



PREPARED BY  
RESEARCH DIVISION  
LEGISLATIVE COUNSEL BUREAU  
Nonpartisan Staff of the Nevada Legislature

# WORK SESSION

## Senate Committee on Government Affairs

May 13, 2015

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### Bills Under Consideration

The following measures may be considered for action during today's work session. In some cases, possible amendments are noted. These amendments were either suggested during testimony or submitted after the hearing and do not necessarily have the approval of the Committee.

- Senate Bill 475** \_\_\_\_\_  
    **Floor Assignment** \_\_\_\_\_
- Assembly Bill 106 (R1)** \_\_\_\_\_  
    **Floor Assignment** \_\_\_\_\_
- Assembly Bill 159** \_\_\_\_\_  
    **Floor Assignment** \_\_\_\_\_
- Assembly Bill 162 (R1)** \_\_\_\_\_  
    **Floor Assignment** \_\_\_\_\_
- Assembly Bill 163 (R1)** \_\_\_\_\_  
    **Floor Assignment** \_\_\_\_\_
- Assembly Bill 170 (R1)** \_\_\_\_\_  
    **Floor Assignment** \_\_\_\_\_
- Assembly Bill 172 (R1)** \_\_\_\_\_  
    **Floor Assignment** \_\_\_\_\_
- Assembly Bill 363 (R1)** \_\_\_\_\_  
    **Floor Assignment** \_\_\_\_\_
- Assembly Bill 364 (R1)** \_\_\_\_\_  
    **Floor Assignment** \_\_\_\_\_

**Committee Action:**  
**Do Pass** \_\_\_\_\_  
**Amend & Do Pass** \_\_\_\_\_  
**Other** \_\_\_\_\_

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Senate Committee on Government Affairs

This measure may be considered for action during today's work session.

May 13, 2015

**SENATE BILL 475**

**Authorizes a county or city to file a petition in bankruptcy under certain circumstances. (BDR 31-1021)**

**Sponsored by: Senate Committee on Government Affairs**

**Date Heard: April 3, 2015**

**Fiscal Impact: Effect on Local Government: No.**

**Effect on the State: No.**

Senate Bill 475 authorizes a county or city found to exist in a severe financial emergency to file a petition in bankruptcy with a federal bankruptcy court if: (1) the Nevada Tax Commission finds that the county or city is in severe financial emergency and that emergency is unlikely to cease within 3 years; and (2) the county or city obtains approval from the Governor and the Attorney General.

**Amendments:** See attached amendment proposed subsequent to the hearing, which deletes the requirement that the county or city obtain approval from the Governor and the Attorney General.

MOCK-UP

PROPOSED AMENDMENT 7141 TO  
SENATE BILL NO. 475

PREPARED FOR SENATE COMMITTEE ON GOVERNMENT AFFAIRS  
MAY 8, 2015

PREPARED BY THE LEGAL DIVISION

**NOTE: THIS DOCUMENT SHOWS PROPOSED AMENDMENTS IN  
CONCEPTUAL FORM. THE LANGUAGE AND ITS PLACEMENT IN THE  
OFFICIAL AMENDMENT MAY DIFFER.**

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of **green bold underlining** is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

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

- 1     **Section 1.** Chapter 354 of NRS is hereby amended by adding thereto  
2 a new section to read as follows:  
3     **1.** *A county or city may file a petition in bankruptcy with a federal*  
4 *bankruptcy court pursuant to chapter 9 of the United States Bankruptcy*  
5 *Code, 11 U.S.C. §§ 901 et seq. for a determination of the composition of*  
6 *or an adjustment to the indebtedness of the county or city, as applicable,*  
7 *if:*  
8     *(a) The Nevada Tax Commission, after a hearing conducted*  
9 *pursuant to subsection 7 of NRS 354.685, issues a finding declaring the*  
10 *county or city to exist in a severe financial emergency; **and***  
11     *(b) The Nevada Tax Commission, after a hearing conducted*  
12 *pursuant to subsection 3 of NRS 354.723, finds that the severe financial*  
13 *emergency is unlikely to cease within 3 years. **f; and***  
14 ~~*(c) The county or city, before filing the petition, submits the proposed*~~  
15 ~~*petition to the Governor and the Office of the Attorney General for*~~  
16 ~~*review and receives approval in writing from the Governor and the*~~  
17 ~~*Office of the Attorney General to file the petition.*~~

1     **2. A county or city that files a petition in bankruptcy pursuant to**  
2 **subsection 1 shall include with the petition a copy of the approvals**  
3 **received pursuant to paragraph (c) of that subsection.**

4     **Sec. 2.** NRS 354.655 is hereby amended to read as follows:  
5     354.655 As used in NRS 354.655 to 354.725, inclusive, **and section 1**  
6 **of this act**, unless the context requires otherwise:

7     1. "Committee" means the Committee on Local Government Finance.  
8     2. "Department" means the Department of Taxation.  
9     3. "Executive Director" means the Executive Director of the  
10 Department of Taxation.

11     4. "Local government" means any local government subject to the  
12 provisions of the Local Government Budget and Finance Act.

13     5. The words and terms defined in the Local Government Budget and  
14 Finance Act have the meanings ascribed to them in that act.

15     **Sec. 3.** NRS 354.657 is hereby amended to read as follows:  
16     354.657 1. The purpose of NRS 354.655 to 354.725, inclusive, **and**  
17 **section 1 of this act** is to provide specific methods for the treatment of  
18 delinquent documents, payments, technical financial assistance and severe  
19 financial emergency.

20     2. To accomplish the purpose set forth in subsection 1, the provisions  
21 of NRS 354.655 to 354.725, inclusive, **and section 1 of this act** must be  
22 broadly and liberally construed.

23     **Sec. 4.** This act becomes effective:

24     1. Upon passage and approval for the purpose of adopting regulations  
25 and performing any other preparatory administrative tasks that are  
26 necessary to carry out the provisions of this act; and

27     2. On January 1, 2016, for all other purposes.

**Committee Action:**  
**Do Pass** \_\_\_\_\_  
**Amend & Do Pass** \_\_\_\_\_  
**Other** \_\_\_\_\_

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Senate Committee on Government Affairs

This measure may be considered for action during today's work session.

May 13, 2015

**ASSEMBLY BILL 106 (R1)**

**Revises provisions related to public works. (BDR 28-244)**

**Sponsored by:** Assembly Committee on Government Affairs

**Date Heard:** April 29, 2015

**Fiscal Impact:** Effect on Local Government: No.

Effect on the State: No.

Assembly Bill 106 eliminates the authority of a public body to include in a contract with a design professional a provision requiring that the design professional defend the public body in any lawsuit alleging negligence, errors or omissions, recklessness, or intentional misconduct on the part of the design professional or his or her employees or agents that are based upon or arising out of the professional services of the design professional. In such circumstances, this bill provides that if the design professional is held to be liable as a result of a lawsuit, the judge or jury shall order the design professional to reimburse the public body for a proportionate share of the attorney's fees and costs the public body incurred in defending the action. This bill retains the public body's authority to include a provision in a contract with a design professional requiring that the design professional defend the public body in any lawsuit alleging negligence, errors or omissions, recklessness, or intentional misconduct of the design professional or his or her employees or agents that are not based upon or arising out of the professional services of the design professional.

**Amendments:** The attached amendment was proposed by Steve Walker on behalf of Carson City, Clark County, Douglas County, Lyon County, and Truckee Meadows Water Authority. The bill's proponents, Mike Hillerby representing American Institute of Architects and Russell Rowe representing American Council of Engineering Companies of Nevada, testified in opposition to the "unfriendly" amendment.

## AB 106 Proposed Amendment

Proposed by:

**Douglas, Carson City, Lyon Counties,  
Clark Counties & Truckee Meadows  
Water Authority**

Contact: Steve Walker – 775-771-6323

Amend Section 1 - (f) & (g) as follows;

Amend Section 1 - (f) & (g) as follows

(f) May ~~not~~ require the design professional to defend the public body and the employees, officers and agents of the public body [and] with respect to the liabilities, damages, losses, claims, actions or proceedings *allegedly* caused by the negligence, errors, omissions, recklessness or intentional misconduct of the design professional or the employees or agents of the design professional which are based upon or arising out of the professional services of the design professional. ~~If the design professional is adjudicated to be liable by a trier of fact, the trier of fact shall award reasonable attorney's fees and costs to be paid to the public body, as reimbursement for the attorney's fees and costs incurred by the public body in defending the action, by the design professional in an amount which is proportionate to the liability of the design professional.~~

(g) May require the design professional to defend the public body and the employees, officers and agents of the public body with respect to the liabilities, damages, losses, claims, actions or proceedings *allegedly* caused by the negligence, errors, omissions, recklessness or intentional misconduct of the design professional or the employees or agents of the design professional which are not based upon or arising out of the professional services of the design professional.

**Committee Action:**  
**Do Pass** \_\_\_\_\_  
**Amend & Do Pass** \_\_\_\_\_  
**Other** \_\_\_\_\_

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Senate Committee on Government Affairs

This measure may be considered for action during today's work session.

May 13, 2015

**ASSEMBLY BILL 159**

**Makes various changes to provisions governing public works. (BDR 28-936)**

**Sponsored by: Assembly Committee on Government Affairs**

**Date Heard: May 6, 2015**

**Fiscal Impact: Effect on Local Government: No.**

**Effect on the State: No.**

Assembly Bill 159 provides that a public body, in any solicitation, contract, or other document related to a contract for a public work, shall not require or prohibit a bidder or contractor from entering into or adhering to any agreement with one or more labor organizations in regard to a public work, or discriminate against a bidder or contractor for entering or not entering into, or adhering or refusing to adhere to any agreement with one or more labor organizations in regard to a public work. Additionally, a public body shall not require the awardee of a grant, tax abatement, tax credit, or tax exemption to enter into any agreement with one or more labor organizations, or discriminate against a bidder or contractor for entering into or not entering into an agreement with a labor organization in regard to a project. The measure allows a public body to exempt a particular public work or a grant, tax abatement, tax credit, or tax exemption from those restrictions if the public body makes a finding, after notice and a hearing, that special circumstances require such an exemption to avert an imminent threat to public health or safety. Such a finding of special circumstances must not be based on the possibility or presence of certain labor disputes.

**Amendments:** To be discussed at the work session.

**Special Note:** The provisions of this bill do not affect any contract for a public work or for any project that is funded in whole or in part by a grant, tax abatement, tax credit, or tax exemption from a public body that was entered into before July 1, 2015.

**Committee Action:**  
**Do Pass** \_\_\_\_\_  
**Amend & Do Pass** \_\_\_\_\_  
**Other** \_\_\_\_\_

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Senate Committee on Government Affairs  
This measure may be considered for action during today's work session.  
May 13, 2015

**ASSEMBLY BILL 162 (R1)**

**Revises provisions governing the use of portable event recording devices by law enforcement. (BDR 23-443)**

**Sponsored by: Assemblymen Munford, Wheeler, et al.**

**Date Heard: May 8, 2015**

**Fiscal Impact: Effect on Local Government: May Have Fiscal Impact.  
Effect on the State: Yes.**

Assembly Bill 162 authorizes law enforcement agencies to require uniformed peace officers to wear a portable event recording device while on duty and requires certain law enforcement agencies to adopt policies and procedures relating to the use of portable event recording devices. The bill also establishes that any record made by a portable event recording device is a public record, which may be requested only on a per-incident basis and inspected only at the location where the record is held if the record contains confidential information. The measure also exempts a portable event recording device worn by a peace officer from the definition of an "electronic, mechanical or other device" used to intercept wire or oral communication.

**Amendments:** None.



**Committee Action:**  
**Do Pass** \_\_\_\_\_  
**Amend & Do Pass** \_\_\_\_\_  
**Other** \_\_\_\_\_

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Senate Committee on Government Affairs  
This measure may be considered for action during today's work session.  
May 13, 2015

**ASSEMBLY BILL 163 (R1)**

**Provides for the creation of rangeland fire protection associations. (BDR 42-43)**

**Sponsored by:** Assemblymen Hansen, Oscarson, Wheeler, Senator Gustavson, et al.

**Date Heard:** May 8, 2015

**Fiscal Impact:** Effect on Local Government: No.  
Effect on the State: Yes.

Assembly Bill 163 authorizes a board of county commissioners, board of directors of a county fire protection district, or board of fire commissioners of certain other districts to approve a petition submitted by certain persons or business entities within the county or district to create a rangeland fire protection association if the petitioners meet certain requirements. Additionally, the bill provides for the routine evaluation of rangeland fire protection districts during the term of a cooperative agreement based on certain criteria and requires the State Forester Firewarden to adopt regulations relating to the formation, operation, and training of the members of such an association.

**Amendments:** See attached mock-up incorporating amendments proposed by Cliff Gardner (Section 9.5) and Kay Scherer, Deputy Director, State Department of Conservation and Natural Resources, to amend the effective date.

MOCK-UP

PROPOSED AMENDMENT 7207 TO  
ASSEMBLY BILL NO. 163  
FIRST REPRINT

PREPARED FOR SENATE COMMITTEE ON GOVERNMENT AFFAIRS  
MAY 12, 2015

PREPARED BY THE LEGAL DIVISION

**NOTE: THIS DOCUMENT SHOWS PROPOSED AMENDMENTS IN CONCEPTUAL FORM. THE LANGUAGE AND ITS PLACEMENT IN THE OFFICIAL AMENDMENT MAY DIFFER.**

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

- 1     **Section 1.** Chapter 472 of NRS is hereby amended by adding thereto  
2 the provisions set forth as sections 2, 3 and 3.5 of this act.  
3     **Sec. 2.** *As used in this chapter, unless the context otherwise*  
4 *requires, the term “rangeland fire protection association” means a*  
5 *nonprofit association formed for the purpose of protecting rangeland*  
6 *from wildfire pursuant to section 3, 7.5 or 7.7 of this act, as applicable.*  
7     **Sec. 3.** *1. Except as otherwise provided in sections 7.5 and 7.7 of*  
8 *this act, any business entity or cooperative or any two or more persons*  
9 *who own, lease, produce agriculture on or occupy property within a*  
10 *county in this State may establish a rangeland fire protection association*  
11 *by petitioning the board of county commissioners of the county in which*  
12 *the petitioners reside or in which their property is located for recognition*  
13 *as a rangeland fire protection association.*  
14     *2. A board of county commissioners may approve a petition*  
15 *submitted pursuant to subsection 1 if the petitioners:*  
16     *(a) Meet the requirements established by the board relating to the*  
17 *creation, operation and duties of a rangeland fire protection association.*

1 (b) Provide to the board a copy of written notice from the State  
2 Forester Firewarden that the proposed rangeland fire protection  
3 association meets all the applicable requirements set forth in the  
4 regulations adopted by the State Forester Firewarden pursuant to section  
5 3.5 of this act concerning the formation, operation and training of the  
6 members of a rangeland fire protection association.

7 3. A board of county commissioners, in cooperation with the State  
8 Forester Firewarden or his or her designee, shall, before the board  
9 enters into a cooperative agreement with a rangeland fire protection  
10 association pursuant to NRS 472.060 or 472.070 and annually thereafter  
11 during the term of the agreement, evaluate:

12 (a) The governance and management structure of the association;

13 (b) The adequacy of any policy of liability insurance carried by the  
14 association;

15 (c) The condition and maintenance of the vehicles and equipment  
16 used by the association in carrying out its duties; and

17 (d) The training and qualifications of each member of the  
18 association in accordance with national standards or other substantially  
19 equivalent standards determined by the State Forester Firewarden.

20 4. A board of county commissioners may delegate the performance  
21 of the evaluation required pursuant to subsection 3 to the State Forester  
22 Firewarden. The State Forester Firewarden shall report to the board of  
23 county commissioners the results of any such delegated evaluation.

24 5. The board of county commissioners, the State Forester  
25 Firewarden and any other agency which is a party to a cooperative  
26 agreement entered into with a rangeland fire protection association  
27 shall, to the extent practicable, assist the association in procuring  
28 funding for the association, carrying out the duties of the association,  
29 training the members of the association and providing personal  
30 protective equipment for the members of the association.

31 **Sec. 3.5. 1.** The State Forester Firewarden shall adopt  
32 regulations governing a rangeland fire protection association established  
33 pursuant to section 3 of this act setting forth:

34 (a) The requirements for the formation of such a rangeland fire  
35 protection association, including the governance and management  
36 structure of an association;

37 (b) The scope of the operations which may be conducted by such an  
38 association;

39 (c) The training requirements for the members of such an  
40 association;

41 (d) The amount of liability insurance that must be carried by such an  
42 association; and

43 (e) Any financial requirements for the formation and operation of  
44 such an association.

1 **2. The State Forester Firewarden shall develop recommendations**  
2 **concerning the formation, operation and training of the members of a**  
3 **rangeland fire protection association established pursuant to section 7.5**  
4 **or 7.7 of this act. Such recommendations must address the topics set**  
5 **forth in subsection 1.**

6 **Sec. 4.** NRS 472.050 is hereby amended to read as follows:

7 472.050 1. The State Forester Firewarden, with the approval of the  
8 Director of the State Department of Conservation and Natural Resources,  
9 may represent the State of Nevada in negotiating and entering into  
10 agreements with the Federal Government for the purpose of securing  
11 cooperation in forest management and the protection of the forest and  
12 watershed areas of Nevada from fire, and enter into such other agreements  
13 with boards of county commissioners, municipalities, **rangeland fire**  
14 **protection associations and other** organizations and individuals in the  
15 State of Nevada owning lands therein, as are necessary in carrying out the  
16 terms of the federal agreements or that will otherwise promote and  
17 encourage forest management and the protection from fire of forest or  
18 other lands having an inflammable cover.

19 2. Any federal money allotted to the State of Nevada under the terms  
20 of the federal agreements and such other money as may be received by the  
21 State for the management and protection of forests and watershed areas  
22 therein shall be deposited in the Division of Forestry Account in the State  
23 General Fund.

24 **Sec. 5.** NRS 472.060 is hereby amended to read as follows:

25 472.060 Any fire protection district and board or boards of county  
26 commissioners of the State of Nevada may:

27 1. Enter into cooperative agreements with the State Forester  
28 Firewarden subject to the approval of the Director of the State Department  
29 of Conservation and Natural Resources, acting for the State, and with other  
30 counties, **rangeland fire protection associations and other** organizations  
31 and individuals, to prevent and suppress outdoor fires.

32 2. Appropriate and expend funds for the payment of wages and  
33 expenses incurred in fire prevention and fire suppression, ~~and~~ for the  
34 purchase, construction and maintenance of forest protection improvements  
35 and equipment ~~and~~ and for paying other expenses incidental to the  
36 protection of forest and other lands from fire, including any portion of the  
37 office and travel expense of the Division of Forestry incurred in carrying  
38 out the provisions of any cooperative agreements with the State of Nevada.

39 **Sec. 6.** NRS 472.070 is hereby amended to read as follows:

40 472.070 The State Forester Firewarden with the approval of the  
41 Director of the State Department of Conservation and Natural Resources,  
42 fire protection districts, and the boards of county commissioners,  
43 separately or collectively, may enter into agreements with the United  
44 States Forest Service, United States Bureau of Land Management, ~~and~~  
45 other fire protection agencies ~~and~~ **and rangeland fire protection**

1 *associations* to provide for placing any or all portions of the fire protection  
2 work under the direction of the agency *or association* concerned, under  
3 such terms as the contracting parties deem equitable, and may place any or  
4 all funds appropriated or otherwise secured for forest protection in the  
5 cooperative work fund of the respective agency *or rangeland fire*  
6 *protection association* for disbursement by that agency *or association* for  
7 the purposes stated in the agreements and otherwise in conformity with the  
8 terms thereof.

9 **Sec. 7.** Chapter 474 of NRS is hereby amended by adding thereto the  
10 provisions set forth as sections 7.2, 7.5 and 7.7 of this act.

11 **Sec. 7.2.** *As used in this chapter, unless the context otherwise*  
12 *requires, the term “rangeland fire protection association” has the*  
13 *meaning ascribed to it in section 2 of this act.*

14 **Sec. 7.5. 1.** *Any business entity or cooperative or any two or more*  
15 *persons who own, lease, produce agriculture on or otherwise control or*  
16 *occupy property within a county fire protection district organized*  
17 *pursuant to NRS 474.010 to 474.450, inclusive, may establish a*  
18 *rangeland fire protection association by petitioning the board of*  
19 *directors of the county fire protection district in which the petitioners*  
20 *reside or in which their property is located for recognition as a*  
21 *rangeland fire protection association.*

22 **2.** *The board of directors of a county fire protection district may*  
23 *approve a petition submitted pursuant to subsection 1 if the petitioners:*

24 *(a) Meet the requirements established by the board relating to the*  
25 *creation, operation and duties of a rangeland fire protection association.*

26 *(b) Provide to the board a copy of written notice from the State*  
27 *Forester Firewarden that the proposed rangeland fire protection*  
28 *association complies with the recommendations developed by the State*  
29 *Forester Firewarden pursuant to section 3.5 of this act concerning the*  
30 *formation, operation and training of the members of a rangeland fire*  
31 *protection association.*

32 **3.** *The board of directors of a county fire protection district, in*  
33 *cooperation with the State Forester Firewarden or his or her designee,*  
34 *shall, before the board enters into a cooperative agreement with a*  
35 *rangeland fire protection association pursuant to NRS 472.060 or*  
36 *472.070 and annually thereafter during the term of the agreement,*  
37 *evaluate:*

38 *(a) The governance and management structure of the association;*

39 *(b) The adequacy of any policy of liability insurance carried by the*  
40 *association;*

41 *(c) The condition and maintenance of the vehicles and equipment*  
42 *used by the association in carrying out its duties; and*

43 *(d) The training and qualifications of each member of the*  
44 *association in accordance with national standards or other substantially*  
45 *equivalent standards determined by the county fire protection district.*

1 4. The board of directors of a county fire protection district may  
2 delegate the performance of the evaluation required pursuant to  
3 subsection 3 to the State Forester Firewarden. The State Forester  
4 Firewarden shall report the results of any such delegated evaluation.  
5

6 5. The board of directors of a county fire protection district, the  
7 State Forester Firewarden and any other agency which is a party to a  
8 cooperative agreement entered into with a rangeland fire protection  
9 association shall, to the extent practicable, assist the association in  
10 procuring funding for the association, carrying out the duties of the  
11 association, training the members of the association and providing  
12 personal protective equipment for the members of the association.

13 **Sec. 7.7. 1.** Any business entity or cooperative or any two or more  
14 persons who own, lease, produce agriculture on or otherwise control or  
15 occupy property within a district organized pursuant to NRS 474.460  
16 may establish a rangeland fire protection association by petitioning the  
17 board of fire commissioners of the district in which the petitioners reside  
18 or in which their property is located for recognition as a rangeland fire  
19 protection association.

20 2. The board of fire commissioners of the district may approve a  
21 petition submitted pursuant to subsection 1 if the petitioners:

22 (a) Meet the requirements established by the board relating to the  
23 creation, operation and duties of a rangeland fire protection association.

24 (b) Provide to the board a copy of written notice from the State  
25 Forester Firewarden that the proposed rangeland fire protection  
26 association complies with the recommendations developed by the State  
27 Forester Firewarden pursuant to section 3.5 of this act concerning the  
28 formation, operation and training of the members of a rangeland fire  
29 protection association.

30 3. The board of fire commissioners of a district organized pursuant  
31 to NRS 474.460, in cooperation with the State Forester Firewarden or  
32 his or her designee, shall, before the board enters into a cooperative  
33 agreement with a rangeland fire protection association pursuant to NRS  
34 472.060 or 472.070 and annually thereafter during the term of the  
35 agreement, evaluate:

36 (a) The governance and management structure of the association;

37 (b) The adequacy of any policy of liability insurance carried by the  
38 association;

39 (c) The condition and maintenance of the vehicles and equipment  
40 used by the association in carrying out its duties; and

41 (d) The training and qualifications of each member of the  
42 association in accordance with national standards or other substantially  
43 equivalent standards determined by the district.

44 4. The board of fire commissioners of a district organized pursuant  
45 to NRS 474.460 may delegate the performance of the evaluation required

1 *pursuant to subsection 3 to the State Forester Firewarden. The State*  
2 *Forester Firewarden shall report to the board of fire commissioners the*  
3 *results of any such delegated evaluation.*

4 *5. The board of fire commissioners of a district organized pursuant*  
5 *to NRS 474.460, the State Forester Firewarden and any other agency*  
6 *which is a party to a cooperative agreement entered into with a*  
7 *rangeland fire protection association shall, to the extent practicable,*  
8 *assist the association in procuring funding for the association, carrying*  
9 *out the duties of the association, training the members of the association*  
10 *and providing personal protective equipment for the members of the*  
11 *association.*

12 **Sec. 8.** NRS 474.163 is hereby amended to read as follows:

13 474.163 1. The board of directors of a county fire protection district  
14 may appoint a district fire chief who shall have adequate training and  
15 experience in fire control and who shall hire such employees as are  
16 authorized by the board. The district fire chief shall administer all fire  
17 control laws in the district and perform such other duties as may be  
18 designated by the board of directors. The district fire chief shall coordinate  
19 fire protection activities in the district and shall cooperate with all other  
20 fire protection agencies ~~and~~ *and rangeland fire protection associations.*

21 2. In lieu of or in addition to the provisions of subsection 1, the board  
22 of directors may:

23 (a) Provide fire protection to the county fire protection district by  
24 entering into agreements with other agencies *or rangeland fire protection*  
25 *associations* as provided by NRS 277.180 and 472.060 to 472.090,  
26 inclusive, for the furnishing of such protection to the district; or

27 (b) Support volunteer fire departments within the county fire protection  
28 district for the furnishing of such protection to the district.

29 **Sec. 8.5.** NRS 474.470 is hereby amended to read as follows:

30 474.470 The board of fire commissioners shall:

31 1. Manage and conduct the business and affairs of districts organized  
32 pursuant to the provisions of NRS 474.460.

33 2. Adopt and enforce all rules and regulations necessary for the  
34 administration and government of the districts and for the furnishing of fire  
35 protection thereto, which may include regulations relating to emergency  
36 medical services and fire prevention. The regulations may include  
37 provisions that are designed to protect life and property from:

38 (a) The hazards of fire and explosion resulting from the storage,  
39 handling and use of hazardous substances, materials and devices; and

40 (b) Hazardous conditions relating to the use or occupancy of any  
41 premises.

42 ↪ Any regulation concerning hazardous substances, materials or devices  
43 adopted pursuant to this section must be consistent with any plan or  
44 ordinance concerning those substances, materials or devices that is

1 required by the Federal Government and has been adopted by the board of  
2 county commissioners.

3 3. Organize, regulate, establish and disband fire companies,  
4 departments or volunteer fire departments for the districts.

5 4. Provide for the payment of salaries to the personnel of those fire  
6 companies or fire departments.

7 5. Provide for payment from the proper fund of all the debts and just  
8 claims against the districts.

9 6. Employ agents and employees for the districts sufficient to  
10 maintain and operate the property acquired for the purposes of the districts.

11 7. Acquire real or personal property necessary for the purposes of the  
12 districts and dispose of the property if no longer needed.

13 8. Construct any necessary structures.

14 9. Acquire, hold and possess, by donation or purchase, any land or  
15 other property necessary for the purpose of the districts.

16 10. Eliminate and remove fire hazards from the districts if practicable  
17 and possible, whether on private or public premises, and to that end the  
18 board of fire commissioners may clear the public highways and private  
19 lands of dry grass, stubble, brush, rubbish or other inflammable material in  
20 its judgment constituting a fire hazard.

21 11. Perform all other acts necessary, proper and convenient to  
22 accomplish the purposes of NRS 474.460 to 474.540, inclusive ~~{ }~~, and  
23 *section 7.7 of this act*.

24 **Sec. 9.** NRS 474.500 is hereby amended to read as follows:

25 474.500 1. The board of fire commissioners may appoint a district  
26 fire chief who shall have adequate training and experience in fire control  
27 and who shall hire such employees as are authorized by the board. The  
28 district fire chief shall administer all fire control laws in the territory of the  
29 county described by NRS 474.460 and perform such other duties as may  
30 be designated by the board of fire commissioners and the State Forester  
31 Firewarden. The district fire chief shall coordinate fire protection activities  
32 in the district and shall cooperate with all other existing fire protection  
33 agencies *and rangeland fire protection associations* and with the State  
34 Forester Firewarden for the standardization of equipment and facilities.

35 2. In lieu of or in addition to the provisions of subsection 1, the board  
36 of fire commissioners may:

37 (a) Provide the fire protection required by NRS 474.460 to 474.540,  
38 inclusive, *and section 7.7 of this act* to the districts by entering into  
39 agreements with other agencies *or rangeland fire protection associations*  
40 as provided by NRS 472.060 to 472.090, inclusive, and 277.180, for the  
41 furnishing of such protection to the districts; or

42 (b) Support volunteer fire departments within districts organized under  
43 the provisions of NRS 474.460 to 474.540, inclusive, *and section 7.7 of*  
44 *this act* for the furnishing of such protection to the districts.



1 Sec. 9.5. 1. The provisions of this act do not require a person to  
2 be a member of a rangeland fire protection association in order to  
3 protect his or her property from a rangeland fire.

4 2. As used in this section, "rangeland fire protection association"  
5 has the meaning ascribed to it in section 2 of this act.

6 **Sec. 10.** This act becomes effective:

7 1. Upon passage and approval for the purposes of adopting  
8 regulations and performing any other preparatory administrative tasks  
9 necessary to carry out the provisions of this act; and

10 2. ~~On January 1, 2016, for~~ For all other purposes, ~~for~~ on the earlier  
11 of:

12 (a) January 1, 2016; or

13 (b) The date on which the State Forester Firewarden adopts a  
14 temporary regulation, an emergency regulation or a permanent  
15 regulation pursuant to the relevant provisions of chapter 233B of NRS  
16 concerning the formation, operation and training of the members of a  
17 rangeland fire protection association.

18

H

**Committee Action:**  
**Do Pass** \_\_\_\_\_  
**Amend & Do Pass** \_\_\_\_\_  
**Other** \_\_\_\_\_

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Senate Committee on Government Affairs  
This measure may be considered for action during today's work session.  
May 13, 2015

**ASSEMBLY BILL 170 (R1)**

**Revises provisions governing general obligations. (BDR 30-917)**

**Sponsored by:** Assembly Members Dickman, Wheeler, Fiore, et al.  
**Date Heard:** April 29, 2015  
**Fiscal Impact:** Effect on Local Government: May Have Fiscal Impact.  
Effect on the State: No.

Assembly Bill 170 clarifies that a general obligation issued or incurred by a municipality or school district must be used only for the stated purpose for which the general obligation was originally issued or incurred and not for any other purpose. The bill also requires the publication of a resolution of the intent of a municipality to issue or incur a general obligation to include information notifying the public of the date by which the registered voters of the municipality must file a petition with the governing body to reject the issuance of the obligation, the location at which the petition must be filed with the governing body, and the location at which a person may obtain additional information regarding the contents of and filing requirements for the petition. Notice of the public hearing must be published at least three times, once each week for three consecutive weeks in a newspaper of general circulation in the municipality.

**Amendments:** The attached mock-up is to clarify that the petition filed with the governing body triggers an election on the issuance of bonds. Committee staff was advised that the Legal Division, bond counsel, Assemblywoman Dickman, and Assemblyman Wheeler agreed to this language.

MOCK-UP

PROPOSED AMENDMENT 7224 TO  
ASSEMBLY BILL NO. 170  
FIRST REPRINT

MAY 12, 2015

PREPARED BY THE LEGAL DIVISION

**NOTE: THIS DOCUMENT SHOWS PROPOSED AMENDMENTS IN CONCEPTUAL FORM. THE LANGUAGE AND ITS PLACEMENT IN THE OFFICIAL AMENDMENT MAY DIFFER.**

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

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

- 1     **Section 1.** NRS 350.020 is hereby amended to read as follows:  
2     350.020 1. *A general obligation issued or incurred pursuant to*  
3 *this section must be used only for the stated purpose for which the*  
4 *general obligation was originally issued or incurred and not for any*  
5 *other purpose.* Except as otherwise provided by subsections 3 and 4, if a  
6 municipality proposes to issue or incur general obligations, the proposal  
7 must be submitted to the electors of the municipality at a special election  
8 called for that purpose or the next general municipal election or general  
9 state election.  
10    2. Such a special election may be held:  
11    (a) At any time, including, without limitation, on the date of a primary  
12 municipal election or a primary state election, if the governing body of the  
13 municipality determines, by a unanimous vote, that an emergency exists;  
14 or  
15    (b) On the first Tuesday after the first Monday in June of an odd-  
16 numbered year,

1 ↪ except that the governing body shall not determine that an emergency  
2 exists if the special election is for the purpose of submitting to the electors  
3 a proposal to refund bonds. The determination made by the governing  
4 body is conclusive unless it is shown that the governing body acted with  
5 fraud, a gross abuse of discretion or in violation of the provisions of this  
6 subsection. An action to challenge the determination made by the  
7 governing body must be commenced within 15 days after the governing  
8 body's determination is final. As used in this subsection, "emergency"  
9 means any occurrence or combination of occurrences which requires  
10 immediate action by the governing body of the municipality to prevent or  
11 mitigate a substantial financial loss to the municipality or to enable the  
12 governing body to provide an essential service to the residents of the  
13 municipality.

14 3. If payment of a general obligation of the municipality is  
15 additionally secured by a pledge of gross or net revenue of a project to be  
16 financed by its issue, and the governing body determines, by an affirmative  
17 vote of two-thirds of the members elected to the governing body, that the  
18 pledged revenue will at least equal the amount required in each year for the  
19 payment of interest and principal, without regard to any option reserved by  
20 the municipality for early redemption, the municipality may, after a public  
21 hearing, incur this general obligation without an election unless, within 90  
22 days after publication of a resolution of intent to issue the bonds, a petition  
23 is presented to the governing body signed by not less than 5 percent of the  
24 registered voters of the municipality. Any member elected to the governing  
25 body whose authority to vote is limited by charter, statute or otherwise  
26 may vote on the determination required to be made by the governing body  
27 pursuant to this subsection. The determination by the governing body  
28 becomes conclusive on the last day for filing the petition. For the purpose  
29 of this subsection, the number of registered voters must be determined as  
30 of the close of registration for the last preceding general election. The  
31 resolution of intent need not be published in full, but the publication must  
32 include the amount of the obligation, ~~and~~ the purpose for which it is to  
33 be incurred ~~and~~, *the date by which the registered voters of the*  
34 *municipality must file a petition with the governing body to ~~reject~~ hold*  
35 *an election on the issuance of the obligation, the location at which the*  
36 *petition must be filed with the governing body and the location at which*  
37 *a person may obtain additional information regarding the contents of*  
38 *and filing requirements for the petition.* Notice of the public hearing must  
39 be published at least ~~[10 days before the day of the hearing. The~~  
40 ~~publications must be made]~~ *three times*, once *each week for three*  
41 *consecutive weeks*, in a newspaper of general circulation in the  
42 municipality. *The third publication of the notice required by this*  
43 *subsection must be made at least 10 days before the date of the hearing.*  
44 When published, the notice of the public hearing must be at least as large  
45 as 5 inches high by 4 inches wide.

1 4. The board of trustees of a school district may issue general  
2 obligation bonds which are not expected to result in an increase in the  
3 existing property tax levy for the payment of bonds of the school district  
4 without holding an election for each issuance of the bonds if the qualified  
5 electors approve a question submitted by the board of trustees that  
6 authorizes issuance of bonds for a period of 10 years after the date of  
7 approval by the voters. If the question is approved, the board of trustees of  
8 the school district may issue the bonds for a period of 10 years after the  
9 date of approval by the voters, after obtaining the approval of the debt  
10 management commission in the county in which the school district is  
11 located and, in a county whose population is 100,000 or more, the approval  
12 of the oversight panel for school facilities established pursuant to NRS  
13 393.092 in that county, if the board of trustees of the school district finds  
14 that the existing tax for debt service will at least equal the amount required  
15 to pay the principal and interest on the outstanding general obligations of  
16 the school district and the general obligations proposed to be issued. The  
17 finding made by the board of trustees is conclusive in the absence of fraud  
18 or gross abuse of discretion. As used in this subsection, "general  
19 obligations" does not include medium-term obligations issued pursuant to  
20 NRS 350.087 to 350.095, inclusive.

21 5. At the time of issuance of bonds authorized pursuant to subsection  
22 4, the board of trustees shall establish a reserve account in its debt service  
23 fund for payment of the outstanding bonds of the school district. The  
24 reserve account must be established and maintained in an amount at least  
25 equal to the lesser of:

26 (a) For a school district located in a county whose population is  
27 100,000 or more, 25 percent; and

28 (b) For a school district located in a county whose population is less  
29 than 100,000, 50 percent,

30 ↪ of the amount of principal and interest payments due on all of the  
31 outstanding bonds of the school district in the next fiscal year or 10 percent  
32 of the outstanding principal amount of the outstanding bonds of the school  
33 district.

34 6. If the amount in the reserve account falls below the amount  
35 required by subsection 5:

36 (a) The board of trustees shall not issue additional bonds pursuant to  
37 subsection 4 until the reserve account is restored to the level required by  
38 subsection 5; and

39 (b) The board of trustees shall apply all of the taxes levied by the  
40 school district for payment of bonds of the school district that are not  
41 needed for payment of the principal and interest on bonds of the school  
42 district in the current fiscal year to restore the reserve account to the level  
43 required pursuant to subsection 5.

1 7. A question presented to the voters pursuant to subsection 4 may  
2 authorize all or a portion of the revenue generated by the debt rate which is  
3 in excess of the amount required:

4 (a) For debt service in the current fiscal year;

5 (b) For other purposes related to the bonds by the instrument pursuant  
6 to which the bonds were issued; and

7 (c) To maintain the reserve account required pursuant to subsection 5,  
8 ➔ to be transferred to the county school district's fund for capital projects  
9 established pursuant to NRS 387.328 and used to pay the cost of capital  
10 projects which can lawfully be paid from that fund. Any such transfer must  
11 not limit the ability of the school district to issue bonds during the period  
12 of voter authorization if the findings and approvals required by subsection  
13 4 are obtained.

14 8. A municipality may issue special or medium-term obligations  
15 without an election.

16 **Sec. 2.** (Deleted by amendment.)

H

**Committee Action:**  
**Do Pass** \_\_\_\_\_  
**Amend & Do Pass** \_\_\_\_\_  
**Other** \_\_\_\_\_

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Senate Committee on Government Affairs  
This measure may be considered for action during today's work session.  
May 13, 2015

**ASSEMBLY BILL 172 (R1)**

**Revises provisions relating to public works. (BDR 28-565)**

**Sponsored by:** Assemblymen O'Neill, Oscarson, Senator Goicoechea, et al.  
**Date Heard:** May 6, 2015  
**Fiscal Impact:** Effect on Local Government: No.  
Effect on the State: Yes.

Assembly Bill 172 increases the threshold for prevailing wage requirements on the cost of public works projects from \$100,000 to \$350,000 and requires the Labor Commissioner to adjust the prevailing wage threshold every five years based on inflation beginning on or before January 1, 2020. The bill also increases from 5 percent to 7.5 percent the bidding preference a contractor, applicant to serve as a construction manager at risk, or design-build team may qualify to receive if certain conditions are met, including the employment of a specified percentage of Nevada employees.

**Amendments:** None.

**Committee Action:**  
**Do Pass** \_\_\_\_\_  
**Amend & Do Pass** \_\_\_\_\_  
**Other** \_\_\_\_\_

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Senate Committee on Government Affairs

This measure may be considered for action during today's work session.

May 13, 2015

**ASSEMBLY BILL 363 (R1)**

**Provides an optional benefit to the surviving spouse or survivor beneficiary of certain deceased members of the Public Employees' Retirement System. (BDR 23-1056)**

**Sponsored by: Assembly Members Diaz, Elliot Anderson, Kirkpatrick, Carrillo, Ohrenschall, et al.**

**Date Heard: May 4, 2015**

**Fiscal Impact: Effect on Local Government: May Have Fiscal Impact.  
Effect on the State: Yes.**

Assembly Bill 363 provides an additional benefit option for the surviving spouse or survivor beneficiary of a member of the Public Employees' Retirement System (PERS) who was killed in the performance of his or her duty. The additional benefit option authorizes the surviving spouse or survivor beneficiary to elect to receive a benefit that is the equivalent to the greater of:

1. Fifty percent of the salary of the member on the date of the member's death; or
2. The retirement allowance that the member was eligible to receive based on the member's years of service obtained before the member's death without any reduction for age for the deceased member.

The benefits provided in the bill must be paid, as applicable, to the spouse until the death or remarriage of the spouse, or the survivor beneficiary until the death of the survivor beneficiary.

**Amendments:** Assemblywoman Diaz proposed to amend the bill to delete the "remarriage" penalty. Tina Leiss, Executive Director, PERS, testified that the last remarriage penalty was removed from statute in 1999. The Committee proposed to amend the bill to mirror exactly Sections 4 and 4.5 of Senate Bill 406, First Reprint, which has similar provisions and no remarriage penalty. The attached mock-up proposes to amend the bill as suggested by the Committee; however, the effective date remains "upon passage and approval" as provided in Assembly Bill 363 as introduced.



MOCK-UP

PROPOSED AMENDMENT 7208 TO  
ASSEMBLY BILL NO. 363  
FIRST REPRINT

PREPARED FOR SENATE COMMITTEE ON GOVERNMENT AFFAIRS  
MAY 12, 2015

PREPARED BY THE LEGAL DIVISION

**NOTE: THIS DOCUMENT SHOWS PROPOSED AMENDMENTS IN CONCEPTUAL FORM. THE LANGUAGE AND ITS PLACEMENT IN THE OFFICIAL AMENDMENT MAY DIFFER.**

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

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

- 1     **Section 1.** Chapter 286 of NRS is hereby amended by adding thereto  
2 a new section to read as follows:  
3     **1.** *The spouse ~~for survivor beneficiary~~ of a member who ~~was~~ is a*  
4 *police officer or firefighter killed in the ~~performance of his or her~~ line*  
5 *of duty or the spouse of any other member killed in the course of*  
6 *employment is entitled to receive a monthly allowance equivalent to the*  
7 *greater of:*  
8     *(a) Fifty percent of the salary of the member on the date of the*  
9 *member's death; or*  
10    *(b) ~~The~~ One hundred percent of the retirement allowance that the*  
11 *member was eligible to receive based on the member's years of service*  
12 *obtained before the member's death without any reduction for age for*  
13 *the deceased member.*  
14    **2.** *The benefits provided by this section must be paid ~~f, as~~*  
15 *applicable, to:*  
16 ~~—(a) The~~ *to the spouse ~~until the death or remarriage of the spouse;~~*  
17 ~~or~~

1 ~~(b) The survivor beneficiary until the death of the survivor~~  
2 ~~beneficiary.] for the remainder of the spouse's life.~~

3 3. The spouse ~~for survivor beneficiary]~~ may elect to receive the  
4 benefits provided by any one of the following only:

- 5 (a) This section;
- 6 (b) NRS 286.674 ; ~~for 286.67675;~~
- 7 (c) NRS 286.676 ; ~~for 286.6768;~~
- 8 (d) NRS 286.6765 ~~for 286.67685;~~ ; or
- 9 (e) NRS 286.6766 ~~for 286.6769.~~

10 4. For the purposes of this section, the Board shall define by  
11 regulation "killed in the ~~performance of his or her duty.]"~~ line of duty"  
12 and "killed in the course of employment."

13 Sec. 1.5. 1. Except as otherwise provided in subsection 2, the  
14 survivor beneficiary of a member who is a police officer or firefighter  
15 killed in the line of duty or the survivor beneficiary of any other member  
16 killed in the course of employment is entitled to receive a monthly  
17 allowance equivalent to the greater of:

18 (a) Fifty percent of the salary of the member on the date of the  
19 member's death; or

20 (b) One hundred percent of the retirement allowance that the  
21 member was eligible to receive based on the member's years of service  
22 obtained before the member's death without any reduction for age for  
23 the deceased member.

24 2. If the member had designated one or more payees in addition to  
25 the survivor beneficiary pursuant to NRS 286.6767, the monthly  
26 allowance to which a survivor beneficiary is entitled pursuant to  
27 subsection 1 must be divided between the survivor beneficiary and any  
28 additional payees in the proportion designated by the member pursuant  
29 to NRS 286.6767.

30 3. The benefits provided by this section must be paid to the survivor  
31 beneficiary for the remainder of the survivor beneficiary's life.

32 4. The survivor beneficiary may elect to receive the benefits  
33 provided by any one of the following only:

- 34 (a) This section;
- 35 (b) NRS 286.67675;
- 36 (c) NRS 286.6768;
- 37 (d) NRS 286.67685; or
- 38 (e) NRS 286.6769.

39 5. For the purposes of this section, the Board shall define by  
40 regulation "killed in the line of duty" and "killed in the course of  
41 employment."

42 6. As used in this section, "survivor beneficiary" means a person  
43 designated pursuant to NRS 286.6767.

1     **Sec. 2.** NRS 286.671 is hereby amended to read as follows:  
2     286.671 As used in NRS 286.671 to 286.679, inclusive ~~§~~ , and  
3 *section 1 of this act*:

4     1. “Child” means an unmarried person under 18 years of age who is  
5 the issue or legally adopted child of a deceased member. As used in this  
6 subsection, “issue” means the progeny or biological offspring of the  
7 deceased member.

8     2. “Dependent parent” means the surviving parent of a deceased  
9 member who was dependent upon the deceased member for at least 50  
10 percent of the surviving parent’s support for at least 6 months immediately  
11 preceding the death of the deceased member.

12     3. “Spouse” means the surviving husband or wife of a deceased  
13 member.

14     **Sec. 3.** NRS 286.672 is hereby amended to read as follows:

15     286.672 1. Except as otherwise provided in subsection 3 ~~§~~ and  
16 *section 1 of this act*, if a deceased member had 2 years of accredited  
17 contributing service in the 2 1/2 years immediately preceding the  
18 member’s death or was a regular, part-time employee who had 2 or more  
19 years of creditable contributing service before and at least 1 day of  
20 contributing service within 6 months immediately preceding the member’s  
21 death, or if the employee had 10 or more years of accredited contributing  
22 service, certain of the deceased member’s dependents are eligible for  
23 payments as provided in NRS 286.671 to 286.679, inclusive ~~§~~ , and  
24 *section 1 of this act*. If the death of the member resulted from a mental or  
25 physical condition which required the member to leave the employ of a  
26 participating public employer or go on leave without pay, eligibility  
27 pursuant to the provisions of this section extends for 18 months after the  
28 member’s termination or commencement of leave without pay.

29     2. If the death of a member occurs while the member is on leave of  
30 absence granted by the member’s employer for further training and if the  
31 member met the requirements of subsection 1 at the time the member’s  
32 leave began, certain of the deceased member’s dependents are eligible for  
33 payments as provided in subsection 1.

34     3. If the death of a member is caused by an occupational disease or an  
35 accident arising out of and in the course of the member’s employment, no  
36 prior contributing service is required to make the deceased member’s  
37 dependents eligible for payments pursuant to NRS 286.671 to 286.679,  
38 inclusive, *and section 1 of this act*, except that this subsection does not  
39 apply to an accident occurring while the member is traveling between the  
40 member’s home and the member’s principal place of employment or to an  
41 accident or occupational disease arising out of employment for which no  
42 contribution is made.

43     4. As used in this section, “dependent” includes a survivor beneficiary  
44 designated pursuant to NRS 286.6767.

1     **Sec. 4.** NRS 286.679 is hereby amended to read as follows:  
2     286.679 1. If payments to a beneficiary pursuant to NRS 286.671 to  
3     286.679, inclusive, *and section 1 of this act* cease before the total  
4     contributions of a deceased member have been paid in benefits, and there  
5     is no person entitled to receive such benefits pursuant to any provision of  
6     this chapter, the surplus of such contributions over the benefits actually  
7     received may be paid in a lump sum to:  
8     (a) The beneficiary whom the deceased member designated for this  
9     purpose in writing on a form approved by the System.  
10    (b) If no such designation was made or the person designated is  
11    deceased, the beneficiary who previously received the payments.  
12    (c) If no payment may be made pursuant to paragraphs (a) and (b), the  
13    persons entitled as heirs or residuary legatees to the estate of the deceased  
14    member.  
15    2. A lump-sum payment made pursuant to this section fully  
16    discharges the obligations of the System.  
17    **Sec. 5.** This act becomes effective upon passage and approval.

H

**Committee Action:**  
**Do Pass** \_\_\_\_\_  
**Amend & Do Pass** \_\_\_\_\_  
**Other** \_\_\_\_\_

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Senate Committee on Government Affairs  
This measure may be considered for action during today's work session.  
May 13, 2015

**ASSEMBLY BILL 364 (R1)**

**Revises provisions relating to the state business portal. (BDR 7-696)**

**Sponsored by:** Assembly Members Thompson, Bustamante Adams, Diaz, Kirkpatrick, Carrillo, Senators Denis, Parks, Woodhouse, Kihuen, Ford, et al.

**Date Heard:** May 6, 2015

**Fiscal Impact:** Effect on Local Government: May Have Fiscal Impact.  
Effect on the State: Yes.

Assembly Bill 364 requires the Secretary of State to establish common business registration information that may be used by State and local agencies and health districts to conduct necessary transactions with businesses in this State and cause the State business portal to exchange common business registration information among these entities. The bill authorizes these entities, to the extent feasible, to integrate their electronic applications processes into the State business portal. The bill also requires the Secretary of State to suspend the State business license of a sole proprietor if the Secretary of State receives a copy of a court order providing for the suspension.

**Amendments:**

- (1) See attached mock-up prepared in coordination with interested parties/stakeholders.
- (2) Consider changing the effective date to July 1, 2015, to be consistent with Senate Bill 59.

MOCK-UP

PROPOSED AMENDMENT 7111 TO  
ASSEMBLY BILL NO. 364  
FIRST REPRINT

PREPARED FOR SENATE COMMITTEE ON GOVERNMENT AFFAIRS  
MAY 11, 2015

PREPARED BY THE LEGAL DIVISION

**NOTE: THIS DOCUMENT SHOWS PROPOSED AMENDMENTS IN CONCEPTUAL FORM. THE LANGUAGE AND ITS PLACEMENT IN THE OFFICIAL AMENDMENT MAY DIFFER.**

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

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

- 1     **Section 1.** Chapter 75A of NRS is hereby amended by adding thereto the provisions set forth as  
2 sections 2 and 3 of this act.
- 3     **Sec. 2.** *As used in this chapter, unless the context otherwise requires, "health district" means a*  
4 *health district created pursuant to NRS 439.362 or 439.370.*
- 5     **Sec. 3.** *1. Except as otherwise provided in subsection 2 and NRS 239.0115, the records and files*  
6 *collected by the Secretary of State pursuant to paragraph (f) of subsection 2 of NRS 75A.100 are*  
7 *confidential and privileged. The Secretary of State and any employee of the Secretary of State who is*  
8 *authorized to view or use the information in such records or files:*
- 9         *(a) Shall not disclose any information obtained from such records or files other than specific*  
10 *information contained in the record or file that is deemed a public record; and*
- 11         *(b) May not be required to produce any of the records, files and information for the inspection of*  
12 *any person or governmental entity or for use in any action or proceeding.*
- 13     **2.** *The records and files collected pursuant to paragraph (f) of subsection 2 of NRS 75A.100 are*  
14 *not confidential and privileged in the following cases:*
- 15         *(a) Testimony by the Secretary of State or any employee of the Secretary of State and the*  
16 *production of records, files and information on behalf of the Secretary of State or a person in any*  
17 *action or proceeding before the Secretary of State or a court in this State if that testimony or the*  
18 *records, files or information, or the facts shown thereby, are directly involved in the action or*  
19 *proceeding.*
- 20         *(b) Delivery to a person or his or her authorized representative of a copy of any document filed by*  
21 *the person pursuant to this chapter.*
- 22         *(c) Publication by a governmental agency of statistics so classified as to prevent the identification*  
23 *of a particular business or document.*
- 24         *(d) Exchanges of information with the Secretary of State or a federal agency in accordance with*  
25 *any agreement made and provided for in such cases, or disclosure in confidence to any federal agency*  
26 *that requests the information for use by the agency in a civil or criminal investigation or prosecution.*
- 27         *(e) Disclosure in confidence to the Attorney General or other legal representative of the State or a*  
28 *federal agency in connection with an action or proceeding relating to a taxpayer, or to any agency of*  
29 *this or any other state or the Federal Government charged with the administration or enforcement of*  
30 *laws relating to workers' compensation, unemployment compensation, public assistance, taxation,*  
31 *labor or gaming or which issues licenses, certificates, registrations, permits or similar types of*  
32 *authorization to conduct a business in this State.*

1 *(f) Disclosure by the Secretary of State for the purpose of collection of a debt, fee or obligation*  
2 *owed to the Secretary of State.*

3 *(g) A business that submits information to the state business portal and agrees to a provision*  
4 *authorizing the release of information contained in the records and files of the state business portal for*  
5 *a purpose which must be specified in the provision.*

6 **Sec. 4.** NRS 75A.100 is hereby amended to read as follows:

7 75A.100 1. The Secretary of State shall provide for the establishment of a state business portal to  
8 facilitate interaction among businesses and governmental agencies in this State by allowing businesses to  
9 conduct necessary transactions with governmental agencies in this State through use of the state business  
10 portal.

11 2. The Secretary of State shall:

12 (a) Establish, through cooperative efforts ~~(g)~~ *and consultation with representatives of state agencies,*  
13 *local governments, health districts and businesses,* the standards and requirements necessary to design,  
14 build and implement the state business portal;

15 (b) Establish the standards and requirements necessary for a state or local agency to participate in the  
16 state business portal;

17 (c) Authorize a state or local agency to participate in the state business portal if the Secretary of State  
18 determines that the agency meets the standards and requirements necessary for such participation ~~(g)~~ *and*  
19 *the agency has entered into an agreement for access to the state business portal with the Secretary of*  
20 *State;*

21 (d) Determine the appropriate requirements to be used by businesses and governmental agencies  
22 conducting transactions through use of the state business portal;

23 (e) *Cause the state business portal to interface with the system established by the Secretary of State*  
24 *to assign business identification numbers;*

25 (f) *For the purpose of coordinating the collection of common information from businesses using*  
26 *the state business portal:*

27 (1) *Establish common business registration information to be collected from businesses by state*  
28 *and local agencies and health districts which issue licenses, certificates, registrations, permits or*  
29 *similar types of authorization to conduct a business in this State, which collect taxes or fees or which*  
30 *conduct other necessary transactions with businesses in this State; and*

31 (2) *Cause the state business portal to exchange the common business registration information*  
32 *among state and local agencies and health districts which participate in the state business portal and*  
33 *which use the common business registration information to issue licenses, certificates, registrations,*  
34 *permits or similar types of authorization to conduct a business in this State, to collect taxes or fees or to*  
35 *conduct other necessary transactions with businesses in this State;*

36 (g) In carrying out the provisions of this section, consult with the Executive Director of the Office of  
37 Economic Development to ensure that the activities of the Secretary of State are consistent with the State  
38 Plan for Economic Development developed by the Executive Director pursuant to subsection 2 of NRS  
39 231.053; and

40 ~~(f)~~ (h) Adopt such regulations and take any appropriate action as necessary to carry out the  
41 provisions of this chapter.

42 3. *Each state agency or health district that issues a license, certificate, registration, permit or*  
43 *similar type of authorization to conduct a business in this State may, to the extent practicable, and each*  
44 *local agency that issues a license, certificate, registration, permit or similar type of authorization to*  
45 *conduct a business in the jurisdiction of the local agency may, as approved by the governing body of*  
46 *the local government:*

47 (a) *Make available on its Internet website any of its applications for a license, certificate,*  
48 *registration, permit or similar type of authorization to conduct a business in this State.*

49 (b) *Accept the electronic transfer of common business registration information from the state*  
50 *business portal for use in any electronic application for a license, certificate, registration, permit or*  
51 *similar type of authorization to conduct a business in this State or for use in any application processing*  
52 *system.*

53 (c) *Integrate with the state business portal any of its applications for a license, certificate,*  
54 *registration, permit or similar type of authorization to conduct a business in this State. As used in this*  
55 *paragraph, "integrate" means to consolidate an electronic application process so that it is capable of*  
56 *collecting and disseminating information to a state or local agency or health district for the processing*  
57 *of the application for a license, certificate, registration, permit or similar type of authorization to*  
58 *conduct a business in this State.*

1 (d) Allow for the acceptance of an electronic signature for a declaration or affirmation under  
2 penalty of perjury or as provided for in statute.

3 (e) Require an applicant for a license, certificate, registration, permit or similar type of  
4 authorization to conduct a business in this State to include in the application the applicant's business  
5 identification number.

6 (f) Ensure that the state or local agency or health district, as applicable, is capable of using the  
7 state business portal to accept and disseminate to participating state and local agencies and health  
8 districts the common business registration information established pursuant to subparagraph (1) of  
9 paragraph (f) of subsection 2 which is needed by the state or local agency or health district to issue a  
10 license, certificate, registration, permit or similar type of authorization to conduct a business in this  
11 State.

12 (g) Establish and maintain its rules, data and processes relating to businesses in accordance with  
13 the agreement entered into by the state or local agency or health district pursuant to paragraph (c) of  
14 subsection 2 and any corresponding technical documentation.

15 4. The provisions of subsection 3 to not require a state or local agency or health district to:

16 (a) Disseminate or release information if such action would result in the state or local agency or  
17 health district violating any provision of state or federal law relating to the confidentiality of the  
18 information.

19 (b) Upgrade its information technology system or incur significant expense to comply with the  
20 provisions of this section.

21 5. Except as otherwise provided in NRS 239.0115, all records containing technical specifications,  
22 processing protocols or programmatic or system architecture of the state business portal, and any other  
23 records containing information the disclosure of which would endanger the security of the state  
24 business portal, or proprietary information related to the functions, operations, processes or  
25 architecture of the state business portal, are deemed confidential and privileged.

26 6. As used in this section:

27 (a) "Business identification number" means the number assigned by the Secretary of State  
28 pursuant to section 7 of this act to an entity organized pursuant to this title or to a person who is issued  
29 a state business license or who claims to be excluded or exempt from the requirement to obtain a state  
30 business license pursuant to chapter 76 of NRS.

31 (b) "Disseminate" means to distribute in an electronic format that is capable of being accepted by  
32 participating state and local agencies and health districts and used by participants as the common  
33 business registration information used to issue a license, certificate, registration, permit or similar type  
34 of authorization, to collect taxes or fees or to conduct other necessary transactions with businesses in  
35 this State.

36 **Sec. 5.** Chapter 76 of NRS is hereby amended by adding thereto the provisions sets forth as sections  
37 5.3 and 5.7 of this act.

38 ~~**Sec. 5.3.** *[1. If an applicant for the issuance or renewal of a state business license is required to*  
39 *obtain or renew a license, permit or certificate to practice a profession or occupation pursuant to NRS*  
40 *244.334, 244.335, 266.355, 268.0887, 268.095 or 269.170, the applicant shall:*~~

41 ~~*—(a) Include in the application his or her social security number; and*~~

42 ~~*—(b) Submit to the Secretary of State the statement prescribed by the Division of Welfare and*  
43 *Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The*  
44 *statement must be completed and signed by the applicant.*~~

45 ~~*2. The Secretary of State shall include the statement required pursuant to subsection 1 in:*~~

46 ~~*—(a) The application or any other forms that must be submitted for the issuance or renewal of the*  
47 *state business license; or*~~

48 ~~*—(b) A separate form prescribed by the Secretary of State.*~~

49 ~~*3. A state business license may not be issued or renewed by the Secretary of State if the applicant:*~~

50 ~~*—(a) Fails to submit the statement required pursuant to subsection 1; or*~~

51 ~~*—(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a*  
52 *court order for the support of a child and is not in compliance with the order or a plan approved by the*  
53 *district attorney or other public agency enforcing the order for the repayment of the amount owed*  
54 *pursuant to the order.*~~

55 ~~*4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant*  
56 *is subject to a court order for the support of a child and is not in compliance with the order or a plan*  
57 *approved by the district attorney or other public agency enforcing the order for the repayment of the*  
58 *amount owed pursuant to the order, the Secretary of State shall advise the applicant to contact the*~~



~~district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.~~ (Deleted by amendment.)

**Sec 5.7. 1.** *If the Secretary of State receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is conducting business in this State as a sole proprietor, and the state business license issued by the Secretary of State to such a person, the Secretary of State shall deem the state business license issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Secretary of State receives a letter issued to the holder of the state business license by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the state business license has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.*

*2. The Secretary of State shall reinstate a state business license that has been suspended by a district court pursuant to NRS 425.540 if the Secretary of State receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose state business license was suspended stating that the person whose state business license was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.*

**Sec. 6.** NRS 76.100 is hereby amended to read as follows:

76.100 1. A person shall not conduct a business in this State unless and until the person obtains a state business license issued by the Secretary of State. If the person is:

(a) An entity required to file an initial or annual list with the Secretary of State pursuant to this title, the person must obtain the state business license at the time of filing the initial or annual list.

(b) Not an entity required to file an initial or annual list with the Secretary of State pursuant to this title, the person must obtain the state business license before conducting a business in this State.

2. An application for a state business license must:

(a) Be made upon a form prescribed by the Secretary of State;

(b) Set forth the name under which the applicant transacts or intends to transact business, or if the applicant is an entity organized pursuant to this title and on file with the Secretary of State, the exact name on file with the Secretary of State, the ~~entity~~ *business identification* number as assigned by the Secretary of State ~~[, if known,]~~ *pursuant to section 7 of this act*, and the location in this State of the place or places of business;

(c) Be accompanied by a fee in the amount of \$100; and

(d) Include any other information that the Secretary of State deems necessary.

↪ If the applicant is an entity organized pursuant to this title and on file with the Secretary of State and the applicant has no location in this State of its place of business, the address of its registered agent shall be deemed to be the location in this State of its place of business.

3. The application must be signed pursuant to NRS 239.330 by:

(a) The owner of a business that is owned by a natural person.

(b) A member or partner of an association or partnership.

(c) A general partner of a limited partnership.

(d) A managing partner of a limited-liability partnership.

(e) A manager or managing member of a limited-liability company.

(f) An officer of a corporation or some other person specifically authorized by the corporation to sign the application.

4. If the application for a state business license is defective in any respect or the fee required by this section is not paid, the Secretary of State may return the application for correction or payment.

5. The state business license required to be obtained pursuant to this section is in addition to any license to conduct business that must be obtained from the local jurisdiction in which the business is being conducted.

6. For the purposes of this chapter, a person shall be deemed to conduct a business in this State if a business for which the person is responsible:

(a) Is organized pursuant to this title, other than a business organized pursuant to:

(1) Chapter 82 or 84 of NRS; or

(2) Chapter 81 of NRS if the business is a nonprofit religious, charitable, fraternal or other organization that qualifies as a tax-exempt organization pursuant to 26 U.S.C. § 501(c).

(b) Has an office or other base of operations in this State;

(c) Has a registered agent in this State; or

(d) Pays wages or other remuneration to a natural person who performs in this State any of the duties for which he or she is paid.

7. As used in this section, “registered agent” has the meaning ascribed to it in NRS 77.230.

**Sec. 7.** Chapter 225 of NRS is hereby amended by adding thereto a new section to read as follows:

*For the purpose of establishing the identity of an entity organized pursuant to title 7 of NRS or a person who is issued a state business license pursuant to chapter 76 of NRS or who claims to be excluded or exempt from the requirement to obtain a state business license pursuant to NRS 76.105, the Secretary of State shall assign a unique business identification number to each such entity or person.*

**Sec. 8.** NRS 239.010 is hereby amended to read as follows:

239.010 1. Except as otherwise provided in this section and NRS 1.4683, 1A.110, 49.095, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, **75A.100**, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653, 119B.370, 119B.382, 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817, 130.312, 159.044, 172.075, 172.245, 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.165, 179A.450, 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3925, 209.419, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 228.270, 228.450, 228.495, 228.570, 231.069, 233.190, 237.300, 239.0105, 239.0113, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 240.007, 241.020, 241.030, 242.105, 244.264, 244.335, 250.087, 250.130, 250.140, 250.150, 268.095, 268.490, 268.910, 271A.105, 281.195, 281A.350, 281A.440, 281A.550, 284.4068, 286.110, 287.0438, 289.025, 289.080, 289.387, 293.5002, 293.503, 293.558, 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.610, 365.138, 366.160, 368A.180, 372A.080, 378.290, 378.300, 379.008, 386.655, 387.626, 387.631, 388.5275, 388.528, 388.5315, 388.750, 391.035, 392.029, 392.147, 392.264, 392.271, 392.652, 392.850, 394.167, 394.1698, 394.447, 394.460, 394.465, 396.3295, 396.405, 396.525, 396.535, 398.403, 408.3885, 408.3886, 412.153, 416.070, 422.290, 422.305, 422A.320, 422A.350, 425.400, 427A.1236, 427A.872, 432.205, 432B.175, 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 433.534, 433A.360, 439.270, 439.840, 439B.420, 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395, 445A.665, 445B.570, 449.209, 449.245, 449.720, 453.1545, 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050, 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403, 463.3407, 463.790, 467.1005, 467.137, 481.063, 482.170, 482.5536, 483.340, 483.363, 483.800, 484E.070, 485.316, 503.452, 522.040, 534A.031, 561.285, 571.160, 584.655, 598.0964, 598A.110, 603.070, 603A.210, 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350, 618.341, 618.425, 622.310, 623.131, 623A.353, 624.110, 624.265, 624.327, 625.425, 625A.185, 628.418, 629.069, 630.133, 630.30665, 630.336, 630A.555, 631.368, 632.121, 632.125, 632.405, 633.283, 633.301, 633.524, 634.212, 634.214, 634A.185, 635.158, 636.107, 637.085, 637A.315, 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075, 640A.220, 640B.730, 640C.400, 640C.745, 640C.760, 640D.190, 640E.340, 641.090, 641A.191, 641B.170, 641C.760, 642.524, 643.189, 644.446, 645.180, 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135, 645E.300, 645E.375, 645G.510, 645H.320, 645H.330, 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228, 654.110, 656.105, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310, 671.170, 673.430, 675.380, 676A.340, 676A.370, 677.243, 679B.122, 679B.152, 679B.159, 679B.190, 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.280, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306, 687A.110, 687A.115, 687C.010, 688C.230, 688C.480, 688C.490, 692A.117, 692C.190, 692C.420, 693A.480, 693A.615, 696B.550, 703.196, 704B.320, 704B.325, 706.1725, 710.159, 711.600, **and section 3 of this act**, sections 35, 38 and 41 of chapter 478, Statutes of Nevada 2011 and section 2 of chapter 391, Statutes of Nevada 2013 and unless otherwise declared by law to be confidential, all public books and public records of a governmental entity must be open at all times during office hours to inspection by any person, and may be fully copied or an abstract or memorandum may be prepared from those public books and public records. Any such copies, abstracts or memoranda may be used to supply the general public with copies, abstracts or memoranda of the records or may be used in any other way to the advantage of the governmental entity or of the general public. This section does not supersede or in any manner affect the federal laws governing copyrights or enlarge, diminish or affect in any other manner the rights of a person in any written book or record which is copyrighted pursuant to federal law.

1 2. A governmental entity may not reject a book or record which is copyrighted solely because it is  
2 copyrighted.

3 3. A governmental entity that has legal custody or control of a public book or record shall not deny a  
4 request made pursuant to subsection 1 to inspect or copy or receive a copy of a public book or record on  
5 the basis that the requested public book or record contains information that is confidential if the  
6 governmental entity can redact, delete, conceal or separate the confidential information from the  
7 information included in the public book or record that is not otherwise confidential.

8 4. A person may request a copy of a public record in any medium in which the public record is  
9 readily available. An officer, employee or agent of a governmental entity who has legal custody or control  
10 of a public record:

11 (a) Shall not refuse to provide a copy of that public record in a readily available medium because the  
12 officer, employee or agent has already prepared or would prefer to provide the copy in a different  
13 medium.

14 (b) Except as otherwise provided in NRS 239.030, shall, upon request, prepare the copy of the public  
15 record and shall not require the person who has requested the copy to prepare the copy himself or herself.

16 **Sec. 9.** NRS 244.335 is hereby amended to read as follows:

17 244.335 1. Except as otherwise provided in subsections 2, 3 and 4, and NRS 244.33501, a board of  
18 county commissioners may:

19 (a) Except as otherwise provided in NRS 244.331 to 244.3345, inclusive, 598D.150 and 640C.100,  
20 regulate all character of lawful trades, callings, industries, occupations, professions and business  
21 conducted in its county outside of the limits of incorporated cities and towns.

22 (b) Except as otherwise provided in NRS 244.3359 and 576.128, fix, impose and collect a license tax  
23 for revenue or for regulation, or for both revenue and regulation, on such trades, callings, industries,  
24 occupations, professions and business.

25 2. The county license boards have the exclusive power in their respective counties to regulate  
26 entertainers employed by an entertainment by referral service and the business of conducting a dancing  
27 hall, escort service, entertainment by referral service or gambling game or device permitted by law,  
28 outside of an incorporated city. The county license boards may fix, impose and collect license taxes for  
29 revenue or for regulation, or for both revenue and regulation, on such employment and businesses.

30 3. A board of county commissioners shall not require that a person who is licensed as a contractor  
31 pursuant to chapter 624 of NRS obtain more than one license to engage in the business of contracting or  
32 pay more than one license tax related to engaging in the business of contracting, regardless of the number  
33 of classifications or subclassifications of licensing for which the person is licensed pursuant to chapter  
34 624 of NRS.

35 4. The board of county commissioners or county license board shall not require a person to obtain a  
36 license or pay a license tax on the sole basis that the person is a professional. As used in this subsection,  
37 "professional" means a person who:

38 (a) Holds a license, certificate, registration, permit or similar type of authorization issued by a  
39 regulatory body as defined in NRS 622.060 or who is regulated pursuant to the Nevada Supreme Court  
40 Rules; and

41 (b) Practices his or her profession for any type of compensation as an employee.

42 5. The county license board shall provide upon request an application for a state business license  
43 pursuant to chapter 76 of NRS. No license to engage in any type of business may be granted unless the  
44 applicant for the license:

45 (a) Signs an affidavit affirming that the business has complied with the provisions of chapter 76 of  
46 NRS; or

47 (b) Provides to the county license board the **[entity] business identification** number of the applicant  
48 assigned by the Secretary of State **pursuant to section 7 of this act** which the county may use to validate  
49 that the applicant is currently in good standing with the State and has complied with the provisions of  
50 chapter 76 of NRS.

51 6. No license to engage in business as a seller of tangible personal property may be granted unless  
52 the applicant for the license:

53 (a) Presents written evidence that:

54 (1) The Department of Taxation has issued or will issue a permit for this activity, and this evidence  
55 clearly identifies the business by name; or

56 (2) Another regulatory agency of the State has issued or will issue a license required for this  
57 activity; or

1 (b) Provides to the county license board the ~~[entity]~~ *business identification* number of the applicant  
2 assigned by the Secretary of State *pursuant to section 7 of this act* which the county may use to validate  
3 that the applicant is currently in good standing with the State and has complied with the provisions of  
4 paragraph (a).

5 7. Any license tax levied for the purposes of NRS 244.3358 or 244A.597 to 244A.655, inclusive,  
6 constitutes a lien upon the real and personal property of the business upon which the tax was levied until  
7 the tax is paid. The lien has the same priority as a lien for general taxes. The lien must be enforced:

8 (a) By recording in the office of the county recorder, within 6 months after the date on which the tax  
9 became delinquent or was otherwise determined to be due and owing, a notice of the tax lien containing  
10 the following:

11 (1) The amount of tax due and the appropriate year;

12 (2) The name of the record owner of the property;

13 (3) A description of the property sufficient for identification; and

14 (4) A verification by the oath of any member of the board of county commissioners or the county  
15 fair and recreation board; and

16 (b) By an action for foreclosure against the property in the same manner as an action for foreclosure  
17 of any other lien, commenced within 2 years after the date of recording of the notice of the tax lien, and  
18 accompanied by appropriate notice to other lienholders.

19 8. The board of county commissioners may delegate the authority to enforce liens from taxes levied  
20 for the purposes of NRS 244A.597 to 244A.655, inclusive, to the county fair and recreation board. If the  
21 authority is so delegated, the board of county commissioners shall revoke or suspend the license of a  
22 business upon certification by the county fair and recreation board that the license tax has become  
23 delinquent, and shall not reinstate the license until the tax is paid. Except as otherwise provided in NRS  
24 239.0115 and 244.3357, all information concerning license taxes levied by an ordinance authorized by  
25 this section or other information concerning the business affairs or operation of any licensee obtained as a  
26 result of the payment of such license taxes or as the result of any audit or examination of the books by any  
27 authorized employee of a county fair and recreation board of the county for any license tax levied for the  
28 purpose of NRS 244A.597 to 244A.655, inclusive, is confidential and must not be disclosed by any  
29 member, officer or employee of the county fair and recreation board or the county imposing the license  
30 tax unless the disclosure is authorized by the affirmative action of a majority of the members of the  
31 appropriate county fair and recreation board. Continuing disclosure may be so authorized under an  
32 agreement with the Department of Taxation or Secretary of State for the exchange of information  
33 concerning taxpayers.

34 **Sec. 9.5.** NRS 244.33505 is hereby amended to read as follows:

35 244.33505 1. In a county in which a license to engage in a business is required, the board of county  
36 commissioners shall not issue such a license unless the applicant for the license:

37 (a) Signs an affidavit affirming that the business:

38 (1) Has received coverage by a private carrier as required pursuant to chapters 616A to 616D,  
39 inclusive, and chapter 617 of NRS;

40 (2) Maintains a valid certificate of self-insurance pursuant to chapters 616A to 616D, inclusive, of  
41 NRS;

42 (3) Is a member of an association of self-insured public or private employers; or

43 (4) Is not subject to the provisions of chapters 616A to 616D, inclusive, or chapter 617 of NRS; or

44 (b) If the applicant submits his or her application electronically, attests to his or her compliance with  
45 the provisions of paragraph (a).

46 2. In a county in which such a license is not required, the board of county commissioners shall  
47 require a business, when applying for a post office box, to submit to the board the affidavit or attestation  
48 required by subsection 1.

49 3. ~~[Each]~~ *Except as otherwise provided in this subsection, each* board of county commissioners  
50 shall submit to the Administrator of the Division of Industrial Relations of the Department of Business  
51 and Industry monthly a ~~[list]~~ *report* of  
52 the names of those businesses which have submitted an affidavit or attestation required by subsections 1  
53 and 2. *A board of county commissioners is not required to include in the monthly report the name of a*  
54 *business which has submitted an attestation electronically via the state business portal.*

55 4. ~~[Upon]~~ *Except as otherwise provided in subsection 5, upon* receiving an affidavit or attestation  
56 required by this section, a board of county commissioners shall provide the owner of the business with a  
57 document setting forth the rights and responsibilities of employers and employees to promote safety in the

1 workplace, in accordance with regulations adopted by the Division of Industrial Relations of the  
2 Department of Business and Industry pursuant to NRS 618.376.

3 *5. If an applicant submits an attestation required by this section electronically via the state  
4 business portal, the state business portal must provide the owner of the business with access to  
5 information setting forth the rights and responsibilities of employers and employees to promote safety  
6 in the workplace, in accordance with regulations adopted by the Division of Industrial Relations of the  
7 Department of Business and Industry pursuant to NRS 618.376.*

8 *6. As used in this section, "state business portal" means the state business portal established  
9 pursuant to chapter 75A of NRS.*

10 **Sec. 9.6. NRS 244.33506 is hereby amended to read as follows:**

11 244.33506 1. If a board of county commissioners requires a person to obtain a license, permit or  
12 certificate to practice a profession or occupation pursuant to NRS 244.334 or 244.335, an applicant for the  
13 issuance or renewal of such a license, certificate or permit shall submit to the board of county  
14 commissioners the statement prescribed by the Division of Welfare and Supportive Services of the  
15 Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed  
16 and signed by the applicant.

17 2. The board of county commissioners shall include the statement required pursuant to subsection 1  
18 in:

19 (a) The application or any other forms that must be submitted for the issuance or renewal of the  
20 license, certificate or permit; or

21 (b) A separate form prescribed by the board of county commissioners.

22 3. A license, certificate or permit may not be issued or renewed by a board of county commissioners  
23 pursuant to NRS 244.334 or 244.335 if the applicant:

24 (a) Fails to submit the statement required pursuant to subsection 1; or

25 (b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a  
26 court order for the support of a child and is not in compliance with the order or a plan approved by the  
27 district attorney or other public agency enforcing the order for the repayment of the amount owed  
28 pursuant to the order.

29 4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is  
30 subject to a court order for the support of a child and is not in compliance with the order or a plan  
31 approved by the district attorney or other public agency enforcing the order for the repayment of the  
32 amount owed pursuant to the order, the board of county commissioners shall advise the applicant to  
33 contact the district attorney or other public agency enforcing the order to determine the actions that the  
34 applicant may take to satisfy the arrearage.

35 *5. As used in this section, a "license, permit or certificate to practice a profession or occupation"  
36 does not include a general business license issued by a board of county commissioners.*

37 **Sec. 9.7. NRS 244.33507 is hereby amended to read as follows:**

38 244.33507 1. An application for the issuance of a license, permit or certificate to practice a  
39 profession or occupation pursuant to NRS 244.334 or 244.335 must include the social security number of  
40 the applicant.

41 *2. As used in this section, a "license, permit or certificate to practice a profession or occupation"  
42 does not include a general business license issued by a board of county commissioners.*

43 **Sec. 9.8. NRS 266.358 is hereby amended to read as follows:**

44 266.358 1. If a city council requires a person to obtain a license, permit or certificate to practice a  
45 profession or occupation pursuant to NRS 266.355 or 268.0887, an applicant for the issuance or renewal  
46 of such a license, certificate or permit shall submit to the city council the statement prescribed by the  
47 Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant  
48 to NRS 425.520. The statement must be completed and signed by the applicant.

49 2. The city council shall include the statement required pursuant to subsection 1 in:

50 (a) The application or any other forms that must be submitted for the issuance or renewal of the  
51 license, certificate or permit; or

52 (b) A separate form prescribed by the city council.

53 3. A license, certificate or permit may not be issued or renewed by the city council pursuant to NRS  
54 266.355 or 268.0887 if the applicant:

55 (a) Fails to submit the statement required pursuant to subsection 1; or

56 (b) Indicates on the statement submitted pursuant to subsection 1 that he or she is subject to a court  
57 order for the support of a child and is not in compliance with the order or a plan approved by the district

1 attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the  
2 order.

3 4. If an applicant indicates on the statement submitted pursuant to subsection 1 that he or she is  
4 subject to a court order for the support of a child and is not in compliance with the order or a plan  
5 approved by the district attorney or other public agency enforcing the order for the repayment of the  
6 amount owed pursuant to the order, the city council shall advise the applicant to contact the district  
7 attorney or other public agency enforcing the order to determine the actions that the applicant may take to  
8 satisfy the arrearage.

9 5. As used in this section, a “license, permit or certificate to practice a profession or occupation”  
10 does not include a general business license issued by a city council.

11 **Sec. 9.9. NRS 266.368 is hereby amended to read as follows:**

12 266.368 1. An application for the issuance of a license, permit or certificate to practice a profession  
13 or occupation pursuant to NRS 266.355 or 268.0887 must include the social security number of the  
14 applicant.

15 2. As used in this section, a “license, permit or certificate to practice a profession or occupation”  
16 does not include a general business license issued by a city council.

17 **Sec. 10.** NRS 268.095 is hereby amended to read as follows:

18 268.095 1. Except as otherwise provided in subsection 4 and NRS 268.0951, the city council or  
19 other governing body of each incorporated city in this State, whether organized under general law or  
20 special charter, may:

21 (a) Except as otherwise provided in subsection 2 and NRS 268.0968 and 576.128, fix, impose and  
22 collect for revenues or for regulation, or both, a license tax on all character of lawful trades, callings,  
23 industries, occupations, professions and businesses conducted within its corporate limits.

24 (b) Assign the proceeds of any one or more of such license taxes to the county within which the city is  
25 situated for the purpose or purposes of making the proceeds available to the county:

26 (1) As a pledge as additional security for the payment of any general obligation bonds issued  
27 pursuant to NRS 244A.597 to 244A.655, inclusive;

28 (2) For redeeming any general obligation bonds issued pursuant to NRS 244A.597 to 244A.655,  
29 inclusive;

30 (3) For defraying the costs of collecting or otherwise administering any such license tax so  
31 assigned, of the county fair and recreation board and of officers, agents and employees hired thereby, and  
32 of incidentals incurred thereby;

33 (4) For operating and maintaining recreational facilities under the jurisdiction of the county fair  
34 and recreation board;

35 (5) For improving, extending and bettering recreational facilities authorized by NRS 244A.597 to  
36 244A.655, inclusive; and

37 (6) For constructing, purchasing or otherwise acquiring such recreational facilities.

38 (c) Pledge the proceeds of any tax imposed on the revenues from the rental of transient lodging  
39 pursuant to this section for the payment of any general or special obligations issued by the city for a  
40 purpose authorized by the laws of this State.

41 (d) Use the proceeds of any tax imposed pursuant to this section on the revenues from the rental of  
42 transient lodging:

43 (1) To pay the principal, interest or any other indebtedness on any general or special obligations  
44 issued by the city pursuant to the laws of this State;

45 (2) For the expense of operating or maintaining, or both, any facilities of the city; and

46 (3) For any other purpose for which other money of the city may be used.

47 2. The city council or other governing body of an incorporated city shall not require that a person  
48 who is licensed as a contractor pursuant to chapter 624 of NRS obtain more than one license to engage in  
49 the business of contracting or pay more than one license tax related to engaging in the business of  
50 contracting, regardless of the number of classifications or subclassifications of licensing for which the  
51 person is licensed pursuant to chapter 624 of NRS.

52 3. The proceeds of any tax imposed pursuant to this section that are pledged for the repayment of  
53 general obligations may be treated as “pledged revenues” for the purposes of NRS 350.020.

54 4. The city council or other governing body of an incorporated city shall not require a person to  
55 obtain a license or pay a license tax on the sole basis that the person is a professional. As used in this  
56 subsection, “professional” means a person who:

1 (a) Holds a license, certificate, registration, permit or similar type of authorization issued by a  
2 regulatory body as defined in NRS 622.060 or who is regulated pursuant to the Nevada Supreme Court  
3 Rules; and

4 (b) Practices his or her profession for any type of compensation as an employee.

5 5. The city licensing agency shall provide upon request an application for a state business license  
6 pursuant to chapter 76 of NRS. No license to engage in any type of business may be granted unless the  
7 applicant for the license:

8 (a) Signs an affidavit affirming that the business has complied with the provisions of chapter 76 of  
9 NRS; or

10 (b) Provides to the city licensing agency the **[entity] business identification** number of the applicant  
11 assigned by the Secretary of State **pursuant to section 7 of this act** which the city may use to validate that  
12 the applicant is currently in good standing with the State and has complied with the provisions of chapter  
13 76 of NRS.

14 6. No license to engage in business as a seller of tangible personal property may be granted unless  
15 the applicant for the license:

16 (a) Presents written evidence that:

17 (1) The Department of Taxation has issued or will issue a permit for this activity, and this evidence  
18 clearly identifies the business by name; or

19 (2) Another regulatory agency of the State has issued or will issue a license required for this  
20 activity; or

21 (b) Provides to the city licensing agency the **[entity] business identification** number of the applicant  
22 assigned by the Secretary of State **pursuant to section 7 of this act** which the city may use to validate that  
23 the applicant is currently in good standing with the State and has complied with the provisions of  
24 paragraph (a).

25 7. Any license tax levied under the provisions of this section constitutes a lien upon the real and  
26 personal property of the business upon which the tax was levied until the tax is paid. The lien has the  
27 same priority as a lien for general taxes. The lien must be enforced:

28 (a) By recording in the office of the county recorder, within 6 months following the date on which the  
29 tax became delinquent or was otherwise determined to be due and owing, a notice of the tax lien  
30 containing the following:

31 (1) The amount of tax due and the appropriate year;

32 (2) The name of the record owner of the property;

33 (3) A description of the property sufficient for identification; and

34 (4) A verification by the oath of any member of the board of county commissioners or the county  
35 fair and recreation board; and

36 (b) By an action for foreclosure against such property in the same manner as an action for foreclosure  
37 of any other lien, commenced within 2 years after the date of recording of the notice of the tax lien, and  
38 accompanied by appropriate notice to other lienholders.

39 8. The city council or other governing body of each incorporated city may delegate the power and  
40 authority to enforce such liens to the county fair and recreation board. If the authority is so delegated, the  
41 governing body shall revoke or suspend the license of a business upon certification by the board that the  
42 license tax has become delinquent, and shall not reinstate the license until the tax is paid. Except as  
43 otherwise provided in NRS 239.0115 and 268.0966, all information concerning license taxes levied by an  
44 ordinance authorized by this section or other information concerning the business affairs or operation of  
45 any licensee obtained as a result of the payment of those license taxes or as the result of any audit or  
46 examination of the books of the city by any authorized employee of a county fair and recreation board for  
47 any license tax levied for the purpose of NRS 244A.597 to 244A.655, inclusive, is confidential and must  
48 not be disclosed by any member, official or employee of the county fair and recreation board or the city  
49 imposing the license tax unless the disclosure is authorized by the affirmative action of a majority of the  
50 members of the appropriate county fair and recreation board. Continuing disclosure may be so authorized  
51 under an agreement with the Department of Taxation or the Secretary of State for the exchange of  
52 information concerning taxpayers.

53 9. The powers conferred by this section are in addition and supplemental to, and not in substitution  
54 for, and the limitations imposed by this section do not affect the powers conferred by, any other law. No  
55 part of this section repeals or affects any other law or any part thereof, it being intended that this section  
56 provide a separate method of accomplishing its objectives, and not an exclusive one.

1 **Sec. 10.5.** NRS 268.0955 is hereby amended to read as follows:

2 268.0955 1. In an incorporated city in which a license to engage in a business is required, the city  
3 council or other governing body of the city shall not issue such a license unless the applicant for the  
4 license:

5 (a) Signs an affidavit affirming that the business:

6 (1) Has received coverage by a private carrier as required pursuant to chapters 616A to 616D,  
7 inclusive, and chapter 617 of NRS;

8 (2) Maintains a valid certificate of self-insurance pursuant to chapters 616A to 616D, inclusive, of  
9 NRS;

10 (3) Is a member of an association of self-insured public or private employers; or

11 (4) Is not subject to the provisions of chapters 616A to 616D, inclusive, or chapter 617 of NRS; or

12 (b) If the applicant submits his or her application electronically, attests to his or her compliance with  
13 the provisions of paragraph (a).

14 2. In an incorporated city in which such a license is not required, the city council or other governing  
15 body of the city shall require a business, when applying for a post office box, to submit to the governing  
16 body the affidavit or attestation required by subsection 1.

17 3. ~~Each~~ *Except as otherwise provided in this subsection, each* city council or other governing  
18 body of an incorporated city shall submit to the Administrator of the Division of Industrial Relations of  
19 the Department of Business and Industry monthly a ~~list~~ *report* of the names of those businesses which  
20 have submitted an affidavit or attestation required by subsections 1 and 2. *A city council or other*  
21 *governing board of an incorporated city is not required to include in the monthly report the name of a*  
22 *business which has submitted an attestation electronically via the state business portal.*

23 4. ~~Upon~~ *Except as otherwise provided in subsection 5, upon* receiving an affidavit or attestation  
24 required by this section, the city council or other governing body of an incorporated city shall provide the  
25 applicant with a document setting forth the rights and responsibilities of employers and employees to  
26 promote safety in the workplace in accordance with regulations adopted by the Division of Industrial  
27 Relations of the Department of Business and Industry pursuant to NRS 618.376.

28 5. *If an applicant submits an attestation required by this section electronically via the state*  
29 *business portal, the state business portal must provide the owner of the business with access to*  
30 *information setting forth the rights and responsibilities of employers and employees to promote safety*  
31 *in the workplace in accordance with regulations adopted by the Division of Industrial Relations of the*  
32 *Department of Business and Industry pursuant to NRS 618.376.*

33 6. *As used in this section, "state business portal" means the state business portal established*  
34 *pursuant to chapter 75A of NRS.*

35 **Sec. 10.6.** NRS 269.171 is hereby amended to read as follows:

36 269.171 1. If a town board or board of county commissioners requires a person to obtain a license,  
37 permit or certificate to practice a profession or occupation pursuant to NRS 269.170, an applicant for the  
38 issuance or renewal of such a license, certificate or permit shall submit to the town board or board of  
39 county commissioners the statement prescribed by the Division of Welfare and Supportive Services of the  
40 Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed  
41 and signed by the applicant.

42 2. The town board or board of county commissioners shall include the statement required pursuant to  
43 subsection 1 in:

44 (a) The application or any other forms that must be submitted for the issuance or renewal of the  
45 license, certificate or permit; or

46 (b) A separate form prescribed by the town board or board of county commissioners.

47 3. A license, certificate or permit may not be issued or renewed by a town board or board of county  
48 commissioners pursuant to NRS 269.170 if the applicant:

49 (a) Fails to submit the statement required pursuant to subsection 1; or

50 (b) Indicates on the statement submitted pursuant to subsection 1 that he or she is subject to a court  
51 order for the support of a child and is not in compliance with the order or a plan approved by the district  
52 attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the  
53 order.

54 4. If an applicant indicates on the statement submitted pursuant to subsection 1 that he or she is  
55 subject to a court order for the support of a child and is not in compliance with the order or a plan  
56 approved by the district attorney or other public agency enforcing the order for the repayment of the  
57 amount owed pursuant to the order, the town board or board of county commissioners shall advise the



1 applicant to contact the district attorney or other public agency enforcing the order to determine the  
2 actions that the applicant may take to satisfy the arrearage.

3 5. As used in this section, a “license, permit or certificate to practice a profession or occupation”  
4 does not include a general business license issued by a town board or board of county commissioners.

5 **Sec. 10.7. NRS 269.173 is hereby amended to read as follows:**

6 269.173 1. An application for the issuance of a license, permit or certificate to practice a profession  
7 or occupation pursuant to NRS 269.170 must include the social security number of the applicant.

8 2. As used in this section, a “license, permit or certificate to practice a profession or occupation”  
9 does not include a general business license issued by a town board or board of county commissioners.

10 **Sec. 10.8. NRS 425.530 is hereby amended to read as follows:**

11 425.530 1. Each district attorney or other public agency collecting support for children shall send a  
12 notice by certified mail, restricted delivery, with return receipt requested to each person who:

13 (a) Has failed to comply with a subpoena or warrant relating to a proceeding to determine the  
14 paternity of a child or to establish, modify or enforce an obligation for the support of a child; or

15 (b) Is in arrears in the payment for the support of one or more children.

16 ↪ The notice must include the information set forth in subsections 2 and 4 and a copy of the subpoena or  
17 warrant or a statement of the amount of the arrearage.

18 2. If the person does not, within 30 days after the person receives the notice required by subsection  
19 1:

20 (a) Comply with the subpoena or warrant;

21 (b) Satisfy the arrearage pursuant to NRS 425.560; or

22 (c) Submit to the district attorney or other public agency a written request for a hearing,

23 ↪ the district attorney or other public agency shall request in writing that the master suspend all  
24 professional, occupational and recreational licenses, certificates and permits issued to that person ~~H~~, and  
25 any business license issued to that person if he or she is conducting business in this State as a sole  
26 proprietor.

27 3. Before a hearing requested pursuant to subsection 2 may be held, the person requesting the  
28 hearing and a representative of the enforcing authority must meet and make a good faith effort to resolve  
29 the matter.

30 4. If the master receives from a district attorney or other public agency a request to suspend the  
31 professional, occupational and recreational licenses, certificates and permits issued to a person, and any  
32 business licenses issued to that person if he or she is conducting business in this State as a sole  
33 proprietor, the master shall enter a recommendation determining whether the person:

34 (a) Has failed to comply with a subpoena or warrant relating to a proceeding to determine the  
35 paternity of a child or to establish, modify or enforce an obligation for the support of a child; or

36 (b) Is in arrears in the payment for the support of one or more children.

37 ↪ As soon as practicable after the master enters a recommendation, the district attorney or other public  
38 agency shall notify the person by first-class mail of the recommendation of the master.

39 5. If a person requests a hearing within the period prescribed in subsection 2 and meets with the  
40 enforcing authority as required in subsection 3, a hearing must be held pursuant to NRS 425.3832. The  
41 master shall notify the person of the recommendation of the master at the conclusion of the hearing or as  
42 soon thereafter as is practicable.

43 **Sec. 10.9. NRS 425.540 is hereby amended to read as follows:**

44 425.540 1. If a master enters a recommendation determining that a person:

45 (a) Has failed to comply with a subpoena or warrant relating to a proceeding to determine the  
46 paternity of a child or to establish or enforce an obligation for the support of a child; or

47 (b) Is in arrears in the payment for the support of one or more children,

48 ↪ and the district court issues an order approving the recommendation of the master pursuant to NRS  
49 425.3844, the court shall provide a copy of the order to the Secretary of State and all agencies that issue  
50 professional, occupational or recreational licenses, certificates or permits.

51 2. A court order issued pursuant to subsection 1 must provide that if the person named in the order  
52 does not, within 30 days after the date on which the order is issued, submit to any agency that has issued a  
53 professional, occupational or recreational license, certificate or permit to that person, and to the Secretary  
54 of State if he or she conducts business in this State as a sole proprietor, a letter from the district attorney  
55 or other public agency stating that the person has complied with the subpoena or warrant or has satisfied  
56 the arrearage pursuant to NRS 425.560, the professional, occupational or recreational licenses issued to  
57 the person by that agency, or the business license issued to the person to conduct business in this State  
58 as a sole proprietor by the Secretary of State, will be automatically suspended. Such an order must not

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1 apply to a license, certificate or permit issued by the Department of Wildlife or the State Land Registrar if  
2 that license, certificate or permit expires less than 6 months after it is issued.

3 3. If a court issues an order pursuant to subsection 1, the district attorney or other public agency shall  
4 send a notice by first-class mail to the person who is subject to the order. The notice must include:

5 (a) If the person has failed to comply with a subpoena or warrant, a copy of the court order and a copy  
6 of the subpoena or warrant; or

7 (b) If the person is in arrears in the payment for the support of one or more children:

8 (1) A copy of the court order;

9 (2) A statement of the amount of the arrearage; and

10 (3) A statement of the action that the person may take to satisfy the arrearage pursuant to NRS  
11 425.560.

12 **Sec. 11.** NRS 602.020 is hereby amended to read as follows:

13 602.020 1. A certificate filed pursuant to NRS 602.010 or a renewal certificate filed pursuant to  
14 NRS 602.035 must state the assumed or fictitious name under which the business is being conducted or is  
15 intended to be conducted, and if conducted by:

16 (a) A natural person:

17 (1) His or her full name;

18 (2) The street address of his or her residence or business; and

19 (3) If the mailing address is different from the street address, the mailing address of his or her  
20 residence or business;

21 (b) An artificial person:

22 (1) Its name; and

23 (2) Its mailing address;

24 (c) A general partnership:

25 (1) The full name of each partner who is a natural person;

26 (2) The street address of the residence or business of each partner who is a natural person;

27 (3) If the mailing address is different from the street address, the mailing address of the residence  
28 or business of each partner who is a natural person; and

29 (4) If one or more of the partners is an artificial person described in paragraph (b), the information  
30 required by paragraph (b) for each such partner; or

31 (d) A trust:

32 (1) The full name of each trustee of the trust;

33 (2) The street address of the residence or business of each trustee of the trust; and

34 (3) If the mailing address is different from the street address, the mailing address of the residence  
35 or business of each trustee of the trust.

36 2. The certificate must be:

37 (a) Signed:

38 (1) In the case of a natural person, by that natural person;

39 (2) In the case of an artificial person, by an officer, director, manager, general partner, trustee or  
40 other natural person having the authority to bind the artificial person to a contract;

41 (3) In the case of a general partnership, by each of the partners who is a natural person and, if one  
42 or more of the partners is an artificial person described in subparagraph (2), by the person described in  
43 subparagraph (2); or

44 (4) In the case of a trust, by each of the trustees; and

45 (b) Notarized, unless the board of county commissioners of the county adopts an ordinance providing  
46 that the certificate may be filed without being notarized.

47 3. ~~No county clerk may refuse to accept for filing a certificate filed by a foreign artificial person or  
48 foreign artificial persons because the foreign artificial person or foreign artificial persons have not  
49 qualified to do business in this State under title 7 of NRS.~~

50 ~~4.]~~ As used in this section:

51 (a) "Artificial person" means any organization organized under the law of the United States, any  
52 foreign country, or a state, province, territory, possession, commonwealth or dependency of the United  
53 States or any foreign country, and as to which the government, state, province, territory, possession,  
54 commonwealth or dependency must maintain a record showing the organization to have been organized.

55 (b) ~~"Foreign artificial person" means an artificial person that is not organized under the laws of this  
56 State.~~

57 ~~(c)]~~ "Record" means information which is inscribed on a tangible medium or which is stored in an  
58 electronic or other medium and is retrievable in perceivable form.

1 **Sec. 12.** NRS 612.265 is hereby amended to read as follows:

2 612.265 1. Except as otherwise provided in this section and NRS 239.0115 and 612.642,  
3 information obtained from any employing unit or person pursuant to the administration of this chapter and  
4 any determination as to the benefit rights of any person is confidential and may not be disclosed or be  
5 open to public inspection in any manner which would reveal the person's or employing unit's identity.

6 2. Any claimant or a legal representative of a claimant is entitled to information from the records of  
7 the Division, to the extent necessary for the proper presentation of the claimant's claim in any proceeding  
8 pursuant to this chapter. A claimant or an employing unit is not entitled to information from the records of  
9 the Division for any other purpose.

10 3. Subject to such restrictions as the Administrator may by regulation prescribe, the information  
11 obtained by the Division may be made available to:

12 (a) Any agency of this or any other state or any federal agency charged with the administration or  
13 enforcement of laws relating to unemployment compensation, public assistance, workers' compensation  
14 or labor and industrial relations, or the maintenance of a system of public employment offices;

15 (b) Any state or local agency for the enforcement of child support;

16 (c) The Internal Revenue Service of the Department of the Treasury;

17 (d) The Department of Taxation; ~~and~~

18 (e) The State Contractors' Board in the performance of its duties to enforce the provisions of chapter  
19 624 of NRS ~~§~~; and

20 (f) *The Secretary of State to operate the state business portal established pursuant to chapter 75A*  
21 *of NRS for the purposes of verifying that data submitted via the portal has satisfied the necessary*  
22 *requirements established by the Division, and as necessary to maintain the technical integrity and*  
23 *functionality of the state business portal established pursuant to chapter 75A of NRS.*

24 ↪ Information obtained in connection with the administration of the Division may be made available to  
25 persons or agencies for purposes appropriate to the operation of a public employment service or a public  
26 assistance program.

27 4. Upon written request made by a public officer of a local government, the Administrator shall  
28 furnish from the records of the Division the name, address and place of employment of any person listed  
29 in the records of employment of the Division. The request must set forth the social security number of the  
30 person about whom the request is made and contain a statement signed by the proper authority of the local  
31 government certifying that the request is made to allow the proper authority to enforce a law to recover a  
32 debt or obligation owed to the local government. Except as otherwise provided in NRS 239.0115, the  
33 information obtained by the local government is confidential and may not be used or disclosed for any  
34 purpose other than the collection of a debt or obligation owed to that local government. The  
35 Administrator may charge a reasonable fee for the cost of providing the requested information.

36 5. The Administrator may publish or otherwise provide information on the names of employers, their  
37 addresses, their type or class of business or industry, and the approximate number of employees employed  
38 by each such employer, if the information released will assist unemployed persons to obtain employment  
39 or will be generally useful in developing and diversifying the economic interests of this State. Upon  
40 request by a state agency which is able to demonstrate that its intended use of the information will benefit  
41 the residents of this State, the Administrator may, in addition to the information listed in this subsection,  
42 disclose the number of employees employed by each employer and the total wages paid by each  
43 employer. The Administrator may charge a fee to cover the actual costs of any administrative expenses  
44 relating to the disclosure of this information to a state agency. The Administrator may require the state  
45 agency to certify in writing that the agency will take all actions necessary to maintain the confidentiality  
46 of the information and prevent its unauthorized disclosure.

47 6. Upon request therefor, the Administrator shall furnish to any agency of the United States charged  
48 with the administration of public works or assistance through public employment, and may furnish to any  
49 state agency similarly charged, the name, address, ordinary occupation and employment status of each  
50 recipient of benefits and the recipient's rights to further benefits pursuant to this chapter.

51 7. To further a current criminal investigation, the chief executive officer of any law enforcement  
52 agency of this State may submit a written request to the Administrator that the Administrator furnish,  
53 from the records of the Division, the name, address and place of employment of any person listed in the  
54 records of employment of the Division. The request must set forth the social security number of the  
55 person about whom the request is made and contain a statement signed by the chief executive officer  
56 certifying that the request is made to further a criminal investigation currently being conducted by the  
57 agency. Upon receipt of such a request, the Administrator shall furnish the information requested. The  
58 Administrator may charge a fee to cover the actual costs of any related administrative expenses.

8. In addition to the provisions of subsection 5, the Administrator shall provide lists containing the names and addresses of employers, and information regarding the wages paid by each employer to the Department of Taxation, upon request, for use in verifying returns for the taxes imposed pursuant to chapters 363A and 363B of NRS. The Administrator may charge a fee to cover the actual costs of any related administrative expenses.

9. A private carrier that provides industrial insurance in this State shall submit to the Administrator a list containing the name of each person who received benefits pursuant to chapters 616A to 616D, inclusive, or chapter 617 of NRS during the preceding month and request that the Administrator compare the information so provided with the records of the Division regarding persons claiming benefits pursuant to this chapter for the same period. The information submitted by the private carrier must be in a form determined by the Administrator and must contain the social security number of each such person. Upon receipt of the request, the Administrator shall make such a comparison and, if it appears from the information submitted that a person is simultaneously claiming benefits under this chapter and under chapters 616A to 616D, inclusive, or chapter 617 of NRS, the Administrator shall notify the Attorney General or any other appropriate law enforcement agency. The Administrator shall charge a fee to cover the actual costs of any related administrative expenses.

10. The Administrator may request the Comptroller of the Currency of the United States to cause an examination of the correctness of any return or report of any national banking association rendered pursuant to the provisions of this chapter, and may in connection with the request transmit any such report or return to the Comptroller of the Currency of the United States as provided in section 3305(c) of the Internal Revenue Code of 1954.

11. If any employee or member of the Board of Review, the Administrator or any employee of the Administrator, in violation of the provisions of this section, discloses information obtained from any employing unit or person in the administration of this chapter, or if any person who has obtained a list of applicants for work, or of claimants or recipients of benefits pursuant to this chapter uses or permits the use of the list for any political purpose, he or she is guilty of a gross misdemeanor.

12. All letters, reports or communications of any kind, oral or written, from the employer or employee to each other or to the Division or any of its agents, representatives or employees are privileged and must not be the subject matter or basis for any lawsuit if the letter, report or communication is written, sent, delivered or prepared pursuant to the requirements of this chapter.

**Sec. 13.** (Deleted by amendment.)

**Sec. 14.** NRS 719.345 is hereby amended to read as follows:

719.345 The Secretary of State may require a governmental agency of this State or a governmental agency of a political subdivision of this State, as a condition of participation in the state business portal established pursuant to *chapter 75A of NRS*, ~~[75A.100, 75A.200 and 75A.300,]~~ to send and accept electronic records and electronic signatures to and from other persons and otherwise create, generate, communicate, store, process, use and rely upon electronic records and electronic signatures.

**Sec. 15.** NRS 237.180, ~~[244.33506, 244.33507, 266.358, 266.368, 269.171, 269.173,]~~ 364.110 and 364.120 are hereby repealed.

**Sec. 16.** 1. This act becomes effective on October 1, 2015.

2. Sections ~~[5.3 and]~~ 5.7, **10.8 and 10.9** of this act expire by limitation on the date on which the provisions of 42 U.S.C. § 666 requiring each state to establish procedures under which the state has authority to withhold or suspend, or to restrict the use of professional, occupational and recreational licenses of persons who:

- (a) Have failed to comply with the subpoena or warrant relating to a proceeding to determine the paternity of a child or to establish or enforce an obligation for the support of a child; or
  - (b) Are in arrears in the payment for the support of one or more children,
- ↪ are repealed by the Congress of the United States.

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**LEADLINES OF REPEALED SECTIONS**

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**237.180 Requirements; annual meeting to design and modify joint forms.**  
~~[244.33506 Application for or renewal of license, permit or certificate: Statement regarding obligation of child support required; grounds for denial; duty of board of county commissioners; 244.33507 Application for issuance of license, permit or certificate: Social security number required.]~~

~~266.358 Payment of child support: Statement by applicant for license, permit or certificate; grounds for denial of license, permit or certificate; duty of city council.~~

~~266.368 Application for license, permit or certificate must include social security number of applicant.]~~

~~[269.171 Payment of child support: Statement by applicant for license, permit or certificate; grounds for denial of license, permit or certificate; duty of town board or board of county commissioners.~~

~~269.173 Application for license, certificate or permit must include social security number of applicant.]~~

**364.110 Licensing authority to require affidavit.**

**364.120 Filing fee for required affidavit.**

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