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State Of Nevada

Reply To:

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STATE CONTRACTORS BOARD

NOTICE OF INTENT TO ACT UPON A REGULATION

LCB File No. R022-21

Notice of Workshop and 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 workshop on Tuesday, November 9, 2021 at 1:00 p.m. and a public hearing on Tuesday, November 16, 2021 at 1:00 p.m. The workshop and hearing will be video-conferenced between the Board's Henderson office located at 2310 Corporate Circle, Suite 200, Henderson, Nevada 89074 and the Reno office located at 5390 Kietzke Lane, Suite 102, Reno, Nevada, 89511.

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.

As required by NRS 624.300 and NRS 624.361, the Board previously adopted regulations that establish the standards for determining the amount of an administrative fine imposed upon Nevada contractors that violate certain statutory provisions. The purpose of the proposed regulation is to update the administrative fines laid out in the existing regulation to create fine ranges for new disciplinary violations created or amended during the 2021 legislative session by AB 51, AB 227 and SB 303. The proposed regulation also makes conforming changes to NAC 624.6932.

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 Either the terms or the substance of the regulations to be adopted, amended or repealed or a description of the subjects and issues involved.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 establishes an administrative fine range assessment for a contractor who violates subsection 7 of NRS 624.3016 and NRS 624.520. A copy of the proposed regulation may be obtained by visiting our website at www.nscb.nv.gov or writing to the Board's offices.

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 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 does not establish a new fee or increase an existing fee.

Persons wishing to comment upon the proposed action of the Board may appear at the scheduled public workshop or may address their comments, data, views or arguments, in written form to the Executive Officer of the Nevada State Contractors Board, 2310 Corporate Circle, Suite 200, Henderson, Nevada 89074 and the Reno office located at 5390 Kietzke Lane, Suite 102, Reno, Nevada, 89511. Written submissions must be received by the Board five days prior to the scheduled workshop. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the board may proceed immediately to act upon any written submissions.

A copy of this notice and the regulations to be adopted, amended or repealed will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notices and the regulation to be adopted will be available at the State Contractors Board 2310 Corporate Circle, Suite 200, Henderson, Nevada 89074 and the Reno office located at 5390 Kietzke Lane, Suite 102, Reno, Nevada, 89511. 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 at the following locations:

Nevada State Contractors Board – Reno Office
Nevada State Contractors Board – Henderson Office
Nevada State Contractors Board – Internet Website
Nevada Public Notice Website

Dated: October 13, 2021