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STATE CONTRACTORS BOARD

NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Hearing for the Adoption, Amendment or Repeal of Regulations
of
The State of Nevada Contractors Board

The State of Nevada Contractors Board (Board) will conduct a public hearing on Thursday September 17, 2020 at 8:30 a.m. via Zoom Webcast. The purpose of the hearing is to receive comments from all interested persons regarding the proposed amendments to adopted regulation LCB File No. R014-19.

DATE: September 17, 2020
TIME: 8:30 AM
LOCATION: Tele-meeting via Zoom

Join Zoom Meeting

<https://zoom.us/j/91657322643?pwd=L2V2aHlxWHVrVUFPOWVKdmxUZ0pqZz09>

Meeting ID: 916 5732 2643

Passcode: 094127

One tap mobile

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Meeting ID: 916 5732 2643

Find your local number: <https://zoom.us/u/aWnBEdARu>

LCB File No. R014-19

The following information is provided pursuant to the requirements of NRS 233B.060 and 233B.0603:

1. The need for and purpose of the proposed regulation or amendment.

The purpose of the proposed regulation is to amend Chapter 624 of the Nevada Administrative Code to revise the Board's rules of practice which were reviewed in accordance with NRS 233B.050. As a result of this review, it was recognized that clarifying and streamlining changes would enhance the rules of practice, modernize some aspects of the rules to recognize trends and technology improvements, and to remove uncertainty. In addition, AB440 (2019) created an additional disciplinary action regarding

builder's warranties. Thus, the regulation establishes an administrative fine range assessment for violating this provision as well as an administrative fine range for violating NRS 624.30165.

On February 20, 2020, the Nevada State Contractors Board adopted proposed changes to NAC 624 identified in R014-19. R014-19 is proposed to be amended by the addition of language in Sec. 2A which sets forth terms of probation, and revisions to Sec. 15 concerning conditions related to fine payments.

2. Either the terms or the substance of the regulations to be adopted, amended or repealed or a description of the subjects and issues involved.

The proposed regulation changes certain provisions related to disciplinary matters before the Board.

3. The estimated economic effect of this proposed regulation on the business which it is to regulate and on the public.

(a) Adverse and beneficial effects.

There is no economic effect on the public. The economic effect upon NRS Chapter 624 licensees is limited to minor compliance-related issues typically limited to timing requirements as opposed to the expenditure of money. Further, contractors subject to discipline after notice and an opportunity to be heard may be impacted by regulations imposing fines as authorized by Nevada statutes.

(b) Both immediate and long-term effects.

There is no immediate economic effect. Long term economic effects will depend upon the number of contested cases that come before the Board; however, the clarification and streamlining of processes created by the regulatory revisions are expected to immediately and continuously reduce overall costs of practice before the Board to licensees and the Board with no expected reduction in the protections for the public's health, safety, and welfare.

4. The estimated cost to the agency for the enforcement of the proposed regulation.

Cost to the agency should be minimal.

5. A description of and citation to any regulations of other states or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication and overlapping is necessary.

The proposed regulation does not overlap or duplicate any regulation.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

Does not apply.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

Does not apply.

8. Whether proposed regulation establishes a new fee or increases an existing fee.

The regulation creates a new minimum and maximum fine for violation of NRS 624.30165 and expands fines for the violation of Subsection 3, 5, 10 or 11 to include subsection 12 of NRS 624.3016. The administrative fine ranges proposed for these violations are authorized by NRS 624.300.

Persons wishing to comment upon the proposed action of the Nevada State Contractors Board may appear at the scheduled public hearing via Zoom Webcast or may address their comments in written form to the Nevada State Contractors Board 2310 Corporate Circle, Suite 200, Henderson, NV 89074 or by email at PublicComment@nscb.state.nv.us. Written submissions must be received by the Nevada State Contractors Board on or before September 16, 2020. If persons who are directly affected by the proposed action do not appear, or request time to make an oral presentation, the Nevada State Contractors Board may proceed immediately to act upon any written submissions.

This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if deemed necessary.

Upon adoption of any regulation, the board, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This Notice has been mailed to all persons on the agency's mailing list of administrative regulations and posted on the Nevada State Contractors Board Internet Website and the Nevada Public Notice Website.

Dated: August 14, 2020