficiary for six months after a retiree's death.

This measure further requires a court, in granting a divorce, to provide an explanation, or ensure that an explanation has been provided, to the parties of any provision relating to the disposition of pension or retirement benefits that will be included in the decree of divorce or any related order.

This bill is effective on July 1, 2023.

[Senate Bill 501](#) 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 2023–2025 Biennium. For active participants, the State's contribution towards the total monthly cost is \$730 per month in Fiscal Year (FY) 2023–2024 and \$759 per month in FY 2024–2025. For retiree participants not eligible for Medicare, the base State monthly contribution is \$515 in FY 2023–2024 and \$545 in FY 2024–2025. For Medicare-eligible retiree participants enrolled in the PEBP-sponsored individual Medicare market exchange, the base State contribution is \$195 per month for persons who retired before January 1, 1994, and \$13 per month for up to 20 years of State service, equating to a maximum of \$260 per month, for persons who retired on or after January 1, 1994.

This bill is effective on July 1, 2023.

Public Works

[Assembly Bill 210](#) requires each contractor engaged on a public work to provide his or her workers at the time of hire a written or electronic notice that sets forth: (1) the Internet website of the Labor Commissioner where the prevailing wage rates for the public work project are posted; (2) the name of the contractor; and (3) the physical address of the principal place of business of the contractor. The contractor must receive and retain, for at least two years, an acknowledgement of receipt of any notice from each worker and make the notice available to the Labor Commissioner upon request. Finally, the bill requires a person found to have willfully and repeatedly failed to pay the prevailing wage to pay an affected worker damages in an amount equal to the difference between the prevailing wages required to be paid and the wages the contractor or subcontractor actually paid to the affected worker.

The bill is effective on May 30, 2023, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2024, for all other purposes.

[Assembly Bill 391](#) authorizes a local government to enter into a prehire agreement for a public work. Any such prehire agreement may contain a preference for hiring labor on the public work to local residents who meet certain criteria. This authority does not apply if any federal statute or regulation precludes the granting of federal assistance or reduces the amount of that assistance for a particular public work. Finally, the bill clarifies that this authority shall not be construed to authorize a contractor on a public work to pay any worker on the public work less than the applicable prevailing wage.

This bill is effective on June 15, 2023.

[Senate Bill 82](#) makes various changes to the requirements for the utilization of apprentices on public works, including:

- Expanding the circumstances under which a person is treated as an apprentice;
- Eliminating the threshold number of workers for the applicability of certain requirements to use apprentices;
- Clarifying that the requirements for employing apprentices are applied on the basis of public works performed during a calendar year instead of on a per public work basis;

- Requiring contractors or subcontractors to maintain and provide to the Labor Commissioner any supporting documentation that demonstrates a good faith effort to employ one or more apprentices for a certain percentage of the total hours performed on a public work; and
- Requiring a contractor or subcontractor, beginning on or before February 15, 2025, and every year thereafter, to submit an annual report to the Labor Commissioner regarding the employment of apprentices.

The bill creates a penalty schedule for violations of certain provisions relating to the requirements for a contractor or subcontractor to employ one or more apprentices for a certain percentage of the total hours performed on a public work. Finally, the bill appropriates \$376,876 from the State General Fund to the Office of the Labor Commissioner to carry out the provisions of the bill. Any remaining balance of the appropriation must be reverted to the State General Fund.

Provisions related to the appropriation are effective on July 1, 2024. All other provisions are effective on June 13, 2023, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2024, for all other purposes.

[Senate Bill 226](#) makes a declaration of legislative intent that the payment of prevailing wages to workers on public works projects that are funded in whole or in part by public money is essential to the economic well-being of the State, and careful scrutiny of novel leasing and financing arrangements entered into, and incentives offered by, a public body is necessary to ensure workers are paid prevailing wages. Further, the bill authorizes certain organizations to partner with a State agency or local government and provide private financing only for the construction of a hospital, medical education building, or medical research building in this State and requires the payment of prevailing wages on projects developed by such organizations. A contract or agreement entered into with a prime contractor for such a project must require at least 15 percent of the subcontracts for the project to be awarded to local small businesses and must use apprentices as required by State law.

Finally, SB 226 provides that if a local government enters into a lease, lease-purchase, or installment-purchase agreement for the construction, repair, or remodeling of an improvement, prevailing wages must be paid.

This bill is effective on June 15, 2023.

State Agencies

[Assembly Bill 18](#) revises the composition of the Division of Enterprise Information Technology Services of the Department of Administration and modernizes certain statutory language to better define the work of the Division.

This bill is effective on July 1, 2023.

[Assembly Bill 55](#) revises provisions of the Uniform Unclaimed Property Act, including, but not limited to, making various changes relating to the dates on which certain unclaimed property is presumed abandoned; requiring the Administrator of Unclaimed Property to create and maintain a statewide publicly available searchable database that includes the name of the person reported to be the apparent owner of the unclaimed property; removing the requirement that the Administrator must provide written consent before the abandoned property is delivered to the apparent owner if the receipt of the property is in the best interests of the State; revising the notice that the Administrator must make to sell certain abandoned property at a public sale; and revising requirements governing the frequency and content of the publication of information concerning abandoned property in a newspaper of general circulation.

The bill also authorizes the Administrator to request a State or local agency to provide certain confidential information for the purpose of facilitating the return of unclaimed or abandoned property, and to adopt regulations relating to agreements which assist a property owner in the return of property that is presumed abandoned. Finally, the bill repeals a provision requiring that the Act must be applied and construed to effectuate its general purpose to make the law uniform among the states that enact the Act.

This bill is effective on July 1, 2023.

[Assembly Bill 58](#) revises the membership of the Nevada Air Service Development Commission and provides that the Commission is part of the Office of Economic Development in the Office of the Governor. The bill also authorizes the Commission to award grants to governmental entities and to air carriers for the purpose of establishing or enhancing air service routes that service any public use airport in Nevada that is part of the National Plan of Integrated Airport Systems. The Commission must annually submit a report to the Director of the Legislative Counsel Bureau concerning the applications for grants received and grants awarded by the Commission.

Finally, the bill appropriates \$1 million in each year of the 2023–2025 Biennium from the State General Fund to the Fund for Aviation to be used by rural airports to match money that is available from the Federal Aviation Administration.

This bill is effective on July 1, 2023.

[Assembly Bill 77](#) creates the Office of Entrepreneurship within the Office of Economic Development within the Office of the Governor, which must:

- Work to strengthen policies and programs supporting the growth of entrepreneurship in Nevada;
- Work with stakeholders and organizations supporting entrepreneurship to enhance the skills of, provide technical support to, and expand resources for entrepreneurs across Nevada;
- Serve as a point of contact to assist businesses in operation for five years or less in their interactions with State agencies and, where appropriate, refer businesses to other State and local agencies that provide assistance to businesses; and
- Submit certain annual reports to the Legislative Commission.

Additionally, the bill authorizes the Office of Economic Development to encourage 5 percent of the total number of State contracts to be awarded to businesses that have been in operation for not more than five years and whose principal place of business is in Nevada. Finally, the bill makes an appropriation from the State General Fund to the Office of Economic Development to carry out the functions of the Office of Entrepreneurship, including the hiring of two full-time staff positions.

This bill is effective on July 1, 2023.

[Assembly Bill 98](#) makes various changes to the Governor’s Workforce Investment Board, including:

- Changing the name of the Board to the Governor’s Workforce Development Board;
- Expanding the representation of the Board to include members of local workforce development boards and other business representatives from industry sectors; and

- Requiring the Board to collaborate with local workforce development boards and regional development authorities on various economic and workforce development activities.

Additionally, the bill requires each regional industry or sector partnership working with local workforce development boards to submit certain reports to the Board.

This bill is effective on May 30, 2023.

[Assembly Bill 125](#) requires the tribal liaison for the Department of Public Safety to maintain ongoing communication related to missing or murdered indigenous persons with: the Indian tribes and tribal communities in this State; tribal organizations; urban Indian organizations; other tribal liaisons designated by State agencies; and nongovernmental entities that provide services to women who are members of Indian tribes. This bill authorizes the Department to accept a report of a person who is 18 years of age or older and missing from an Indian reservation or Indian colony that is in whole or in part in this State, under certain circumstances, and to enter the information concerning the missing person into the computer for the National Crime Information Center.

Further, each sheriff, chief of police, or other law enforcement agency that receives such a report must notify the Missing and Murdered Unit within the Office of Justice Services of the Bureau of Indian Affairs, a police officer employed by the Indian tribe that has jurisdiction over the Indian reservation or colony from which the person is missing, and the tribal liaison for the Department. Finally, the bill makes appropriations from the State General Fund to the Investigation Division of the Department over the 2023–2025 Biennium for expenses to carry out the provisions of the bill.

This bill is effective on July 1, 2023.

[Assembly Bill 262](#) requires, to the extent practicable, State agencies to give preference to purchasing automobiles that minimize emissions and the total cost of the automobile over its service life. The bill also requires State agencies to give preference to purchasing motor vehicle fuel blended with ethanol, to the extent practicable, and to ensure diesel-powered automobiles, if purchased, are capable of using certain biodiesel fuel blends. The agencies must maintain records on the type of fuel used by each vehicle purchased, and the Fleet Services Division of the Department of Administration must maintain such records for all vehicles assigned to the Division.

Lastly, the bill declares that it is the policy goal of this State to pursue and support, to the extent practicable, a transition of all publicly owned vehicles to vehicles that emit zero tailpipe emissions by 2050.

This bill is effective on October 1, 2023.

[Assembly Bill 350](#) requires each law enforcement agency to include certain additional information relating to seizures and forfeitures in the annual report submitted to the Office of the Attorney General. This bill additionally requires the Office of the Attorney General to make the reports relating to seizures and forfeitures that are published on its Internet website available in a machine-readable format.

This bill is effective on October 1, 2023.

[Assembly Bill 461](#) creates the Chief Administrative Analyst position as a member of the executive staff of the Public Employees' Retirement System and provides the qualifications for the position.

This bill is effective on July 1, 2023.

[Assembly Bill 516](#) removes the Nevada Indian Commission from the Department of Tourism and Cultural Affairs and creates the Department of Native American Affairs, consisting of the Executive Director of the Department, the Commission, and the Stewart Indian School Cultural Center and Museum. The bill sets forth the responsibilities of the Executive Director of the Department, including assuming the responsibilities of the Executive Director of the Commission; administering the Account for the Protection and Rehabilitation of the Stewart Indian School; and administering the Department's gift fund. The Executive Director may also appoint any necessary staff to execute the duties of the Department; appoint advisory committees to assist and advise the Commission; negotiate and contract with other agencies; and provide certain information or assistance to the Department of Wildlife.

This bill is effective on July 1, 2024.

[Senate Bill 10](#) relocates the Nevada State Infrastructure Bank from the Department of Transportation to the Office of the State Treasurer and revises various provisions related to its Board of Directors, including the membership of the Board and certain provisions concerning confidential information and closed meetings.

The bill also authorizes the Bank to provide loans and other financial assistance for K–12 school facilities in counties with a population of less than 100,000. Further, SB 10 adds workforce housing to the types of social infrastructure projects for which the Bank may provide loans and other financial assistance.

This bill is effective on July 1, 2023.

[Senate Bill 24](#) extends the prospective expiration of the Office of Small Business Advocacy from July 1, 2023, to July 1, 2025. The bill also eliminates the prohibition on employing personnel for the Office with money from the State General Fund and authorizes the Lieutenant Governor to employ personnel for the Office within the limits of money appropriated or authorized for such purposes.

Further, the bill moves the Keep Nevada Working Task Force from the Office of the Lieutenant Governor to the Office of the Secretary of State and revises its membership.

This bill is effective on June 13, 2023, for purposes related to the expiration date of the Office of Small Business Advocacy, the appointment of members to the Keep Nevada Working Task Force, and performing preparatory administrative tasks, and on July 1, 2023, for all other purposes.

[Senate Bill 25](#) requires the State Public Works Division to implement and maintain a long-term plan to address the future need for suitable office spaces for the departments and agencies of the Executive Department of State government.

This bill is effective on July 1, 2023.

[Senate Bill 34](#) authorizes the Attorney General or other authorized representative of a political subdivision of the State to represent certain officers or employees who are summoned or subpoenaed to appear if the person is not a named defendant and submits a written request for representation or if the Attorney General or other authorized representative determines that representation is in the best interest of the State or a political subdivision of the State. Language requiring that the determination to employ special counsel must be made prior to trial is removed from statute.

The bill provides for the appointment of special counsel if the Attorney General or other authorized representative determines that it is impracticable, uneconomical, or could constitute a conflict of interest to serve as legal adviser in such a matter. Similar provisions are set forth regarding a person in the Executive Branch employing counsel other than the Attorney General and how such counsel must be compensated

according to existing statute. The bill also includes a judge or senior judge of the Court of Appeals in the definition of a “state judicial officer.”

Finally, the Office of the Attorney General is required to submit a report that includes a list of each contract for outside legal counsel entered into by the Executive Department of State government on or before July 1 of each odd-numbered year to the Director of the Legislative Counsel Bureau for distribution to the Joint Interim Standing Committee on Judiciary.

Provisions of the bill revising the definition of “state judicial officer” and removing language governing when the decision to employ special counsel must be made are effective on June 6, 2023. All other provisions are effective on October 1, 2023.

[Senate Bill 44](#) transfers the State Program for Oral Health, the Advisory Committee on the State Program for Oral Health, and the duty to appoint the State Dental Health Officer and the State Public Health Dental Hygienist to the Department of Health and Human Services from various divisions within the Department. Additionally, the bill revises certain educational and licensing requirements for the State Dental Health Officer and the State Public Health Dental Hygienist and provides that persons holding these positions are no longer required to devote all their time to the business of their office.

This bill is effective on July 1, 2023.

[Senate Bill 85](#) changes the amount of money that the Director of Nevada’s Department of Transportation is required to retain for certain highway contracts to an amount of 5 percent of the contract price, but not more than \$50,000. The bill also removes the requirement for the Department to perform a final inspection and instead provides that the amount retained can be retained until satisfactory completion of the entire project and final acceptance by the Director. Lastly, the bill authorizes a subcontractor or supplier who performs work on a project for highway improvement or construction to contact the Director to resolve payment disputes if a contractor withholds more than 5 percent of a required payment.

This bill is effective on May 31, 2023.

[Senate Bill 214](#) eliminates the Advisory Committee to the Juvenile Justice Oversight Commission and the Advisory Council on Science, Technology, Engineering and Mathematics. The bill also eliminates the Commission on Educational Technology and instead requires Nevada’s Department of Education (NDE) to establish a plan for the use of education technology in public schools. The bill eliminates both the requirement for NDE to establish the Competency-Based Education Network and the authority for the Nevada System of Higher Education to establish the Committee on Anatomical Dissection. Finally, the bill removes the authority of the Advisory Council on the State Program for Wellness and the Prevention of Chronic Disease to appoint an advisory group to study the delivery of health care through patient-centered medical homes.

This bill is effective on July 1, 2023.

[Senate Bill 431](#) makes various changes to the structure, organization, and policies of certain agencies within the Executive Branch of State government. Among other provisions, the bill:

- Creates the Office of Nevada Boards, Commissions and Councils Standards in the Department of Business and Industry;
- Eliminates the Division of Enterprise Information Technology Services and transfers its powers and duties to the Office of the Chief Information Officer within the Office of the Governor;

- Renames the Personnel Commission of the Division of Human Resource Management within the Department of Administration as the Human Resources Commission, and changes the name of the associated Personnel System to the Human Resources System;
- Makes various provisions relating to recruitment, application, and selection processes for certain State employment;
- Revises the monetary threshold for instances in which an Executive Branch agency must obtain approval from the Interim Finance Committee for revising a work program;
- Revises the monetary threshold for which State agencies may accept certain gifts or grants without approval from the Interim Finance Committee or the Governor;
- Allows the balance in the Account to Stabilize the Operation of the State Government to be up to 26 percent, rather than 20 percent, of the total appropriations from the State General Fund; and
- Requires the State Controller to transfer \$269,550,063 from the General Fund to the Account.

Finally, the bill makes an appropriation of \$900,000 in each year of the 2023–2025 Biennium for the salaries of staff and employees of the Office of the Governor.

Provisions of the bill related to the Account to Stabilize the Operation of the State Government are effective on June 16, 2023. All other provisions are effective on July 1, 2023.

[Senate Bill 477](#) makes various changes to the organization of the Department of Tourism and Cultural Affairs. The bill authorizes the Director of the Department to appoint an unclassified Deputy Director to oversee the Division of Tourism and eliminates the ex officio, nonvoting members of the Commission on Tourism. Additionally, the bill revises the name of the *Nevada Magazine* to the *Nevada Magazine and Visitor Guide* and replaces the Fund for the Nevada Magazine with the Fund for Tourism and Cultural Affairs for the proceeds of the magazine sales, which may be used to publish and distribute educational materials relating to natural and cultural resources in Nevada to schools.

This bill is effective on July 1, 2023.

[Senate Bill 497](#) revises provisions relating to arbitrations to settle a dispute concerning the amount that a third-party insurer must pay for medically necessary emergency services rendered by an out-of-network provider to a covered person. The bill authorizes a State agency whose employee serves as an arbitrator of such a dispute to retain the money paid for the costs of the arbitrator, instead of such money being credited to the State General Fund. The provisions of the bill apply to any money collected by a State agency under such circumstances on or after July 1, 2022.

This bill is effective on June 13, 2023.

Vetoed Bills

[Assembly Bill 97](#) precludes certain governmental entities from adopting a building code or taking any other action to prohibit or limit the use of refrigerants designated by the United States Environmental Protection Agency as a refrigerant alternative or substitute if equipment installation complies with certain industry standards.

The bill authorizes the governing body of any city or county or any other governmental entity to adopt a building code or ordinance or take any other action to prohibit the construction or use of evaporative cooling mechanisms or restrict water service to properties utilizing these mechanisms.

Finally, the bill voids any currently existing building codes or other actions adopted by the governing body of a city or county or any other governmental entity limiting or prohibiting refrigerant alternatives or substitutes.

[Assembly Bill 235](#) requires the payment of prevailing wages to workers who perform custom fabrication on a public work or for certain performance contracts of local governments or State agencies.

[Assembly Bill 366](#) moves the Keep Nevada Working Task Force from the Office of the Lieutenant Governor to the Office of the Secretary of State and revises its membership.

[Senate Bill 20](#) creates a process for filling a vacancy on a board of county commissioners: first, by an appointment made by the Governor from a list of two persons provided by the county; second, through a special election; or third, by a board of county commissioners pursuant to a process established by ordinance.

[Senate Bill 169](#) requires the master plan in a county whose population is 100,000 or more (currently Clark and Washoe Counties) to include a heat mitigation element. The bill also sets forth the requirements for this heat mitigation element, including a plan to develop strategies such as cooling spaces, public drinking water, cool building practices, shade over paved surfaces, and urban tree canopies.

[Senate Bill 210](#) declares it is the public policy of the State that appointments made by the Governor to boards, commissions, or similar bodies must, to the extent practicable and except as otherwise required by law, represent the diversity of the State. Such entities must submit to the Governor a list of persons qualified for membership within 60 days after a vacancy occurs.

Additionally, SB 210 requires the Chair of the Legislative Commission to appoint the Chair and Vice Chair of the Sunset Subcommittee of the Legislative Commission. During each legislative interim, the Subcommittee must review at least three professional or occupational licensing boards or regulatory bodies regarding restrictions on criminal histories for applicants. These boards and regulatory bodies are no longer required to submit certain reports related to the review of such criminal histories.

[Senate Bill 299](#) requires the payment of prevailing wages on any work, construction, alteration, repair, or other employment performed, undertaken, or carried out by or for any railroad company or any person operating the same, regardless of whether a public body is party to the contract. Similarly, the work of, or incident to, the installation and operation of a monorail may be subject to prevailing wage requirements.

[Senate Bill 433](#) requires the Labor Commissioner to adopt regulations establishing the factors to be considered when determining whether prevailing wages are required to be paid on a public work. The bill also provides that the Labor Commissioner is not bound by any determination or finding of a public body relating to the applicability of the requirements for the payment of prevailing wages. Lastly, any determination made by the Labor Commissioner regarding the applicability of those requirements is a final order for the purposes of judicial review.

[Assembly Bill 74](#) authorizes the Board of Regents of the University of Nevada to enter into an agreement with a public or private entity to promote and enhance an educational program or student life at an institution and outlines certain provisions for such agreements, including certain requirements relating to prevailing wage. The bill further determines that any such agreement is subject to certain policies established by the Board. Finally, AB 74 authorizes a public body to enter into a public-private partnership to plan, finance, design, construct, improve, maintain, operate, or acquire certain facilities.

[Assembly Bill 172](#) requires each school district to semiannually provide each employee organization recognized by the school district certain contact information for each employee in the bargaining unit represented by the employee organization, unless the school district and employee organization agree on a different schedule. The bill also specifies that the information is confidential and is not a public record. If a school district employee

notifies the district that he or she does not want the district to provide his or her information to the employee organization, the school district must not provide the information to the employee organization but must still provide it to the Government Employee-Management Relations Board when requested by order of the Board. Additionally, the bill makes matters relating to parking and transportation mandatory subjects of collective bargaining between the Executive Branch of State government and employee organizations that represent classified employees.

[Assembly Bill 224](#) authorizes collective bargaining between State professional employers and professional employees. State professional employers are defined as a board, commission, or similar body within the Executive Department of State government, including, without limitation, the Board of Regents of the University of Nevada, that employs 400 or more professional employees. The bill provides for the creation and organization of bargaining units and sets forth certain subjects that constitute the scope of mandatory bargaining. The bill requires the Government Employee-Management Relations Board to assess a fee for the support of the Board based on the number of professional employees in a bargaining unit that had an exclusive representative in the first pay period of the immediately preceding year. Further, the bill authorizes the Division of Human Resource Management of the Department of Administration and the Attorney General to provide, and be paid for, services to a State professional employer related to collective bargaining. Finally, the bill makes an appropriation to the Interim Finance Committee for allocation to the Nevada System of Higher Education and to the Office of the Attorney General for personnel and certain other expenses to carry out the provisions of AB 224.

[Assembly Bill 258](#) requires, with certain exceptions, a governmental entity to keep confidential any personal information in its records that identifies a person as a donor, member, or volunteer of a nonprofit organization. The bill prohibits, with certain exceptions, a governmental entity from publicizing or requiring the provision of such information from any person or nonprofit organization. Additionally, the governmental entity may not request or require a current or prospective contractor or grantee to provide a list of nonprofit organizations to which the contractor or grantee has provided support. Any violation of these provisions by a governmental agency or an officer or employee of a governmental agency may be punishable through a civil action with damages in an amount of not less than \$2,500 for a violation, and \$7,500 for an intentional violation. Any officer or employee of a governmental entity who knowingly and willfully violates these provisions is guilty of a misdemeanor.

The Secretary of State, in carrying out certain requirements of existing law, is prohibited from collecting or disclosing any information that directly identifies a person as a donor of financial support to a nonprofit organization. Similarly, the Attorney General may only use information collected during an audit, examination, review, or investigation of a corporation for public benefit or a corporation holding assets in a charitable trust for the purpose that it was collected and may not otherwise disclose certain information.

Finally, the bill makes an appropriation to the Interim Finance Committee for allocation to the Office of the Attorney General to fund two positions—one Deputy Attorney General and one Compliance Investigator.

[Assembly Bill 305](#) requires that, to the extent practicable, on public work projects:

- At least 2 percent of the hours of labor for vertical construction that is required to be performed by apprentices must be performed by women; and
- At least 1 percent of the hours of labor for horizontal construction that is required to be performed by apprentices must be performed by women.

Finally, the bill requires the State Apprenticeship Council to review, at least once every two years, the policies of an apprenticeship program that does not provide enough apprentices who are women to enable a contractor or subcontractor to meet the percentage of hours of labor required to be performed by women.

[Assembly Bill 498](#) revises the contribution rate to the Public Employees' Retirement System (PERS) for an employee of a participating State agency from a rate equal to that paid by the employer to one-half of the normal cost that is actuarially determined for police officers and firefighters and for regular members, depending on the retirement fund in which the member is participating. The bill also revises the employer contribution rate for a participating State agency to be the total contribution rate actuarially determined less the employee contribution rate of one-half of normal costs.

Additionally, AB 498 requires the Board of Regents of the University of Nevada and each participant in the retirement program for professional staff of the Board to each contribute 17.5 percent of the participant's gross compensation to the retirement program.

Finally, the bill appropriates \$190.7 million from the State General Fund and \$40 million from the State Highway Fund over the 2023–2025 Biennium to fund the increase in employers' contributions to PERS.

[Senate Bill 81](#) requires, through 2026, representatives from Carson City and Douglas, Lyon, Storey, and Washoe Counties, in consultation with any cities within each of these five counties, to meet to discuss and identify positive and negative issues relating to growth in the region and to prepare and submit to each Legislator who represents any portion of the region an annual joint report that makes recommendations intended to resolve any negative impacts on the orderly management of growth in the region. The measure also requires the Majority Leader of the Senate and the Speaker of the Assembly to each appoint two members from their respective Houses, one from the majority party and one from the minority party, to meet at least twice during each calendar year between January 1, 2024, and January 1, 2027, with certain county and city representatives to identify and discuss positive and negative issues relating to growth in the region. County managers or certain other designees are required to prepare a joint regional report of the issues identified and any recommendations made relating to those issues. The legislative members and each city manager who participates in these joint meetings serve in an ex officio capacity and are not voting members, nor are the Legislators entitled to compensation or to any per diem or travel expenses to attend meetings required by SB 81.

[Senate Bill 246](#) revises the city charters of Las Vegas and North Las Vegas to require each city to establish a workforce development program, in coordination with all applicable agencies that provide workforce development services, to reduce the rate of unemployment in all areas that have a high rate of poverty. The bill further amends the North Las Vegas City Charter to require that each member of the Charter Committee complete certain training and that the Committee meet at least four times between regular legislative sessions. The bill prohibits the City Council, officers, and the City's employees from interfering with the duties of the Committee or committing any abuses of power with respect to the duties of the Committee. The bill also requires the City Clerk, before entering upon the duties of the office, to take and subscribe to the constitutional oath of office. Finally, the City Manager must submit an annual report regarding special revenue funds to the Committee on Local Government Finance.

[Senate Bill 262](#) eliminates the requirement that members of a citizens' advisory council or town advisory board that does not manage any town services must be qualified electors, although such members must be:

- Residents of the town; and
- United States citizens or lawfully entitled to reside in the United States.

[Senate Bill 272](#) requires each State agency or local government to, on or before September 1 of each year, post in a conspicuous place on its website:

- The total number of purchasing contracts, performance contracts, and contracts for public works awarded by the State agency or local government during the immediately preceding fiscal year;
- The total dollar amount of all such contracts awarded by the State agency or local government during the immediately preceding fiscal year;
- The total number of contracts awarded by the State agency or local government during the immediately preceding fiscal year to minority-owned businesses, women-owned businesses, LGBTQ-owned businesses, and veteran-owned businesses; and
- The total dollar amount of all such contracts awarded by the State agency or local government during the immediately preceding fiscal year to minority-owned businesses, women-owned businesses, LGBTQ-owned businesses, and veteran-owned businesses.

[Senate Bill 301](#) provides that a worker who is employed by delivering or removing construction material or structures to or from the site of a public work and is necessary in the execution of the contract for the public work is deemed to be employed on the public work for purposes of the payment of prevailing wages. Any regulations adopted by the Labor Commissioner that conflict with the provisions of the bill are void and shall be removed from the *Nevada Administrative Code*. Finally, SB 301 appropriates funds to the Labor Commissioner to carry out compliance and enforcement duties related to the provisions of the bill.

[Senate Bill 319](#) adds persons who are employed as category I, II, or III peace officers in the unclassified service of the State to the definition of “employee” for purposes of collective bargaining.

[Senate Bill 371](#) authorizes a board of county commissioners and a governing body of an incorporated city, except as expressly prohibited by statute, to enact any ordinance or measure relating to affordable housing.

[Senate Bill 384](#) revises provisions relating to the development of broadband services and infrastructure. The bill sets forth certain requirements related to the awarding of grants of federal money by State agencies based on certain factors and relative weights. The bill also requires applicants, broadband service providers, and contractors, in order to receive a certain weight in the application process, to certify that they meet certain safety and training requirements, provide job opportunities with high-quality wages to residents of the State, and are a signatory to a collective bargaining agreement. Finally, if an applicant meets certain wage requirements, certain provisions of law requiring prevailing wages on public works do not apply.