

**THE ONE HUNDRED AND EIGHTEENTH DAY**

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CARSON CITY (Saturday), June 1, 2013

Assembly called to order at 12:43 p.m.

Madam Speaker presiding.

Roll called.

All present.

Prayer by Assemblyman Randy Kirner.

O' God, our Father, Thou Searcher of Men's Hearts, help us draw near to Thee in sincerity and truth.

Strengthen and increase our admiration for honest dealing and clean thinking. Make us to choose the harder right instead of the easier wrong, and never to be content with half-truth when the whole can be won. Endow us with the courage that is born of loyalty to all that is noble and worthy, that scorns to compromise with vice and injustice, and knows no fear when truth and right are in jeopardy. Guard us against flippancy and irreverence in the sacred things of life. Kindle our hearts in fellowship with those of a cheerful countenance, and soften our hearts with sympathy for those who sorrow and suffer. Help us to maintain the honor of our privilege to serve as we strive to do our duty on behalf of our constituency and the citizens of Nevada.

We bring a special petition on behalf of our colleague Senator Woodhouse and her family. Be with her during these difficult times. We give You thanks for returning Assemblywoman Pierce to our body.

All of which we ask in the Name of the Great Friend and Master of Men.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Horne moved that further reading of the Journal be dispensed with and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

**MOTIONS, RESOLUTIONS AND NOTICES**

Assemblyman Horne moved that the Assembly suspend section 4 of Assembly Standing Rule 57 for the remainder of the session for the purpose of allowing the committees to take final action on the bills and resolutions on the same day they are heard.

Motion carried.

**MESSAGES FROM THE SENATE**

SENATE CHAMBER, Carson City, May 31, 2013

*To the Honorable the Assembly:*

It is my pleasure to inform your esteemed body that the Senate on this day passed Assembly Bills Nos. 1, 31, 80, 228, 311, 344, 362, 370, 408, 419, 436, 480, 499.

Also, it is my pleasure to inform your esteemed body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 24, Amendment No. 874; Assembly Bill No. 67,

Amendment No. 912; Assembly Bill No. 414, Amendment No. 918, and respectfully requests your honorable body to concur in said amendments.

Also, it is my pleasure to inform your esteemed body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 98, Senate Amendment No. 734, and requests a conference, and appointed Senators Kihuen, Jones and Hammond as a Conference Committee to meet with a like committee of the Assembly.

Also, it is my pleasure to inform your esteemed body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 349, Senate Amendment No. 831, and requests a conference, and appointed Senators Hardy, Jones and Hutchison as a Conference Committee to meet with a like committee of the Assembly.

Also, it is my pleasure to inform your esteemed body that the Senate on this day appointed Senators Parks, Spearman and Hardy as a Conference Committee concerning Senate Bill No. 228.

Also, it is my pleasure to inform your esteemed body that the Senate on this day appointed Senators Parks, Segerblom and Hardy as a Conference Committee concerning Senate Bill No. 410.

Also, it is my pleasure to inform your esteemed body that the Senate on this day appointed Senators Jones, Manendo and Goicoechea as a Conference Committee concerning Senate Joint Resolution No. 9.

SHERRY L. RODRIGUEZ  
*Assistant Secretary of the Senate*

#### UNFINISHED BUSINESS

##### CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 414.

The following Senate amendment was read:

Amendment No. 918.

AN ACT relating to education; requiring instruction in the administration of cardiopulmonary resuscitation and the use of an automated external defibrillator to be included, to the extent money is available for this purpose, within the course of study for health for pupils enrolled in **middle schools, junior high schools or** high schools; providing exceptions for certain pupils; requiring private secondary schools to include similar instruction, to the extent money is available for this purpose, in a course of study for health; and providing other matters properly relating thereto.

#### **Legislative Counsel's Digest:**

Existing law designates, in addition to the core academic subjects that must be taught in all public schools, the following subjects that must be taught as applicable for grade levels: (1) the arts; (2) computer education and technology; (3) health; and (4) physical education. (NRS 389.018) The State Board of Education is required to adopt regulations establishing the courses of study for the prescribed academic subjects, including health. (NRS 389.0185) **Sections 1 and 2** of this bill require a course of study in health established by the State Board to include, for pupils enrolled in **middle schools, junior high schools or** high schools and to the extent money is available for this purpose, instruction in the administration of

cardiopulmonary resuscitation and the use of an automated external defibrillator. The requirements also apply, to the extent money is available for this purpose, to charter schools that enroll pupils at ~~the high school~~ **those** grade levels. If instruction is offered, a pupil who is enrolled in a course of study of health through a program of distance education or a pupil with a disability who cannot perform the tasks included in the instruction is not required to complete the instruction to pass the course of study in health.

Existing law requires a private school to provide instruction in the courses of study prescribed by the State Board or courses of study prepared by the private school and approved by the State Board. (NRS 394.130) **Section 3** of this bill requires a private secondary school which provides a course of study in health to include in the course of study, to the extent money is available for this purpose, instruction in the administration of cardiopulmonary resuscitation and the use of an automated external defibrillator for the grade levels determined by the private school. The same exemptions as prescribed by **section 2** apply to a pupil enrolled in a private school through a program of distance education and a pupil with a disability.

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

**Section 1.** NRS 389.018 is hereby amended to read as follows:

389.018 1. The following subjects are designated as the core academic subjects that must be taught, as applicable for grade levels, in all public schools, the Caliente Youth Center, the Nevada Youth Training Center and any other state facility for the detention of children that is operated pursuant to title 5 of NRS:

- (a) English, including reading, composition and writing;
- (b) Mathematics;
- (c) Science; and
- (d) Social studies, which includes only the subjects of history, geography, economics and government.

2. Except as otherwise provided in this subsection, a pupil enrolled in a public high school must enroll in a minimum of:

- (a) Four units of credit in English;
- (b) Four units of credit in mathematics, including, without limitation, Algebra I and geometry, or an equivalent course of study that integrates Algebra I and geometry;
- (c) Three units of credit in science, including two laboratory courses; and
- (d) Three units of credit in social studies, including, without limitation:
  - (1) American government;
  - (2) American history; and
  - (3) World history or geography.

↪ A pupil is not required to enroll in the courses of study and credits required by this subsection if the pupil, the parent or legal guardian of the pupil and an administrator or a counselor at the school in which the pupil is enrolled mutually agree to a modified course of study for the pupil and that modified course of study satisfies at least the requirements for a standard high school diploma or an adjusted diploma, as applicable.

3. Except as otherwise provided in this subsection, in addition to the core academic subjects, the following subjects must be taught as applicable for grade levels and to the extent practicable in all public schools, the Caliente Youth Center, the Nevada Youth Training Center and any other state facility for the detention of children that is operated pursuant to title 5 of NRS:

- (a) The arts;
- (b) Computer education and technology;
- (c) Health; and
- (d) Physical education.

↪ If the State Board requires the completion of course work in a subject area set forth in this subsection for graduation from high school or promotion to the next grade, a public school shall offer the required course work. ~~Unless~~ ***Except as otherwise provided for a course of study in health prescribed by subsection 1 of NRS 389.0185, unless*** a subject is required for graduation from high school or promotion to the next grade, a charter school is not required to comply with this subsection.

**Sec. 2.** NRS 389.0185 is hereby amended to read as follows:

389.0185 **1.** The State Board shall adopt regulations establishing courses of study and the grade levels for which the courses of study apply for:

~~{1-}~~ (a) The academic subjects set forth in NRS 389.018. ***A course of study in health prescribed pursuant to paragraph (c) of subsection 3 of NRS 389.018 must, to the extent money is available for this purpose, for pupils enrolled in middle school, junior high school or high school, including, without limitation, pupils enrolled in ~~the high school~~ those grade levels at a charter school, include instruction in:***

***(1) The administration of hands-only or compression-only cardiopulmonary resuscitation, including a psychomotor skill-based component, according to the guidelines of the American Red Cross or American Heart Association; and***

***(2) The use of an automated external defibrillator.***

~~{2-}~~ (b) Citizenship and physical training for pupils enrolled in high school.

~~{3-}~~ (c) Physiology, hygiene and , ***except as otherwise prescribed by paragraph (a), cardiopulmonary resuscitation.***

~~{4-}~~ (d) The prevention of suicide.

~~{5.}~~ (e) Instruction relating to child abuse.

~~{6.}~~ (f) The economics of the American system of free enterprise.

~~{7.}~~ (g) American Sign Language.

~~{8.}~~ (h) Environmental education.

~~{9.}~~ (i) Adult roles and responsibilities.

↪ A course of study established for ~~{subsection 1}~~ **paragraph (a)** may include one or more of the subjects listed in ~~{subsections 2 to 9}~~ **paragraphs (b) to (i)**, inclusive.

**2. If a course of study in health in middle school, junior high school or high school includes instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator:**

**(a) A teacher who provides the instruction is not required to hold certification in the administration of cardiopulmonary resuscitation unless required by the board of trustees of the school district pursuant to NRS 391.092 or by the governing body of the charter school.**

**(b) The board of trustees of the school district or the governing body of the charter school may collaborate with entities to assist in the provision of the instruction and the provision of equipment necessary for the instruction, including, without limitation, fire departments, hospitals, colleges and universities and public health agencies.**

**(c) A pupil who is enrolled in a course of study in health through a program of distance education or a pupil with a disability who cannot perform the tasks included in the instruction is not required to complete the instruction to pass the course of study in health.**

**Sec. 3.** NRS 394.130 is hereby amended to read as follows:

394.130 1. In order to secure uniform and standard work for pupils in private schools in this State, instruction in the subjects required by law for pupils in the public schools shall be required of pupils receiving instruction in such private schools, either under the regular state courses of study prescribed by the ~~{State}~~ Board ~~{of Education}~~ or under courses of study prepared by such private schools and approved by the ~~{State}~~ Board . ~~{of Education}~~

**2. A course of study in health provided at a private secondary school must include, to the extent money is available for this purpose and for the grade levels determined by the private school, instruction in:**

**(a) The administration of hands-only or compression-only cardiopulmonary resuscitation, including a psychomotor skill-based component, according to the guidelines of the American Red Cross or American Heart Association; and**

**(b) The use of an automated external defibrillator.**

**3. If a course of study in health in a private secondary school includes instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator:**

**(a) A teacher who provides the instruction is not required to hold certification in the administration of cardiopulmonary resuscitation.**

**(b) The private school may collaborate with entities to assist in the provision of the instruction and the provision of equipment necessary for the instruction, including, without limitation, fire departments, hospitals, colleges and universities and public health agencies.**

**(c) A pupil who is enrolled in a course of study in health through a program of distance education or a pupil with a disability who cannot perform the tasks included in the instruction is not required to complete the instruction to pass the course of study in health.**

**4.** Such private schools shall be required to furnish from time to time such reports as the Superintendent of Public Instruction may find necessary as to enrollment, attendance and general progress within such schools.

~~§~~ **5.** Nothing in this section shall be so construed as:

(a) To interfere with the right of the proper authorities having charge of private schools to give religious instruction to the pupils enrolled therein.

(b) To give such private schools any right to share in the public school funds apportioned for the support of the public schools of this State.

**Sec. 4.** This act becomes effective on July 1, 2013.

Assemblyman Elliot Anderson moved that the Assembly concur in the Senate Amendment No. 918 to Assembly Bill No. 414.

Remarks by Assemblyman Elliot Anderson.

ASSEMBLYMAN ELLIOT ANDERSON:

The amendment makes a very small change allowing the AED course to be taught in middle school.

Motion carried by a constitutional majority.

Bill ordered to enrollment.

Assembly Bill No. 50.

The following Senate amendment was read:

Amendment No. 762.

AN ACT relating to local government finance; revising the termination date of certain redevelopment plans; requiring certain redevelopment agencies to make available to the public certain reports concerning proposed redevelopment projects; requiring certain redevelopment agencies to include additional information in certain annual reports; revising provisions governing the set aside and use of certain revenues from taxes imposed on property in a redevelopment area; eliminating the prohibition on certain local governments creating a tourism improvement district that includes any

property within the boundaries of a redevelopment area; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law provides that a redevelopment plan adopted by a redevelopment agency of a city or county before January 1, 1991, terminates at the end of the fiscal year in which the later of the following events occurs: (1) the principal and interest of the last maturing securities issued before that date concerning the redevelopment area are fully paid; or (2) 45 years after the date on which the original redevelopment plan was adopted. (NRS 279.438) **Section 1.5** of this bill extends the deadline for that second event from 45 years to 60 years with respect to a redevelopment plan adopted by the redevelopment agency of a city whose population is 500,000 or more (currently the City of Las Vegas) if certain requirements are met.

Under existing law, the redevelopment agency of a city or county, with the consent of the governing body of the city or county, is authorized, in certain circumstances, to pay all or part of the value of the land for and the cost of the construction of a building, facility, structure or other improvement to real property or installation of an improvement which is publicly or privately owned and is located within or without a redevelopment area for which the agency has adopted a redevelopment plan. (NRS 279.486) **Section 2** of this bill requires the redevelopment agency of a city whose population is 500,000 or more (currently the City of Las Vegas) to make available to the general public a detailed report concerning such a proposed expenditure for land or improvements by the agency at least ~~77~~ **14** days before a meeting at which the governing body of the city is scheduled to consider the proposed expenditure.

Under existing law, a redevelopment agency that has adopted a redevelopment plan for a redevelopment area on or after July 1, 2011, is required to submit soon after the adoption of the plan one report to the Legislature and the governing body of the city or county, as applicable, containing certain initial information about the redevelopment area. Existing law also requires a redevelopment agency that has adopted a redevelopment plan for a redevelopment area at any time to submit to the Legislature and the governing body of the city or county, as applicable, an annual report containing information about the redevelopment area for the previous fiscal year. (NRS 279.6025) **Section 3** of this bill requires the redevelopment agency of a city whose population is 500,000 or more (currently the City of Las Vegas) to include certain additional information in the annual report.

Under existing law, a city whose population is 500,000 or more (currently the City of Las Vegas) is required to set aside 18 percent of the revenue received from taxes levied upon taxable property in a redevelopment area each year to increase, improve and preserve the number of: (1) dwelling units

in the community for low-income households; and (2) educational facilities within the redevelopment area. **Section 3.5** of this bill instead requires that 18 percent of such revenues received on or after October 1, 2011, but before March 6, 2031, be set aside to: (1) increase, improve, preserve or enhance the operating viability of dwelling units in the community for low-income households; and (2) improve existing public educational facilities located within a redevelopment area or within 1 mile of a redevelopment area. **Section 3.5** requires that on or after March 6, 2031, 18 percent of such revenues be set aside and used to improve existing public educational facilities located within a redevelopment area or within 1 mile of a redevelopment area. **Section 1** of this bill prohibits a school district from using any money received pursuant to **section 3.5** to reduce or supplant the amount of any money which the school district would otherwise expend to improve such public educational facilities.

**Section 5** of this bill eliminates the prohibition in existing law against a city or county creating a tourism improvement district after October 1, 2009, that includes within its boundaries any property included within the boundaries of a redevelopment area.

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

**Section 1.** Chapter 279 of NRS is hereby amended by adding thereto a new section to read as follows:

*A school district shall not use any money received pursuant to subparagraph (2) of paragraph (b) of subsection 1 of NRS 279.685 or paragraph (c) of subsection 1 of NRS 279.685 to reduce or supplant the amount of any money which the school district would otherwise expend for the purposes described in subparagraph (2) of paragraph (b) of subsection 1 of NRS 279.685 and paragraph (c) of subsection 1 of NRS 279.685, respectively.*

**Sec. 1.5.** NRS 279.438 is hereby amended to read as follows:

279.438 **1.** A redevelopment plan adopted before January 1, 1991, and any amendments to the plan must terminate at the end of the fiscal year in which the principal and interest of the last maturing of the securities issued before that date concerning the redevelopment area are fully paid or :

*(a) With respect to a redevelopment plan adopted by the agency of a city whose population is 500,000 or more, if the requirements set forth in subsection 2 are met, 60 years after the date on which the original redevelopment plan was adopted, whichever is later.*

*(b) With respect to any other redevelopment plan, including a redevelopment plan adopted by an agency of a city whose population is 500,000 or more, if the requirements set forth in subsection 2 are not met,*



45 years after the date on which the original redevelopment plan was adopted, whichever is later.

**2. A redevelopment plan adopted by an agency of a city whose population is 500,000 or more may terminate on the date prescribed by paragraph (a) of subsection 1 only if ~~the~~ the legislative body adopts an extension of the redevelopment plan by ordinance and, on the date on which the ~~redevelopment plan would otherwise terminate pursuant to paragraph (b) of subsection 1,~~ extension is adopted:**

**(a) The assessed value of each redevelopment project in the redevelopment area is not less than the assessed value of the redevelopment project in the year in which the redevelopment plan was adopted;**

**(b) The assessed value of the redevelopment area is not less than 75 percent of the assessed value of the redevelopment area in the year in which the redevelopment plan was adopted; and**

**(c) The agency has \$100 million or more in total outstanding indebtedness represented by bonds and other securities.**

**Sec. 2.** NRS 279.486 is hereby amended to read as follows:

279.486 1. An agency may, with the consent of the legislative body, pay all or part of the value of the land for and the cost of the construction of any building, facility, structure or other improvement and the installation of any improvement which is publicly or privately owned and located within or without the redevelopment area.

**2. Within ~~7~~ 14 days before a meeting at which the legislative body of a city whose population is 500,000 or more is scheduled to consider an action proposed by the agency of the city pursuant to subsection 1, the agency shall make available to the public a detailed report which includes, without limitation:**

**(a) A copy of any contract, memorandum of understanding or other agreement between the agency or the legislative body and any other person relating to the redevelopment project.**

**(b) A summary of the redevelopment project which includes, without limitation:**

**(I) A full and complete description of:**

**(I) The costs of the redevelopment project, including, without limitation, the costs of acquiring any real property, clearance costs, relocation costs, the costs of any improvements which will be paid by the agency and the amount of the anticipated interest on any bonds issued or sold to finance the project.**

**(II) The estimated current value of the real property interest to be conveyed or leased, determined at its highest and best use permitted under the redevelopment plan.**

*(III) The estimated value of the real property interest to be conveyed or leased, determined at the use and with the conditions, covenants and restrictions, and development costs required by the sale or lease, and the current purchase price or present value of the lease payments which the lessee is required to make during the term of the lease. If the sale price or present value of the total rental amount to be paid to the agency or legislative body is less than the fair market value of the real property interest to be conveyed or leased, determined at the highest and best use permitted under the redevelopment plan, the agency shall provide an explanation of the reason for the difference.*

*(2) An explanation of how the project will assist in the elimination of blight, including, without limitation, reference to all supporting facts and materials relied on in reaching the conclusions presented in the explanation.*

3. Before the legislative body may give its consent ~~to~~ **to an action proposed by the agency pursuant to subsection 1**, it must determine that:

(a) The buildings, facilities, structures or other improvements are of benefit to the redevelopment area or the immediate neighborhood in which the redevelopment area is located; and

(b) No other reasonable means of financing those buildings, facilities, structures or other improvements are available.

↳ Those determinations by the agency and the legislative body are final and conclusive.

~~2.3~~ **4.** In reaching its determination that the buildings, facilities, structures or other improvements are of benefit to the redevelopment area or the immediate neighborhood in which the redevelopment area is located, the legislative body shall consider:

(a) Whether the buildings, facilities, structures or other improvements are likely to:

(1) Encourage the creation of new business or other appropriate development;

(2) Create jobs or other business opportunities for nearby residents;

(3) Increase local revenues from desirable sources;

(4) Increase levels of human activity in the redevelopment area or the immediate neighborhood in which the redevelopment area is located;

(5) Possess attributes that are unique, either as to type of use or level of quality and design;

(6) Require for their construction, installation or operation the use of qualified and trained labor; and

(7) Demonstrate greater social or financial benefits to the community than would a similar set of buildings, facilities, structures or other improvements not paid for by the agency.

(b) The opinions of persons who reside in the redevelopment area or the immediate neighborhood in which the redevelopment area is located.

(c) Comparisons between the level of spending proposed by the agency and projections, made on a pro forma basis by the agency, of future revenues attributable to the buildings, facilities, structures or other improvements.

~~§~~ 5. If the value of that land or the cost of the construction of that building, facility, structure or other improvement, or the installation of any improvement has been, or will be, paid or provided for initially by the community or other governmental entity, the agency may enter into a contract with that community or governmental entity under which it agrees to reimburse the community or governmental entity for all or part of the value of that land or of the cost of the building, facility, structure or other improvement, or both, by periodic payments over a period of years. The obligation of the agency under that contract constitutes an indebtedness of the agency which may be payable out of taxes levied and allocated to the agency under paragraph (b) of subsection 1 of NRS 279.676, or out of any other available money.

**Sec. 3.** NRS 279.6025 is hereby amended to read as follows:

279.6025 1. In addition to the report required pursuant to the provisions of subsection 2, for each redevelopment area for which a redevelopment plan is adopted pursuant to the provisions of NRS 279.586 on or after July 1, 2011, the agency shall, on or before the January 1 next after the adoption of the plan, submit to the Director of the Legislative Counsel Bureau, for transmittal to the Legislature, and to the legislative body a report on a form prescribed by the Committee on Local Government Finance that includes, without limitation, the following information for the redevelopment area:

- (a) A legal description of the boundaries of the redevelopment area;
- (b) The date on which the redevelopment plan for the redevelopment area was adopted;
- (c) The scheduled termination date of the redevelopment plan;
- (d) The total sum of the assessed value of the taxable property in the redevelopment area for:
  - (1) The fiscal year immediately preceding the adoption of the redevelopment plan; and
  - (2) The fiscal year during which the redevelopment plan was adopted, if such fiscal year ends before the reporting deadline;
- (e) The combined overlapping tax rate of the redevelopment area;
- (f) The property tax rate of the redevelopment area;
- (g) The property tax revenue expected to be received from any tax increment area, as defined in NRS 278C.130, within the redevelopment area

during the first fiscal year that the agency will receive an allocation pursuant to the provisions of NRS 279.676;

(h) Copies of any memoranda of understanding into which the agency enters during the fiscal year in which the redevelopment plan was adopted; and

(i) The amortization schedule for any debt incurred for the redevelopment area and the reasons for incurring the debt.

2. On or before January 1 of each year, for each redevelopment area for which a redevelopment plan has been adopted pursuant to the provisions of NRS 279.586, the agency shall submit to the Director of the Legislative Counsel Bureau, for transmittal to the Legislature, and to the legislative body a report on a form prescribed by the Committee on Local Government Finance that includes, without limitation, the following information for the redevelopment area for the previous fiscal year:

(a) The property tax revenue received from any tax increment area, as defined in NRS 278C.130, within the redevelopment area;

(b) The combined overlapping tax rate of the redevelopment area;

(c) The property tax rate of the redevelopment area;

(d) The total sum of the assessed value of the taxable property in the redevelopment area;

(e) If the amount reported pursuant to the provisions of paragraph (d) is less than the total sum of the assessed value of the taxable property in the redevelopment area for any other previous fiscal year, an explanation of the reason for the difference;

(f) Copies of any memoranda of understanding into which the agency enters;

(g) The amortization schedule for any debt incurred for the redevelopment area and the reasons for incurring the debt; and

(h) Any change to the boundary of the redevelopment area and an explanation of the reason for the change.

3. ***In addition to the information required pursuant to the provisions of subsection 2, an agency of a city whose population is 500,000 or more shall include in the report submitted pursuant to subsection 2 the following information for the redevelopment area for the previous fiscal year:***

***(a) A statement of all revenues and expenditures of the agency.***

***(b) A statement of efforts by the agency to promote the goals of the regional development authority, as defined in NRS 231.009, including, without limitation, an explanation of the extent to which the activities of the agency have promoted private investment, the formation of businesses and the creation of jobs.***

4. Any report for a redevelopment area submitted pursuant to the provisions of subsection 1 must be submitted with the report for the redevelopment area submitted pursuant to the provisions of subsection 2.

**Sec. 3.5.** NRS 279.685 is hereby amended to read as follows:

279.685 1. Except as otherwise provided in this section, an agency of a city whose population is 500,000 or more that receives revenue from taxes pursuant to paragraph (b) of subsection 1 of NRS 279.676 shall set aside not less than:

(a) Fifteen percent of that revenue received on or before October 1, 1999, and 18 percent of that revenue received after October 1, 1999, but before October 1, 2011, to increase, improve and preserve the number of dwelling units in the community for low-income households; ~~and~~

(b) Eighteen percent of that revenue received on or after October 1, 2011, **but before March 6, 2031**, to ~~increase~~:

(1) ~~Increase, improve, and preserve the number of~~  
~~(1) Dwelling~~ **or enhance the operating viability of dwelling** units in the community for low-income households; and

(2) ~~Educational~~ **Improve existing public educational facilities located** within ~~the~~ **a redevelopment area** ~~or within 1 mile of a redevelopment area~~; and

(c) **Eighteen percent of that revenue received on or after March 6, 2031, to improve existing public educational facilities described in subparagraph (2) of paragraph (b).**

**↪ For each fiscal year, the agency shall prepare a written report concerning the amount of money expended for the purposes set forth in subparagraph (2) of paragraph (b) or paragraph (c), as applicable, and shall, on or before November 30 of each year, submit a copy of the report to the Director of the Legislative Counsel Bureau for transmittal to the Legislative Commission, if the report is received during an odd-numbered year, or to the next session of the Legislature, if the report is received during an even-numbered year.**

2. The obligation of an agency to set aside not less than 15 percent of the revenue from taxes allocated to and received by the agency pursuant to paragraph (b) of subsection 1 of NRS 279.676 is subordinate to any existing obligations of the agency. As used in this subsection, “existing obligations” means the principal and interest, when due, on any bonds, notes or other indebtedness whether funded, refunded, assumed or otherwise incurred by the agency before July 1, 1993, to finance or refinance in whole or in part, the redevelopment of a redevelopment area. For the purposes of this subsection, obligations incurred by an agency after July 1, 1993, shall be deemed existing obligations if the net proceeds are used to refinance existing obligations of the agency.

3. The obligation of an agency to set aside an additional 3 percent of the revenue from taxes allocated to and received by the agency pursuant to paragraph (b) of subsection 1 of NRS 279.676 is subordinate to any existing obligations of the agency. As used in this subsection, "existing obligations" means the principal and interest, when due, on any bonds, notes or other indebtedness whether funded, refunded, assumed or otherwise incurred by the agency before October 1, 1999, to finance or refinance in whole or in part, the redevelopment of a redevelopment area. For the purposes of this subsection, obligations incurred by an agency after October 1, 1999, shall be deemed existing obligations if the net proceeds are used to refinance existing obligations of the agency.

4. From the revenue set aside by an agency pursuant to paragraph (b) of subsection 1, not more than 50 percent of that amount may be used to:

(a) Increase, improve, ~~and~~ preserve ~~the number~~ **or enhance the operating viability** of dwelling units in the community for low-income households; or

(b) ~~Increase, improve and preserve the number of~~ **Improve existing public** educational facilities **located** within ~~the~~ **a redevelopment area** ~~or within 1 mile of a redevelopment area,~~

↪ unless the agency establishes that such an amount is insufficient to pay the cost of a project identified in the redevelopment plan for the redevelopment area.

5. Except as otherwise provided in ~~paragraph~~ **paragraphs (b) and (c)** of subsection 1 and subsection 4, the agency may expend or otherwise commit money for the purposes of subsection 1 outside the boundaries of the redevelopment area.

**Sec. 4.** (Deleted by amendment.)

**Sec. 5.** NRS 271A.070 is hereby amended to read as follows:

271A.070 1. Except as otherwise provided in this section and NRS 271A.080, the governing body of a municipality may:

(a) Create a tourism improvement district for the purposes of carrying out this chapter and revise the boundaries of the district by adopting an ordinance describing the boundaries of the district and generally describing the types of projects which may be financed within the district pursuant to this chapter.

(b) Without any election, acquire, improve, equip, operate and maintain a project within a district created pursuant to paragraph (a). The project may be owned by the municipality, another governmental entity, any other person, or any combination thereof.

(c) For the purposes of carrying out paragraph (b), include in an ordinance adopted pursuant to paragraph (a) the pledge of a single percentage specified in the ordinance, which must not exceed 75 percent, of:

(1) An amount equal to the proceeds of the taxes imposed pursuant to NRS 372.105 and 372.185 with regard to tangible personal property sold at retail, or stored, used or otherwise consumed, in the district during a fiscal year, after the deduction of a sum equal to 1.75 percent of the amount of those proceeds;

(2) The amount of the proceeds of the taxes imposed pursuant to NRS 374.110 and 374.190 with regard to tangible personal property sold at retail, or stored, used or otherwise consumed, in the district during a fiscal year, after the deduction of 0.75 percent of the amount of those proceeds; and

(3) The amount of the proceeds of the tax imposed pursuant to NRS 377.030 with regard to tangible personal property sold at retail, or stored, used or otherwise consumed, in the improvement district during a fiscal year, after the deduction of 1.75 percent of the amount of those proceeds.

2. A district created pursuant to this section by:

(a) A city must be located entirely within the boundaries of that city.

(b) A county must be located entirely within the boundaries of that county and, when the district is created, entirely outside of the boundaries of any city.

3. If any property within the boundaries of a district is also included within the boundaries of any other tourism improvement district or any improvement district for which any money has been pledged pursuant to NRS 271.650, the total amount of money pledged pursuant to this section and NRS 271.650 with respect to such property by all such districts must not exceed the amount authorized pursuant to this section.

4. ~~[[The]]~~ ***If the*** governing body of a municipality ~~[[shall not, after October 1, 2009, create]]~~ ***creates*** a tourism improvement district that includes within its boundaries any property included within the boundaries of a redevelopment area established pursuant to chapter 279 of NRS ~~[[ ]]~~, ***the governing body and an agency:***

***(a) May provide financing or reimbursement related to a project or redevelopment project pursuant to the provisions of NRS 271A.120 or 279.610 to 279.685, inclusive, whichever is applicable.***

***(b) Shall not provide such financing or reimbursement related to the project or redevelopment project pursuant to the provisions of both NRS 271A.120 and 279.610 to 279.685, inclusive.***

5. ***As used in this section:***

***(a) "Agency" has the meaning ascribed to it in NRS 279.386.***

***(b) "Redevelopment project" has the meaning ascribed to it in NRS 279.412.***

**Sec. 6.** This act becomes effective upon passage and approval.

Assemblywoman Benitez-Thompson moved that the Assembly concur in the Senate Amendment No. 762 to Assembly Bill No. 50.

Remarks by Assemblywoman Benitez-Thompson.

ASSEMBLYWOMAN BENITEZ-THOMPSON:

Thank you, Madam Speaker. This amendment makes two revisions to the bill. First, it adds language to clarify when a redevelopment plan that has been extended by ordinance may terminate. Second, it extends from 7 to 14 days the length of time, prior to a public meeting, the redevelopment agency must make available to the public a detailed report concerning certain actions that the agency proposes to take and that will be under consideration at the meeting.

Motion carried.

The following Senate amendment was read:

Amendment No. 884.

AN ACT relating to local government finance; revising the termination date of certain redevelopment plans; requiring certain redevelopment agencies to make available to the public certain reports concerning proposed redevelopment projects; requiring certain redevelopment agencies to include additional information in certain annual reports; revising provisions governing the set aside and use of certain revenues from taxes imposed on property in a redevelopment area; eliminating the prohibition on certain local governments creating a tourism improvement district that includes any property within the boundaries of a redevelopment area; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law provides that a redevelopment plan adopted by a redevelopment agency of a city or county before January 1, 1991, terminates at the end of the fiscal year in which the later of the following events occurs: (1) the principal and interest of the last maturing securities issued before that date concerning the redevelopment area are fully paid; or (2) 45 years after the date on which the original redevelopment plan was adopted. (NRS 279.438) **Section 1.5** of this bill extends the deadline for that second event from 45 years to 60 years with respect to a redevelopment plan adopted by the redevelopment agency of a city whose population is 500,000 or more (currently the City of Las Vegas) if certain requirements are met.

Under existing law, the redevelopment agency of a city or county, with the consent of the governing body of the city or county, is authorized, in certain circumstances, to pay all or part of the value of the land for and the cost of the construction of a building, facility, structure or other improvement to real property or installation of an improvement which is publicly or privately owned and is located within or without a redevelopment area for which the agency has adopted a redevelopment plan. (NRS 279.486) **Section 2** of this bill requires the redevelopment agency of a city whose population is 500,000 or more (currently the City of Las Vegas) to make available to the general



public a detailed report concerning such a proposed expenditure for land or improvements by the agency at least 14 days before a meeting at which the governing body of the city is scheduled to consider the proposed expenditure.

Under existing law, a redevelopment agency that has adopted a redevelopment plan for a redevelopment area on or after July 1, 2011, is required to submit soon after the adoption of the plan one report to the Legislature and the governing body of the city or county, as applicable, containing certain initial information about the redevelopment area. Existing law also requires a redevelopment agency that has adopted a redevelopment plan for a redevelopment area at any time to submit to the Legislature and the governing body of the city or county, as applicable, an annual report containing information about the redevelopment area for the previous fiscal year. (NRS 279.6025) **Section 3** of this bill requires the redevelopment agency of a city whose population is 500,000 or more (currently the City of Las Vegas) to include certain additional information in the annual report.

Under existing law, a city whose population is 500,000 or more (currently the City of Las Vegas) is required to set aside 18 percent of the revenue received from taxes levied upon taxable property in a redevelopment area each year to increase, improve and preserve the number of: (1) dwelling units in the community for low-income households; and (2) educational facilities within the redevelopment area. **Section 3.5** of this bill instead requires that 18 percent of such revenues received on or after October 1, 2011, but before March 6, 2031, be set aside to: (1) increase, improve, preserve or enhance the operating viability of dwelling units in the community for low-income households; and (2) improve existing public educational facilities located within a redevelopment area or within 1 mile of a redevelopment area. **Section 3.5** requires that on or after March 6, 2031, 18 percent of such revenues be set aside and used to improve existing public educational facilities located within a redevelopment area or within 1 mile of a redevelopment area. **Section 1** of this bill prohibits a school district from using any money received pursuant to **section 3.5** to reduce or supplant the amount of any money which the school district would otherwise expend to improve such public educational facilities.

**Section 5** of this bill eliminates the prohibition in existing law against a city or county creating a tourism improvement district after October 1, 2009, that includes within its boundaries any property included within the boundaries of a redevelopment area. **In the case of a tourism improvement district created after October 1, 2009, that includes within its boundaries any property included within the boundaries of a redevelopment area, section 5 prohibits a redevelopment agency and the governing body of a county or city from providing financing or reimbursement pursuant to**

**the financing and reimbursement mechanisms of both a tourism improvement district and a redevelopment area.**

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

**Section 1.** Chapter 279 of NRS is hereby amended by adding thereto a new section to read as follows:

*A school district shall not use any money received pursuant to subparagraph (2) of paragraph (b) of subsection 1 of NRS 279.685 or paragraph (c) of subsection 1 of NRS 279.685 to reduce or supplant the amount of any money which the school district would otherwise expend for the purposes described in subparagraph (2) of paragraph (b) of subsection 1 of NRS 279.685 and paragraph (c) of subsection 1 of NRS 279.685, respectively.*

**Sec. 1.5.** NRS 279.438 is hereby amended to read as follows:

279.438 **1.** A redevelopment plan adopted before January 1, 1991, and any amendments to the plan must terminate at the end of the fiscal year in which the principal and interest of the last maturing of the securities issued before that date concerning the redevelopment area are fully paid or :

*(a) With respect to a redevelopment plan adopted by the agency of a city whose population is 500,000 or more, if the requirements set forth in subsection 2 are met, 60 years after the date on which the original redevelopment plan was adopted, whichever is later.*

*(b) With respect to any other redevelopment plan, including a redevelopment plan adopted by an agency of a city whose population is 500,000 or more, if the requirements set forth in subsection 2 are not met, 45 years after the date on which the original redevelopment plan was adopted, whichever is later.*

**2.** *A redevelopment plan adopted by an agency of a city whose population is 500,000 or more may terminate on the date prescribed by paragraph (a) of subsection 1 only if the legislative body adopts an extension of the redevelopment plan by ordinance and, on the date on which the extension is adopted:*

*(a) The assessed value of each redevelopment project in the redevelopment area is not less than the assessed value of the redevelopment project in the year in which the redevelopment plan was adopted;*

*(b) The assessed value of the redevelopment area is not less than 75 percent of the assessed value of the redevelopment area in the year in which the redevelopment plan was adopted; and*

*(c) The agency has \$100 million or more in total outstanding indebtedness represented by bonds and other securities.*

**Sec. 2.** NRS 279.486 is hereby amended to read as follows:

279.486 1. An agency may, with the consent of the legislative body, pay all or part of the value of the land for and the cost of the construction of any building, facility, structure or other improvement and the installation of any improvement which is publicly or privately owned and located within or without the redevelopment area.

2. *Within 14 days before a meeting at which the legislative body of a city whose population is 500,000 or more is scheduled to consider an action proposed by the agency of the city pursuant to subsection 1, the agency shall make available to the public a detailed report which includes, without limitation:*

*(a) A copy of any contract, memorandum of understanding or other agreement between the agency or the legislative body and any other person relating to the redevelopment project.*

*(b) A summary of the redevelopment project which includes, without limitation:*

*(1) A full and complete description of:*

*(I) The costs of the redevelopment project, including, without limitation, the costs of acquiring any real property, clearance costs, relocation costs, the costs of any improvements which will be paid by the agency and the amount of the anticipated interest on any bonds issued or sold to finance the project.*

*(II) The estimated current value of the real property interest to be conveyed or leased, determined at its highest and best use permitted under the redevelopment plan.*

*(III) The estimated value of the real property interest to be conveyed or leased, determined at the use and with the conditions, covenants and restrictions, and development costs required by the sale or lease, and the current purchase price or present value of the lease payments which the lessee is required to make during the term of the lease. If the sale price or present value of the total rental amount to be paid to the agency or legislative body is less than the fair market value of the real property interest to be conveyed or leased, determined at the highest and best use permitted under the redevelopment plan, the agency shall provide an explanation of the reason for the difference.*

*(2) An explanation of how the project will assist in the elimination of blight, including, without limitation, reference to all supporting facts and materials relied on in reaching the conclusions presented in the explanation.*

3. Before the legislative body may give its consent ~~to~~ to an action proposed by the agency pursuant to subsection 1, it must determine that:

(a) The buildings, facilities, structures or other improvements are of benefit to the redevelopment area or the immediate neighborhood in which the redevelopment area is located; and

(b) No other reasonable means of financing those buildings, facilities, structures or other improvements are available.

↳ Those determinations by the agency and the legislative body are final and conclusive.

~~§~~ 4. In reaching its determination that the buildings, facilities, structures or other improvements are of benefit to the redevelopment area or the immediate neighborhood in which the redevelopment area is located, the legislative body shall consider:

(a) Whether the buildings, facilities, structures or other improvements are likely to:

(1) Encourage the creation of new business or other appropriate development;

(2) Create jobs or other business opportunities for nearby residents;

(3) Increase local revenues from desirable sources;

(4) Increase levels of human activity in the redevelopment area or the immediate neighborhood in which the redevelopment area is located;

(5) Possess attributes that are unique, either as to type of use or level of quality and design;

(6) Require for their construction, installation or operation the use of qualified and trained labor; and

(7) Demonstrate greater social or financial benefits to the community than would a similar set of buildings, facilities, structures or other improvements not paid for by the agency.

(b) The opinions of persons who reside in the redevelopment area or the immediate neighborhood in which the redevelopment area is located.

(c) Comparisons between the level of spending proposed by the agency and projections, made on a pro forma basis by the agency, of future revenues attributable to the buildings, facilities, structures or other improvements.

~~§~~ 5. If the value of that land or the cost of the construction of that building, facility, structure or other improvement, or the installation of any improvement has been, or will be, paid or provided for initially by the community or other governmental entity, the agency may enter into a contract with that community or governmental entity under which it agrees to reimburse the community or governmental entity for all or part of the value of that land or of the cost of the building, facility, structure or other improvement, or both, by periodic payments over a period of years. The obligation of the agency under that contract constitutes an indebtedness of the agency which may be payable out of taxes levied and allocated to the

agency under paragraph (b) of subsection 1 of NRS 279.676, or out of any other available money.

**Sec. 3.** NRS 279.6025 is hereby amended to read as follows:

279.6025 1. In addition to the report required pursuant to the provisions of subsection 2, for each redevelopment area for which a redevelopment plan is adopted pursuant to the provisions of NRS 279.586 on or after July 1, 2011, the agency shall, on or before the January 1 next after the adoption of the plan, submit to the Director of the Legislative Counsel Bureau, for transmittal to the Legislature, and to the legislative body a report on a form prescribed by the Committee on Local Government Finance that includes, without limitation, the following information for the redevelopment area:

- (a) A legal description of the boundaries of the redevelopment area;
- (b) The date on which the redevelopment plan for the redevelopment area was adopted;
- (c) The scheduled termination date of the redevelopment plan;
- (d) The total sum of the assessed value of the taxable property in the redevelopment area for:
  - (1) The fiscal year immediately preceding the adoption of the redevelopment plan; and
  - (2) The fiscal year during which the redevelopment plan was adopted, if such fiscal year ends before the reporting deadline;
- (e) The combined overlapping tax rate of the redevelopment area;
- (f) The property tax rate of the redevelopment area;
- (g) The property tax revenue expected to be received from any tax increment area, as defined in NRS 278C.130, within the redevelopment area during the first fiscal year that the agency will receive an allocation pursuant to the provisions of NRS 279.676;
- (h) Copies of any memoranda of understanding into which the agency enters during the fiscal year in which the redevelopment plan was adopted; and
- (i) The amortization schedule for any debt incurred for the redevelopment area and the reasons for incurring the debt.

2. On or before January 1 of each year, for each redevelopment area for which a redevelopment plan has been adopted pursuant to the provisions of NRS 279.586, the agency shall submit to the Director of the Legislative Counsel Bureau, for transmittal to the Legislature, and to the legislative body a report on a form prescribed by the Committee on Local Government Finance that includes, without limitation, the following information for the redevelopment area for the previous fiscal year:

- (a) The property tax revenue received from any tax increment area, as defined in NRS 278C.130, within the redevelopment area;

- (b) The combined overlapping tax rate of the redevelopment area;
- (c) The property tax rate of the redevelopment area;
- (d) The total sum of the assessed value of the taxable property in the redevelopment area;
- (e) If the amount reported pursuant to the provisions of paragraph (d) is less than the total sum of the assessed value of the taxable property in the redevelopment area for any other previous fiscal year, an explanation of the reason for the difference;
- (f) Copies of any memoranda of understanding into which the agency enters;
- (g) The amortization schedule for any debt incurred for the redevelopment area and the reasons for incurring the debt; and
- (h) Any change to the boundary of the redevelopment area and an explanation of the reason for the change.

3. *In addition to the information required pursuant to the provisions of subsection 2, an agency of a city whose population is 500,000 or more shall include in the report submitted pursuant to subsection 2 the following information for the redevelopment area for the previous fiscal year:*

- (a) *A statement of all revenues and expenditures of the agency.*
- (b) *A statement of efforts by the agency to promote the goals of the regional development authority, as defined in NRS 231.009, including, without limitation, an explanation of the extent to which the activities of the agency have promoted private investment, the formation of businesses and the creation of jobs.*

4. Any report for a redevelopment area submitted pursuant to the provisions of subsection 1 must be submitted with the report for the redevelopment area submitted pursuant to the provisions of subsection 2.

**Sec. 3.5.** NRS 279.685 is hereby amended to read as follows:

279.685 1. Except as otherwise provided in this section, an agency of a city whose population is 500,000 or more that receives revenue from taxes pursuant to paragraph (b) of subsection 1 of NRS 279.676 shall set aside not less than:

- (a) Fifteen percent of that revenue received on or before October 1, 1999, and 18 percent of that revenue received after October 1, 1999, but before October 1, 2011, to increase, improve and preserve the number of dwelling units in the community for low-income households; ~~and~~
- (b) Eighteen percent of that revenue received on or after October 1, 2011, **but before March 6, 2031**, to ~~increase,~~

~~(1) Increase, improve, and preserve the number of dwelling units in the community for low-income households; and~~  
 (1) **or enhance the operating viability of dwelling** units in the community for low-income households; and

(2) ~~Education]~~ **Improve existing public educational facilities located within ~~the~~ a redevelopment area ~~[-] or within 1 mile of a redevelopment area; and~~**

(c) **Eighteen percent of that revenue received on or after March 6, 2031, to improve existing public educational facilities described in subparagraph (2) of paragraph (b).**

↪ **For each fiscal year, the agency shall prepare a written report concerning the amount of money expended for the purposes set forth in subparagraph (2) of paragraph (b) or paragraph (c), as applicable, and shall, on or before November 30 of each year, submit a copy of the report to the Director of the Legislative Counsel Bureau for transmittal to the Legislative Commission, if the report is received during an odd-numbered year, or to the next session of the Legislature, if the report is received during an even-numbered year.**

2. The obligation of an agency to set aside not less than 15 percent of the revenue from taxes allocated to and received by the agency pursuant to paragraph (b) of subsection 1 of NRS 279.676 is subordinate to any existing obligations of the agency. As used in this subsection, “existing obligations” means the principal and interest, when due, on any bonds, notes or other indebtedness whether funded, refunded, assumed or otherwise incurred by the agency before July 1, 1993, to finance or refinance in whole or in part, the redevelopment of a redevelopment area. For the purposes of this subsection, obligations incurred by an agency after July 1, 1993, shall be deemed existing obligations if the net proceeds are used to refinance existing obligations of the agency.

3. The obligation of an agency to set aside an additional 3 percent of the revenue from taxes allocated to and received by the agency pursuant to paragraph (b) of subsection 1 of NRS 279.676 is subordinate to any existing obligations of the agency. As used in this subsection, “existing obligations” means the principal and interest, when due, on any bonds, notes or other indebtedness whether funded, refunded, assumed or otherwise incurred by the agency before October 1, 1999, to finance or refinance in whole or in part, the redevelopment of a redevelopment area. For the purposes of this subsection, obligations incurred by an agency after October 1, 1999, shall be deemed existing obligations if the net proceeds are used to refinance existing obligations of the agency.

4. From the revenue set aside by an agency pursuant to paragraph (b) of subsection 1, not more than 50 percent of that amount may be used to:

(a) Increase, improve , ~~and] preserve [the number] or enhance the operating viability~~ of dwelling units in the community for low-income households; or

(b) ~~[[Increase, improve and preserve the number of]] *Improve existing public* educational facilities *located* within ~~[[the]]~~ a redevelopment area ~~[[ ]]~~ *or within 1 mile of a redevelopment area,*~~

↪ unless the agency establishes that such an amount is insufficient to pay the cost of a project identified in the redevelopment plan for the redevelopment area.

5. Except as otherwise provided in ~~[[paragraph]]~~ *paragraphs (b) and (c)* of subsection 1 and subsection 4, the agency may expend or otherwise commit money for the purposes of subsection 1 outside the boundaries of the redevelopment area.

**Sec. 4.** (Deleted by amendment.)

**Sec. 5.** NRS 271A.070 is hereby amended to read as follows:

271A.070 1. Except as otherwise provided in this section and NRS 271A.080, the governing body of a municipality may:

(a) Create a tourism improvement district for the purposes of carrying out this chapter and revise the boundaries of the district by adopting an ordinance describing the boundaries of the district and generally describing the types of projects which may be financed within the district pursuant to this chapter.

(b) Without any election, acquire, improve, equip, operate and maintain a project within a district created pursuant to paragraph (a). The project may be owned by the municipality, another governmental entity, any other person, or any combination thereof.

(c) For the purposes of carrying out paragraph (b), include in an ordinance adopted pursuant to paragraph (a) the pledge of a single percentage specified in the ordinance, which must not exceed 75 percent, of:

(1) An amount equal to the proceeds of the taxes imposed pursuant to NRS 372.105 and 372.185 with regard to tangible personal property sold at retail, or stored, used or otherwise consumed, in the district during a fiscal year, after the deduction of a sum equal to 1.75 percent of the amount of those proceeds;

(2) The amount of the proceeds of the taxes imposed pursuant to NRS 374.110 and 374.190 with regard to tangible personal property sold at retail, or stored, used or otherwise consumed, in the district during a fiscal year, after the deduction of 0.75 percent of the amount of those proceeds; and

(3) The amount of the proceeds of the tax imposed pursuant to NRS 377.030 with regard to tangible personal property sold at retail, or stored, used or otherwise consumed, in the improvement district during a fiscal year, after the deduction of 1.75 percent of the amount of those proceeds.

2. A district created pursuant to this section by:

(a) A city must be located entirely within the boundaries of that city.



(b) A county must be located entirely within the boundaries of that county and, when the district is created, entirely outside of the boundaries of any city.

3. If any property within the boundaries of a district is also included within the boundaries of any other tourism improvement district or any improvement district for which any money has been pledged pursuant to NRS 271.650, the total amount of money pledged pursuant to this section and NRS 271.650 with respect to such property by all such districts must not exceed the amount authorized pursuant to this section.

4. ~~{The}~~ *If the* governing body of a municipality ~~[shall not, after October 1, 2009, create]~~ *creates* a tourism improvement district.:

*(a) On or before October 1, 2009, that includes within its boundaries any property included within the boundaries of a redevelopment area established pursuant to chapter 279 of NRS, the governing body and agency may provide financing or reimbursement related to a project or redevelopment project pursuant to the provisions of both NRS 271A.120 and 279.610 to 279.685, inclusive.*

*(b) After October 1, 2009, that includes within its boundaries any property included within the boundaries of a redevelopment area established pursuant to chapter 279 of NRS ~~{}~~, the governing body and an agency:*

~~{(a)}~~ *(1) May provide financing or reimbursement related to a project or redevelopment project pursuant to the provisions of NRS 271A.120 or 279.610 to 279.685, inclusive, whichever is applicable.*

~~{(b)}~~ *(2) Shall not provide such financing or reimbursement related to the project or redevelopment project pursuant to the provisions of both NRS 271A.120 and 279.610 to 279.685, inclusive.*

5. *As used in this section:*

*(a) "Agency" has the meaning ascribed to it in NRS 279.386.*

*(b) "Redevelopment project" has the meaning ascribed to it in NRS 279.412.*

**Sec. 6.** This act becomes effective upon passage and approval.

Assemblywoman Benitez-Thompson moved that the Assembly concur in the Senate Amendment No. 884 to Assembly Bill No. 50.

Remarks by Assemblywoman Benitez-Thompson.

ASSEMBLYWOMAN BENITEZ-THOMPSON:

Thank you, Madam Speaker. Amendment 884 states that a tourism improvement district created after October 1, 2009, includes within its boundaries any property included within the boundaries of a redevelopment area. A redevelopment agency and the local governing body are prohibited from providing financing or reimbursement pursuant to the financing and reimbursement mechanisms of both a tourism improvement district and a redevelopment area.

Motion carried by a constitutional majority.

Bill ordered to enrollment.

Assembly Bill No. 444.

The following Senate amendment was read:

Amendment No. 907.

AN ACT relating to the death penalty; providing for an audit of the fiscal costs of the death penalty; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

This bill requires the Legislative Auditor to conduct an audit of the fiscal costs of the death penalty in Nevada. The audit must include, without limitation, an examination and analysis of the costs of prosecuting and adjudicating capital cases compared to noncapital cases. The Legislative Auditor is required to present a final written report of the audit to the Audit Subcommittee of the Legislative Commission on or before January 31, 2015.

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

**Section 1.** 1. The Legislative Auditor shall conduct an audit of the fiscal costs associated with the death penalty in this State.

2. The audit conducted pursuant to this section must include an examination and analysis concerning the costs of prosecuting and adjudicating capital murder cases as compared to noncapital murder cases, including, without limitation, the costs relating to the death penalty borne by the State of Nevada and by the local governments in this State at each stage of the proceedings in capital murder cases, including, without limitation, pretrial costs, trial costs, appellate and postconviction costs and costs of incarceration such as:

(a) The costs of legal counsel involved in the prosecution and defense of a capital murder case for all pretrial, trial and postconviction proceedings; and

(b) Additional procedural costs involved in capital murder cases as compared to noncapital murder cases, including, without limitation, costs relating to:

(1) The processing of bonds, including costs for investigation by prosecutors, police and other staff;

(2) The investigation of a case before a person is charged with a crime, including costs for investigation by the prosecution and the defense;

(3) Pretrial motions;

(4) Extradition;

(5) Psychiatric and medical evaluations;

(6) Expert witnesses;

(7) **Expenses for witnesses other than expert witnesses, including, without limitation, expenses for witnesses during the penalty phase;**

**(8) Facilities, including, without limitation, any additional costs to the court, such as costs for increased security;**

~~(9)~~ **(9)** Juries;

~~(10)~~ **(10)** Sentencing proceedings;

~~(11)~~ **(11)** Appellate and postconviction proceedings, including motions, writs of certiorari and state and federal petitions for postconviction relief;

~~(12)~~ **(12)** Requests for clemency;

~~(13)~~ **(13)** The incarceration of persons awaiting trial in capital murder cases and persons sentenced to death; and

~~(14)~~ **(14)** The execution of a sentence of death, including costs of facilities and staff.

3. The audit must also examine the fiscal costs, including **, without limitation,** any potential cost savings, of the death penalty on:

- (a) The use of plea bargaining in death eligible cases;
- (b) Strategic litigation choices by the prosecution and the defense; and
- (c) Sentencing.

4. The audit must be conducted:

(a) In the manner set forth in NRS 218G.010 to 218G.450, inclusive, and for the purposes of the audit conducted pursuant to this section, the provisions of those sections are applicable to a local government in the same manner as to an agency of the State.

(b) In accordance with applicable auditing standards set forth by the United States Government Accountability Office, including standards relating to the professional qualifications of the auditors, the quality of the audit work and the characteristics of professional and meaningful reports.

5. In determining the methodologies to be used, the Legislative Auditor shall review and consider audits, reports and data relating to the costs of the death penalty conducted or published by other states and the United States Department of Justice and the Administrative Office of the United States Courts. Methodologies and data to be considered must include, at a minimum, the cost estimation approach, top-down accounting method, retrospective observational design, independent statistical analyses, administrative databases and self-reported data.

6. On or before January 31, 2015, the Legislative Auditor shall present a final written report of the audit to the Audit Subcommittee of the Legislative Commission created by NRS 218E.240.

**Sec. 2.** This act becomes effective upon passage and approval.

Assemblyman Ohrenschall moved that the Assembly concur in the Senate Amendment No. 907 to Assembly Bill No. 444.

Remarks by Assemblyman Ohrenschall.

ASSEMBLYMAN OHRENSCHALL:

Senate Amendment 907 adds certain costs to be considered in the death penalty audit and also makes it clear that the items listed for consideration under fiscal costs are not an exclusive list. The amendment does not make any substantive changes to the bill; rather it makes the bill more comprehensive in its scope.

Motion carried by a constitutional majority.

Bill ordered to enrollment.

Assembly Bill No. 67.

The following Senate amendment was read:

Amendment No. 912.

AN ACT relating to crimes; authorizing ~~for a victim of sex~~ **victims of human** trafficking ~~for involuntary servitude or trafficking in persons~~ to bring a civil action; amending various provisions concerning the investigation and prosecution of sex trafficking, involuntary servitude and trafficking in persons; amending various provisions concerning the crimes of pandering, sex trafficking, involuntary servitude and trafficking in persons; revising various provisions governing the penalties for pandering, sex trafficking, involuntary servitude and trafficking in persons; requiring a person convicted of sex trafficking to register as a sex offender; amending various provisions relating to victims of sex trafficking; revising provisions relating to the powers and duties of the Advocate for Missing or Exploited Children; providing penalties; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law establishes the crime of pandering and provides that a person who is found guilty of pandering is guilty of a category B, C or D felony, depending on the circumstances surrounding the crime. (NRS 201.300-201.340) Existing law also creates the crimes of involuntary servitude and trafficking in persons. (NRS 200.463-200.468)

**Sections 1, 30-33, 40.7-44, 46-48 and 55** of this bill amend various provisions relating to the crimes of pandering, involuntary servitude and trafficking in persons. **Section 30** increases the penalty for conspiracy to commit sex trafficking, involuntary servitude or trafficking in persons, and **section 46** adds involuntary servitude and trafficking in persons to the list of crimes constituting racketeering activity. **Sections 41-44** create the crime of sex trafficking, set forth the actions constituting the crimes of pandering and sex trafficking, and provide the terms of imprisonment and fines that must be imposed against a person convicted of pandering or sex trafficking. **Section 42** further provides that a court may not grant probation to, or suspend the sentence of, a person convicted of sex trafficking and that certain defenses are not available in a prosecution for pandering or sex trafficking. **Sections 32, 33 and 40** require a court to order a person convicted of sex trafficking, involuntary servitude or trafficking in persons to pay restitution

to the victim of the crime. **Section 47** authorizes victims of sex trafficking to obtain compensation from the Fund for Compensation of Victims of Crime. **Section 48** prohibits the consideration of certain contributory conduct of a victim when considering compensation for a victim of sex trafficking. Finally, **section 1** authorizes a victim of sex trafficking, involuntary servitude or trafficking in persons to bring a civil action against any person who caused, was responsible for or profited from the sex trafficking, involuntary servitude or trafficking in persons.

**Sections 4-6, 25, 34-39 and 49-51** of this bill revise provisions governing the investigation and prosecution of sex trafficking. **Section 25** authorizes law enforcement agencies to intercept wire and oral communications during an investigation of sex trafficking, involuntary servitude and trafficking in persons upon compliance with existing law governing the interception of wire and oral communications by law enforcement agencies. **Sections 4-6** provide that the provisions governing the statute of limitations for sex trafficking are the same as the provisions governing the statute of limitations for sexual assault. Finally, **sections 34-39 and 49-51** provide that certain information relating to a victim of sex trafficking must be kept confidential.

Existing law provides for the taking and the use at trial of videotaped depositions of certain victims in certain circumstances. (NRS 174.227, 174.228) **Sections 10.3 and 10.7** of this bill authorize the taking and use at trial of videotaped depositions of victims of sex trafficking in certain circumstances.

Existing law provides that a person convicted of pandering a child is required to register as an offender convicted of a crime against a child and is a Tier II offender for the purposes of offender registration and community notification. (NRS 179D.0357, 179D.115) **Section 27** of this bill provides that a person convicted of sex trafficking an adult is required to register as a sex offender and is a Tier I offender for the purposes of sex offender registration and community notification.

**Section 40.3** of this bill gives the Attorney General and the district attorneys of the counties in this State concurrent jurisdiction to prosecute crimes involving pandering, sex trafficking and living from the earnings of a prostitute.

Existing law creates the Office of Advocate for Missing or Exploited Children within the Office of the Attorney General and establishes the powers and duties of the Children's Advocate. (NRS 432.157) **Section 53** of this bill authorizes the Children's Advocate to investigate and prosecute certain crimes. **Section 53** also creates the Special Account for the Support of the Office of Advocate for Missing or Exploited Children and authorizes the Children's Advocate to apply for and accept gifts, grants and donations to assist the Children's Advocate in carrying out his or her duties.

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

**Section 1.** Chapter 41 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. Any person who is a victim of human trafficking may bring a civil action against any person who caused, was responsible for or profited from the human trafficking.*

*2. A civil action brought under this section may be instituted in the district court of this State in the county in which the prospective defendant resides or has committed any act which subjects him or her to liability under this section.*

*3. In an action brought under this section, the court may award such injunctive relief as the court deems appropriate.*

*4. A plaintiff who prevails in an action brought under this section may recover actual damages, compensatory damages, punitive damages or any other appropriate relief. If a plaintiff recovers actual damages in an action brought under this section and the acts of the defendant were willful and malicious, the court may award treble damages to the plaintiff. If the plaintiff prevails in an action brought under this section, the court may award attorney's fees and costs to the plaintiff.*

*5. The statute of limitations for an action brought under this section does not commence until:*

*(a) The plaintiff discovers or reasonably should have discovered that he or she is a victim of human trafficking and that the defendant caused, was responsible for or profited from the human trafficking;*

*(b) The plaintiff reaches 18 years of age; or*

*(c) If the injury to the plaintiff results from two or more acts relating to the human trafficking, the final act in the series of acts has occurred, ↪ whichever is later.*

*6. The statute of limitations for an action brought under this section is tolled for any period during which the plaintiff was under a disability. For the purposes of this subsection, a plaintiff is under a disability if the plaintiff is insane, a person with an intellectual disability, mentally incompetent or in a medically comatose or vegetative state.*

*7. A defendant in an action brought under this section is estopped from asserting that the action was not brought within the statute of limitations if the defendant, or any person acting on behalf of the defendant, has induced the plaintiff to delay bringing an action under this section by subjecting the plaintiff to duress, threats, intimidation, manipulation or fraud or any other conduct inducing the plaintiff to delay bringing an action under this section.*

8. *In the discretion of the court in an action brought under this section:*

(a) *Two or more persons may join as plaintiffs in one action if the claims of those plaintiffs involve at least one defendant in common.*

(b) *Two or more persons may be joined in one action as defendants if those persons may be liable to at least one plaintiff in common.*

9. *The consent of a victim is not a defense to a cause of action brought under this section.*

10. *For the purposes of this section:*

(a) *A victim of human trafficking is a person against whom a violation of any provision of NRS 200.463 to 200.468, inclusive, 201.300 or 201.320, or 18 U.S.C. § 1589, 1590 or 1591 has been committed.*

(b) *It is not necessary that the defendant be investigated, arrested, prosecuted or convicted for a violation of any provision of NRS 200.463 to 200.468, inclusive, 201.300 or 201.320, or 18 U.S.C. § 1589, 1590 or 1591 to be found liable in an action brought under this section.*

Sec. 2. (Deleted by amendment.)

Sec. 3. (Deleted by amendment.)

Sec. 4. NRS 171.083 is hereby amended to read as follows:

171.083 1. If, at any time during the period of limitation prescribed in NRS 171.085 and 171.095, a victim of a sexual assault , ~~or~~ a person authorized to act on behalf of a victim of a sexual assault , *or a victim of sex trafficking or a person authorized to act on behalf of a victim of sex trafficking*, files with a law enforcement officer a written report concerning the sexual assault ~~or~~ *or sex trafficking*, the period of limitation prescribed in NRS 171.085 and 171.095 is removed and there is no limitation of the time within which a prosecution for the sexual assault *or sex trafficking* must be commenced.

2. If a written report is filed with a law enforcement officer pursuant to subsection 1, the law enforcement officer shall provide a copy of the written report to the victim or the person authorized to act on behalf of the victim.

3. If a victim of a sexual assault *or sex trafficking* is under a disability during any part of the period of limitation prescribed in NRS 171.085 and 171.095 and a written report concerning the sexual assault *or sex trafficking* is not otherwise filed pursuant to subsection 1, the period during which the victim is under the disability must be excluded from any calculation of the period of limitation prescribed in NRS 171.085 and 171.095.

4. For the purposes of this section, a victim of a sexual assault *or sex trafficking* is under a disability if the victim is insane, ~~mentally retarded,~~ *intellectually disabled*, mentally incompetent or in a medically comatose or vegetative state.

5. As used in this section, “law enforcement officer” means:

- (a) A prosecuting attorney;
- (b) A sheriff of a county or the sheriff's deputy;
- (c) An officer of a metropolitan police department or a police department of an incorporated city; or
- (d) Any other person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive.

**Sec. 5.** NRS 171.085 is hereby amended to read as follows:

171.085 Except as otherwise provided in NRS 171.080, 171.083, 171.084 and 171.095, an indictment for:

1. Theft, robbery, burglary, forgery, arson, sexual assault, **sex trafficking**, a violation of NRS 90.570, a violation punishable pursuant to paragraph (c) of subsection 3 of NRS 598.0999 or a violation of NRS 205.377 must be found, or an information or complaint filed, within 4 years after the commission of the offense.

2. Any felony other than the felonies listed in subsection 1 must be found, or an information or complaint filed, within 3 years after the commission of the offense.

**Sec. 6.** NRS 171.095 is hereby amended to read as follows:

171.095 1. Except as otherwise provided in subsection 2 and NRS 171.083 and 171.084:

(a) If a felony, gross misdemeanor or misdemeanor is committed in a secret manner, an indictment for the offense must be found, or an information or complaint filed, within the periods of limitation prescribed in NRS 171.085, 171.090 and 624.800 after the discovery of the offense, unless a longer period is allowed by paragraph (b) or (c) or the provisions of NRS 202.885.

(b) An indictment must be found, or an information or complaint filed, for any offense constituting sexual abuse of a child ~~[-]~~ as defined in NRS 432B.100 ~~[-]~~ **or sex trafficking of a child as defined in NRS 201.300**, before the victim ~~[of the sexual abuse]~~ is:

(1) Twenty-one years old if the victim discovers or reasonably should have discovered that he or she was a victim of the sexual abuse **or sex trafficking** by the date on which the victim reaches that age; or

(2) Twenty-eight years old if the victim does not discover and reasonably should not have discovered that he or she was a victim of the sexual abuse **or sex trafficking** by the date on which the victim reaches 21 years of age.

(c) If a felony is committed pursuant to NRS 205.461 to 205.4657, inclusive, against a victim who is less than 18 years of age at the time of the commission of the offense, an indictment for the offense must be found, or an information or complaint filed, within 4 years after the victim discovers or reasonably should have discovered the offense.



2. If any indictment found, or an information or complaint filed, within the time prescribed in subsection 1 is defective so that no judgment can be given thereon, another prosecution may be instituted for the same offense within 6 months after the first is abandoned.

**Sec. 7.** (Deleted by amendment.)

**Sec. 8.** (Deleted by amendment.)

**Sec. 9.** (Deleted by amendment.)

**Sec. 10.** (Deleted by amendment.)

**Sec. 10.3.** NRS 174.227 is hereby amended to read as follows:

174.227 1. A court on its own motion or on the motion of the district attorney may, for good cause shown, order the taking of a videotaped deposition of:

(a) A victim of sexual abuse as that term is defined in NRS 432B.100; ~~or~~

(b) A prospective witness in any criminal prosecution if the witness is less than 14 years of age ~~[-]~~; *or*

*(c) A victim of sex trafficking as that term is defined in subsection 2 of NRS 201.300. There is a rebuttable presumption that good cause exists where the district attorney seeks to take the deposition of a person alleged to be the victim of sex trafficking.*

↪ The court may specify the time and place for taking the deposition and the persons who may be present when it is taken.

2. The district attorney shall give every other party reasonable written notice of the time and place for taking the deposition. The notice must include the name of the person to be examined. On the motion of a party upon whom the notice is served, the court:

(a) For good cause shown may release the address of the person to be examined; and

(b) For cause shown may extend or shorten the time.

3. If at the time such a deposition is taken, the district attorney anticipates using the deposition at trial, the court shall so state in the order for the deposition and the accused must be given the opportunity to cross-examine the deponent in the same manner as permitted at trial.

4. Except as limited by NRS 174.228, the court may allow the videotaped deposition to be used at any proceeding in addition to or in lieu of the direct testimony of the deponent. It may also be used by any party to contradict or impeach the testimony of the deponent as a witness. If only a part of the deposition is offered in evidence by a party, an adverse party may require the party to offer all of it which is relevant to the part offered and any party may offer other parts.

**Sec. 10.7.** NRS 174.228 is hereby amended to read as follows:

174.228 A court may allow a videotaped deposition to be used instead of the deponent's testimony at trial only if:

1. In the case of a victim of sexual abuse, as that term is defined in NRS 432B.100:

(a) Before the deposition is taken, a hearing is held by a justice of the peace or district judge who finds that:

(1) The use of the videotaped deposition in lieu of testimony at trial is necessary to protect the welfare of the victim; and

(2) The presence of the accused at trial would inflict trauma, more than minimal in degree, upon the victim; and

(b) At the time a party seeks to use the deposition, the court determines that the conditions set forth in subparagraphs (1) and (2) of paragraph (a) continue to exist. The court may hold a hearing before the use of the deposition to make its determination.

2. *In the case of a victim of sex trafficking as that term is defined in subsection 2 of NRS 201.300:*

*(a) Before the deposition is taken, a hearing is held by a justice of the peace or district judge and the justice or judge finds that cause exists pursuant to paragraph (c) of subsection 1 of NRS 174.227; and*

*(b) Before allowing the videotaped deposition to be used at trial, the court finds that the victim is unavailable as a witness.*

3. In all cases:

(a) A justice of the peace or district judge presides over the taking of the deposition;

(b) The accused is able to hear and see the proceedings;

(c) The accused is represented by counsel who, if physically separated from the accused, is able to communicate orally with the accused by electronic means;

(d) The accused is given an adequate opportunity to cross-examine the deponent subject to the protection of the deponent deemed necessary by the court; and

(e) The deponent testifies under oath.

**Sec. 11.** (Deleted by amendment.)

**Sec. 12.** (Deleted by amendment.)

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

**Sec. 14.** (Deleted by amendment.)

**Sec. 15.** (Deleted by amendment.)

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

**Sec. 17.** (Deleted by amendment.)

**Sec. 18.** (Deleted by amendment.)

**Sec. 19.** (Deleted by amendment.)

**Sec. 20.** (Deleted by amendment.)

**Sec. 21.** (Deleted by amendment.)

**Sec. 22.** (Deleted by amendment.)

**Sec. 23.** (Deleted by amendment.)

**Sec. 24.** NRS 179.121 is hereby amended to read as follows:

179.121 1. All personal property, including, without limitation, any tool, substance, weapon, machine, computer, money or security, which is used as an instrumentality in any of the following crimes is subject to forfeiture:

(a) The commission of or attempted commission of the crime of murder, robbery, kidnapping, burglary, invasion of the home, grand larceny or theft if it is punishable as a felony;

(b) The commission of or attempted commission of any felony with the intent to commit, cause, aid, further or conceal an act of terrorism;

(c) A violation of NRS 202.445 or 202.446;

(d) The commission of any crime by a criminal gang, as defined in NRS 213.1263; or

(e) A violation of NRS 200.463 to 200.468, inclusive, 201.300 ~~to 201.340, inclusive,~~ **201.320**, 202.265, 202.287, 205.473 to 205.513, inclusive, 205.610 to 205.810, inclusive, 370.380, 370.382, 370.395, 370.405 or 465.070 to 465.085, inclusive.

2. Except as otherwise provided for conveyances forfeitable pursuant to NRS 453.301 or 501.3857, all conveyances, including aircraft, vehicles or vessels, which are used or intended for use during the commission of a felony or a violation of NRS 202.287, 202.300 or 465.070 to 465.085, inclusive, are subject to forfeiture except that:

(a) A conveyance used by any person as a common carrier in the transaction of business as a common carrier is not subject to forfeiture under this section unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to the felony or violation;

(b) A conveyance is not subject to forfeiture under this section by reason of any act or omission established by the owner thereof to have been committed or omitted without the owner's knowledge, consent or willful blindness;

(c) A conveyance is not subject to forfeiture for a violation of NRS 202.300 if the firearm used in the violation of that section was not loaded at the time of the violation; and

(d) A forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party neither had knowledge of nor consented to the felony. If a conveyance is forfeited, the appropriate law enforcement agency may pay the existing balance and retain the conveyance for official use.

3. For the purposes of this section, a firearm is loaded if:

(a) There is a cartridge in the chamber of the firearm;

(b) There is a cartridge in the cylinder of the firearm, if the firearm is a revolver; or

(c) There is a cartridge in the magazine and the magazine is in the firearm or there is a cartridge in the chamber, if the firearm is a semiautomatic firearm.

4. As used in this section, "act of terrorism" has the meaning ascribed to it in NRS 202.4415.

**Sec. 25.** NRS 179.460 is hereby amended to read as follows:

179.460 1. The Attorney General or the district attorney of any county may apply to a Supreme Court justice or to a district judge in the county where the interception is to take place for an order authorizing the interception of wire or oral communications, and the judge may, in accordance with NRS 179.470 to 179.515, inclusive, grant an order authorizing the interception of wire or oral communications by investigative or law enforcement officers having responsibility for the investigation of the offense as to which the application is made, when the interception may provide evidence of the commission of murder, kidnapping, robbery, extortion, bribery, escape of an offender in the custody of the Department of Corrections, destruction of public property by explosives, a sexual offense against a child, *sex trafficking, a violation of NRS 200.463, 200.464 or 200.465, trafficking in persons in violation of NRS 200.467 or 200.468* or the commission of any offense which is made a felony by the provisions of chapter 453 or 454 of NRS.

2. A good faith reliance by a public utility on a court order shall constitute a complete defense to any civil or criminal action brought against the public utility on account of any interception made pursuant to the order.

3. As used in this section, "sexual offense against a child" includes any act upon a child constituting:

- (a) Incest pursuant to NRS 201.180;
- (b) Lewdness with a child pursuant to NRS 201.230;
- (c) Sado-masochistic abuse pursuant to NRS 201.262;
- (d) Sexual assault pursuant to NRS 200.366;
- (e) Statutory sexual seduction pursuant to NRS 200.368;
- (f) Open or gross lewdness pursuant to NRS 201.210; or
- (g) Luring a child or a person with mental illness pursuant to NRS 201.560, if punished as a felony.

**Sec. 26.** NRS 179D.0357 is hereby amended to read as follows:

179D.0357 "Crime against a child" means any of the following offenses if the victim of the offense was less than 18 years of age when the offense was committed:

- 1. Kidnapping pursuant to NRS 200.310 to 200.340, inclusive, unless the offender is the parent or guardian of the victim.

2. False imprisonment pursuant to NRS 200.460, unless the offender is the parent or guardian of the victim.

3. An offense involving ~~[pandering]~~ *sex trafficking pursuant to subsection 2 of NRS 201.300* or prostitution pursuant to NRS ~~[201.300 to 201.340, inclusive.]~~ *201.320*.

4. An attempt to commit an offense listed in this section.

5. An offense committed in another jurisdiction that, if committed in this State, would be an offense listed in this section. This subsection includes, without limitation, an offense prosecuted in:

(a) A tribal court.

(b) A court of the United States or the Armed Forces of the United States.

6. An offense against a child committed in another jurisdiction, whether or not the offense would be an offense listed in this section, if the person who committed the offense resides or has resided or is or has been a student or worker in any jurisdiction in which the person is or has been required by the laws of that jurisdiction to register as an offender who has committed a crime against a child because of the offense. This subsection includes, without limitation, an offense prosecuted in:

(a) A tribal court.

(b) A court of the United States or the Armed Forces of the United States.

(c) A court having jurisdiction over juveniles.

**Sec. 27.** NRS 179D.097 is hereby amended to read as follows:

179D.097 1. “Sexual offense” means any of the following offenses:

(a) Murder of the first degree committed in the perpetration or attempted perpetration of sexual assault or of sexual abuse or sexual molestation of a child less than 14 years of age pursuant to paragraph (b) of subsection 1 of NRS 200.030.

(b) Sexual assault pursuant to NRS 200.366.

(c) Statutory sexual seduction pursuant to NRS 200.368.

(d) Battery with intent to commit sexual assault pursuant to subsection 4 of NRS 200.400.

(e) An offense involving the administration of a drug to another person with the intent to enable or assist the commission of a felony pursuant to NRS 200.405, if the felony is an offense listed in this section.

(f) An offense involving the administration of a controlled substance to another person with the intent to enable or assist the commission of a crime of violence pursuant to NRS 200.408, if the crime of violence is an offense listed in this section.

(g) Abuse of a child pursuant to NRS 200.508, if the abuse involved sexual abuse or sexual exploitation.

(h) An offense involving pornography and a minor pursuant to NRS 200.710 to 200.730, inclusive.

- (i) Incest pursuant to NRS 201.180.
- (j) Solicitation of a minor to engage in acts constituting the infamous crime against nature pursuant to NRS 201.195.
- (k) Open or gross lewdness pursuant to NRS 201.210.
- (l) Indecent or obscene exposure pursuant to NRS 201.220.
- (m) Lewdness with a child pursuant to NRS 201.230.
- (n) Sexual penetration of a dead human body pursuant to NRS 201.450.
- (o) Luring a child or a person with mental illness pursuant to NRS 201.560, if punished as a felony.

(p) *Sex trafficking pursuant to NRS 201.300.*

(q) ~~A violation of NRS 201.320.~~

~~(r)~~ Any other offense that has an element involving a sexual act or sexual conduct with another.

~~(q)~~ ~~(r)~~ (r) An attempt or conspiracy to commit an offense listed in paragraphs (a) to ~~(p)~~ ~~(r)~~ (q), inclusive.

~~(r)~~ ~~(s)~~ (s) An offense that is determined to be sexually motivated pursuant to NRS 175.547 or 207.193.

~~(s)~~ ~~(t)~~ (t) An offense committed in another jurisdiction that, if committed in this State, would be an offense listed in this section. This paragraph includes, without limitation, an offense prosecuted in:

- (1) A tribal court.
- (2) A court of the United States or the Armed Forces of the United States.

~~(t)~~ ~~(u)~~ (u) An offense of a sexual nature committed in another jurisdiction, whether or not the offense would be an offense listed in this section, if the person who committed the offense resides or has resided or is or has been a student or worker in any jurisdiction in which the person is or has been required by the laws of that jurisdiction to register as a sex offender because of the offense. This paragraph includes, without limitation, an offense prosecuted in:

- (1) A tribal court.
- (2) A court of the United States or the Armed Forces of the United States.
- (3) A court having jurisdiction over juveniles.

2. The term does not include an offense involving consensual sexual conduct if the victim was:

- (a) An adult, unless the adult was under the custodial authority of the offender at the time of the offense; or
- (b) At least 13 years of age and the offender was not more than 4 years older than the victim at the time of the commission of the offense.

**Sec. 28.** NRS 179D.115 is hereby amended to read as follows:

179D.115 “Tier II offender” means an offender convicted of a crime against a child or a sex offender, other than a Tier III offender, whose crime against a child is punishable by imprisonment for more than 1 year or whose sexual offense:

1. If committed against a child, constitutes:
  - (a) Luring a child pursuant to NRS 201.560, if punishable as a felony;
  - (b) Abuse of a child pursuant to NRS 200.508, if the abuse involved sexual abuse or sexual exploitation;
  - (c) An offense involving ~~[pandering]~~ **sex trafficking pursuant to NRS 201.300** or prostitution pursuant to NRS ~~[201.300 to 201.340, inclusive;]~~ **201.320**;
  - (d) An offense involving pornography and a minor pursuant to NRS 200.710 to 200.730, inclusive; or
  - (e) Any other offense that is comparable to or more severe than the offenses described in 42 U.S.C. § 16911(3);
2. Involves an attempt or conspiracy to commit any offense described in subsection 1;
3. If committed in another jurisdiction, is an offense that, if committed in this State, would be an offense listed in this section. This subsection includes, without limitation, an offense prosecuted in:
  - (a) A tribal court; or
  - (b) A court of the United States or the Armed Forces of the United States;
 or
4. Is committed after the person becomes a Tier I offender if any of the person’s sexual offenses constitute an offense punishable by imprisonment for more than 1 year.

**Sec. 29.** NRS 179D.495 is hereby amended to read as follows:

179D.495 If a person who is required to register pursuant to NRS 179D.010 to 179D.550, inclusive, has been convicted of an offense described in paragraph ~~[(p)]~~ ~~[(\*)]~~ **(q)** of subsection 1 of NRS 179D.097, paragraph (e) of subsection 1 or subsection 3 of NRS 179D.115 or subsection 7 or 9 of NRS 179D.117, the Central Repository shall determine whether the person is required to register as a Tier I offender, Tier II offender or Tier III offender.

**Sec. 30.** NRS 199.480 is hereby amended to read as follows:

199.480 1. Except as otherwise provided in subsection 2, whenever two or more persons conspire to commit murder, robbery, sexual assault, kidnapping in the first or second degree, arson in the first or second degree, **involuntary servitude in violation of NRS 200.463 or 200.464, a violation of any provision of NRS 200.465, trafficking in persons in violation of NRS 200.467 or 200.468, sex trafficking in violation of NRS 201.300** or a

violation of NRS 205.463, each person is guilty of a category B felony and shall be punished:

(a) If the conspiracy was to commit robbery, sexual assault, kidnapping in the first or second degree, arson in the first or second degree, *involuntary servitude in violation of NRS 200.463 or 200.464, a violation of any provision of NRS 200.465, trafficking in persons in violation of NRS 200.467 or 200.468, sex trafficking in violation of NRS 201.300* or a violation of NRS 205.463, by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years; or

(b) If the conspiracy was to commit murder, by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 10 years,

↪ and may be further punished by a fine of not more than \$5,000.

2. If the conspiracy subjects the conspirators to criminal liability under NRS 207.400, they shall be punished in the manner provided in NRS 207.400.

3. Whenever two or more persons conspire:

(a) To commit any crime other than those set forth in subsections 1 and 2, and no punishment is otherwise prescribed by law;

(b) Falsely and maliciously to procure another to be arrested or proceeded against for a crime;

(c) Falsely to institute or maintain any action or proceeding;

(d) To cheat or defraud another out of any property by unlawful or fraudulent means;

(e) To prevent another from exercising any lawful trade or calling, or from doing any other lawful act, by force, threats or intimidation, or by interfering or threatening to interfere with any tools, implements or property belonging to or used by another, or with the use or employment thereof;

(f) To commit any act injurious to the public health, public morals, trade or commerce, or for the perversion or corruption of public justice or the due administration of the law; or

(g) To accomplish any criminal or unlawful purpose, or to accomplish a purpose, not in itself criminal or unlawful, by criminal or unlawful means,

↪ each person is guilty of a gross misdemeanor.

**Sec. 31.** Chapter 200 of NRS is hereby amended by adding thereto the provisions set forth as sections 32 and 33 of this act.

**Sec. 32. 1.** *In addition to any other penalty, the court may order a person convicted of a violation of any provision of NRS 200.463, 200.464 or 200.465 to pay restitution to the victim as provided in subsection 2.*

**2.** *Restitution ordered pursuant to this section may include, without limitation:*



(a) *The cost of medical and psychological treatment, including, without limitation, physical and occupational therapy and rehabilitation;*

(b) *The cost of transportation, temporary housing and child care;*

(c) *The return of property, the cost of repairing damaged property or the full value of the property if it is destroyed or damaged beyond repair;*

(d) *Expenses incurred by a victim in relocating away from the defendant or his or her associates, if the expenses are verified by law enforcement to be necessary for the personal safety of the victim;*

(e) *The cost of repatriation of the victim to his or her home country, if applicable; and*

(f) *Any and all other losses suffered by the victim as a result of the violation of any provision of NRS 200.463, 200.464 or 200.465.*

3. *The return of the victim to his or her home country or other absence of the victim from the jurisdiction does not prevent the victim from receiving restitution.*

4. *As used in this section, “victim” means any person:*

(a) *Against whom a violation of any provision of NRS 200.463, 200.464 or 200.465 has been committed; or*

(b) *Who is the surviving child of such a person.*

Sec. 33. 1. *In addition to any other penalty, the court may order a person convicted of violation of any provision of NRS 200.467 or 200.468 to pay restitution to the victim as provided in subsection 2.*

2. *Restitution ordered pursuant to this section may include, without limitation:*

(a) *The cost of medical and psychological treatment, including, without limitation, physical and occupational therapy and rehabilitation;*

(b) *The cost of transportation, temporary housing and child care;*

(c) *The return of property, the cost of repairing damaged property or the full value of the property if it is destroyed or damaged beyond repair;*

(d) *Expenses incurred by a victim in relocating away from the defendant or his or her associates, if the expenses are verified by law enforcement to be necessary for the personal safety of the victim;*

(e) *The cost of repatriation of the victim to his or her home country, if applicable; and*

(f) *Any and all other losses suffered by the victim as a result of the violation of any provision of NRS 200.467 or 200.468.*

3. *The return of the victim to his or her home country or other absence of the victim from the jurisdiction does not prevent the victim from receiving restitution.*

4. *As used in this section, “victim” means any person:*

(a) *Against whom a violation of any provision of NRS 200.467 or 200.468 has been committed; or*

**(b) Who is the surviving child of such a person.**

**Sec. 34.** NRS 200.364 is hereby amended to read as follows:

200.364 As used in NRS 200.364 to 200.3784, inclusive, unless the context otherwise requires:

1. "Offense involving a pupil" means any of the following offenses:

(a) Sexual conduct between certain employees of a school or volunteers at a school and a pupil pursuant to NRS 201.540.

(b) Sexual conduct between certain employees of a college or university and a student pursuant to NRS 201.550.

2. "Perpetrator" means a person who commits a sexual offense, ~~or~~ an offense involving a pupil ~~or~~ **sex trafficking**.

3. **"Sex trafficking" means a violation of subsection 2 of NRS 201.300.**

4. "Sexual offense" means any of the following offenses:

(a) Sexual assault pursuant to NRS 200.366.

(b) Statutory sexual seduction pursuant to NRS 200.368.

~~4.~~ 5. "Sexual penetration" means cunnilingus, fellatio, or any intrusion, however slight, of any part of a person's body or any object manipulated or inserted by a person into the genital or anal openings of the body of another, including sexual intercourse in its ordinary meaning.

~~5.~~ 6. "Statutory sexual seduction" means:

(a) Ordinary sexual intercourse, anal intercourse, cunnilingus or fellatio committed by a person 18 years of age or older with a person under the age of 16 years; or

(b) Any other sexual penetration committed by a person 18 years of age or older with a person under the age of 16 years with the intent of arousing, appealing to, or gratifying the lust or passions or sexual desires of either of the persons.

~~6.~~ 7. "Victim" means a person who is a victim of a sexual offense, ~~or~~ an offense involving a pupil ~~or~~ **sex trafficking**.

**Sec. 35.** NRS 200.377 is hereby amended to read as follows:

200.377 The Legislature finds and declares that:

1. This State has a compelling interest in assuring that the victim of a sexual offense, ~~or~~ an offense involving a pupil ~~or~~ **sex trafficking**:

(a) Reports the sexual offense, ~~or~~ offense involving a pupil **or sex trafficking** to the appropriate authorities;

(b) Cooperates in the investigation and prosecution of the sexual offense, ~~or~~ offense involving a pupil ~~or~~ **sex trafficking**; and

(c) Testifies at the criminal trial of the person charged with committing the sexual offense, ~~or~~ offense involving a pupil ~~or~~ **sex trafficking**.

2. The fear of public identification and invasion of privacy are fundamental concerns for the victims of sexual offenses, ~~or~~ offenses involving a pupil ~~or~~ **sex trafficking**. If these concerns are not addressed

and the victims are left unprotected, the victims may refrain from reporting and prosecuting sexual offenses , ~~or~~ offenses involving a pupil ~~or~~ **or sex trafficking**.

3. A victim of a sexual offense , ~~or~~ an offense involving a pupil **or sex trafficking** may be harassed, intimidated and psychologically harmed by a public report that identifies the victim. A sexual offense , ~~or~~ an offense involving a pupil **or sex trafficking** is, in many ways, a unique, distinctive and intrusive personal trauma. The consequences of identification are often additional psychological trauma and the public disclosure of private personal experiences.

4. Recent public criminal trials have focused attention on these issues and have dramatized the need for basic protections for the victims of sexual offenses , ~~or~~ offenses involving a pupil ~~or~~ **or sex trafficking**.

5. The public has no overriding need to know the individual identity of the victim of a sexual offense , ~~or~~ an offense involving a pupil ~~or~~ **or sex trafficking**.

6. The purpose of NRS 200.3771 to 200.3774, inclusive, is to protect the victims of sexual offenses , ~~and~~ offenses involving a pupil **or sex trafficking** from harassment, intimidation, psychological trauma and the unwarranted invasion of their privacy by prohibiting the disclosure of their identities to the public.

**Sec. 36.** NRS 200.3771 is hereby amended to read as follows:

200.3771 1. Except as otherwise provided in this section, any information which is contained in:

- (a) Court records, including testimony from witnesses;
- (b) Intelligence or investigative data, reports of crime or incidents of criminal activity or other information;
- (c) Records of criminal history, as that term is defined in NRS 179A.070; and
- (d) Records in the Central Repository for Nevada Records of Criminal History,

↳ that reveals the identity of a victim of a sexual offense , ~~or~~ an offense involving a pupil **or sex trafficking** is confidential, including but not limited to the victim's photograph, likeness, name, address or telephone number.

2. A defendant charged with a sexual offense , ~~or~~ an offense involving a pupil **or sex trafficking** and the defendant's attorney are entitled to all identifying information concerning the victim in order to prepare the defense of the defendant. The defendant and the defendant's attorney shall not disclose this information except, as necessary, to those persons directly involved in the preparation of the defense.

3. A court of competent jurisdiction may authorize the release of the identifying information, upon application, if the court determines that:

(a) The person making the application has demonstrated to the satisfaction of the court that good cause exists for the disclosure;

(b) The disclosure will not place the victim at risk of personal harm; and

(c) Reasonable notice of the application and an opportunity to be heard have been given to the victim.

4. Nothing in this section prohibits:

(a) Any publication or broadcast by the media concerning a sexual offense, ~~or~~ an offense involving a pupil ~~or~~ ***sex trafficking***.

(b) The disclosure of identifying information to any nonprofit organization or public agency whose purpose is to provide counseling, services for the management of crises or other assistance to the victims of crimes if:

(1) The organization or agency needs identifying information of victims to offer such services; and

(2) The court or a law enforcement agency approves the organization or agency for the receipt of the identifying information.

5. The willful violation of any provision of this section or the willful neglect or refusal to obey any court order made pursuant thereto is punishable as criminal contempt.

**Sec. 37.** NRS 200.3772 is hereby amended to read as follows:

200.3772 1. A victim of a sexual offense, ~~or~~ an offense involving a pupil ***or sex trafficking*** may choose a pseudonym to be used instead of the victim's name on all files, records and documents pertaining to the sexual offense, ~~or~~ offense involving a pupil ~~or~~ ***sex trafficking***, including, without limitation, criminal intelligence and investigative reports, court records and media releases.

2. A victim who chooses to use a pseudonym shall file a form to choose a pseudonym with the law enforcement agency investigating the sexual offense, ~~or~~ offense involving a pupil ~~or~~ ***sex trafficking***. The form must be provided by the law enforcement agency.

3. If the victim files a form to use a pseudonym, as soon as practicable the law enforcement agency shall make a good faith effort to:

(a) Substitute the pseudonym for the name of the victim on all reports, files and records in the agency's possession; and

(b) Notify the prosecuting attorney of the pseudonym.

↪ The law enforcement agency shall maintain the form in a manner that protects the confidentiality of the information contained therein.

4. Upon notification that a victim has elected to be designated by a pseudonym, the court shall ensure that the victim is designated by the pseudonym in all legal proceedings concerning the sexual offense, ~~or~~ offense involving a pupil ~~or~~ ***sex trafficking***.

5. The information contained on the form to choose a pseudonym concerning the actual identity of the victim is confidential and must not be

disclosed to any person other than the defendant or the defendant's attorney unless a court of competent jurisdiction orders the disclosure of the information. The disclosure of information to a defendant or the defendant's attorney is subject to the conditions and restrictions specified in subsection 2 of NRS 200.3771. A person who violates this subsection is guilty of a misdemeanor.

6. A court of competent jurisdiction may order the disclosure of the information contained on the form only if it finds that the information is essential in the trial of the defendant accused of the sexual offense, ~~for~~ offense involving a pupil *or sex trafficking*, or the identity of the victim is at issue.

7. A law enforcement agency that complies with the requirements of this section is immune from civil liability for unknowingly or unintentionally:

(a) Disclosing any information contained on the form filed by a victim pursuant to this section that reveals the identity of the victim; or

(b) Failing to substitute the pseudonym of the victim for the name of the victim on all reports, files and records in the agency's possession.

**Sec. 38.** NRS 200.3773 is hereby amended to read as follows:

200.3773 1. A public officer or employee who has access to any records, files or other documents which include the photograph, likeness, name, address, telephone number or other fact or information that reveals the identity of a victim of a sexual offense, ~~for~~ an offense involving a pupil *or sex trafficking* shall not intentionally or knowingly disclose the identifying information to any person other than:

(a) The defendant or the defendant's attorney;

(b) A person who is directly involved in the investigation, prosecution or defense of the case;

(c) A person specifically named in a court order issued pursuant to NRS 200.3771; or

(d) A nonprofit organization or public agency approved to receive the information pursuant to NRS 200.3771.

2. A person who violates the provisions of subsection 1 is guilty of a misdemeanor.

**Sec. 39.** NRS 200.3774 is hereby amended to read as follows:

200.3774 The provisions of NRS 200.3771, 200.3772 and 200.3773 do not apply if the victim of the sexual offense, ~~for~~ offense involving a pupil *or sex trafficking* voluntarily waives, in writing, the confidentiality of the information concerning the victim's identity.

**Sec. 40.** Chapter 201 of NRS is hereby amended by adding thereto the provisions set forth as sections 40.3 and 40.7 of this act.

**Sec. 40.3. 1.** *The Attorney General has concurrent jurisdiction with the district attorneys of the counties in this State to prosecute any violation of NRS 201.300 or 201.320.*

*2. When acting pursuant to this section, the Attorney General may commence an investigation and file a criminal action without leave of court and the Attorney General has exclusive charge of the conduct of the prosecution.*

**Sec. 40.7. 1.** *In addition to any other penalty, the court may order a person convicted of a violation of any provision of NRS 201.300 or 201.320 to pay restitution to the victim as provided in subsection 2.*

*2. Restitution ordered pursuant to this section may include, without limitation:*

*(a) The cost of medical and psychological treatment, including, without limitation, physical and occupational therapy and rehabilitation;*

*(b) The cost of transportation, temporary housing and child care;*

*(c) The return of property, the cost of repairing damaged property or the full value of the property if it is destroyed or damaged beyond repair;*

*(d) Expenses incurred by a victim in relocating away from the defendant or his or her associates, if the expenses are verified by law enforcement to be necessary for the personal safety of the victim;*

*(e) The cost of repatriation of the victim to his or her home country, if applicable; and*

*(f) Any and all other losses suffered by the victim as a result of the violation of any provision of NRS 201.300 or 201.320.*

*3. The return of the victim to his or her home country or other absence of the victim from the jurisdiction does not prevent the victim from receiving restitution.*

*4. As used in this section, "victim" means any person:*

*(a) Against whom a violation of any provision of NRS 201.300 or 201.320 has been committed; or*

*(b) Who is the surviving child of such a person.*

**Sec. 41.** NRS 201.295 is hereby amended to read as follows:

201.295 As used in NRS 201.295 to 201.440, inclusive, **and sections 40.3 and 40.7 of this act**, unless the context otherwise requires:

1. "Adult" means a person 18 years of age or older.

2. "Child" means a person less than 18 years of age.

3. "**Induce**" means to persuade, encourage, inveigle or entice.

4. "Prostitute" means a male or female person who for a fee, **monetary consideration or other thing of value** engages in sexual intercourse, oral-genital contact or any touching of the sexual organs or other intimate parts of a person for the purpose of arousing or gratifying the sexual desire of either person.

~~[4.]~~ 5. “Prostitution” means engaging in sexual conduct *with another person in return* for a fee ~~[-5.]~~, *monetary consideration or other thing of value.*

6. “Sexual conduct” means any of the acts enumerated in subsection ~~[3.]~~ 4.

7. *“Transports” means to transport or cause to be transported, by any means of conveyance, into, through or across this State, or to aid or assist in obtaining such transportation.*

Sec. 42. NRS 201.300 is hereby amended to read as follows:

201.300 1. A person who ~~[-~~

~~(a) Induces, persuades, encourages, inveigles, entices or compels a person to~~, *without physical force or the immediate threat of physical force, induces an adult to unlawfully become a prostitute or to continue to engage in prostitution* ~~[-]~~, *or to enter any place within this State in which prostitution is practiced, encouraged or allowed for the purpose of sexual conduct or prostitution*

~~[-(b) By threats, violence or by any device or scheme, causes, induces, persuades, encourages, takes, places, harbors, inveigles or entices a person to become an inmate of a house of prostitution or assignation place, or any place where prostitution is practiced, encouraged or allowed;~~

~~[-(c) By threats, violence, or by any device or scheme, by fraud or artifice, or by duress of person or goods, or by abuse of any position of confidence or authority, or having legal charge, takes, places, harbors, inveigles, entices, persuades, encourages or procures a person to enter any place within this state in which prostitution is practiced, encouraged or allowed, for the purpose of prostitution;~~

~~[-(d) By promises, threats, violence, or by any device or scheme, by fraud or artifice, by duress of person or goods, or abuse of any position of confidence or authority or having legal charge, takes, places, harbors, inveigles, entices, persuades, encourages or procures a person of previous chaste character to enter any place within this state in which prostitution is practiced, encouraged or allowed, for the purpose of sexual intercourse;~~

~~[-(e) Takes or detains a person with the intent to compel the person by force, threats, menace or duress to marry him or her or any other person; or~~

~~[-(f) Receives, gives or agrees to receive or give any money or thing of value for procuring or attempting to procure a person to become a prostitute or to come into this state or leave this state for the purpose of prostitution,~~

~~[-] is guilty of pandering.~~

~~2. A person who is found guilty of pandering:~~

~~(a) An adult:~~

~~—(1) If physical force or the immediate threat of physical force is used upon the adult, is guilty of a category C felony and shall be punished as provided in NRS 193.130.~~

~~—(2) If no physical force or immediate threat of physical force is used upon the adult,] is guilty of *pandering which is* a category [D] C felony and shall be punished as provided in NRS 193.130.~~

~~[(b) A child:~~

~~—(1) If physical force or the immediate threat of physical force is used upon the child, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years and may be further punished by a fine of not more than \$20,000.~~

~~—(2) If no physical force or immediate threat of physical force is used upon the child, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years and may be further punished by a fine of not more than \$10,000.~~

~~—3.] This [section] subsection does not apply to the customer of a prostitute.~~

~~2. A person:~~

~~(a) Is guilty of sex trafficking if the person:~~

~~(1) *Induces, causes, recruits, harbors, transports, provides, obtains or maintains a child to engage in prostitution, or to enter any place within this State in which prostitution is practiced, encouraged or allowed for the purpose of sexual conduct or prostitution;*~~

~~(2) *Induces, recruits, harbors, transports, provides, obtains or maintains a person by any means, knowing, or in reckless disregard of the fact, that threats, violence, force, intimidation, fraud, duress or coercion will be used to cause the person to engage in prostitution, or to enter any place within this State in which prostitution is practiced, encouraged or allowed for the purpose of sexual conduct or prostitution;*~~

~~(3) *By threats, violence, force, intimidation, fraud, duress, coercion, by any device or scheme, or by abuse of any position of confidence or authority, or having legal charge, takes, places, harbors, induces, causes, compels or procures a person to engage in prostitution, or to enter any place within this State in which prostitution is practiced, encouraged or allowed for the purpose of sexual conduct or prostitution; or*~~

~~(4) *Takes or detains a person with the intent to compel the person by force, violence, threats or duress to marry him or her or any other person.*~~

~~(b) Who is found guilty of sex trafficking:~~

~~(1) *An adult is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 3*~~



*years and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000.*

*(2) A child:*

*(I) If the child is less than 14 years of age when the offense is committed, is guilty of a category A felony and shall be punished by imprisonment in the state prison for life with the possibility of parole, with eligibility for parole beginning when a minimum of 15 years has been served, and may be further punished by a fine of not more than \$20,000.*

*(II) If the child is at least 14 years of age but less than 16 years of age when the offense is committed, is guilty of a category A felony and shall be punished by imprisonment in the state prison for life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served, and may be further punished by a fine of not more than \$10,000.*

*(III) If the child is at least 16 years of age but less than 18 years of age when the offense is committed, is guilty of a category A felony and shall be punished by imprisonment in the state prison for life with the possibility of parole, with eligibility for parole beginning when a minimum of 5 years has been served, and may be further punished by a fine of not more than \$10,000.*

*3. A court shall not grant probation to or suspend the sentence of a person convicted of sex trafficking a child pursuant to subsection 2.*

*4. Consent of a victim of pandering or sex trafficking to an act of prostitution is not a defense to a prosecution for any of the acts prohibited by this section.*

*5. In a prosecution for sex trafficking a child pursuant to subsection 2, it is not a defense that the defendant did not have knowledge of the victim's age, nor is reasonable mistake of age a valid defense to a prosecution conducted pursuant to subsection 2.*

**Sec. 43.** NRS 201.350 is hereby amended to read as follows:

201.350 It shall not be a defense to a prosecution for any of the acts prohibited in NRS 201.300 ~~to 201.340, inclusive,~~ **or 201.320** that any part of such act or acts shall have been committed outside this state, and the offense shall in such case be deemed and alleged to have been committed, and the offender tried and punished, in any county in which the prostitution was consummated, or any overt act in furtherance of the offense shall have been committed.

**Sec. 43.5.** NRS 201.351 is hereby amended to read as follows:

201.351 1. All assets derived from or relating to any violation of NRS 201.300 ~~to 201.340, inclusive, in which the victim of the offense is a child when the offense is committed~~ **or 201.320** are subject to forfeiture

pursuant to NRS 179.121 and a proceeding for their forfeiture may be brought pursuant to NRS 179.1156 to 179.121, inclusive.

2. In any proceeding for forfeiture brought pursuant to NRS 179.1156 to 179.121, inclusive, the plaintiff may apply for, and a court may issue without notice or hearing, a temporary restraining order to preserve property which would be subject to forfeiture pursuant to this section if:

(a) The forfeitable property is in the possession or control of the party against whom the order will be entered; and

(b) The court determines that the nature of the property is such that it can be concealed, disposed of or placed beyond the jurisdiction of the court before a hearing on the matter.

3. A temporary restraining order which is issued without notice may be issued for not more than ~~10~~ 30 days and may be extended only for good cause or by consent. The court shall provide notice and hold a hearing on the matter before the order expires.

4. Any proceeds derived from a forfeiture of property pursuant to this section and remaining after the distribution required by subsection 1 of NRS 179.118 must be deposited with the county treasurer and distributed to programs for the prevention of child prostitution *or for services to victims* which are designated to receive such distributions by the district attorney of the county.

**Sec. 44.** NRS 201.352 is hereby amended to read as follows:

201.352 1. If a person is convicted of a violation of ~~any provision~~ **subsection 2** of NRS 201.300 ~~to 201.340, inclusive, and~~ **or NRS 201.320**, the victim of the violation is a child ~~who is:~~

~~—(a) At least 14 years of age but less than 18 years of age when the offense is committed, the court may, in addition to the punishment prescribed by statute for the offense and any fine imposed pursuant to subsection 2, impose a fine of not more than \$100,000.~~

~~—(b) Less than 14 years of age~~ when the offense is committed ~~[,]~~ **and physical force or violence or the immediate threat of physical force or violence is used upon the child**, the court may, in addition to the term of imprisonment prescribed by statute for the offense and any fine imposed pursuant to subsection 2, impose a fine of not more than \$500,000.

2. If a person is convicted of a violation of ~~any provision~~ **subsection 2** of NRS 201.300 ~~to 201.340, inclusive,~~ **or NRS 201.320**, the victim of the offense is a child when the offense is committed and the offense also involves a conspiracy to commit a violation of **subsection 2 of** NRS 201.300 ~~to 201.340, inclusive,~~ **or NRS 201.320**, the court may, in addition to the punishment prescribed by statute for the offense of a provision of **subsection 2 of** NRS 201.300 ~~to 201.340, inclusive,~~ **or NRS 201.320** and any fine imposed pursuant to subsection 1, impose a fine of not more than \$500,000.

3. The provisions of subsections 1 and 2 do not create a separate offense but provide an additional penalty for the primary offense, the imposition of which is contingent upon the finding of the prescribed fact.

**Sec. 45.** NRS 202.876 is hereby amended to read as follows:

202.876 “Violent or sexual offense” means any act that, if prosecuted in this State, would constitute any of the following offenses:

1. Murder or voluntary manslaughter pursuant to NRS 200.010 to 200.260, inclusive.
2. Mayhem pursuant to NRS 200.280.
3. Kidnapping pursuant to NRS 200.310 to 200.340, inclusive.
4. Sexual assault pursuant to NRS 200.366.
5. Robbery pursuant to NRS 200.380.
6. Administering poison or another noxious or destructive substance or liquid with intent to cause death pursuant to NRS 200.390.
7. Battery with intent to commit a crime pursuant to NRS 200.400.
8. Administering a drug or controlled substance to another person with the intent to enable or assist the commission of a felony or crime of violence pursuant to NRS 200.405 or 200.408.
9. False imprisonment pursuant to NRS 200.460 if the false imprisonment involves the use or threatened use of force or violence against the victim or the use or threatened use of a firearm or a deadly weapon.
10. Assault with a deadly weapon pursuant to NRS 200.471.
11. Battery which is committed with the use of a deadly weapon or which results in substantial bodily harm as described in NRS 200.481 or battery which is committed by strangulation as described in NRS 200.481 or 200.485.
12. An offense involving pornography and a minor pursuant to NRS 200.710 or 200.720.
13. Solicitation of a minor to engage in acts constituting the infamous crime against nature pursuant to NRS 201.195.
14. Intentional transmission of the human immunodeficiency virus pursuant to NRS 201.205.
15. Open or gross lewdness pursuant to NRS 201.210.
16. Lewdness with a child pursuant to NRS 201.230.
17. An offense involving pandering *or sex trafficking in violation of NRS 201.300* or prostitution in violation of NRS ~~{201.300,}~~ 201.320 . ~~{or 201.340.}~~
18. Coercion pursuant to NRS 207.190, if the coercion involves the use or threatened use of force or violence against the victim or the use or threatened use of a firearm or a deadly weapon.
19. An attempt, conspiracy or solicitation to commit an offense listed in subsections 1 to 18, inclusive.

**Sec. 46.** NRS 207.360 is hereby amended to read as follows:

207.360 “Crime related to racketeering” means the commission of, attempt to commit or conspiracy to commit any of the following crimes:

1. Murder;
2. Manslaughter, except vehicular manslaughter as described in NRS 484B.657;
3. Mayhem;
4. Battery which is punished as a felony;
5. Kidnapping;
6. Sexual assault;
7. Arson;
8. Robbery;
9. Taking property from another under circumstances not amounting to robbery;
10. Extortion;
11. Statutory sexual seduction;
12. Extortionate collection of debt in violation of NRS 205.322;
13. Forgery;
14. Any violation of NRS 199.280 which is punished as a felony;
15. Burglary;
16. Grand larceny;
17. Bribery or asking for or receiving a bribe in violation of chapter 197 or 199 of NRS which is punished as a felony;
18. Battery with intent to commit a crime in violation of NRS 200.400;
19. Assault with a deadly weapon;
20. Any violation of NRS 453.232, 453.316 to 453.3395, inclusive, or 453.375 to 453.401, inclusive;
21. Receiving or transferring a stolen vehicle;
22. Any violation of NRS 202.260, 202.275 or 202.350 which is punished as a felony;
23. Any violation of subsection 2 or 3 of NRS 463.360 or chapter 465 of NRS;
24. Receiving, possessing or withholding stolen goods valued at \$650 or more;
25. Embezzlement of money or property valued at \$650 or more;
26. Obtaining possession of money or property valued at \$650 or more, or obtaining a signature by means of false pretenses;
27. Perjury or subornation of perjury;
28. Offering false evidence;
29. Any violation of NRS 201.300, **201.320** or 201.360;
30. Any violation of NRS 90.570, 91.230 or 686A.290, or insurance fraud pursuant to NRS 686A.291;

31. Any violation of NRS 205.506, 205.920 or 205.930;

32. Any violation of NRS 202.445 or 202.446; ~~or~~

33. Any violation of NRS 205.377 ~~or~~;

**34. *Involuntary servitude in violation of any provision of NRS 200.463 or 200.464 or a violation of any provision of NRS 200.465; or***

**35. *Trafficking in persons in violation of any provision of NRS 200.467 or 200.468.***

**Sec. 47.** NRS 217.070 is hereby amended to read as follows:

217.070 “Victim” means:

1. A person who is physically injured or killed as the direct result of a criminal act;

2. A minor who was involved in the production of pornography in violation of NRS 200.710, 200.720, 200.725 or 200.730;

3. A minor who was sexually abused, as “sexual abuse” is defined in NRS 432B.100;

4. A person who is physically injured or killed as the direct result of a violation of NRS 484C.110 or any act or neglect of duty punishable pursuant to NRS 484C.430 or 484C.440;

5. A pedestrian who is physically injured or killed as the direct result of a driver of a motor vehicle who failed to stop at the scene of an accident involving the driver and the pedestrian in violation of NRS 484E.010;

6. An older person who is abused, neglected, exploited or isolated in violation of NRS 200.5099 or 200.50995; ~~or~~

7. A resident who is physically injured or killed as the direct result of an act of international terrorism as defined in 18 U.S.C. § 2331(1) ~~or~~; *or*

**8. *A person who is trafficked in violation of subsection 2 of NRS 201.300.***

↪ The term includes a person who was harmed by any of these acts whether the act was committed by an adult or a minor.

**Sec. 48.** NRS 217.180 is hereby amended to read as follows:

217.180 1. Except as otherwise provided in subsection 2, in determining whether to make an order for compensation, the compensation officer shall consider the provocation, consent or any other behavior of the victim that directly or indirectly contributed to the injury or death of the victim, the prior case or social history, if any, of the victim, the need of the victim or the dependents of the victim for financial aid and other relevant matters.

2. If the case involves a victim of domestic violence, ~~or~~ sexual assault ~~or~~ *sex trafficking*, the compensation officer shall not consider the provocation, consent or any other behavior of the victim that directly or indirectly contributed to the injury or death of the victim.

3. If the applicant has received or is likely to receive an amount on account of the applicant's injury or the death of another from:

(a) The person who committed the crime that caused the victim's injury or from anyone paying on behalf of the offender;

(b) Insurance;

(c) The employer of the victim; or

(d) Another private or public source or program of assistance,

→ the applicant shall report the amount received or that the applicant is likely to receive to the compensation officer. Any of those sources that are obligated to pay an amount after the award of compensation shall pay the Board the amount of compensation that has been paid to the applicant and pay the remainder of the amount due to the applicant. The compensation officer shall deduct the amounts that the applicant has received or is likely to receive from those sources from the applicant's total expenses.

4. An order for compensation may be made whether or not a person is prosecuted or convicted of an offense arising from the act on which the claim for compensation is based.

5. As used in this section:

(a) "Domestic violence" means an act described in NRS 33.018.

(b) "Public source or program of assistance" means:

(1) Public assistance, as defined in NRS 422.050 and 422A.065;

(2) Social services provided by a social service agency, as defined in NRS 430A.080; or

(3) Other assistance provided by a public entity.

(c) "***Sex trafficking***" means a violation of subsection 2 of NRS 201.300.

(d) "Sexual assault" has the meaning ascribed to it in NRS 200.366.

**Sec. 49.** NRS 217.400 is hereby amended to read as follows:

217.400 As used in NRS 217.400 to 217.475, inclusive, unless the context otherwise requires:

1. "Dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement. The term does not include a casual relationship or an ordinary association between persons in a business or social context.

2. "Division" means the Division of Child and Family Services of the Department of Health and Human Services.

3. "Domestic violence" means:

(a) The attempt to cause or the causing of bodily injury to a family or household member or the placing of the member in fear of imminent physical harm by threat of force.

(b) Any of the following acts committed by a person against a family or household member, a person with whom he or she had or is having a dating

relationship or with whom he or she has a child in common, or upon his or her minor child or a minor child of that person:

(1) A battery.

(2) An assault.

(3) Compelling the other by force or threat of force to perform an act from which he or she has the right to refrain or to refrain from an act which he or she has the right to perform.

(4) A sexual assault.

(5) A knowing, purposeful or reckless course of conduct intended to harass the other. Such conduct may include, without limitation:

(I) Stalking.

(II) Arson.

(III) Trespassing.

(IV) Larceny.

(V) Destruction of private property.

(VI) Carrying a concealed weapon without a permit.

(6) False imprisonment.

(7) Unlawful entry of the other's residence, or forcible entry against the other's will if there is a reasonably foreseeable risk of harm to the other from the entry.

4. "Family or household member" means a spouse, a former spouse, a parent or other adult person who is related by blood or marriage or is or was actually residing with the person committing the act of domestic violence.

5. "Participant" means an adult, child or incompetent person for whom a fictitious address has been issued pursuant to NRS 217.462 to 217.471, inclusive.

6. "Victim of domestic violence" includes the dependent children of the victim.

7. "*Victim of human trafficking*" means a person who is a victim of:

(a) *Involuntary servitude as set forth in NRS 200.463 or 200.464.*

(b) *A violation of any provision of NRS 200.465.*

(c) *Trafficking in persons in violation of any provision of NRS 200.467 or 200.468.*

(d) *Sex trafficking in violation of any provision of NRS 201.300.*

(e) *A violation of NRS 201.320.*

8. "Victim of sexual assault" means a person who has been sexually assaulted as defined in NRS 200.366 or a person upon whom a sexual assault has been attempted.

~~§~~ 9. "Victim of stalking" means a person who is a victim of the crime of stalking or aggravated stalking as set forth in NRS 200.575.

**Sec. 50.** NRS 217.462 is hereby amended to read as follows:

217.462 1. An adult person, a parent or guardian acting on behalf of a child, or a guardian acting on behalf of an incompetent person may apply to the Secretary of State to have a fictitious address designated by the Secretary of State serve as the address of the adult, child or incompetent person.

2. An application for the issuance of a fictitious address must include:

(a) Specific evidence showing that the adult, child or incompetent person has been a victim of domestic violence, *human trafficking*, sexual assault or stalking before the filing of the application;

(b) The address that is requested to be kept confidential;

(c) A telephone number at which the Secretary of State may contact the applicant;

(d) A question asking whether the person wishes to:

(1) Register to vote; or

(2) Change the address of his or her current registration;

(e) A designation of the Secretary of State as agent for the adult, child or incompetent person for the purposes of:

(1) Service of process; and

(2) Receipt of mail;

(f) The signature of the applicant;

(g) The date on which the applicant signed the application; and

(h) Any other information required by the Secretary of State.

3. It is unlawful for a person knowingly to attest falsely or provide incorrect information in the application. A person who violates this subsection is guilty of a misdemeanor.

4. The Secretary of State shall approve an application if it is accompanied by specific evidence, such as a copy of an applicable record of conviction, a temporary restraining order or other protective order, that the adult, child or incompetent person has been a victim of domestic violence, *human trafficking*, sexual assault or stalking before the filing of the application.

5. The Secretary of State shall approve or disapprove an application for a fictitious address within 5 business days after the application is filed.

**Sec. 51.** NRS 217.468 is hereby amended to read as follows:

217.468 1. Except as otherwise provided in subsections 2 and 3, the Secretary of State shall cancel the fictitious address of a participant 4 years after the date on which the Secretary of State approved the application.

2. The Secretary of State shall not cancel the fictitious address of a participant if, before the fictitious address of the participant is cancelled, the participant shows to the satisfaction of the Secretary of State that the participant remains in imminent danger of becoming a victim of domestic violence, *human trafficking*, sexual assault or stalking.



3. The Secretary of State may cancel the fictitious address of a participant at any time if:

(a) The participant changes his or her confidential address from the one listed in the application and fails to notify the Secretary of State within 48 hours after the change of address;

(b) The Secretary of State determines that false or incorrect information was knowingly provided in the application; or

(c) The participant files a declaration or acceptance of candidacy pursuant to NRS 293.177 or 293C.185.

**Sec. 52.** NRS 432.153 is hereby amended to read as follows:

432.153 It is the intent of the Legislature that law enforcement agencies in this State give a high priority to the investigation of crimes concerning missing *and exploited* children.

**Sec. 53.** NRS 432.157 is hereby amended to read as follows:

432.157 1. The Office of Advocate for Missing or Exploited Children is hereby created within the Office of the Attorney General. The Advocate for Missing or Exploited Children may be known as the Children's Advocate.

2. The Attorney General shall appoint the Children's Advocate. The Children's Advocate is in the unclassified service of the State.

3. The Children's Advocate:

(a) Must be an attorney licensed to practice law in this state;

(b) Shall advise and represent the Clearinghouse on all matters concerning missing or exploited children in this state; and

(c) Shall advocate the best interests of missing or exploited children before any public or private body.

4. The Children's Advocate may:

(a) Appear as an amicus curiae on behalf of missing or exploited children in any court in this state;

(b) If requested, advise a political subdivision of this state concerning its duty to protect missing or exploited children; ~~and~~

(c) Recommend legislation concerning missing or exploited children ~~[-]~~ ;  
*and*

*(d) Investigate and prosecute any alleged crime involving the exploitation of children, including, without limitation, sex trafficking in violation of subsection 2 of NRS 201.300 or a violation of NRS 201.320.*

5. Upon request by the Children's Advocate, a district attorney or local law enforcement agency in this state shall provide all information and assistance necessary to assist the Children's Advocate in carrying out the provisions of this section.

6. *The Children's Advocate may apply for any available grants and accept gifts, grants, bequests, appropriations or donations to assist the*

*Children's Advocate in carrying out his or her duties pursuant to this section. Any money received by the Children's Advocate must be deposited in the Special Account for the Support of the Office of Advocate for Missing or Exploited Children, which is hereby created in the State General Fund.*

*7. Interest and income earned on money in the Special Account must be credited to the Special Account.*

*8. Money in the Special Account may only be used for the support of the Office of Advocate for Missing or Exploited Children and its activities pursuant to subsection 2 of NRS 201.300, NRS 201.320 and 432.150 to 432.220, inclusive.*

*9. Money in the Special Account must remain in the Special Account and must not revert to the State General Fund at the end of any fiscal year.*

**Sec. 54.** (Deleted by amendment.)

**Sec. 55.** NRS 201.310, 201.330 and 201.340 are hereby repealed.

**Sec. 56.** This act becomes effective on July 1, 2013.

#### **TEXT OF REPEALED SECTIONS**

##### **201.310 Pandering: Placing spouse in brothel; penalties.**

1. A person who by force, fraud, intimidation or threats, places, or procures any other person to place, his or her spouse in a house of prostitution or compels his or her spouse to lead a life of prostitution is guilty of pandering and shall be punished:

(a) Where physical force or the immediate threat of physical force is used upon the spouse, for a category C felony as provided in NRS 193.130.

(b) Where no physical force or immediate threat of physical force is used, for a category D felony as provided in NRS 193.130.

2. Upon the trial of any offense mentioned in this section, either spouse is a competent witness for or against the other spouse, with or without the other's consent, and may be compelled so to testify.

##### **201.330 Pandering: Detaining person in brothel because of debt; penalties.**

1. A person who attempts to detain another person in a disorderly house or house of prostitution because of any debt or debts the other person has contracted or is said to have contracted while living in the house is guilty of pandering.

2. A person who is found guilty of pandering:

(a) An adult:

(1) If physical force or the immediate threat of physical force is used upon the adult, is guilty of a category C felony and shall be punished as provided in NRS 193.130.

(2) If no physical force or immediate threat of physical force is used upon the adult, is guilty of a category D felony and shall be punished as provided in NRS 193.130.

(b) A child:

(1) If physical force or the immediate threat of physical force is used upon the child, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years and may be further punished by a fine of not more than \$20,000.

(2) If no physical force or immediate threat of physical force is used upon the child, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years and may be further punished by a fine of not more than \$10,000.

**201.340 Pandering; Furnishing transportation; penalties.**

1. A person who knowingly transports or causes to be transported, by any means of conveyance, into, through or across this state, or who aids or assists in obtaining such transportation for a person with the intent to induce, persuade, encourage, inveigle, entice or compel that person to become a prostitute or to continue to engage in prostitution is guilty of pandering.

2. A person who is found guilty of pandering:

(a) An adult:

(1) If physical force or the immediate threat of physical force is used upon the adult, is guilty of a category C felony and shall be punished as provided in NRS 193.130.

(2) If no physical force or immediate threat of physical force is used upon the adult, is guilty of a category D felony and shall be punished as provided in NRS 193.130.

(b) A child:

(1) If physical force or the immediate threat of physical force is used upon the child, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years and may be further punished by a fine of not more than \$20,000.

(2) If no physical force or immediate threat of physical force is used upon the child, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years and may be further punished by a fine of not more than \$10,000.

3. A person who violates subsection 1 may be prosecuted, indicted, tried and convicted in any county or city in or through which he or she transports or attempts to transport the person.

Assemblyman Frierson moved that the Assembly concur in the Senate Amendment No. 912 to Assembly Bill No. 67.

Remarks by Assemblyman Frierson.

ASSEMBLYMAN FRIERSON:

Thank you, Madam Speaker. Amendment 912 took out some unintended provisions dealing with living off the earnings to focus on trafficking itself.

Motion carried by a constitutional majority.

Bill ordered to enrollment.

#### APPOINTMENT OF CONFERENCE COMMITTEES

Madam Speaker appointed Assemblymen Aizley, Elliot Anderson, and Fiore as a Conference Committee to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 98.

Madam Speaker appointed Assemblymen Bustamante Adams, Healey, and Ellison as a Conference Committee to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 349.

#### REPORTS OF COMMITTEES

*Madam Speaker:*

Your Committee on Government Affairs, to which was referred Senate Bill No. 56, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

TERESA BENITEZ-THOMPSON, *Chair*

*Madam Speaker:*

Your Committee on Judiciary, to which was referred Senate Bill No. 395, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JASON FRIERSON, *Chair*

*Madam Speaker:*

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 505, 507, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, Your Committee on Ways and Means, to which was referred Assembly Bill No. 474, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Ways and Means, to which was rereferred Assembly Bill No. 167, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

Also, your Committee on Ways and Means, to which was rereferred Assembly Bill No. 360, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MAGGIE CARLTON, *Chair*

## MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Horne moved that Assembly Bills Nos. 505, 507; Senate Bills Nos. 56, 395, just reported out of committee, be placed on the Second Reading File.

Motion carried.

Madam Speaker announced if there were no objections, the Assembly would recess subject to the call of the Chair.

Assembly in recess at 1:05 p.m.

## ASSEMBLY IN SESSION

At 1:10 p.m.

Madam Speaker presiding.

Quorum present.

Assemblyman Horne moved that Assembly Bill No. 474, just reported out of committee, be placed at the top of the Second Reading File.

Motion carried.

## SECOND READING AND AMENDMENT

Assembly Bill No. 474.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 943.

AN ACT making appropriations to restore the balances in the Stale Claims Account, Emergency Account, Reserve for Statutory Contingency Account and Contingency Account; and providing other matters properly relating thereto.

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

**Section 1.** There is hereby appropriated from the State General Fund to the:

1. Stale Claims Account created by NRS 353.097 the sum of \$3,000,000 to restore the balance in the Account.
2. Emergency Account created by NRS 353.263 the sum of \$100,000 to restore the balance in the Account.
3. Reserve for Statutory Contingency Account created by NRS 353.264 the sum of \$3,000,000 to restore the balance in the Account.
4. Contingency Account created by NRS 353.266 the sum of ~~\$5,800,000~~ **\$8,300,000** to restore the balance in the Account.

**Sec. 2.** This act becomes effective upon passage and approval.

Assemblywoman Carlton moved the adoption of the amendment.

Remarks by Assemblywoman Carlton.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 505.

Bill read second time and ordered to third reading.

Assembly Bill No. 507.

Bill read second time and ordered to third reading.

Senate Bill No. 395.

Bill read second time and ordered to third reading.

Senate Bill No. 56.

Bill read second time and ordered to third reading.

#### MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Carlton moved that, upon return from the printer, Assembly Bill No. 474 be placed on the Chief Clerk's desk.

Motion carried.

Assemblywoman Carlton moved that Assembly Bills Nos. 505 and 507 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

#### INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 510—AN ACT relating to public employees; establishing the maximum allowed salaries for certain employees in the classified and unclassified service of the State; requiring employees of the State to take a certain number of days of unpaid furlough leave during the 2013-2015 biennium; providing exceptions to the furlough requirement; making appropriations from the State General Fund and State Highway Fund for the salaries of certain employees of the State; extending the temporary suspension of the semiannual payment of longevity pay during the 2013-2015 biennium; extending the temporary suspension of merit pay increases during Fiscal Year 2013-2014; and providing other matters properly relating thereto.

Assemblywoman Carlton moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

## GENERAL FILE AND THIRD READING

Assembly Bill No. 423.

Bill read third time.

Remarks by Assemblyman Ohrenschall.

ASSEMBLYMAN OHRENSCHALL:

Thank you, Madam Speaker. I rise in support of Assembly Bill 423. Assembly Bill 423 requires the Division of Parole and Probation of the Department of Public Safety to disclose the factual content of a presentence investigation report and the division's recommendations to the sentencing court to the defendant, the court, the defendant's attorney, and the prosecuting attorney not later than a certain number of days before sentencing, unless the defendant waives that minimum period. For the period beginning on October 1, 2013, and ending February 28, 2014, disclosure must take place at least seven days prior to sentencing. For the period beginning March 1, 2014, and ending September 30, 2014, the disclosure must take place at least 14 days before sentencing. After October 1, 2014, the disclosure must take place at least 21 days before sentencing.

Assembly Bill 423 hopes to clarify some of the confusion that was brought up by the Supreme Court decision in the Stockmeyer case, and it will be a benefit all around to both sides of the bar—the criminal defense bar and the prosecution bar—because there will be less doubt as to the accuracy of presentence investigation reports.

Roll call on Assembly Bill No. 423:

YEAS—42.

NAYS—None.

Assembly Bill No. 423 having received a constitutional majority, Madam Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 428.

Bill read third time.

Remarks by Assemblyman Bobzien.

ASSEMBLYMAN BOBZIEN:

Thank you, Madam Speaker. Assembly Bill 428 makes changes to renewable energy incentive programs. It places statewide limits on the incentives paid for the solar, wind, and waterpower programs and extends the prospective expiration of those programs from December 31, 2021, to December 31, 2025. The bill requires the Public Utilities Commission of Nevada to adopt regulations relating to market-based incentives for the Solar Energy Systems Incentive Program. Incentives for the Program must be performance-based, and the bill requires the participant to prove that the solar energy system has been installed and energized before receiving any incentive payment. The bill requires the PUCN to establish customer categories participating in the Program and authorizes the agency to adopt criteria and capacity limitations for participation in the Program. Program participants are required to participate in net metering in order to be eligible.

Similarly, A.B. 428 requires the PUCN to establish the categories for the Wind Energy Systems Demonstration Program and the Waterpower Energy Systems Demonstration Program. The bill limits the total amount paid to program participants and establishes a maximum nameplate capacity of 500 kilowatts. The wind program incentive is based on the performance and amount of energy generated by the system. Eligibility for either program requires participation in net metering.

Assembly Bill 428 further requires each electric utility to create a Lower Income Solar Energy Pilot Program. The measure authorizes a utility to assess certain charges against net metering participants, and it requires the PUCN to open an investigatory docket to evaluate the costs and benefits attributable to net metering. Additionally, A.B. 428 requires the Consumer's Advocate to publish a report containing certain information if the office declines to represent the public interest in a proceeding to review a proposed rate of an electric utility. Finally, the bill establishes the Legislative Committee on Energy and sets out the membership, duties, powers, and responsibilities of the Committee.

When the history of this session is written, this will be one of the bills most talked about in terms of energy. This Legislature is considering a lot of big policy proposals this session and in particular, I'm confident the Legislative Committee on Energy section of this bill will prove to be very important as we move Nevada into an energy future that is beneficial to all its citizens. This Legislative Committee on Energy provides the necessary policy oversight—not regulatory oversight—of all the various proposals that we are potentially enacting this session relating to energy.

I also want to mention that the distributive generation piece to this is many years in the making. Similar proposals actually went into a bill last session that was vetoed by the Governor, not because of the distributive generation pieces, but because of other matters that went into the bill late in the session. I'm very proud and thankful for all of the participants, industry advocates, and the utility for coming together and working through this language. I urge passage.

Roll call on Assembly Bill No. 428:

YEAS—36.

NAYS—Duncan, Ellison, Fiore, Hansen, Livermore, Wheeler—6.

Assembly Bill No. 428 having received a constitutional majority, Madam Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 502.

Bill read third time.

Remarks by Assemblywoman Carlton.

ASSEMBLYWOMAN CARLTON:

Thank you, Madam Speaker. Assembly Bill 502 authorizes the expenditure of \$1,262,000 by the Board of Regents from the Estate Tax Account in the Endowment Fund of the Nevada System of Higher Education for the design and construction of two buildings on the principal campus of the Nevada State College in Henderson, Nevada. Assembly Bill 502 allows for the expenditure of the balance of estate tax receipts held by the Nevada System of Higher Education on behalf of Nevada State College to either defer or reduce the impact of the Special Building Fee approved by the students of Nevada State College for the design and construction of those student activity buildings.

Assembly Bill 502 is effective upon passage and approval. It will allow some relief for students who will be paying these fees but not getting the benefits of those buildings in the future so, in essence, by using these dollars we can lower students' fees.

Roll call on Assembly Bill No. 502:

YEAS—42.

NAYS—None.



Assembly Bill No. 502 having received a constitutional majority, Madam Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 44.

Bill read third time.

Remarks by Assemblywoman Woodbury.

ASSEMBLYWOMAN WOODBURY:

Thank you, Madam Speaker. Senate Bill 44 revises various provisions concerning grants or loans from the Disaster Relief Account. Specifically, the bill removes the requirement that a federal agency making a grant to the state DRA must be a disaster assistance agency, which will allow money granted or loaned from the DRA to be used to match a grant from any federal agency. The bill makes a similar change with respect to money from a local government fund established to mitigate a natural disaster, and it expands the purposes for which grant money may be used to include the removal of debris from publicly or privately owned land and waterways undertaken because of the disaster.

Roll call on Senate Bill No. 44:

YEAS—42.

NAYS—None.

Senate Bill No. 44 having received a constitutional majority, Madam Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 164.

Bill read third time.

Remarks by Assemblywoman Fiore.

ASSEMBLYWOMAN FIORE:

Thank you, Madam Speaker. Senate Bill 164 requires the State Board of Education and the board of trustees of each school district to include certain information about bullying incidents in their annual accountability reports, including incidents of bullying, cyber-bullying, harassment, and intimidation. The measure also requires each school to develop a plan for instructional delivery for the annual “Week of Respect” proclaimed by the Governor.

The measure further provides additional requirements for the training of school personnel, as well as for members of school boards of trustees. School site administrators are required to receive training at least every three years from a program established by the Department of Education. Finally, parents are to be notified concerning incidents of bullying, cyber-bullying, harassment, and intimidation involving their child.

Roll call on Senate Bill No. 164:

YEAS—42.

NAYS—None.

Senate Bill No. 164 having received a constitutional majority, Madam Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 430.

Bill read third time.

Remarks by Assemblywoman Carlton.

ASSEMBLYWOMAN CARLTON:

Thank you, Madam Speaker. I rise in support of Senate Bill 430. It enables a new technology to be used to track and report on taxis. A technology fee will be by regulation—a tariff on each trip of the taxi. It has the parameters of the technology. I will defer to other colleagues in this room if there are any questions on the exact technology and would be happy to try to answer any questions. It has been a very well vetted bill.

Roll call on Senate Bill No. 430:

YEAS—41.

NAYS—Fiore.

Senate Bill No. 430 having received a two-thirds majority, Madam Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assemblyman Horne moved that the Assembly recess until 5 p.m.

Motion carried.

Assembly in recess at 1:36 p.m.

#### ASSEMBLY IN SESSION

At 5:31 p.m.

Madam Speaker presiding.

Quorum present.

#### REPORTS OF COMMITTEES

*Madam Speaker:*

Your Committee on Education, to which was referred Senate Bill No. 407, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ELLIOT T. ANDERSON, *Chair*

*Madam Speaker:*

Your Committee on Health and Human Services, to which were referred Senate Bills Nos. 452, 502, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARILYN DONDERO LOOP, *Chair*

*Madam Speaker:*

Your Committee on Legislative Operations and Elections, to which was referred Assembly Bill No. 509, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES OHRENSCHALL, *Chair*

*Madam Speaker:*

Your Committee on Natural Resources, Agriculture, and Mining, to which was referred Senate Bill No. 390, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

SKIP DALY, *Chair*

*Madam Speaker:*

Your Committee on Taxation, to which was referred Assembly Bill No. 506, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

IRENE BUSTAMANTE ADAMS, *Chair*

*Madam Speaker:*

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 335, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MAGGIE CARLTON, *Chair*

#### MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 1, 2013

*To the Honorable the Assembly:*

It is my pleasure to inform your esteemed body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 202, Senate Amendments Nos. 673, 829, 867, and requests a conference, and appointed Senators Segerblom, Ford and Brower as a Conference Committee to meet with a like committee of the Assembly.

Also, it is my pleasure to inform your esteemed body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 262, Senate Amendment No. 639, and requests a conference, and appointed Senators Ford, Jones and Hutchison as a Conference Committee to meet with a like committee of the Assembly.

Also, it is my pleasure to inform your esteemed body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 313, Senate Amendments Nos. 740, 888, and requests a conference, and appointed Senators Segerblom, Kihuen and Brower as a Conference Committee to meet with a like committee of the Assembly.

Also, it is my pleasure to inform your esteemed body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 378, Senate Amendment No. 754, and requests a conference, and appointed Senators Segerblom, Kihuen and Hutchison as a Conference Committee to meet with a like committee of the Assembly.

Also, it is my pleasure to inform your esteemed body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 415, Senate Amendment No. 706, and requests a conference, and appointed Senators Ford, Jones and Hammond as a Conference Committee to meet with a like committee of the Assembly.

Also, it is my pleasure to inform your esteemed body that the Senate on this day passed, as amended, Senate Bills Nos. 261, 500, 516.

Also, it is my pleasure to inform your esteemed body that the Senate on this day concurred in the Assembly Amendments Nos. 648, 797 to Senate Bill No. 252.

Also, it is my pleasure to inform your esteemed body that the Senate on this day appointed Senators Atkinson, Jones and Hardy as a Conference Committee concerning Senate Bill No. 49.

Also, it is my pleasure to inform your esteemed body that the Senate on this day appointed Senators Jones, Smith and Kieckhefer as a Conference Committee concerning Senate Bill No. 176.

Also, it is my pleasure to inform your esteemed body that the Senate on this day appointed Senators Smith, Parks and Kieckhefer as a Conference Committee concerning Senate Bill No. 185.

Also, it is my pleasure to inform your esteemed body that the Senate on this day appointed Senators Jones, Segerblom and Hardy as a Conference Committee concerning Senate Bill No. 450.

SHERRY L. RODRIGUEZ  
*Assistant Secretary of the Senate*

## UNFINISHED BUSINESS

## APPOINTMENT OF CONFERENCE COMMITTEES

Madam Speaker appointed Assemblymen Ohrenschall, Diaz, and Hansen as a Conference Committee to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 202.

Madam Speaker appointed Assemblymen Cohen, Ohrenschall, and Fiore as a Conference Committee to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 262.

Madam Speaker appointed Assemblymen Diaz, Carrillo, and Fiore as a Conference Committee to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 313.

## MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Horne moved that Assembly Bills Nos. 335, 506, 509; Senate Bills Nos. 390, 407, 452, 502, just reported out of committee, be placed on the Second Reading File.

Motion carried.

## UNFINISHED BUSINESS

## APPOINTMENT OF CONFERENCE COMMITTEES

Madam Speaker appointed Assemblymen Frierson, Diaz, and Fiore as a Conference Committee to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 415.

Madam Speaker appointed Assemblymen Dondero Loop, Bustamante Adams, and Duncan as a Conference Committee to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 378.

## SECOND READING AND AMENDMENT

Assembly Bill No. 335.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 917.

AN ACT relating to public improvements; creating and providing for the dissolution of the University of Nevada, Las Vegas, Campus Improvement Authority; providing for the appointment of a Board of Directors thereof and prescribing the powers and duties of the Authority and the Board; providing for **the Board to study the feasibility of and** the financing ~~of construction and operation of~~ **alternatives for** a large events center and certain other

public improvements; ~~[exempting the property and transactions of the Authority from state and local taxation.]~~ and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

This bill sets forth the University of Nevada, Las Vegas, Campus Improvement Authority Law. **Section 16** of this bill creates the Authority as a political subdivision of this State whose boundaries are the same as the boundaries of the ~~[tax increment]~~ **Authority** area described in ~~section [13]~~ **4.5** of this bill, which consists essentially of property that is owned or leased by the Nevada System of Higher Education and that is a part of or in the vicinity of the University of Nevada, Las Vegas, campus, ~~for is administered by that University.~~ ~~Section 31 of this bill exempts the property and transactions of the Authority from state and local taxation to the same extent as the property and transactions of the Nevada System of Higher Education.]~~ **Sections 17 and 18** of this bill set forth the qualifications and the procedure for the appointment of the members of the Board of Directors of the Authority.

**Section 23** of this bill prescribes the general powers of the Board of Directors of the Authority. Those powers include the authority to ~~construct and operate a large events center in and otherwise develop the tax increment area, and to impose various fees and charges for any services or facilities furnished in connection with that undertaking, if those actions are allowed under a lease or management agreement made with the Nevada System of Higher Education.]~~ enter into contracts and other agreements necessary to conduct the business of the Authority, except that such contracts and agreements may not include contracts or agreements relating to the construction, acquisition, lease, lease-purchase, gift, equipment, maintenance, insurance, operation, management, promotion or advertising of any undertaking or any part thereof. **Section 24.5 of this bill prescribes the duties of the Board of Directors of the Authority. Those duties include studying the need for, feasibility of and financing alternatives for a large events center and other required infrastructure and supporting improvements in the Authority area. The Board of Directors must also prepare a report of the results of the study of the Board, including any recommendations for legislation, for transmittal to the 78th Session of the Nevada Legislature.** **Section 24.7 of this bill authorizes the University of Nevada, Las Vegas to use not more than 2 percent of any money received from the issuance of certain bonds by the Board of Regents of the University of Nevada to provide money to the Authority to carry out the provisions of the University of Nevada, Las Vegas, Campus Improvement Authority Law.**

~~[ Section 25 of this bill generally exempts such an undertaking from laws requiring competitive bidding or specifying procedures for the procurement of goods or services, and from the statutory provisions governing public works projects, except that the pertinent construction contracts must comply with the statutory prevailing wage provisions and, if the Authority determines that a contract can be competitively bid without affecting the quality of the project, must be competitively bid in accordance with procedures established by the Authority.~~

~~—Section 26 of this bill requires the deposit into a tax increment account of the amounts by which certain taxes collected in or paid with respect to any property or activities in the tax increment area for each fiscal year beginning on or after July 1, 2014, exceed the amounts of those taxes for the fiscal year beginning on July 1, 2012. Pursuant to section 8 of this bill, those taxes consist of all property taxes, the payroll taxes imposed on financial institutions and other businesses, the live entertainment tax, the state sales and use tax, the sales and use tax imposed pursuant to the City County Relief Tax Law, the slot tax imposed on restricted gaming operations and all room taxes. Section 29 of this bill authorizes the Board of Directors of the Authority to issue securities to pay the cost of its undertakings which are payable solely from the taxes deposited in the tax increment account and various other revenues of the Authority described in section 9 of this bill. Section 34 of this bill authorizes the refunding of those securities by Clark County pursuant to the County Bond Law.~~

~~—Section 24 of this bill prohibits the Board of Directors of the Authority from using any money in the tax increment account unless the Board has entered into a lease or management agreement with the Nevada System of Higher Education which authorizes a specific undertaking. If the Board fails to enter into such an agreement on or before June 30, 2017, section 40 of this bill terminates the further deposit of taxes into the tax increment account and section 35 of this bill requires the Board to return the taxes already deposited in the tax increment account for distribution in the same manner as if those taxes had not been deposited into that account, and to dissolve the Authority.]~~

**Section 40** of this bill will cause this bill to expire by limitation on August 31, 2013, if the Board of Regents of the University of Nevada does not make its appointments to the membership of the Board of Directors of the Authority ~~by~~ **on or before** that date. Otherwise, this bill will expire by limitation ~~[upon the dissolution of the Authority.]~~ **on October 1, 2015.**

Pursuant to **section 35** of this bill, the assets of the Authority, **to the extent that such assets are not needed to satisfy any outstanding obligations of the Authority,** become the property of the Nevada System of Higher Education upon the dissolution of the Authority. ~~[except that if the dissolution occurs before the Authority uses any money in the tax increment~~

~~account, that money must be returned for distribution in the same manner as if those taxes had not been deposited into that account.]~~

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

**Section 1.** This act may be known and cited as the University of Nevada, Las Vegas, Campus Improvement Authority Law.

**Sec. 2.** The Legislature hereby finds and declares that:

1. The provisions of this act are necessary to carry out the following public purposes:

(a) ~~Alleviating]~~ **Considering facilities located in the Authority area that may assist in alleviating** the effect of the recent economic downturn on the largest tourism market in this State.

(b) ~~Satisfying the substantial]~~ **Studying the** need for **and feasibility of** a large events center in the ~~Las Vegas]~~ **Authority** area to:

(1) Attract and retain large sports and entertainment events in the largest tourism market in this State; ~~and]~~

(2) Assist the Las Vegas area in its continuing competition to remain a premier center for entertainment in the world ~~]; and]~~

~~(c) Benefitting]~~

**(3) Benefit** the University of Nevada, Las Vegas, and the University community by providing a large events center for use by the University and others at a location that is convenient for the University community.

~~(d) Satisfying]~~

**(c) Studying** the need for ~~the]~~ **and feasibility of** new development of space on the campus of the University of Nevada, Las Vegas, to enhance campus living, increase the quantity and quality of residences available on the campus, and to further develop other nonclassroom improvements and activities on the campus.

~~(e)]~~ **(d)** Providing synergy and cost savings to carry out the purposes described in paragraphs (a) ~~to (d), inclusive,]~~ **, (b) and (c)** by taking action on those purposes through a single, coordinated approach.

~~(f) Alleviating the financial difficulties facing the University and the economy of this State as a result of the national economic recession.]~~

2. A general law cannot be made applicable to the purposes, objects, powers, rights, privileges, immunities, liabilities, duties and disabilities set forth in this act because of the great variety of atypical factors and special conditions relating thereto.

3. The powers, rights, privileges, immunities, liabilities, duties and disabilities set forth in this act comply in all respects with any requirement or limitation pertaining thereto and imposed by any constitutional provision.

~~[ 4. In adopting this act, it is the intention of the Legislature that the University of Nevada, Las Vegas, Campus Improvement Authority, any construction or project manager of the Authority and any contractor or subcontractor of either of them:~~

~~— (a) Should provide for the preferential hiring of Nevada residents to the extent otherwise required by law; and~~

~~— (b) Should not be allowed to use the provisions of this act to:~~

~~— (1) Engage in or allow any bid shopping; or~~

~~— (2) Avoid or circumvent any legal requirements pertaining to the payment of prevailing wages with regard to any undertaking authorized by this act.]~~

**Sec. 3.** Except as otherwise provided in this act or unless the context otherwise requires, **the** terms used or referred to in this act have the meanings ascribed to them in the Local Government Securities Law, but the definitions set forth in sections 4 to 15, inclusive, of this act, unless the context otherwise requires, govern the construction of this act.

**Sec. 4.** “Authority” means the University of Nevada, Las Vegas, Campus Improvement Authority.

**Sec. 4.5. “Authority area” means the area that consists of:**

**1. All of the property within the area bounded by Maryland Parkway, Tropicana Avenue, Swenson Street and Flamingo Avenue in Clark County which is either:**

**(a) Owned by the System or a related entity on the effective date of this act; or**

**(b) Being leased to the System or a related entity on the effective date of this act under a lease with a term of at least 20 years remaining after the effective date of this act;**

**2. All other parcels of property that are administered by the University or constitute a part of the campus of the University which are:**

**(a) Contiguous, except for any public or utility rights-of-way, to the property described in subsection 1; and**

**(b) Either:**

**(1) Owned by the System or a related entity on the effective date of this act; or**

**(2) Being leased to the System or a related entity on the effective date of this act under a lease with a term of at least 20 years remaining after the effective date of this act; and**

**3. Any public or utility rights-of-way located within or immediately adjacent to any of the property described in subsections 1 and 2.**

**Sec. 5.** “Board of Directors” means the Board of Directors of the Authority.



**Sec. 6.** “Board of Regents” means the Board of Regents of the University of Nevada.

**Sec. 7.** “County” means Clark County, Nevada.

**Sec. 8.** ~~“Designated taxes” means:~~

- ~~1. The taxes imposed pursuant to chapter 361 of NRS;~~
- ~~2. The tax imposed by NRS 363A.130;~~
- ~~3. The tax imposed by NRS 363B.110;~~
- ~~4. The tax imposed by NRS 368A.200;~~
- ~~5. The taxes imposed by the Sales and Use Tax Act;~~
- ~~6. The taxes imposed pursuant to the City-County Relief Tax Law;~~
- ~~7. The fees required by NRS 463.373; and~~
- ~~8. The taxes imposed on revenue from the rental of transient lodging pursuant to the laws of this State.] (Deleted by amendment.)~~

**Sec. 9.** ~~“Pledged revenues” means:~~

- ~~1. Any of the designated taxes deposited in the tax increment account pursuant to this act.~~
- ~~2. Any of the following to the extent that they are lawfully made available to the Authority for expenditure upon or to pledge for the financing of any undertakings or other activities of the Authority pursuant to this act:~~
  - ~~(a) Any fees imposed in lieu of any of the designated taxes which are imposed to make up for any of those taxes that are not collected as a result of any property, transaction or activity in the tax increment area being wholly or partially exempt from the particular tax and which:
 
    - ~~(1) The Authority imposes on property, transactions or activities located or occurring on property owned or leased by the Authority; or~~
    - ~~(2) The Board of Regents, in its sole discretion, determines to impose and, in accordance with a cooperative agreement between the System and the Authority entered into pursuant to chapter 277 of NRS, to make available for the pledge of and use by the Authority for a designated period.~~~~
  - ~~(b) Any revenue from any undertaking wholly owned by the Authority.~~
  - ~~(c) Any money provided to the Authority by the Federal Government, any other governmental entity or any other person or entity.~~
  - ~~(d) Any money received by the Authority pursuant to any contract or other agreement between the Authority and the System, any related entity or any other person or entity pertaining to any undertaking or securities authorized pursuant to this act.~~
- ~~3. All or any designated portion of the revenue from any designated project or facility located in the tax increment area, other than any undertaking wholly owned by the Authority, which:
 
  - ~~(a) The Board of Regents, in its sole discretion, determines to make available, in accordance with a cooperative agreement between the System~~~~

~~and the Authority entered into pursuant to chapter 277 of NRS, for the pledge of and use by the Authority for a designated period;~~

~~— (b) Is not pledged for the payment of any securities of the System; and~~

~~— (c) The Board of Regents determines in writing:~~

~~— (1) Is not needed for the payment of any outstanding or contemplated securities of the System; and~~

~~— (2) Can be made available for the pledge of or use by the Authority on a subordinate or similar basis in a manner that:~~

~~— (I) Does not violate any covenants concerning any revenues that are pledged for the payment of any securities of the System;~~

~~— (II) Does not violate any contract of the System; and~~

~~— (III) Will not prevent the System from continuing to issue securities with the same pledge of revenues as that being made to the holders of the System's currently outstanding securities.] **(Deleted by amendment.)**~~

**Sec. 10.** “Related entity” means:

1. The Board of Regents;

2. The University;

3. Any university foundation, as defined in NRS 396.405, which is organized and operated primarily for the purpose of fundraising in support of the University; and

4. Any nonprofit corporation formed pursuant to NRS 396.801.

**Sec. 11.** “System” means the Nevada System of Higher Education.

**Sec. 12.** ~~["Tax increment account" means the special account created pursuant to section 22 of this act.] **(Deleted by amendment.)**~~

**Sec. 13.** ~~[1. “Tax increment area” means, except as otherwise provided in subsection 2, the area that consists of:~~

~~— (a) All of the property within the area bounded by Maryland Parkway, Tropicana Avenue, Swenson Street and Flamingo Avenue in Clark County which is either:~~

~~— (1) Owned by the System or a related entity on the effective date of this act; or~~

~~— (2) Being leased to the System or a related entity on the effective date of this act under a lease with a term of at least 20 years remaining after the effective date of this act;~~

~~— (b) All other parcels of property that are administered by the University or constitute a part of the campus of the University which are:~~

~~— (1) Contiguous, except for any public or utility rights of way, to the property described in paragraph (a); and~~

~~— (2) Either:~~

~~— (I) Owned by the System or a related entity on the effective date of this act; or~~

~~(H) Being leased to the System or a related entity on the effective date of this act under a lease with a term of at least 20 years remaining after the effective date of this act;~~

~~(c) Any property added to the tax increment area after the effective date of this act pursuant to section 28 of this act; and~~

~~(d) Any public or utility rights of way located within or immediately adjacent to any of the property described in paragraphs (a), (b) and (c).~~

~~2. "Tax increment area" does not include any property in any area or district described in section 30 of this act. **(Deleted by amendment.)**~~

**Sec. 14.** "Undertaking" means any enterprise to acquire, construct, improve, equip, operate or maintain, or any combination thereof, a large events center that serves to carry out the purposes described in ~~paragraphs~~ **paragraph** (b) ~~and (c)~~ of subsection 1 of section 2 of this act and such other projects, improvements or facilities deemed by the Authority to be necessary or desirable to the development or redevelopment of the ~~tax increment~~ **Authority** area, and which are located in or serve property in the ~~tax increment~~ **Authority** area, and all necessary or desirable appurtenances or incidentals thereof, which enterprise is authorized under the terms of any lease, ground lease or management agreement between the Authority and the System that relates to all or any portion of the location of the enterprise.

**Sec. 15.** "University" means the University of Nevada, Las Vegas.

**Sec. 16.** 1. The University of Nevada, Las Vegas, Campus Improvement Authority is hereby created.

2. The Authority constitutes:

(a) A body corporate and politic; and

(b) A political subdivision of this State, the boundaries of which are coterminous with the boundaries of the ~~tax increment~~ **Authority** area.

**Sec. 17.** 1. The Authority must be governed by a Board of Directors consisting of ~~nine~~ **11** members to be appointed as follows:

(a) Four members must be appointed by the Board of Regents. One of these members must be either a member of the Board of Regents or an officer of the University and the remainder must be members of the Board of Regents.

(b) One member must be appointed by the Governor.

(c) One member must be appointed by the **Majority Leader of the Senate.**

**(d) One member must be appointed by the Speaker of the Assembly.**

**(e) One member must be appointed by the** Board of County Commissioners of the County and must be either a member of the Board of County Commissioners or an officer of the County.

~~(d)~~ **(f)** One member must be appointed by the County Fair and Recreation Board of the County and must be a member of the County Fair

and Recreation Board who is not also a member of the Board of County Commissioners of the County.

~~[(e)]~~ **(g)** Two members must be appointed by the members appointed pursuant to paragraphs (a) to ~~[(d)]~~ **(f)**, inclusive ~~f, ]~~ **from a list of nominees prepared by the County Fair and Recreation Board of the County.** Each of these members must be employed in an executive position in the County by a business in the tourism, hotel and gaming industry. **If the members appointed pursuant to paragraphs (a) to (f), inclusive, find the nominees on a list submitted pursuant to this paragraph unacceptable, they shall request a new list of nominees from the County Fair and Recreation Board, and the Board shall prepare such a list.**

2. A vacancy in the Board of Directors occurs when a member:

- (a) Dies or resigns;
- (b) Is removed, with or without cause, by the person or entity who appointed that member; or
- (c) ~~[(Ceases)]~~ **Except as otherwise provided in subsection 3, ceases** to be qualified for appointment as a member pursuant to the pertinent provisions of paragraph (a), ~~[(e), (d) or]~~ **(e), (f) or (g)** of subsection 1.

3. A vacancy in the Board of Directors must be filled for the remainder of the unexpired term in the same manner as the original appointment pursuant to subsection 1, except that, notwithstanding any provision of this section to the contrary, a member appointed pursuant to paragraph ~~[(e)]~~ **(g)** of subsection 1 whose position becomes vacant as the result of his or her cessation of employment in an executive position in the County by a business in the tourism, hotel and gaming industry may be reappointed to serve the remainder of his or her unexpired term.

4. No member of the Board of Directors may receive any compensation for serving as a member or officer of the Board or as an employee of the Board or the Authority.

5. The members of the Board of Directors constitute public officers for the purposes of chapter 281A of NRS.

**Sec. 18.** 1. On or before August 31, 2013, the Board of Regents may appoint ~~f,~~

~~—(a) Two]~~ **four** of the members of the Board of Directors pursuant to paragraph (a) of subsection 1 of section 17 of this act to ~~initial] terms that~~ commence on October 1, 2013, and expire on September 30, 2015, ~~f, and~~

~~—(b) Two of the members of the Board of Directors pursuant to paragraph (a) of subsection 1 of section 17 of this act to initial terms that commence on October 1, 2013, and expire on September 30, 2017.~~

~~→]~~ The provisions of this subsection do not require the Board of Regents to make the appointments authorized by this subsection. Any determination by

the Board of Regents to make those appointments is in the sole discretion of the Board of Regents.

2. If the Board of Regents makes the appointments authorized by subsection 1:

(a) The Governor shall, on or before September 30, 2013, appoint the member of the Board of Directors pursuant to paragraph (b) of subsection 1 of section 17 of this act to ~~an initial~~ a term that commences on October 1, 2013, and expires on September 30, 2015;

**(b) The Majority Leader of the Senate shall, on or before September 30, 2013, appoint the member of the Board of Directors pursuant to paragraph (c) of subsection 1 of section 17 of this act to a term that commences on October 1, 2013, and expires on September 30, 2015;**

**(c) The Speaker of the Assembly shall, on or before September 30, 2013, appoint the member of the Board of Directors pursuant to paragraph (d) of subsection 1 of section 17 of this act to a term that commences on October 1, 2013, and expires on September 30, 2015;**

~~(d)~~ The Board of County Commissioners of the County shall, on or before September 30, 2013, appoint the member of the Board of Directors pursuant to paragraph ~~((e))~~ (e) of subsection 1 of section 17 of this act to an initial term that commences on October 1, 2013, and expires on September 30, ~~2017;~~ 2015; and

~~((e))~~ (e) The County Fair and Recreation Board of the County shall, on or before September 30, 2013, ~~appoint~~ ;

**(1) Appoint** the member of the Board of Directors pursuant to paragraph ~~((d))~~ (f) of subsection 1 of section 17 of this act to an initial term that commences on October 1, 2013, and expires on September 30, ~~2017;~~ 2015; and

**~~((d))~~ (2) Prepare a list of not less than two nominees to be appointed pursuant to paragraph (g) of subsection 1 of section 17 of this act and submit the list to the members of the Board of Directors appointed pursuant to subsection 1 and paragraphs (a) to (d), inclusive, of subsection 2.**

**3.** The members of the Board of Directors appointed pursuant to subsection 1 and paragraphs ~~((a), (b) and (e))~~ (a) to (e), inclusive, of subsection 2 shall, on or before October 31, 2013, appoint ~~;~~

~~(1) One~~ two of the members of the Board of Directors pursuant to paragraph ~~((e))~~ (g) of subsection 1 of section 17 of this act to an initial term that expires on September 30, 2015. ~~;~~ and

~~(2) One of the members of the Board of Directors pursuant to paragraph (e) of subsection 1 of section 17 of this act to an initial term that expires on September 30, 2017.~~

~~3. After the initial terms, each member of the Board of Directors must be appointed for a 4 year term that begins on October 1 of an odd numbered year.~~

~~4. The successor to each of the members of the Board of Directors appointed pursuant to:~~

~~(a) Paragraphs (a) to (d), inclusive, of subsection 1 of section 17 of this act must be appointed not later than September 30 of the year in which the member's term expires; and~~

~~(b) Paragraph (e) of subsection 1 of section 17 of this act must be appointed at the first meeting of the Board of Directors held during October of the year in which the member's term expires.]~~

**Sec. 19.** 1. The Board of Directors shall hold an organizational meeting during October of ~~[each odd numbered year.]~~ **2013.** At that meeting:

(a) The members of the Board appointed pursuant to paragraphs (a) to ~~[(d)]~~ **(f)**, inclusive, of subsection 1 of section 17 of this act shall appoint any other members required to be appointed by those members; and

(b) After the provisions of paragraph (a) have been carried out, the Board shall appoint:

(1) One of its members as Chair;

(2) One of its members as Vice Chair; and

(3) A Secretary and a Treasurer, who may be members of the Board and may be one person.

2. The Vice Chair of the Board of Directors shall serve as Chair when the position of Chair is vacant or when the Chair is absent from any meeting.

3. The Board of Directors shall meet regularly in the ~~[tax increment]~~ **Authority** area at such times and places as it designates. Special meetings may be held at the call of the Chair, upon notice to each member of the Board, as often as the needs of the Board require.

4. Except as otherwise provided in subsection 5 of NRS 281A.420:

(a) ~~[Six]~~ **Eight** of the members of the Board of Directors constitute a quorum at any meeting of the Board.

(b) The Board of Directors may take action only by a motion or resolution adopted with the approval of at least ~~[six]~~ **eight** members of the Board.

5. The Board of Directors constitutes a public body for the purposes of chapter 241 of NRS.

**Sec. 20.** 1. The Secretary of the Board of Directors shall keep:

(a) Audio recordings or transcripts of all meetings of the Board;

(b) Minutes of all the meetings of the Board;

(c) A record of all the proceedings and actions of the Board;

(d) Any certificates issued or received by the Board;

(e) Any contracts made by the Board; and

(f) Any bonds required by the Board from its employees.

↪ Except as otherwise provided in NRS 241.035, the records and information required by this subsection must be open to inspection by any interested person at any reasonable time and place.

2. The Treasurer of the Board of Directors shall keep, in permanent records, strict and accurate accounts of all money received by and disbursed for and on behalf of the Board.

~~[ 3. The Secretary and Treasurer of the Board of Directors do not constitute a part of the staff of the Board for the purposes of section 21 of this act.]~~

**Sec. 21.** ~~[1. The Board of Directors may retain such staff as it determines to be necessary to conduct the activities of the Authority. The Board may:~~

- ~~— (a) Hire the members of its staff as employees;~~
- ~~— (b) Contract with any governmental entity or other person to provide the persons to serve as its staff; or~~
- ~~— (c) Retain the members of its staff using any combination of the methods described in paragraphs (a) and (b);~~

~~— 2. The Board of Directors:~~

- ~~— (a) Shall specify:~~
    - ~~— (1) The powers and duties of the members of its staff; and~~
    - ~~— (2) The amount and basis of compensation for the members of its staff;~~
- ~~and~~

~~— (b) May delegate any of its powers and duties to any member of its staff as it determines to be appropriate, except that the Board shall not delegate:~~

- ~~— (1) Any of the specific obligations or responsibilities of the Board imposed by sections 1 to 22, inclusive, paragraph (d) or (e) of subsection 1 of section 23, subsection 2 of section 23 or sections 24 to 29, inclusive, of this act; or~~

~~— (2) Any ability to bind the Authority to a contract that could require an expenditure by the Authority in excess of such an amount as the Board determines to be appropriate, which amount must not exceed the sum \$200,000, as adjusted by the percentage change between the effective date of this act and July 1 of the fiscal year the delegation is made in the Consumer Price Index for All Urban Consumers, U.S. City Average (All Items), published by the United States Department of Labor.] **(Deleted by amendment.)**~~

**Sec. 22.** The Board of Directors ~~]~~

- ~~— 1. Shall adopt a seal;~~
- ~~— 2. May] may~~ adopt, and from time to time amend or repeal, as it determines to be necessary or desirable, appropriate bylaws, rules and regulations, not inconsistent with the provisions of this act, for carrying on the business and affairs of the Board of Directors and the Authority. ~~.]~~

~~3. Shall create a tax increment account to carry out the provisions of this act; and~~

~~4. Shall, not later than January 1, 2014, adopt a resolution more particularly describing the area described in paragraphs (a) and (b) of subsection 1 of section 13 of this act. The description need not be a legal description or be given by metes and bounds, but must be sufficient in detail that the various tracts of real property may be identified and determined to be within or without the tax increment area.]~~

**Sec. 23.** 1. ~~[Except as otherwise provided in section 24 of this act, the]~~  
**The** Board of Directors, on behalf of the Authority, may:

(a) Enter into any contracts and other agreements with any person or other entity that the Board determines to be necessary or desirable to conduct the business of the Authority.

(b) Sue and be sued.

~~[(c) Proceed with any undertaking and enter into any contracts or other agreements that the Board determines to be necessary or desirable therefor.]~~

**2.** ~~The~~ contracts and other agreements authorized by ~~[this]~~ subsection ~~[1]~~  
**1.**

~~[(1)]~~ (a) May **not** include ~~[, without limitation,]~~ contracts or other agreements relating to the construction, acquisition, lease, lease-purchase, gift, equipment, maintenance, insurance, operation, management, promotion or advertising of any undertaking or any part thereof; and

~~[(2)]~~ (b) Are ~~[not]~~ subject to the limitations of subsection 1 of NRS 354.626.

~~[(d) Enter into a lease, ground lease or management agreement with the System authorizing the Authority to lease from the System any portion of the land in the tax increment area owned by the System and any improvements thereon, or to manage any such land or improvements for the System, on such terms as may be acceptable to the Board of Directors and the Board of Regents and which do not violate any covenants concerning any securities issued by the Board of Regents, provided that:~~

~~— (1) The property subject to the lease, ground lease or management agreement is limited to:~~

~~— (I) Land and improvements that will be developed and used to carry out the purposes described in paragraphs (b), (c) or (d) of subsection 1 of section 2 of this act; and~~

~~— (II) Any other land, improvements and appurtenances that the Board of Regents determines to be necessary or desirable to carry out any of those purposes;~~

~~— (2) The Board of Regents is entitled to limit any uses, rates, charges or other factors pertaining to the property subject to the lease, ground lease or management agreement by including the limitations in the agreement; and~~



~~(3) After any indebtedness incurred to improve the property subject to the lease, ground lease or management agreement has been retired or defeased and any other contracts and obligations of the Authority pertaining to that property have been satisfied and terminated, the improvements will become the property of the System and will no longer be subject to the lease, ground lease or management agreement. This paragraph applies separately to:~~

~~(I) Any property which is designated in the lease, ground lease or management agreement as being leased or managed to carry out the purposes described in paragraphs (b) and (c) of subsection 1 of section 2 of this act; and~~

~~(II) Any property which is designated in the lease, ground lease or management agreement as being leased or managed to carry out the purposes described in paragraph (d) of subsection 1 of section 2 of this act.~~

~~(c) Enter into, with any person or other entity:~~

~~(1) One or more subleases of all or any portion of any land or improvement leased to the Authority;~~

~~(2) One or more management agreements to provide for the management by that person or other entity of any land or improvement that the Authority is authorized to manage, control or occupy;~~

~~(3) One or more leases or management agreements pertaining to any undertaking or any facility owned by the Authority; or~~

~~(4) Any combination of the agreements described in subparagraphs (1), (2) and (3);~~

~~on such terms as may be acceptable to the Board of Directors and which are not inconsistent with the terms of the lease, ground lease or management agreement with the System pursuant to which the Authority has possession or control of the subject property. The leases, subleases and management agreements authorized by this subsection are not subject to the limitations of subsection 1 of NRS 354.626.~~

~~(f) Fix, and from time to time increase or decrease, fees, rates, tolls, rents or charges for services or facilities furnished in connection with any undertaking and take such action as may be necessary or desirable to effect their collection or, by contract or other agreement described in paragraph (d) or (e), authorize another person or entity to fix, from time to time increase or decrease, and collect all or any designated portion of such fees, rates, tolls, rents or charges. Such fees, rates, tolls, rents or charges must be consistent with or allowed by the lease, ground lease or management agreement with the System pursuant to which the Authority has possession or control of the land or improvements upon which the undertaking is located.~~

~~(g) Receive, control, invest and order the expenditure of pledged revenues and any other money pertaining to or derived from any undertaking;~~

~~including, without limitation, any grants from the Federal Government, the State, the County or any incorporated cities in the County, or from any other person or entity, for the purposes described in section 27 of this act.~~

~~(h) Except as otherwise provided in this act, exercise all or any part or combination of the powers and duties of the Authority set forth in this act.~~

~~(i) Perform any other acts that may be necessary, convenient, desirable or appropriate to carry out the purposes and provisions of this act.~~

~~2. If the Authority has no indebtedness or other financial obligations, the Board of Directors, by an affirmative vote of at least six of its members, may dissolve the Authority.]~~

**3. Except as otherwise provided in paragraph (b) of subsection 2, the Authority is not subject to the provisions of NRS 354.470 to 354,626, inclusive, the Local Government Budget and Finance Act.**

~~Sec. 24. [1] The [Board of Directors and any person to whom the Board of Directors delegates any of its powers or duties shall not:~~

~~(a) Expend or authorize the expenditure of any money in the tax increment account unless the Board of Directors has entered into a lease, ground lease or management agreement with the System pursuant to paragraph (d) of subsection 1 of section 23 of this act which authorizes a specific undertaking.~~

~~(b) Proceed with any undertaking or issue any securities to defray in whole or in part any cost of any undertaking unless the Board of Directors has entered into a lease, ground lease or management agreement with the System pursuant to paragraph (d) of subsection 1 of section 23 of this act which authorizes that undertaking.~~

~~2. The] Authority shall not own any land [, but may own improvements on land located in the tax increment area if the Board of Regents, in its sole discretion, allows that ownership.] or improvements to any land.~~

**Sec. 24.5. The Board of Directors:**

**1. Shall study the need for, feasibility of and financing alternatives for a large events center and other required infrastructure and supporting improvements in the Authority area.**

**2. Upon determination pursuant to subsection 1 that a large events center is needed and feasible, the Board may develop recommendations for such a large events center including, without limitation, the type and general design of the center and the approximate seats to be included in the center. To the extent money is available for this purpose, the Board may also calculate a preliminary cost for construction of such a center and other required infrastructure and supporting improvements, basing such a calculation on the use of the State Public Works Board as the building official having jurisdiction over the project.**

**3. May study the need for, feasibility of and financing alternatives for any other undertaking.**

4. Shall prepare a report which provides the results, conclusions and recommendations of its study or studies conducted pursuant to subsections 1 and 2. The report must be submitted to the Director of the Legislative Counsel Bureau by September 30, 2014, for transmittal to and consideration by the 78th Session of the Nevada Legislature. The report may include recommendations for legislation to carry out the recommendations of the Board.

5. May, if so provided in an agreement with the System, assist the System in planning and designing any improvements to the Thomas and Mack Center that are financed:

(a) Wholly or in part with state general obligation bonds payable from the tax on slot machines imposed by NRS 463.385; and

(b) Before the dissolution of the Authority.

6. May accept gifts, grants and other contributions from any source, including, without limitation, the Federal Government, the State and any local government for the purposes of carrying out the provisions of this section and defraying the expenses of the Board. If so provided in an agreement between the Authority and the System, contributions pursuant to this subsection may be made through a university foundation which is organized to support the University pursuant to NRS 396.405.

Sec. 24.7. Notwithstanding the provisions of section 2 of Assembly Bill No. 501 of this session, the University of Nevada, Las Vegas is authorized to us not more than 2 percent of any money received by the University from bonds issued by the Board of Regents of the University of Nevada pursuant to section 2 of Assembly Bill No. 501 of this session to provide money to the Authority for the purpose of carrying out the provisions of this act.

~~Sec. 25. [1. Except as otherwise provided in this act and notwithstanding any other provision of law to the contrary:~~

~~(a) Any contract, lease, sublease, lease purchase agreement, management agreement or other agreement entered into pursuant to this act by the Authority, the System or any related entity relating to any undertaking financed in whole or in part pursuant to this act, and any contract, lease, sublease, lease purchase agreement, management agreement or other agreement that provides for the design, acquisition, construction, improvement, repair, demolition, reconstruction, equipment, financing, promotion, leasing, subleasing, management, operation or maintenance of such an undertaking or any portion thereof, or the provision of materials or services for such an undertaking are exempt from any law:~~

~~(1) Requiring competitive bidding or otherwise specifying procedures for the award of agreements of a type described in this paragraph;~~

~~—(2) Specifying procedures for the procurement of goods or services; or~~

~~—(3) Limiting the term of any agreements of a type described in this paragraph.~~

~~—(b) The provisions of chapter 341 of NRS do not apply to any undertaking financed in whole or in part pursuant to this act or to any agreement of a type described in paragraph (a), except that the provisions of paragraph (a) of subsection 9 of NRS 341.100 and of NRS 341.105 apply to any such undertaking.~~

~~—(c) The provisions of chapter 338 of NRS do not apply to any undertaking financed in whole or in part pursuant to this act or to any agreement of a type described in paragraph (a), except that:~~

~~—(1) The provisions of NRS 338.013 to 338.090, inclusive, apply to any construction work to be performed under any contract or other agreement pertaining to such an undertaking even if the estimated cost of the construction work is not greater than \$100,000 or the construction work does not qualify as a public work, as defined in subsection 16 of NRS 338.010;~~

~~—(2) Any person or entity that executes one or more contracts or agreements for the actual construction, alteration, repair or remodeling of such an undertaking shall include in such a contract or agreement the contractual provisions and stipulations that are required to be included in a contract for a public work pursuant to the provisions of NRS 338.013 to 338.090, inclusive; and~~

~~—(3) The Authority, any contractor who is awarded a contract or enters into an agreement to perform the construction, alteration, repair or remodeling of such an undertaking and any subcontractor on the undertaking shall comply with the provisions of NRS 338.013 to 338.090, inclusive, in the same manner as if the State had undertaken the project or had awarded the contract.~~

~~—2. The Authority and any prime contractor, construction manager or project manager selected by the Authority shall competitively bid all subcontracts involving construction which the Authority determines can be competitively bid without affecting the quality of the project. Any determination by the Authority that such a subcontract can or cannot be competitively bid without affecting the quality of the project is conclusive in the absence of fraud or a gross abuse of discretion. The Authority shall establish one or more procedures for competitive bidding which:~~

~~—(a) Must prohibit bidders from engaging in bid shopping;~~

~~—(b) Must not permit subcontractors to avoid or circumvent the provisions of paragraph (c) of subsection 1; and~~

~~—(c) Must provide a preference for Nevada subcontractors in a manner that is similar to, and with a preference that is equivalent to, the preference provided in NRS 338.1389.~~

~~Any determination by the Authority regarding the establishment of one or more procedures for competitive bidding, and any determination by the Authority or its prime contractor, construction manager or project manager regarding the award of a contract to any bidder is conclusive in the absence of fraud or a gross abuse of discretion.] (Deleted by amendment.)~~

~~Sec. 26. [1. Notwithstanding any other law to the contrary:~~

~~(a) The designated taxes collected in or paid with respect to any property or activities in the original tax increment area for each fiscal year beginning on or after July 1, 2014, must be divided as follows:~~

~~(1) That portion of each of the designated taxes equal to the dollar amount collected in or paid with respect to any property or activities in the original tax increment area for the fiscal year beginning on July 1, 2012, must be distributed in the same manner as it was for that prior fiscal year.~~

~~(2) Except as otherwise provided in subsection 4, that portion of each of the designated taxes collected in or paid with respect to any property or activities in the original tax increment area in excess of the amount determined pursuant to subparagraph (1) must be deposited in the tax increment account.~~

~~(b) The designated taxes collected in or paid with respect to any property or activities in any supplemental area for each fiscal year beginning after the fiscal year in which the resolution is adopted adding that supplemental area to the tax increment area must be divided as follows:~~

~~(1) That portion of each of the designated taxes equal to the dollar amount collected in or paid with respect to any property or activities in that supplemental area for the fiscal year in which the resolution is adopted adding that supplemental area to the tax increment area must be distributed in the same manner as it was for that prior fiscal year.~~

~~(2) Except as otherwise provided in subsection 4, that portion of each of the designated taxes collected in or paid with respect to any property or activities in that supplemental area in excess of the amount determined pursuant to subparagraph (1) must be deposited in the tax increment account.~~

~~2. The amount of the designated taxes to be allocated to the tax increment account pursuant to paragraph (b) of subsection 1 must be computed separately for each supplemental area added to the tax increment area by a separate resolution adopted pursuant to section 28 of this act.~~

~~3. The amount, if any, of the:~~

~~(a) Basic city county relief tax which is required to be distributed to the tax increment account pursuant to this section, including any portion of that amount retained by the Department of Taxation pursuant to subsection 4, must be deducted from the amount otherwise required to be deposited pursuant to NRS 377.055 into the County's subaccount in the Local Government Tax Distribution Account.~~

~~—(b) Supplemental city county relief tax which is required to be distributed to the tax increment account pursuant to this section, including any portion of that amount retained by the Department of Taxation pursuant to subsection 4, must be deducted from the amount otherwise required to be deposited pursuant to NRS 377.057 into the County's subaccount in the Local Government Tax Distribution Account.~~

~~—4. The Board of Directors shall enter into an agreement with each of the governmental agencies or entities that collect the designated taxes which sets forth the details of the disbursement of the designated taxes to the tax increment account in accordance with this section. That disbursement must be made not later than 3 months after each of the designated taxes required to be distributed to the tax increment account is collected by the pertinent governmental agency or entity, except that the initial disbursement to the tax increment account need not be made before January 1, 2015. Each governmental agency or entity that collects any of the designated taxes is entitled to retain, out of the amount of the designated taxes it collects for distribution to the tax increment account, 1 percent of that amount as an administrative fee for its services in collecting and remitting those designated taxes.~~

~~—5. The Nevada Tax Commission may adopt such regulations as may be necessary to determine for the purposes of this section whether any of the designated taxes is collected in or paid with respect to any property or activities in the original tax increment area or in any supplemental area.~~

~~—6. As used in this section:~~

~~—(a) "Original tax increment area" means the tax increment area as it exists on the effective date of this act.~~

~~—(b) "Supplemental area" means any area added to the tax increment area pursuant to section 28 of this act after the effective date of this act.] (Deleted by amendment.)~~

~~Sec. 27. [Any money deposited in the tax increment account and any other money of the Authority must be used as follows:~~

~~—1. First, to support the repayment of and any covenants concerning any securities issued pursuant to section 29 of this act, including, if applicable, any covenants to expend money to operate, maintain or promote any undertaking;~~

~~—2. Second, to defray in whole or in part any other cost of any undertaking; and~~

~~—3. Third, for any other purpose regarding which the Board of Directors is authorized by law to expend money.] (Deleted by amendment.)~~

~~Sec. 28. [1. If the Board of Regents deems it necessary or desirable to expand the boundaries of the tax increment area, it must adopt a resolution describing the area proposed to be added to the tax increment area, so that the~~

~~various tracts of real property may be identified and determined to be within or without the proposed addition to the tax increment area, except that the description need not describe in minute detail each tract of real property proposed to be added to the tax increment area.~~

~~2. If the Board of Regents determines to:~~

~~(a) Expand the boundaries of the tax increment area in accordance with the description set forth in a resolution adopted pursuant to subsection 1, the Board of Regents must, at any meeting of the Board held within 1 year after the meeting at which the Board adopted that resolution, adopt a resolution adding the described area to the tax increment area; or~~

~~(b) Revise the description of the area proposed to be added to the tax increment area set forth in a resolution adopted pursuant to subsection 1, the Board of Regents must adopt another resolution pursuant to subsection 1 which sets forth the revised description of the proposed addition and supersedes the previous resolution.~~

~~3. The Board of Regents may add property to the tax increment area only if the property:~~

~~(a) Is administered by the University or constitutes a part of the campus of the University;~~

~~(b) Is either:~~

~~(I) Owned by the System or a related entity on the date of the resolution adding the property to the tax increment area; or~~

~~(II) Being leased to the System or a related entity on the date of the resolution adding the property to the tax increment area under a lease with a term of at least 20 years remaining after the date of the resolution adding the property to the tax increment area; and~~

~~(c) Is not included in any area or district described in section 30 of this act.~~

~~4. No land may be removed from the tax increment area.~~

~~5. Any decision to add any land to the tax increment area pursuant to this section is in the sole discretion of the Board of Regents and must not be delegated, by contract or otherwise, to any other entity.~~

~~6. Any person or other entity may, within 30 days after the Board of Regents adopts a resolution pursuant to paragraph (a) of subsection 2 expanding the boundaries of the tax increment area, commence an action in a court of competent jurisdiction to correct or set aside that expansion on the ground that the Board of Regents acted in violation of this act, but not for any other reason. After the expiration of that 30-day period, all actions attacking the validity of the proceedings expanding the boundaries of the tax increment area are perpetually barred.] (Deleted by amendment.)~~

~~Sec. 29. [1. To defray in whole or in part any cost of any undertaking, the Board of Directors may, except as otherwise provided in section 24 of~~

~~this act, issue securities that are special obligations payable solely from and secured solely by all or any portion of the pledged revenues as described by the Board.~~

~~2. The securities authorized by this act must be issued pursuant to the Local Government Securities Law, except that, notwithstanding any provision of the Local Government Securities Law to the contrary:~~

~~(a) The Authority may grant security interests, including deeds of trust and mortgages, in any improvements it owns and in its interest in any property it leases, subject to the terms of the lease, ground lease or management agreement with the System pursuant to which the Authority has possession or control of the property;~~

~~(b) The provisions of subsections 1 and 2 of NRS 350.569 do not apply to the Board of Directors or the Authority; and~~

~~(c) The provisions of subsection 2 of NRS 350.614 and subsection 1 of NRS 350.630 do not apply to any securities authorized pursuant to this act.~~

~~3. The provisions of NRS 350.0015 to 350.490 do not apply to the Board of Directors, the Authority or any securities authorized pursuant to this act.~~

~~4. None of the securities authorized pursuant to this act may be made payable from or secured by any student fees paid by students to attend the University. Any pledge or use of pledged revenues to secure or pay any securities authorized pursuant to this act must not:~~

~~(a) Violate any covenants concerning revenues that are pledged to any securities of the System; or~~

~~(b) Prevent the System from continuing to issue securities with the same pledge of revenues as that being made for the benefit of the holders of any outstanding securities of the System.~~

~~5. Any securities authorized pursuant to this act may be sold at a public sale or negotiated sale, as determined by the Board of Directors, at such a price or prices as the Board may determine, and bear interest at such a rate or rates as the Board may determine. The Board may delegate to one of its officers or employees the authority to specify, subject to any requirements or limitations specified by the Board:~~

~~(a) The price at which the securities will be sold;~~

~~(b) The rate or rates of interest on the securities;~~

~~(c) The dates on which and the prices at which the securities may be called for redemption before maturity; and~~

~~(d) The principal amount of the securities and the amount of principal maturing in any particular year.~~

~~6. The final maturity date of any securities or other obligations authorized pursuant to this act, and the termination date of any contracts entered into pursuant to this act, including, without limitation, any cooperative agreements, that are secured by or payable from any pledged~~



~~revenues described in subsection 1 of section 9 of this act or paragraph (a) of subsection 2 of section 9 of this act, including refunding securities that are secured by or payable from any pledged revenues described in subsection 1 of section 9 of this act or paragraph (a) of subsection 2 of section 9 of this act, must be not later than July 1, 2065. The Board of Directors and the Authority shall not enter into any agreement that is secured by or payable from any pledged revenues described in subsection 1 of section 9 of this act or paragraph (a) of subsection 2 of section 9 of this act for a term that extends beyond July 1, 2065.] **(Deleted by amendment.)**~~

~~Sec. 30. [The property in the tax increment area must not be included in:~~

- ~~1. Any improvement district established pursuant to chapter 271 of NRS for which any revenue is pledged pursuant to NRS 271.650;~~
- ~~2. Any tourism improvement district established pursuant to chapter 271A of NRS;~~
- ~~3. Any other tax increment area established pursuant to chapter 278C of NRS or any special or local act; or~~
- ~~4. Any redevelopment area established pursuant to chapter 279 of NRS.] **(Deleted by amendment.)**~~

~~Sec. 31. [1. The property and transactions of the Authority are exempt from taxation by the State and each political subdivision of the State to the same extent as are the property and transactions of the System.~~

- ~~2. If so provided in an agreement with the Authority, any construction or project manager of the Authority and any contractor or subcontractor of the Authority or of its construction or project manager may acquire materials needed or desirable for the construction or other improvement of an undertaking on behalf of the Authority which, immediately upon that acquisition, become the property of the Authority and do not as a result of that acquisition become the property of the construction or project manager, contractor or subcontractor who directly or indirectly acquires those materials on behalf of the Authority. It is the intent of this subsection that materials acquired by the Authority under an agreement described in this subsection will not be subject to any transaction tax, including, without limitation, any sales or use tax, imposed by the State or any political subdivision of the State.] **(Deleted by amendment.)**~~

~~Sec. 32. [Except as otherwise provided in a cooperative agreement between the System and the Authority described in subsection 3 of section 9 of this act, the Board of Regents shall not, prior to the dissolution of the Authority, pledge or otherwise use any pledged revenues unless:~~

- ~~1. The pledge or other use is authorized pursuant to a written agreement with the Authority; and~~

~~2. The pertinent pledged revenues can be so pledged or otherwise used without violating any covenants concerning those pledged revenues set forth in any securities or contracts of the Authority.] (Deleted by amendment.)~~

~~Sec. 33. [1. Except as otherwise provided in this section, the State hereby covenants that it will not, before July 1, 2065, repeal or otherwise modify, or allow or require any other entity to repeal or otherwise modify, in any manner that is detrimental to the Authority, the System, any undertaking pursuant to this act, any financing of any undertaking pursuant to this act, or any of the bondholders or other lenders, persons or entities with whom the Authority or the System enters into any agreements, either directly or through agreements with others, regarding any undertaking:~~

~~(a) Any of the designated taxes;~~

~~(b) Any of the exemptions from any taxes or fees provided pursuant to the provisions of this act or title 32 of NRS, whether the exemption is express or implied, that:~~

~~(1) Applies to the property of the System or of the Authority; or~~

~~(2) Applies to:~~

~~(I) The System or any component thereof;~~

~~(II) The Authority; or~~

~~(III) Any other entity, including, without limitation, any nonprofit or other corporation, governmental entity or other person,~~

~~with respect to any property of the System or of the Authority, any activity that takes place in the tax increment area, or any business, event or transaction of the System or of the Authority or which is located on any property of the System or of the Authority; or~~

~~(c) The provisions of this section.~~

~~2. If the State, before July 1, 2065, repeals or otherwise modifies any of the designated taxes in a manner that would reduce the pledged revenues, or allows or requires another entity to repeal or so modify any of the designated taxes, the State hereby covenants that it:~~

~~(a) Will:~~

~~(1) Increase one or more of the designated taxes;~~

~~(2) Impose or increase, or require the imposition or increase, of one or more substitute taxes or fees and amend section 8 of this act to include those substitute taxes or fees;~~

~~(3) Amend section 8 of this act to include one or more existing substitute taxes or fees; or~~

~~(4) Take any combination of the actions described in subparagraphs (1), (2) and (3); and~~

~~(b) Will amend section 9 of this act as necessary to ensure that any actions taken pursuant to paragraph (a) will produce an amount of pledged revenues that equals or exceeds the amount by which the pledged revenues would have~~

~~been reduced, as a result of the repeal or other modification of the designated tax, from the date of that repeal or other modification until July 1, 2065.~~

~~3. If the State, before July 1, 2065, repeals or otherwise modifies the method of collecting, basis for calculating or rate of any tax or fee regarding which there is any exemption described in paragraph (b) of subsection 1, and that repeal or other modification would reduce the amount that the Board of Regents or the Authority would otherwise be entitled to receive before that date under an existing agreement to receive payments in lieu of that tax or fee, the State hereby covenants that it will take such action as may be necessary to ensure that the Board of Regents or the Authority will receive a substitute amount that is equal to or greater than the amount of that reduction in those payments that the Board of Regents or the Authority would otherwise have been entitled to receive under that agreement before July 1, 2065.~~

~~4. Subsections 1, 2 and 3 do not apply to any tax imposed by a local government which is not required by law to be imposed on the effective date of this act.~~

~~5. The provisions of this section shall be deemed, until July 1, 2065, to constitute a contract between the State and the Authority, the System, the holders of any bonds or other obligations issued under this act and any other lenders, persons or entities with whom the Authority or the System enters into any agreements, either directly or through agreements with others, regarding any undertaking. The State hereby covenants that it will not, before July 1, 2065, amend the provisions of this section in any manner that directly or indirectly, materially impairs any such bonds or other obligations, other loans or other agreements. The provisions of this section are in addition to, and not a substitute for, the provisions of NRS 350.610.~~

~~6. For the purposes of this section, "substitute taxes or fees" means any taxes or fees other than those specified in section 8 of this act.] (Deleted by amendment.)~~

~~Sec. 34. [For the purposes of the County Bond Law:~~

~~1. The definition of "infrastructure project" set forth in NRS 244A.034 shall be deemed to include, for the University of Nevada, Las Vegas, Campus Improvement Authority, an undertaking, as defined in section 14 of this act.~~

~~2. The definition of "municipal securities" set forth in NRS 244A.0345 shall be deemed to include any notes, warrants, interim debentures, bonds and temporary bonds issued by the University of Nevada, Las Vegas, Campus Improvement Authority which are special obligations of the University of Nevada, Las Vegas, Campus Improvement Authority, as described in section 29 of this act.~~

~~3. The definition of "municipality" set forth in NRS 244A.0347 shall be deemed to include the University of Nevada, Las Vegas, Campus Improvement Authority created by section 16 of this act.~~

~~4. The provisions of NRS 244A.064 shall be deemed to authorize Clark County, in connection with any lending project, to refund any municipal securities issued by the University of Nevada, Las Vegas, Campus Improvement Authority, in addition to or in combination with the authority granted to the County pursuant to paragraph (b) of subsection 6 of that section, if the County and the municipality agree to the disposition of any savings resulting from the refund.] (Deleted by amendment.)~~

**Sec. 35. 1. ~~[[If the] Except as otherwise provided in subsection 2, the Board of Directors [does not, on or before June 30, 2017, enter into a lease, ground lease or management agreement with the System pursuant to paragraph (d) of subsection 1 of section 23 of this act which authorizes a specific undertaking, the Board of Directors shall, notwithstanding any other provision of this act to the contrary:~~**

~~(a) Remit each of the designated taxes deposited in the tax increment account to the governmental agency or entity that collected the designated tax for distribution and use in the same manner as if the money had not been deposited in the tax increment account; and~~

~~(b) Wind] shall wind up the affairs of the Authority and dissolve the Authority [pursuant to subsection 2 of section 23 of this act.] on September 30, 2015.~~

**2. The Board of Directors may, by an affirmative vote of at least eight members, wind up the affairs of the Authority and dissolve the Authority before September 30, 2015, if the Authority has no outstanding obligations as of the date of dissolution.**

**3. Upon the dissolution of the Authority:**

~~(a) [Before the Board of Directors or any person to whom the Board of Directors delegates any of its powers or duties expends or obligates the expenditure of any money in the tax increment account:~~

~~(1) Each of the designated taxes deposited in the tax increment account must be remitted to the governmental agency or entity that collected the designated tax for distribution and use in the same manner as if the money had not been deposited in the tax increment account; and~~

~~(2) All the remaining] **All money and other** assets of the ~~[Board of Directors and the] Authority, to the extent such money and other assets are not needed to satisfy outstanding obligations of the Authority,~~ become the property of the System.~~

~~(b) [After the Board of Directors or any person to whom the Board of Directors delegates any of its powers or duties expends or obligates the expenditure of any money in the tax increment account, all the assets of the~~

~~Board of Directors and the Authority, including any money deposited in the tax increment account, become the property of the System.] **All obligations of the Authority that cannot be satisfied with the money and other assets of the Authority on the date of its dissolution are void as of the date of dissolution and are not liabilities of the System or this State.**~~

**Sec. 36.** The provisions of this act do not:

1. Require the Board of Regents of the University of Nevada to enter into any ~~lease, ground lease, management~~ agreement **with the Authority or take** any other ~~contract or agreement.] **action.**~~

2. Limit the conditions or other provisions which the Board of Regents of the University of Nevada may, in its sole discretion, determine to include in any ~~lease, ground lease, management~~ agreement ~~for any other contract or agreement.] **with the Authority.**~~

**Sec. 37.** ~~1. The powers conferred by this act are in addition to and supplemental to, and the limitations imposed by this act do not affect, the powers conferred by any other law, whether general or special.~~

~~2. Securities may be issued in accordance with this act without regard to the procedure required by any other law, except as otherwise provided in this act or in the Local Government Securities Law.~~

~~3. Insofar as the provisions of this act are inconsistent with the provisions of any other law, whether general or special, the provisions of this act are controlling.] **(Deleted by amendment.)**~~

**Sec. 38.** ~~[This act being necessary to secure and preserve the public health, safety, convenience and welfare must be liberally construed to effect its purposes.] **(Deleted by amendment.)**~~

**Sec. 39.** If any provision of this act or the application thereof to any person, thing or circumstance is held invalid, such invalidity does not affect the provisions or application of this act that can be given effect without the invalid provision or application, and to this end the provisions of this act are hereby declared to be severable.

**Sec. 40.** 1. This act becomes effective upon passage and approval.

2. Except as otherwise provided in ~~subsections~~ **subsection 3** ~~and 4,~~ sections 1 to 34, inclusive, of this act ~~expire by limitation upon the dissolution of the University of Nevada, Las Vegas, Campus Improvement Authority.] **this act expires by limitation on October 1, 2015.**~~

3. ~~[Sections 1 to 34, inclusive, of this act expire]~~ **This act expires** by limitation on August 31, 2013, unless, on or before that date, the Board of Regents of the University of Nevada makes the appointments authorized by subsection 1 of section 18 of this act.

~~4. Section 26 of this act expires by limitation on June 30, 2017, if:~~

~~(a) That section did not expire by limitation before that date pursuant to subsection 2 or 3; and~~

~~(b) The Board of Directors of the University of Nevada, Las Vegas, Campus Improvement Authority does not, on or before that date, enter into a lease, ground lease or management agreement with the Nevada System of Higher Education pursuant to paragraph (d) of subsection 1 of section 23 of this act which authorizes a specific undertaking.]~~

Assemblywoman Carlton moved the adoption of the amendment.

Remarks by Assemblywoman Carlton.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 506.

Bill read second time and ordered to third reading.

Assembly Bill No. 509.

Bill read second time and ordered to third reading.

Senate Bill No. 390.

Bill read second time and ordered to third reading.

Senate Bill No. 407.

Bill read second time and ordered to third reading.

Senate Bill No. 452.

Bill read second time and ordered to third reading.

Senate Bill No. 502.

Bill read second time and ordered to third reading.

#### INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 261.

Assemblyman Bobzien moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Senate Bill No. 500.

Assemblyman Elliot Anderson moved that the bill be referred to the Committee on Education.

Motion carried.

Senate Bill No. 516.

Assemblywoman Carlton moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Madam Speaker announced if there were no objections, the Assembly would recess in order to pay tribute to Assemblymen Pierce, Grady, and Horne.

Assembly in recess at 5:46 p.m.

REMARKS FROM THE FLOOR

Madam Speaker requested that the following tribute for Assemblywoman Pierce be entered in the Journal.

Motion carried.

**TRIBUTE HONORING ASSEMBLYWOMAN PIERCE**

Peggy Pierce originally hailed from Milton, Massachusetts. Her father was an Episcopal priest and her mother was an elementary school teacher. Peggy had five sisters and two brothers, so there was always a lot going on. As a teenager, her family lived in the Midwest. Peggy struck out on her own and moved to San Francisco in the early 1970s. Peggy lived in the City-by-the-Bay for 16 years, soaking up the fog. She worked in the food service industry doing everything from washing dishes to managing a cafeteria. In 1988, she moved to Las Vegas where she primarily was a food server at the Desert Inn until it closed in 2000. Shortly after that time, she went to work at the Culinary Union, where she served as the community liaison until September 2005. She then went to work for the United Labor Agency of Nevada and continues to work there as its resources coordinator.

Peggy Pierce was first elected to the Nevada Assembly in November 2002. Because of Nevada's constitutional term limits, 2013 will be her last regular session and her current term of office will expire in November 2014. She served as the Co-Chief Deputy Majority Whip in 2011, and as the Assembly Senior Chief Deputy Majority Whip in 2013. During her six regular sessions, Assemblywoman Pierce's committee work primarily focused on three Assembly standing committees: Government Affairs (all sessions); Health and Human Services (all sessions); and Taxation (all sessions except for 2005). She also served on the Assembly committees on: Elections, Procedures, Ethics, and Constitutional Amendments; Growth and Infrastructure; and Natural Resources, Agriculture, and Mining. She was the primary sponsor of successful legislation on topics such as: elder abuse; permanent total disabilities; the employees of senior housing facilities; hospice care; motor vehicles; the protection of personal identifying information; statutory liens; fire protection; guardianships; recycling; safety in children's products; prevailing wage; and warnings concerning the hazards of smoking during pregnancy.

During the interim period between legislative sessions, Assemblywoman Pierce has served on a number of study committees and task forces. Among others, she served on: the Advisory Board for the Nevada Task Force for Technological Crime; the Advisory Board on Maternal and Child Health; the Legislative Committee for Local Government Taxes and Finance; the Subcommittee of the Legislative Committee on Public Lands to Study Wilderness Areas and Wilderness Study Areas; and the Legislative Committee on Health Care. From 2003 to February 2012, she was a member of the Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System and chaired that important committee in 2007 and 2008.

Peggy notes that because her parents were active in the civil rights movement of the early sixties, she came from a tradition of community and political activism. Among other organizations, she has been active in the Sierra Club, concentrating on air quality and energy development. Further, Peggy was a member of the Clark County Air Quality Hearing Board in 2001. Peggy also notes that she is a high school graduate who picked up a college credit here and there, but mostly is self-educated. She reads widely, mostly non-fiction, history, and public

policy, and loves the desert landscape of Nevada, taking hikes in nearby areas when time permits.

Assemblywoman Peggy Pierce has been a thoughtful and dedicated member of the Assembly for the past 11 years. The Nevada Legislature stresses the value of being a “citizen legislature,” which allows for diversity among its members and wide-ranging interests and areas of expertise. Assemblywoman Peggy Pierce certainly provides an excellent example of the type of member that keeps Nevada’s legislative institution strong.

Madam Speaker requested that the following remarks be entered in the Journal.

Motion carried.

ASSEMBLYMAN HORNE:

Thank you, Madam Speaker. Peggy and I came in together as freshmen, as everyone knows, and we hit it off right away, mostly because of her passion for what she believes in, even though we would give her a hard time about the black helicopters. She would come to us and say, “You’ve got to sign this bill.” “Okay, Peggy, what’s the bill?” “It’s a great bill; it’s a great bill. I need you to sign it.” And when you started reading it, the bill is about some kind of conspiracy, and we got to get something going. “Peggy, I love you, but I ain’t signing that bill. I won’t stand up and talk against your bill, but I am not signing that bill, Peggy.” We would still be good; we still loved each other and laughed. Anyone who served with her knows her remarks can be very colorful. For those of you who don’t have the privilege to sit in our caucus, they become really colorful.

My best memory was in 2007 when I was going through my divorce. We were doing our typical thing in the hallways, going from committee to committee and whatnot. I was outside of Commerce and Labor and Peggy was walking somewhere and saw me there. It wasn’t anything in particular, but she walked over to me and gave me the greatest hug, and she said, “You’re going to get through it. I know you are.” And that was it. She just had this sense about me and what I was going through at that time, and she picked up on it right away and just came over and comforted me. That is what I will always remember about Peggy, because despite political differences, in her heart, she really cares about people. If she knows you and loves you, you can times that by infinity, because that’s the type of person she is, and I’ll never forget that.

ASSEMBLYMAN GRADY:

Thank you, Madam Speaker. It is appropriate that my friend Assemblyman Horne and my friend Peggy Pierce and I came in here together, and we are leaving together. I remember our first year was a very difficult session, especially the end. Peggy was so mad at us. We heard the colorful language; we understood the colorful language. And she stayed mad at us until the start of the 2005 Session, and then we kind of made up. I can tell you, I think we found out what friendship is all about. It has been my pleasure, my honor to serve with you, Peggy. We argued in some committees—Natural Resources when you had some bills. It’s kind of like the Majority Leader said—Peggy, I love you, but I can’t vote for this bill. But we stayed friends, and I wish you the very best because you are just a wonderful lady.

ASSEMBLYMAN ELLIOT ANDERSON:

Thank you, Madam Speaker. I couldn’t pass up the opportunity to say a few words about my colleague. We have been friends since 2007, long before I was in this body. Everything that everyone has said already today applies as far back as I can remember. I’ll never forget her taking a chance on me when I first ran for this body, and I really want to thank her for that. But even more than that, I want to thank her for being our party’s conscience in this building. I think that is important, because sometimes it is not always easy to say what you think in this building, and Peggy never had a problem with that. And that, to me, is an example of what a good legislator is—never being afraid to speak your mind. It’s very, very important.



It's very hard for me—as the Majority Leader said. It is hard to see her in the shape that she is in because I know what her heart still looks like. It is still fierce, it is still fighting, and Peggy, no matter what happens in my legislative career, I can tell you that I am always going to be asking myself, “What would Peggy say? What would Peggy do?” I think that is important for all of us.

ASSEMBLYMAN STEWART:

Thank you, Madam Speaker. The Majority Leader has no idea what it is like to disagree with Peggy Pierce. I've sat in several committees with her, from sewer laterals in Health and Human Services to Lake Tahoe in Government Affairs, and this past session I've had the honor of sitting next to her. Once in a great while—I can't think of any specific instances—we did agree. We had a little banter that went on between us while other things were going on, and we would kind of dig at each other, she being a softhearted liberal and me being a hard hearted conservative—I hope Chuck Muth is listening. This banter went on for a while, and I soon realized that I was no match for Peggy. She has a very quick wit, and I'm sort of a halfwit, so I finally kind of gave up. But I was so sad when she became ill and was not able to come to the sessions. Pardon me to the chair of Government Affairs, but it became kind of boring after Peggy left. But, you know, she's going to bounce back, and I wouldn't be surprised if in a couple of years she was running for the Senate. Peggy, I love you, I respect you, and we always know where you stand, and we'll always love you.

ASSEMBLYWOMAN SWANK:

Thank you, Madam Speaker. I know I'm only a freshman, and I didn't get to meet Peggy before I was elected, however, this is a great story. It was right after the election. We were having dinner at someone's house. It was all of the women who had been elected. I had never had a conversation with Peggy before, and we had a very nice conversation. I won't recount all of it, but there was a mention of muskets, and I rather liked that, and I decided at that point that when I grow up, I want to be Peggy Pierce. Thank you, Peggy.

ASSEMBLYWOMAN DIAZ:

Thank you, Madam Speaker. In Spanish when people are small, we say sometimes that they are—especially referring here to my colleague from Assembly District 3—chiquita pero picosa. That basically means she is a little hot habanero. She really knows how to turn the heat on—and fast. Everybody has been talking about how great Peggy's heart is. I was able to be a recipient of a lot of that love last session as a freshman. She held my hand, me being pregnant and all, and I'm very grateful she came by and she visited my son and I. I hope that I get to grow up to be a true stateswoman, like my colleague here. She really stays true to her convictions. No matter how highly contentious the subject is, she votes what she truly feels is the right way to vote, and she never caves, and that is the legacy that I will have to live up to the rest of the time I get to serve, too.

ASSEMBLYMAN BOBZIEN:

Madam Speaker, thank you for doing this—and not on the last night. I think it's wonderful that we've got a little bit of time, and it is a really good idea, and here is why. For the freshmen, you may not know that this is coming, but many of you in two nights are going to be finished with the session, and you are going to swear that you don't ever want to come back. I think we are definitely on track, Madam Speaker, but a number of us that have been here and have served a session have had that experience at least once. Certainly my brush with that was the most severe last session with the storied battle over Tahoe; finishing that up and having Peggy as a comrade in arms in that; finishing that night and feeling completely hung out, run over, and dejected; and feeling like I didn't ever want to talk to anybody ever again. And there was Peggy who treated it like this is just going to keep going: This is not over; this is not done. And I remember thinking at the time, Who is this that she has this strength and understanding of

justice, knowing that things are always bigger than you and that the arc of history bends towards justice? She is our long arc in this Legislature, and that's something that I'll never forget.

I feel a special obligation to finish out the Majority Leader's reference to black helicopters because it really is a good story if you don't remember it. Everyone knows that both caucuses have their chats. We tend to have a lot of fun on those chats. We are also doing business and planning things, but we also have some fun. That bill in particular, I think, dealt with a resolution about the World Trade Organization or something, and I remember having the same response that William did where I was like, "Peggy, what?" And I don't know—did I sign onto it? Maybe I did, maybe I didn't, but all throughout the session, it was all about the black helicopters, and I remember that that was the first time that our chat humor spilled out onto the floor for everyone to see when former Assemblyman Tick Segerblom, now Senator, got up during the floor debate and flat out said to the bill sponsor, "I'd like to ask you about the black helicopters." And everybody just busted up laughing, and I think the best part about it was that nobody was laughing harder than Peggy. It's the humor that you have to have and the spirit that you have to have in this building that Peggy exemplifies.

ASSEMBLYWOMAN CARLTON:

Thank you, Madam Speaker. We have told the license plate story many, many times, but I think, on its anniversary, I should mention the fight of 2003, the most hard fought battle that has ever happened in this building, in that hallway, right outside those doors with Peggy Pierce, myself, and Senator Bill Raggio, over a license plate bill. So we have done one in our history; we never did another. We have kept that pledge to each other. But in memory of Assembly Bill 207, which actually didn't pass because Senator Raggio killed it. Peggy and I amended our bill into his so that it would have to pass—so now you have, thanks to Peggy and me, a Ducks Unlimited plate and a naturalized citizenship plate. The citizenship plate is the prettiest plate, the most effective plate, and the proudest plate in this state. In honor of that, we have for Ms. Pierce, two citizenship plates with her name, one signed by the Senate, one by the Assembly. I apologize; not all signatures are there, so please stop by Peggy's desk to put your signatures on the back of those plates. We weren't able to get to everyone.

Peggy, I remember sitting in Washington, D.C. at the Washington Hilton having a single scotch in a glass and talking about you running for office. It was the best conversation we ever had. Thank you for doing it. The state is a better place because of you. Thank you.

Madam Speaker requested the privilege of the Chair for the purpose of making the following remarks:

I'll finish up. You know, I have a lot of great stories about Peggy, but what I'll tell you is that she is a harder worker than me, and people never even realized that. She served as my vice chair, and no disrespect for anybody else, but she will always be my favorite vice chair because when times were tough or days were long, she would come by and say, "Hey, girlfriend. What can I do to help you?" She was always there to give me a bright spot in my day. This session especially, times were tough for a lot of folks in the building, but each day Peggy would come by and say, "What can I do to help you?" She has been my inspiration the entire session because she never stopped caring about this building. She never stopped caring about any one of you in here, and she will always be remembered for making sure we got through this session. So Peggy, I thank you for keeping us all going this session. You will still always be the best vice chair around. So with that, I'd like to give you applause from all of us and say thank you for your service to our state.

Madam Speaker requested that the following tribute for Assemblyman Grady be entered in the Journal.

Motion carried.

**TRIBUTE HONORING ASSEMBLYMAN GRADY**

Tom Grady was born in Tonopah, Nevada, and received his high school diploma from Bishop Manogue High School in Reno. He continued his education at the University of Nevada, Reno. His first professional career was in agriculture banking, where he worked for 30 years serving northern Nevada. During that time, he furthered his education at the Washington State Bankers School at Washington State University in Pullman, Washington.

Tom Grady lived in Fallon, Nevada, between 1968 and 1973, where he served as Assistant Secretary, Treasurer, and Office Manager of the Truckee River Irrigation District. In 1973, he relocated to Yerington, Nevada, where he has lived over the past 40 years. Between 1973 and 1993, he was Vice President of Agricultural Banking with the Pioneer Citizens Bank of Nevada. Tom was an elected member of the Yerington City Council between 1979 and 1981. He was elected Mayor of the City of Yerington in 1981 and served in that post for the next 12 years. Following his years in banking, and as an elected officer in Yerington from 1993 to 2001, Tom was the Executive Director of the Nevada League of Cities and Municipalities. Among many other duties and responsibilities, he ably represented local governments as a lobbyist at five regular and one special session of the Nevada Legislature.

In 2002, at the urging of many, Tom decided to embark on another career as a member of the Nevada Legislature. He was elected to Assembly District No. 38 in November 2002, and will have served for 12 years in that capacity when his current term expires in November 2014. For his first ten years in office, Assembly District No. 38 included all of Lyon and Storey Counties and portions of Carson City and Churchill County. Following redistricting by Nevada's First Judicial District Court in 2011, the boundaries of District 38 were changed to include all of Churchill County and a portion of Lyon County. As a former Churchill County resident, and a 40-year resident of Lyon County, Tom has been an ideal person to represent these counties in the Assembly.

As a member of the Nevada Assembly, Tom served as co-Minority Whip at the regular sessions of 2011 and 2013. He served as a member of the Assembly Committee on Ways and Means for the 2007, 2009, 2011, and 2013 Sessions, and likewise was a member of the Interim Finance Committee from 2007 until the present time. Other standing committees on which Tom Grady served include: Commerce and Labor; Elections, Procedures, Ethics, and Constitutional Amendments; Government Affairs; Growth and Infrastructure; Legislative Affairs and Operations; Taxation; and Natural Resources, Agriculture, and Mining. During his years of service in the Assembly, Tom Grady was the primary sponsor of successful legislation on a variety of topics, including: unemployment compensation; public administrators; meetings of boards of county commissioners; general improvement districts; veterans; county and city boundaries; fire protection; community water and sewerage systems; farm equipment; water conservation; local government airports; irrigation districts; and rural housing.

Among other awards, positions, and honors, Tom Grady was: Fallon Lions Club Lion of the Year, 1971-1972; Yerington Lions Club Lion of the Year, 1981-1982; President (1986-1987) and Public Official of the Year (1987), Nevada League of Cities; and Member of the Board of Directors, National League of Cities. As a member of the Nevada Assembly, Tom Grady will be remembered as a strong advocate of rural Nevada and Nevada's cities and local governments. Tom and his wife Patricia are the proud parents of Tina Cordes, Tim Grady, and Tami Harmon, and the equally proud grandparents of seven grandchildren. His good-natured and collegial approach to lawmaking, as well as his expertise in banking, local governments, and many other topics, will be missed when Tom Grady leaves the Assembly in November 2014.

Madam Speaker requested that the following remarks be entered in the Journal.

Motion carried.

## ASSEMBLYMAN HICKEY:

Thank you, Madam Speaker. Tom, it's a pleasure to have this time, before we end, for all of us to be educated in all that you've done and all you've been. I remember when I served here in the 1990s, and I think you were with the League of Cities at that time. I hope everyone remembers hearing that you were the mayor of Yerington when Speaker Joe Dini was here. Those are all experiences for us to reflect on—what you have done as a representative of the rurals and what the rurals have meant to this state. At times when we fight between the north and the south, those colleagues of ours from the rurals represent kind of a bridge of reality that I think helps keep it real because, Tom, you're one of the many that had such a rich career before coming here and therefore brought so much to us. Certainly I felt that way as a leader and being our whip and really an elder in our caucus—that when things got bouncing around, I could always walk into Tom's office and sit down. You've seen it all before. There is nothing new under the sun.

I know the one person that really inspired Tom Grady last session was Senator Horsford. When Senator Horsford would get preaching on Ways and Means—and he could—I think it was a good thing that Tom Grady was on the edge of that committee chair because Tom was just about to get Pentecostal sometimes when the Senator got going. It's been great having you, Tom. It's an honor. We would love to have you come back. I know you're going to peek through the glass and laugh at us. It's a whimsical time, but you deserve this honor. You've been a good friend and a good example to many of us.

## ASSEMBLYMAN HORNE:

Thank you, Madam Speaker. There are just a couple of brief things I want to share with everyone, particularly the new members of the body, about what you can take away about Tom. Over the years, for sure, we've had disagreements on policy and debates on the floor, in committee, et cetera. The thing you remember, and I hope everyone takes away from this, is that with Tom—at the end, have you noticed that when you walk out of the committee room, you walk off this floor, he's always got a smile for you? He's always ready to have a joke with you or laugh with you, no matter how heated it has gotten, because he remembers and he knows that this place will be here long after you're gone. It was here before you got here. You can have some true respect for each other and have some long-lasting friendships here, and that's what I have taken with Tom. It's not worth staying mad at each other, and that's refreshing. I hope a lot of people take that away from their experiences here with Tom. I have appreciated serving with you, Tom.

## ASSEMBLYMAN HARDY:

Thank you, Madam Speaker. For me, I have been privileged to have the opportunity to work under the tutelage of Mr. Grady. I have known Mr. Grady for a longer time than I've been here in the session. I used to be a city councilman myself, and he was kind of running this state in the League of Cities for quite some time. He has always had a sense of humor. To have them let me hang out with him and Pete Goicoechea has been a great opportunity—to be favored to have that opportunity and be in that circle. They have quite the sense of humor. People in this room right here think that they are running this building. I have to let you know that everything is done at 6:30 in the morning in another room, and the Speaker comes in and makes sure that we're going in the right direction. It's fun to sit there. I've seen another side of Tom that I think most of you don't get to see. He can get mad, and when he does, you kind of just back off and leave him alone. The other day I put my arm around him and said, "Mr. Grady, I love you man." He said, "Crescent, you can't have my damn gin." Anyway, I appreciate him and appreciate the lessons he's taught and wish everybody had that opportunity. I truly believe he will be standing back there next session with his hands on his ears waving at us because he enjoys life and enjoys harassment. Thank you for your time and thank you for that circle.

ASSEMBLYWOMAN PIERCE:

Thank you, Madam Speaker. I just want to sort of double up on the remarks of the Majority Leader. It comes as no surprise to anyone that I don't have a nonpartisan bone in my body. I try, but it just doesn't happen. Being in this chamber and knowing people on the other side of the aisle for as long as we do and as closely as we do, even someone like me knows that there are very decent people on both sides of the aisle, and you are one of them. You've brought a whole lot of experience to these chambers from your time in local government, and you clearly care very much about the people that you serve, and that's always very inspirational. It's been a real honor to serve with you, and I think that maybe you and I are the only two people around who swear that our names will never appear on a ballot again. So I will be thinking of you every election night from now on when we're not biting our nails. Thank you.

ASSEMBLYMAN STEWART:

Thank you, Madam Speaker. I just agreed with Peggy again. Tom has always been a real friend to me. When I came here, I didn't know anything about northern Nevada. I think all you need to know about northern Nevada and the type of people that are here is to know Tom Grady. I had a little problem last session with some folks, and Tom was there for me and I will never forget that. He's got many titles: of mayor, of Assemblyman, of husband to his dear wife. If you want to know what a great marriage is, look at Tom and Pat. To me the greatest title he has is friend, and I will always remember him as a friend.

ASSEMBLYMAN OHRENSCHALL:

Thank you, Madam Speaker. Tom, it's been great to serve with you. I remember when we were first elected. I was pretty partisan back then, and I remember we Democrats were disappointed that the Dini family didn't hold onto the seat, but that was before I got to know you. The more I got to know you, the more I realized that you look at the issue. It doesn't matter if it's a Democrat or a Republican issue. I really think you stand in the tradition of some of the great rural legislators like John Carpenter, Dean Rhoads, Mike McGinness. You are part of that great tradition. This session I was really lucky to get to sit next to you on Commerce and Labor. Just the chats we had about issues and about witnesses and whether they sounded smart or sounded stupid or sounded funny, I really enjoyed that, and you really are a tribute to this body.

ASSEMBLYMAN ELLISON:

Thank you, Madam Speaker. I was just told to be good. I stand in front of you and my colleagues, my friend from District 38, my friend from District 34, and my friend from District 3. These are some of the greatest people in the world, even though I've only known some for four or five years, and I have known my colleague here for many, many years. He was at one time known as "Gentleman Tom." He's kind of used some of the unspoken language at me in the building and told me, "What the hell were you thinking of?" So I'm learning. And Ms. Pierce—I love her to death even though I know the mind will not fit where I sit—and Mr. Horne—I have the most respect for these three individuals. I just want you to please stand and give them all a big hand at once.

ASSEMBLYMAN ELLIOT ANDERSON:

Thank you, Madam Speaker. Tom, I just wanted to briefly say I've appreciated working with you on all the different veterans' issues. Remember, I was even talking to you about them in 2009, and so I've appreciated all we've been able to do together on that. I have never thought a bad word about you and just wanted to say thank you.

ASSEMBLYMAN LIVERMORE:

Thank you, Madam Speaker. I stand on Carson City's behalf. Mr. Grady, Tom our friend, has represented Carson City for five of his terms here. Only this year do I represent all of Carson City. Tom willed that to me last year, and hopefully I will continue to represent all of

Carson City. Tom, I love you very much. It was very interesting this year when you brought forth a couple of bills that were very interesting: Don't feed the horses and you need insurance for your irrigation ditches. But I knew Tom a little bit from when I was a county official and he worked at the League of Cities. It was always good to see him. As a supervisor, sometimes people called me if they didn't know who their Assembly person was and they were looking for somebody in Carson City, so that encouraged me to run for this seat, Mr. Grady. Tom lives in that wonderful town, Yerington, and he lives at the edge of the golf course that doesn't have any golfers anymore. Maybe he can take up putting or maybe he can try to figure out what the best angles are out there on that golf course. Tom, I will always remember the pen that you have and how you kept order as the whip in the Republican caucus. He had a knack of tapping his pen on the table that made the largest noise. It was like a big mallet. I stand here today to thank you for your service to Nevada. Thank you for your service to Carson City. It's been a pleasure working here with you.

Madam Speaker requested the privilege of the Chair for the purpose of making the following remarks:

As I came into my first session, Mr. Grady and Mr. Sullivan kind of invited me into the cowboy caucus in the morning. I had to prove my way into that caucus because Mr. Carpenter, who was here, and Mr. Grady and Mr. Goicoechea weren't so sure of some wild child, city slicker that was coming in to have coffee with them in the morning. So it took a couple of weeks. I was pretty consistent showing up, and they started to lighten up a little. It was okay that I came in and had coffee with them. Really where Tom and I started, we agreed the most on a particular issue on rural housing where the two of us agreed that the person who was in charge probably wasn't the best friend of many. We worked together to pass a lot of legislation to ensure that rural housing worked for the benefit of the state and the folks in the rurals. We had some great laughs over others' misfortunes, but it was good for the state. I served with you for a long time. It was a pleasure. I was glad to be in the cowboy caucus. I still show up. I do also want to thank you for your service, and I hope that you have brought someone up along that we can count on next session. We know what we don't want, so we want you to bring us someone good that we can work with. With that, Mr. Grady, thank you for your service to the state and the rurals; you will be sadly missed in this building.

Madam Speaker requested that the following tribute for Assemblyman Horne be entered in the Journal.

Motion carried.

#### **TRIBUTE HONORING ASSEMBLYMAN HORNE**

William C. Horne was born in Wichita Falls, Texas. As part of an Air Force family, William moved frequently as a child. But his roots in southern Nevada are very deep. He lived in Las Vegas through most of his schooling, attending Lois Craig Elementary, Madison Sixth Grade Center, Gibson Junior High, and graduating from Western High School. During these years in school, William pursued the goal of becoming an Air Force fighter pilot, and was active in the Cub Scouts, Webelos, Boy Scouts, and the Junior ROTC. However, at the age of 16, William learned he could not follow in his father's footsteps in the military due to a health-related condition. For William, service to country and community would have to come in another form.

Once William's father passed away, the burden of raising the family fell on William's mother, Mary. It wasn't until years later that William learned how much his mother sacrificed, saved, and went without so William and his sisters, Tracy and Toni, could have clothes, books, and money for after school activities. William finished his freshman year at the University of Nevada, Las Vegas, then left school to work in the airline industry for the next 15 years. William credits his mother as the inspiration to return to college at UNLV, where he went on to

receive his Bachelor of Arts degree in Criminal Justice, and later his law degree from the William S. Boyd School of Law. After receiving his law degree, William was working as a law clerk at the time of his first election to the Nevada Assembly in November 2002. Since his passage of the Nevada Bar, William has operated a private law practice in Clark County.

As a member of the Nevada Assembly, William Horne has now served in six regular sessions and eight special sessions. Following his first regular session, William was named the Outstanding Freshman Assemblyman at the 2003 Session. In 2005, William was again recognized for his hard work, being named one of the most effective legislators in the Assembly. As his seniority in the Assembly increased, William's leadership responsibilities also increased. He was selected to serve as co-Assistant Majority Whip in the 2007 and 2009 Regular Sessions, as the Majority Whip for the 2011 Session, and as the Assembly Majority Floor Leader at the 2013 Session. His committee assignments for the 2013 Session included the Assembly standing committees on Commerce and Labor, Taxation, and Ways and Means. During prior sessions, he served on several other standing committees, including the Assembly Committee on Judiciary. He was a member of that important committee during his first 10 years in the Assembly, and chaired it during the 2011 Regular Session.

William was the author of many excellent pieces of legislation over the years. In the 2013 Session alone, he sponsored bills approved by the Legislature concerning interactive gaming, the servitude of a minor, bidder preferences on public works, electronic messaging signs along highways, private investigators, the victims of crime, and hoax bombs. During earlier sessions, he was the primary sponsor of enacted bills dealing with methamphetamines, community redevelopment, eminent domain, medical research, real estate appraisals, the victims of domestic violence and sexual assault, child prostitution, condominium hotels, the crime of battery, post-conviction genetic marker analysis, and child abduction prevention.

During the interim periods between sessions, William has continued his legislative service as a member of a number of statutory and interim study committees. For example, during the 2005-2006 interim period, he chaired the Legislative Commission's Subcommittee to Study Sentencing and Pardons, and Parole and Probation. Other interim legislative study committees on which he served include those on gaming policy, courts of chancery, high-level radioactive waste, and education. He also has served on: the Nevada Commission on Homeland Security; the Nevada Mental Health Plan Implementation Commission; the Nevada State Council on Interstate Juvenile Supervision; and the Advisory Commission on the Administration of Justice. Additionally, William is now a member of the Legislature's Interim Finance Committee and the Legislative Commission, and will continue that service until the end of his current term of office. He also continues to serve on the National Conference of Commissioners on Uniform State Laws, a body on which he has served since 2005.

William lives in the western part of Las Vegas and is the proud father of Kayla, Chelsey, Henry, and Chloe, and is the equally proud grandfather of Sarah. He has been a stalwart member of the Assembly since the 2003 Session, and his intelligence, wide ranging expertise, integrity, and service as both a mentor and leader will be missed in the sessions to come. We extend our thanks to William C. Horne for his excellent service in this body, and wish him all the best in his future endeavors.

Madam Speaker requested that the following remarks be entered in the Journal.

Motion carried.

ASSEMBLYMAN FRIERSON:

Thank you, Madam Speaker. Our Majority Leader and I go way back. We went to law school together. I actually went to college with his sister as an undergrad. I have learned a great deal from William, even starting back then. I learned how to canvas through canvassing for the Majority Leader. I learned how to run from dogs while canvassing with the Majority Leader. I

learned how to run from dogs and duck constituent water hoses while working for the Majority Leader. We probably had more fun than should be allowed in law school, but that was because it was a new school over at Paradise Elementary School. I worked in the library, so I could usher people in and out. We didn't have any books in the library, but I worked there. It gave me an opportunity to get to know him very well. We served in student government together. He has been a servant that long, that entire time, and I've learned so much from him, but not just politically. Him practicing as a criminal defense attorney and then being able to chair Judiciary and separate that is something that I think folks underestimate until they get there. To be here and do what you think is the right thing, independent of what your job is, I was able to learn from our Majority Leader. There is so much more—and I'm learning this so if I snap at any of you, know it's because I was overwhelmed. I wouldn't have been able to get through this session if I hadn't been paying attention to the example that I had before me. For me, the greatest things were keeping a sense of humor, and as he mentioned earlier, recognizing that this place was here long before we got here and is going to be here long after we leave, and also recognizing that the most important thing out there is real life. I learned about being a great dad—it's funny when I look at that picture because it reminds me that I want to have a daughter—but those are the important things. Obviously for us, because we are friends, it's not like I'm going to miss him because he will be here asking me to pass a bill sometime next session, I'm sure. I loved lobbying before and serving with William, and of all the lessons I've learned, I hope I can be just as committed of a dad and leave here with a plan of making a whole lot of money like he makes very clear he is going to do. I really appreciate you, William. You're my friend, you're my friend, you're my brother, and we will always be friends. Good luck and congratulations because you had a great career and you have a wonderful legacy.

ASSEMBLYMAN BOBZIEN:

Thank you, Madam Speaker. Continuing on the dad's front, you hear a lot about the unexpected friendships that you forge in this building. I remember when I was freshman and people started telling me that, and I'm thinking, Okay, yeah, these old timers, whatever, I don't know what they are thinking. It really kind of hit me this last summer just how much of a friend William is. We were meeting all the time, going through campaign stuff, and doing all the things we have to do for our caucus and all the things we do when we are in campaign mode. We were having lunch in Reno one day, and I started asking him some questions about things that were going on in my life, and he just sat and listened—no judgment, just offered his perspectives. He had had similar challenges, and it really kind of came down to, through it all, you have to love your kids and you have to be there for them. It's such an obvious lesson, but it's one of those ones that when you see it and you see someone who has done so much with his service and has done so much professionally and is so involved and is so busy with everything but just loves his kids so much and is so proud of what they do, it's just a wonderful model for all of us, and for me in particular. Fast forward to a couple weeks back, we are in the midst of the session, everything is going on, we are tracking bills, we are trying to see what's going on, see where things are going, and William calls me to his office. I'm thinking, Oh jeez, what did I do now? Something is going to happen. He just wanted to check in. "How are you doing?" It just blew me away. So I never expected to have this friendship, but William is a mentor, he is like a big brother, like a really big brother, a lot bigger than I am. I appreciate the friendship and I look forward to the next chapter in that friendship when he leaves this building because I know he is going to keep doing great things.

ASSEMBLYWOMAN FLORES:

Thank you, Madam Speaker. Oh, where do I start? William and I met back in 2009 when I was a quiet, scared, legal extern. William was actually one of the first people who encouraged me to run for office, so now you know who you can thank. We worked together on that post-conviction DNA bill that was mentioned earlier. It didn't take much convincing because he has always just been that way about justice and fairness and things that are the right thing to do.



Despite the fact that he was working with a second year law student, he never treated me any differently. He treated me like a professional and was incredibly helpful and gracious. You might not think I was scared, but I really was because I was just a second year law student and I was here with all these legislators. They were really scary, and I thought William was going to be scary, too, but he was actually the opposite. That's when I got to know that he has one of the biggest hearts of anyone I've met.

We know you are not leaving because you're going to be back. Anyone who follows him on Twitter knows he has made the funny things that happen here popular. But one of the other funny things that happens here in this building is that you develop lifelong friends. I'm not only going to miss you, William, because you have kept me endlessly entertained and have been brutally honest in every way, shape, or form and have been a mentor to me and always there for me, more than any of you will ever know. And you've let me eat all of your food that you have stashed away all session, so I really appreciate that. If any of you have gotten the opportunity to experience what I know many of us have, you'll agree that you are really lucky to leave this place with the kind of friendship that we have developed. Truly I will miss you.

ASSEMBLYMAN HARDY:

Thank you, Madam Speaker. For me, last session I didn't get an opportunity to really get to know Mr. Horne. This opportunity, being in leadership, has changed my whole perspective on Mr. Horne. It actually changed in the interim. He may not remember this, but I had a constituent that was in pretty grave need of some help. Financially, she could not afford certain things, and I didn't know where to turn on the state side. I happened to have Mr. Horne's phone number. I called him to ask him how to approach the situation she was in, and he said "Send her to me. I'll deal with it." I don't know if she ever got with him or not; it doesn't matter. He was willing to do it for nothing. I think that is the important key. Now along with that, I learned something else during the session. Some of us have judgmental attitudes, and we walk into situations where we are not really trusting. And I've got to tell you that Mr. Horne helped me put that barrier down. I saw that "Trust Me, William" up there, and I went to ask him a question, working in leadership, and it is terrifying to trust a Democrat, I've got to tell you. I put myself in a situation on a vote that kind of went that direction. But do you know what? He stood up, he covered my backside, and I appreciated that. So I appreciated his sense of humor and getting to know him.

ASSEMBLYWOMAN NEAL:

Thank you, Madam Speaker. I just want to say that it has been an interesting two sessions for me getting to know William. I know he thinks I don't listen to him and he thinks I only listen to him on full moons, but I do. I just use his information when I want to. But I listen to him. I think the Speaker and William tag team me with almost the same message. It sinks in. I beat to my own drum. I've appreciated you mentoring me and trying to tell me how I should grow—and to be nicer. He forces me to smile. That second row of Jason, Lucy, and William are the ones who have harassed me all session and drove me to the fits of laughter where I couldn't control myself. But they did it on purpose because they were like, if you would just smile sometimes, it would be a better world. I appreciate that because in the interim, I would always have to send him a text and say, "Okay, what's going on? Help me frame this. Help me get my mind around this, the Legislature. It's a unique thing that you take on. He has really tried to mentor me. I think when he and Kelvin met me, they scouted me out to try to find out how weird I may be, and then they got to know me a little bit and said, "I think we like her." I appreciated them accepting me because I didn't know who I should accept, and they really tried to mentor me. I love you, and you know we talked earlier, and I appreciate everything you have said to me, even if I never used it. I still have it in me. I'm going to use it one day. I'm going to grow up.

ASSEMBLYMAN STEWART:

Thank you, Madam Speaker. I never had much interaction with William until several weeks ago on a cold night at the Carson City Courthouse when we were there as a committee to consider expelling one of our members for the first time in the history of Nevada. I'll never forget the night that I looked into the character of William Horne, and I saw that he had such great respect for this institution and such great respect for individual people. I'll never forget what I learned that night from him, I will always respect him for that, and I wish him well.

ASSEMBLYWOMAN PIERCE:

Thank you, Madam Speaker. William, it's been a wonderful six sessions here with you. You know, everyone has talked about your big heart. It's tremendous. You know I especially witnessed it the two times I've had to tell you that I was sick again, and you were one of the first people that I told. I'll never forget your instant love that enveloped me when I had to tell you that. But I think the thing that sticks out to me the most, which is something that other people have mentioned, is the laughing. We had some very funny folks in the 2003 Session, and we laughed a lot. If I think back over the hundred times in this building that I laughed so hard that I thought I was going to do myself injury, you were the guy that was making me laugh, and that's a tremendous thing. I have been so honored to work with you. Your integrity and your passion about your work and this institution and the people of Nevada is an inspiration. Thank you and we will see you next time.

ASSEMBLYMAN ELLIOT ANDERSON:

Thank you, Madam Speaker. William, I wanted to get up and speak a little bit about your character, too, and how you have helped me in my short time here. The one thing that I always really appreciate about you is your directness. This doesn't always happen in this building. You don't always know when you are messing up and you need to be corrected, and you don't always get that. I've always appreciated you being up front with me, good or bad, not even just during the session but before. I've also appreciated your advice in dealing, as David was talking about, with things coming up in his life, and the same goes for me. I know it is not goodbye because I work in the same building as you back in Las Vegas. I'm looking forward to working in the legal field with you some more and seeing you up here. So thank you very much.

ASSEMBLYMAN EISEN:

Thank you, Madam Speaker. Mr. Horne, I've had the great privilege during my freshman session to serve as your vice chair on the Education and CIP Subcommittee in Ways and Means. I was really touched at how much deference you gave to my opinions. You listened to me, you took those things into consideration, you left me hanging to chair a committee when you left town for a day—that's okay, I'm alright with that. It really was a great learning opportunity for me as we sat in briefings together to try to focus in on the things that were really important, things that really mattered to Nevada. I've been continually impressed with how much of a premium you put on what is best for Nevada and not necessarily what is easy. That has been a great lesson for me. One thing I do want to share because there are some folks here in the room that may not realize this—one of my colleagues earlier mentioned our chat and some jokes that may go back and forth on chat sometimes. One of things I've found that William will do on chat is he will lurk a little bit. We will be in a committee hearing and chat will be going, and he will be working intensely on the subject matter at hand, I'm sure, but he won't be engaged in the chat very much. Someone will make a joke, and then suddenly from out of the blue will come a message from William, and he invariably takes the joke one step too far—Funny, but one step too far. I am proud to say—and I assure you I will not repeat it here—I am proud to say that I topped him one evening this session. I will not repeat the joke anywhere that there is a recording device, ever, but I really look forward to the opportunity to see you in the future and work with you in a different capacity and lay down the challenge to you to try to top that one. I'm open anytime. Thank you very much. It's been an honor to be able to serve with you.

ASSEMBLYWOMAN DIAZ:

I, too, like my colleague from Assembly District 19, have called 1-800-call W. Horne for free legal advice, and he has never said, “Go see a lawyer.” He has always given me the advice that I need. It’s not for me; it’s usually for a constituent or a family member. You know how that goes in our community.

My first experience working with the Majority Leader was as a freshman on the Judiciary Committee. It was a great first year. There was a lot to learn, a steep learning curve for me, but he carried that committee with a lot of class and a lot of charisma, and boy does he have a quick wit. I always saw him as a champion for justice and fairness in our state, so much so that when it came time when I was still pregnant and we were touring the state prison facilities, he said that he did not want my child to be born there, so he excused me from it, and I will always be grateful because you just never know when you are going to go into labor.

He has been a rock for our caucus, no doubt about it, especially this session with everything, and he carried so much of it for us. I will be eternally grateful to him because he, in the most difficult moments of this session, has been the rock and the pillar that kept a lot of us focused on the work that we are here to accomplish on behalf of our constituents.

I admire him as the statesman that he is—and he has faithfully served our state for these 12 years—but mostly as a father. When I saw him bring Chloe and Chloe was sitting on his lap last session while he was chairing the committee, and every time I see him with his children, I truly know that he is a wonderful dad, and he is a great statesman. We’re going to miss you, but I will come and seek advice and guidance and mentoring from you, so don’t think you are getting away from us.

ASSEMBLYMAN GRADY:

Kicking around these halls for 20 years on both sides of the glass, you learn to really respect what we are here for and the offices that some of the folks hold. I’ve got to tell you a little story first. The other night, we were at an awards dinner, and my friend from District 42 was giving out the gifts and she said, “Tom. Who is Tom?” And we kind of laughed and she said, “I didn’t know your name was Tom. I always thought it was Mr. Grady.” And she’s the same with Mr. Stewart. It’s “Mr. Stewart.” I feel the same way about many of the folks here. I have a hard time calling the Speaker by her name. She is the Speaker, and I feel the same way about Mr. Horne. He walks in in the morning many times to our cowboy coffee, and the first thing I think when he comes through the door is, “Good morning, boss. How are you?” He gives you that smile, and that’s what starts the day because he is a statesman, and he knows how to handle people.

At the beginning of this session, I had never seen, in my time here, a person who took his responsibilities more to heart. It was very, very difficult—the task that was laid upon his shoulders. He handled it not only professionally, but very delicately, and he made us all look like professionals. Mr. Horne, you are a professional, and it has been a pleasure for these last 11-plus years to work with you. I wish you the best.

ASSEMBLYMAN THOMPSON:

April 18 this year, I arrived at the Reno airport and talked to Mr. Horne, and he said, “As soon as you get here, make sure the Legislative Police bring you directly to my office.” I was thinking, Okay, what is that all about? When I got here, the Legislative Police brought me directly to him, and I knew what he was talking about because I don’t know if you guys remember, but I came on the floor, and the media—and we love our media—but they swarmed me. William stepped up and he said, “Hey, I’m his mentor. Let him breathe.” I really can appreciate him for being that mentor and that big brother that I never had. He is the true epitome of the type of lawmaker that I want to be. You get up very early, extremely early in the morning, and you head to the office. You’re here late at night. You have what we call in the ‘hood “swag,” and I want to be able to have that kind of swag like you have as a lawmaker. I definitely want to have that wit, that humor, and that ability to engage a diverse group of people.

I've known you and Senator Atkinson for numerous years, and I remember you always tried to encourage me to run for office. I said, "Yeah, I'll get there. I'll get there eventually." I just thank you. I've watched you this year. You've gone through some challenges, brother, but you came out looking stellar. I thank you so much. God bless you with the rest of your career. I just want to let you know that I don't take mentoring lightly because once you're a mentor, you're always a mentor. I've got your phone number, so sorry, you're stuck with me. I appreciate you and God bless.

Madam Speaker requested the privilege of the Chair for the purpose of making the following remarks:

As I was sitting here listening to everybody talk about his warm heart, I was trying to remember when I first found that warm heart, because I don't know that we quite had that in the beginning. It's great, though, because William and I were cordial to each other years ago. Last session I did something without checking with him, and boy, did I get the wrath of William. I was reminiscing when everybody was talking about his warm heart. I was thinking, Dang, how come I have never seen that warm heart? I saw him come racing up to my office and saying, "You didn't check with me, and you can't use the conference committee, and don't you know how this building works?" And I was thinking, Huh? William, you and I have had a session to remember—Mr. Ralston—to remember. We have been through some challenges, but not one day went by when we forgot to stop, talk to each other, work on policy, and have quite a few laughs when times were tough. We would just stand there and laugh. You know, one of my favorite memories this session was a certain day when William and I went out, stayed out, but got back first thing in the morning. Let me tell you, we were the first two in the office, 6:30 a.m., and we were still kind of tired, but it was a busy day. Our attachés—love them both—but for some reason, they sent us to the wrong place, and we literally stood on the fourth floor and just laughed. We sat on the ground and just laughed because we had no idea where we were supposed to be, we were late, and we didn't even know who to go ask because if our attachés didn't know where we supposed to be, we were in trouble.

I have to tell you, William, I'm amazed we made it through. We had a great session, and I did see your warm heart. We went through some pretty rough times, shared some tears, and I am glad I got to experience that warm heart. I hope you will come back because we passed some good policy, we made everybody laugh, we kept the building light, and we worked together across the aisle to make this state a better place. I am thankful that you were the Majority Leader this session. I think we will have a great next couple of days, and I look forward to seeing you in the future. Thank you.

#### ASSEMBLY IN SESSION

At 7:46 p.m.

Madam Speaker presiding.

Quorum present.

#### MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Horne moved that Senate Bill No. 407 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Assemblyman Horne moved that Senate Bills Nos. 464, 465, 467, 481, 490, 515, 518; Senate Joint Resolution No. 8, be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

## UNFINISHED BUSINESS

## SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 9, 14, 18, 91, 131, 146, 176, 218, 246, 264, 286, 312, 363, 386, 391, 422, 440, 445, 453, 481, 482, 486; Assembly Resolution No. 14; Senate Bills Nos. 36, 72, 170, 210, 217, 244, 266, 302, 312, 313, 321, 327, 442, 456, 508.

## GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblywoman Fiore, the privilege of the floor of the Assembly Chamber for this day was extended to Andrea Schulein.

On request of Assemblyman Livermore, the privilege of the floor of the Assembly Chamber for this day was extended to Aden Medley, Aren Medley, Kathleen Medley, Richard Medley, and Mike Koon.

Assemblyman Horne moved that the Assembly adjourn until Sunday, June 2, 2013, at 3 p.m.

Motion carried.

## MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Frierson moved the Assembly reconsider the action whereby the Assembly adjourned until Sunday, June 2, 2013, at 3 p.m.

Motion carried.

## INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 511—AN ACT relating to public employees; establishing the maximum allowed salaries for certain employees in the classified and unclassified service of the State; requiring employees of the State to take a certain number of days of unpaid furlough leave during the 2013-2015 biennium; providing exceptions to the furlough requirement; making appropriations from the State General Fund and State Highway Fund for the salaries of certain employees of the State; extending the temporary suspension of the semiannual payment of longevity pay during the 2013-2015 biennium; extending the temporary suspension of merit pay increases during Fiscal Year 2013-2014; and providing other matters properly relating thereto.

Assemblywoman Carlton moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Assemblyman Horne moved that the Assembly adjourn until Sunday,  
June 2, 2013, at 3 p.m.

Motion carried.

Assembly adjourned at 8:10 p.m.

Approved:

MARILYN K. KIRKPATRICK  
*Speaker of the Assembly*

Attest: SUSAN FURLONG  
*Chief Clerk of the Assembly*