

**PROPOSED REGULATION OF  
THE COMMISSION ON TOURISM**

**LCB File No. R080-18**

May 23, 2018

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §1, NRS 231.200 and 233B.100.

A REGULATION relating to tourism; creating provisions governing the procedure for any interested person to petition the Commission on Tourism of the Department of Tourism and Cultural Affairs to adopt, file, amend or repeal any regulation; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law authorizes the Commission on Tourism of the Department of Tourism and Cultural Affairs to adopt regulations to administer and carry out the policies and programs of the Division of Tourism. (NRS 231.200)

Existing law authorizes any interested person to petition an agency requesting the adoption, filing, amendment or repeal of any regulation. Existing law requires such a petition to be accompanied with relevant data, views and arguments. Existing law requires, upon the submission of such a petition, an agency to, within 30 days: (1) deny the petition in writing, stating its reasons; or (2) initiate regulation-making proceedings. Existing law requires each agency to prescribe by regulation: (1) the form for such petitions; and (2) the procedure for the submission, consideration and disposition of such petitions. (NRS 233B.100) This regulation provides that, pursuant to existing law, any interested person may petition the Commission for the adoption, filing, amendment or repeal of any regulation. This regulation requires such a petition to be: (1) in writing on a form prescribed by the Commission; and (2) include certain information, including any relevant data, views and arguments that support the petition. If a petition does not include such information, this regulation authorizes the Commission to refuse to act on a petition. This regulation also requires the Commission to, within 30 days after the date on which the petitioner filed the petition: (1) notify the petitioner of the Commission’s decision regarding the petition; and (2) if the Commission approves the petition, initiate regulation-making proceedings.

**Section 1.** Chapter 231 of NAC is hereby amended by adding thereto a new section to read as follows:

*1. Pursuant to NRS 233B.100, any interested person may petition the Commission on Tourism created by NRS 231.170 for the adoption, filing, amendment or repeal of any regulation.*

*2. A petition for the adoption, filing, amendment or repeal of a regulation must be in writing on a form prescribed by the Commission and must include:*

*(a) The name and address of the petitioner;*

*(b) The reason for petitioning for the adoption, filing, amendment or repeal of the regulation;*

*(c) The proposed language of the regulation to be adopted, filed, amended or repealed;*

*(d) The statutory authority for the adoption, filing, amendment or repeal of the regulation;*

*and*

*(e) Any relevant data, views and arguments that support the petition for the adoption, filing, amendment or repeal of the regulation.*

*3. The Commission may refuse to act upon a petition for the adoption, filing, amendment or repeal of a regulation if the petition does not include the information required by subsection 2.*

*4. The Commission will notify the petitioner in writing of the Commission's decision regarding the petition within 30 days after the date on which the petitioner filed the petition. If the Commission approves the petition for the adoption, filing, amendment or repeal of a regulation, the Commission will initiate regulation-making proceedings concerning that regulation within 30 days after the date on which the petitioner filed the petition.*