

**THE SIXTY-FIRST DAY**

---

CARSON CITY (Friday), April 3, 2015

Assembly called to order at 12:21 p.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Thompson, who was excused.

Prayer by the Chaplain, Pastor Albert Tilstra.

We pray for the members of this body, its officers, and all those who share in its work. We remember that You never were in a hurry nor lost Your inner peace when under pressure. But we are only human. We feel the strain of meeting deadlines, and we chafe under frustration. We need poise and peace of mind, and only You can supply the deepest needs of tired bodies, jaded spirits, and frayed nerves.

Give to us your peace and refresh us in our weariness that this may be a good day with much done and done well.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Paul Anderson 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.

**REPORTS OF COMMITTEES**

*Mr. Speaker:*

Your Committee on Government Affairs, to which was referred Assembly Bill No. 14, 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 Government Affairs, to which was referred Assembly Bill No. 24, 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 Government Affairs, to which was referred Assembly Bill No. 53, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN C. ELLISON, *Chair*

*Mr. Speaker:*

Your Committee on Health and Human Services, to which were referred Assembly Bills Nos. 164, 169, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES OSCARSON, *Chair*

*Mr. Speaker:*

Your Committee on Judiciary, to which was referred Assembly Bill No. 8, 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 Judiciary, to which were referred Assembly Bills Nos. 132, 183, 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 Judiciary, to which was referred Assembly Bill No. 153, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

IRA HANSEN, *Chair*

*Mr. Speaker:*

Your Committee on Legislative Operations and Elections, to which were referred Assembly Bills Nos. 273, 384, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Legislative Operations and Elections, to which was referred Assembly Bill No. 23, 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 Legislative Operations and Elections, to which was referred Assembly Bill No. 252, 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 Legislative Operations and Elections, to which was referred Assembly Bill No. 457, 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 Legislative Operations and Elections, to which was referred Assembly Bill No. 266, has had the same under consideration, and begs leave to report the same back with the recommendation: Without recommendation, and rerefer to the Committee on Ways and Means.

LYNN D. STEWART, *Chair*

*Mr. Speaker:*

Your Committee on Taxation, to which were referred Assembly Bills Nos. 57, 451, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Taxation, to which were referred Assembly Bills Nos. 71, 83, 116, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DEREK ARMSTRONG, *Chair*

*Mr. Speaker:*

Your Committee on Transportation, to which were referred Assembly Bills Nos. 422, 449; Senate Bill No. 145, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Transportation, to which were referred Assembly Bills Nos. 103, 204, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JIM WHEELER, *Chair*

#### MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 1, 2015

*To the Honorable the Assembly:*

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 186, 297, 362, 449.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 17, 26, 36, 161, 162, 200.

SHERRY RODRIGUEZ  
*Assistant Secretary of the Senate*

SENATE CHAMBER, Carson City, April 2, 2015

*To the Honorable the Assembly:*

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 240.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 2, 50, 66, 87, 127, 144, 217, 233.

SHERRY RODRIGUEZ  
*Assistant Secretary of the Senate*

MOTIONS, RESOLUTIONS AND NOTICES

NOTICE OF EXEMPTION

April 2, 2015

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the eligibility for exemption of: Senate Bills Nos. 6, 215, 302, 321, 323, 325, 331, 334, 336, 338, 342, 345, 346, 348, 357, 361, 363, 371, 378, 379, 386, 387, 394, 396, 397 and 398.

MARK KRMPOTIC  
*Fiscal Analysis Division*

April 3, 2015

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the exemption of: Senate Bill No. 424.

Also, the Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the eligibility for exemption of: Senate Bills Nos. 404, 407, 412, 415, 416, 425, 426, 434, 436, 437, 438, 443, 447, 451, 454 and 456.

MARK KRMPOTIC  
*Fiscal Analysis Division*

April 3, 2015

Pursuant to paragraph (a) of subsection 4 of Joint Standing Rule No. 14.6, the following measures are not subject to the provisions of subsection 1 of Joint Standing Rule No. 14, Joint Standing Rule No. 14.1, subsection 1 of Joint Standing Rule No. 14.2 and Joint Standing Rule No. 14.3: Assembly Bills Nos. 423 and 455.

Pursuant to paragraph (a) of subsection 4 of Joint Standing Rule No. 14.6, the following measures are not subject to the provisions of subsections 1 of Joint Standing Rule No. 14, Joint Standing Rule No. 14.1, subsection 1 of Joint Standing Rule No. 14.2 and Joint Standing Rule No. 14.3: Senate Bills Nos. 269, 360 and 413 and Senate Joint Resolution No. 8 of the 77<sup>th</sup> Session.

RICHARD S. COMBS  
*Director*

Assemblyman Paul Anderson moved that Assembly Bill No. 266 be rereferred to the Committee on Ways and Means.

Motion carried

Assemblyman Paul Anderson moved that Assembly Bill No. 340 be taken from the General File and rereferred to the Committee on Ways and Means.

Motion carried.

Assemblyman Paul Anderson moved that Assembly Bill No. 156 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Assemblyman Hansen moved that Assembly Bill No. 148 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Motion carried.

Assemblywoman Kirkpatrick moved that all remarks on the Second Reading File be entered in the journal.

Motion carried.

Assemblyman Paul Anderson moved that Brandon Turner of American Bridge; Lauren Rozyla and Kyle Zuelke of KLAS-TV; Sarah Johns and Rebecca Kitchen of KOLO-TV; Bryan Callahan and James Flint of KTNV-TV 13; William Hurd and Rudy Moertl of Let's Talk Nevada; and Clinton Demeritt of Northern Nevada Hopes be accepted as accredited press representatives and allowed use of appropriate broadcasting facilities.

Motion carried.

#### INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 2.

Assemblyman Paul Anderson moved that the bill be referred to the Committee on Transportation.

Motion carried.

Senate Bill No. 17.

Assemblyman Paul Anderson moved that the bill be referred to the Committee on Judiciary.

Motion carried.

Senate Bill No. 26.

Assemblyman Paul Anderson moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

Senate Bill No. 36.

Assemblyman Paul Anderson moved that the bill be referred to the Committee on Judiciary.

Motion carried.

Senate Bill No. 50.

Assemblyman Paul Anderson moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Senate Bill No. 66.

Assemblyman Paul Anderson moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

Senate Bill No. 87.

Assemblyman Paul Anderson moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Senate Bill No. 127.

Assemblyman Paul Anderson moved that the bill be referred to the Committee on Transportation.

Motion carried.

Senate Bill No. 144.

Assemblyman Paul Anderson moved that the bill be referred to the Committee on Transportation.

Motion carried.

Senate Bill No. 161.

Assemblyman Paul Anderson moved that the bill be referred to the Committee on Judiciary.

Motion carried.

Senate Bill No. 162.

Assemblyman Paul Anderson moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Senate Bill No. 186.

Assemblyman Paul Anderson moved that the bill be referred to the Committee on Judiciary.

Motion carried.

Senate Bill No. 200.

Assemblyman Paul Anderson moved that the bill be referred to the Committee on Education.

Motion carried.

Senate Bill No. 217.

Assemblyman Paul Anderson moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Senate Bill No. 233.

Assemblyman Paul Anderson moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Senate Bill No. 240.

Assemblyman Paul Anderson moved that the bill be referred to the Committee on Judiciary.

Motion carried.

Senate Bill No. 297.

Assemblyman Paul Anderson moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

Senate Bill No. 362.

Assemblyman Paul Anderson moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

Senate Bill No. 449.

Assemblyman Paul Anderson moved that the bill be referred to the Committee on Judiciary.

Motion carried.

#### SECOND READING AND AMENDMENT

Assembly Bill No. 7.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 154.

AN ACT relating to civil actions; limiting the recovery of damages arising from a civil action relating to a motor vehicle accident under certain circumstances; and providing other matters properly relating thereto.

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

Existing law requires every owner of a motor vehicle registered or required to be registered in this State to maintain certain amounts of insurance coverage for the payment of tort liabilities arising from the maintenance or use of the motor vehicle. (NRS 485.185) Existing law authorizes certain persons to satisfy such a requirement by obtaining an operator's policy of liability insurance instead of an owner's policy of liability insurance. (NRS 485.186) Existing law also provides that a person in whose name more than 10 motor vehicles are registered in this State may qualify as a self-insurer. (NRS 485.380) This bill limits, under certain circumstances, the amount of damages a plaintiff or claimant may recover in a civil action arising from a motor vehicle accident if he or she was not in compliance with such provisions of existing law, as applicable, at the time of the accident.

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

**Section 1.** Chapter 42 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. Except as otherwise provided in subsection 2, in any civil action to recover damages arising from an accident involving the operation of a motor vehicle or for any claim against the motor vehicle liability policy of another party, if the plaintiff or claimant was not in compliance with the requirements of NRS 485.185, 485.186 or 485.380, as applicable, at the time of the accident, the maximum amount that may be awarded to the plaintiff or claimant must:*

*(a) Be limited to medical costs, property damage and lost income incurred as a result of the accident; and*

*(b) Not include any damages for pain and suffering.*

*2. The provisions of subsection 1 do not apply to:*

*(a) A plaintiff or claimant injured by a motorist who, at the time of the accident, was operating a motor vehicle while under the influence of intoxicating liquor or a controlled substance or engaging in any other conduct prohibited by NRS 484C.110, 484C.120, 484C.130 or 484C.430, and:*

*(1) Was convicted of, or entered a plea of guilty or nolo contendere to, the offense; or*

*(2) Died as a result of the accident, if it is proven by a preponderance of the evidence that the motorist was operating the motor vehicle while committing any of the offenses described in this paragraph.*

*(b) A plaintiff or claimant who was a passenger in a motor vehicle involved in the accident, unless the plaintiff or claimant is an owner of the vehicle.*

*(c) A plaintiff or claimant who was not the operator of or a passenger in a motor vehicle involved in the accident.*

*(d) A plaintiff or claimant if the motorist who caused the accident:*

*(1) Intentionally caused the accident;*

*(2) Left the scene of the accident; or*

*(3) At the time of the accident, was acting in furtherance of the commission of a felony.*

*(e) A plaintiff or claimant who, at the time of the accident, was claimed as a dependent on the federal income tax return of one or both of his or her parents, and the parent or parents were not in compliance with the requirements of NRS 485.185, 485.186 or 485.380, as applicable.*

*(f) A plaintiff or claimant who, at the time of the accident, previously had been covered by an insurance policy which satisfied the requirements of NRS 485.185, 485.186 or 485.380, as applicable, that was cancelled or terminated for failure to pay the premium unless, at least ~~30~~ 45 days before the accident, a notice of cancellation or termination was mailed to the last known address of the policyholder.*

*(g) Wrongful death claims.*

*3. Except as otherwise provided in subsection 2, the limitations of subsection 1 upon the amount and nature of damages which may be awarded may be asserted by:*

*(a) Any person who is involved in the accident which is the basis of the action or claim; and*

*(b) The insurer of motor vehicle liability for any person asserting a limitation set forth in subsection 1.*

Assemblyman Hansen moved the adoption of the amendment.

Remarks by Assemblyman Hansen.

ASSEMBLYMAN HANSEN:

Amendment 154 to Assembly Bill 7 changes the cancellation or termination notification for automobile insurance from 30 days to 45 days.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 13.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 72.

AN ACT relating to support; revising provisions of the Uniform Interstate Family Support Act; revising the effective date of certain provisions of the Act relating to foreign support orders, foreign tribunals and certain persons residing in foreign countries; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

In 1997, Nevada enacted the Uniform Interstate Family Support Act to establish the procedures and jurisdictional requirements regarding the issuance, enforcement and modification of interstate child-support and spousal-support orders. (Chapter 489, Statutes of Nevada 1997, pp. 2311-29) In 2009, Nevada enacted certain amendments to the Act to provide that the provisions of the Act apply to foreign support orders, foreign tribunals, and obligees, obligors and children residing in foreign countries. (NRS 130.0902-130.802; chapter 47, Statutes of Nevada 2009, pp. 119-40) The effective date of these amendments is the date on which The Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance is ratified by the President and the United States deposits its instrument of ratification. (Chapter 47, Statutes of Nevada 2009, p. 140)

**Sections 3 and 4** of this bill make these amendments effective on July 1, 2015, to comply with the federal law requiring that the Act, as amended in 2008, be in effect in this State not later than that date as a condition for the receipt of certain federal funds for support enforcement efforts. (42 U.S.C. § 654(20)(A), 42 U.S.C. § 666(f); Pub. L. No. 113-183, 128 Stat. 1919) **Sections ~~1 and 2~~ 1-2.7** of this bill make certain amendments to existing law to match the language of the Act.

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

**Section 1.** NRS 130.10107 is hereby amended to read as follows:

130.10107 "Child-support order" means a support order for a child, including a child who has attained the age of majority under the law of the issuing state ~~[-] or foreign country.~~



**Sec. 1.1. NRS 130.10127 is hereby amended to read as follows:**

130.10127 “Income-withholding order” means an order or other legal process directed to an *obligor’s* employer ~~[of an obligor]~~, **as defined in NRS 130.10115**, to withhold support from the income of the obligor.

**Sec. 1.2. NRS 130.103 is hereby amended to read as follows:**

130.103 1. Remedies provided by this chapter are cumulative and do not affect the availability of remedies under other law or the recognition of a **foreign** support order on the basis of comity.

2. This chapter does not:

(a) Provide the exclusive method of establishing or enforcing a support order under the law of this State; or

(b) Grant a tribunal of this State jurisdiction to render judgment or issue an order relating to child custody or visitation in a proceeding under this chapter.

**Sec. 1.3. NRS 130.2025 is hereby amended to read as follows:**

130.2025 A tribunal of this State exercising personal jurisdiction over a nonresident in a proceeding under this chapter or under other law of this State relating to a support order or in a proceeding recognizing a foreign support order may receive evidence from outside this State pursuant to NRS 130.316, communicate with a tribunal outside this State pursuant to NRS 130.317 and obtain discovery through a tribunal outside this State pursuant to NRS 130.318. In all other respects, NRS 130.301 to ~~[130.713,]~~ **130.614**, inclusive, do not apply and the tribunal shall apply the procedural and substantive law of this State.

**Sec. 1.4. NRS 130.304 is hereby amended to read as follows:**

130.304 1. Upon the filing of a petition authorized by this chapter, an initiating tribunal of this State shall forward the petition and its accompanying documents:

(a) To the responding tribunal or appropriate support-enforcement agency in the responding state; or

(b) If the identity of the responding tribunal is unknown, to the state information agency of the responding state with a request that they be forwarded to the appropriate tribunal and that receipt be acknowledged.

2. If requested by the responding tribunal, a tribunal of this State shall issue a certificate or other document and make findings required by the law of the responding state. If the responding tribunal is in a foreign country, upon request the tribunal **of this State** shall specify the amount of support sought, convert that amount into the equivalent amount in the foreign currency under the applicable official or market exchange rate as publicly reported and provide any other documents necessary to satisfy the requirements of the responding foreign tribunal.

**Sec. 1.5. NRS 130.313 is hereby amended to read as follows:**

130.313 1. Except as otherwise required pursuant to Section 16 of Article 6 of the Nevada Constitution, a petitioner must not be required to pay a filing fee or other costs.

2. If an obligee prevails, a responding tribunal of this State may assess against an obligor filing fees, reasonable attorney's fees and other costs, expenses for necessary travel and other reasonable expenses incurred by the obligee and the witnesses of the obligee. The tribunal may not assess fees, costs or expenses against the obligee or the support-enforcement agency of either the initiating or the responding state or foreign country, except as otherwise provided by other law. Attorney's fees may be taxed as costs and may be ordered to be paid directly to the attorney, who may enforce the order in his or her own name. Payment of support owed to the obligee has priority over fees, costs and expenses.

3. The tribunal shall order the payment of costs and reasonable attorney's fees if it determines that a hearing was requested primarily for delay. In a proceeding pursuant to NRS 130.601 to ~~130.713,~~ 130.614, inclusive, a hearing is presumed to have been requested primarily for delay if a registered support order is confirmed or enforced without change. This presumption is subject to rebuttal.

4. All attorney's fees and other costs and expenses awarded to and collected by a district attorney pursuant to this section must be deposited in the general fund of the county and an equivalent amount must be allocated to augment the county's program for the enforcement of support obligations.

**Sec. 1.6. NRS 130.316 is hereby amended to read as follows:**

130.316 1. The physical presence of a nonresident party who is a natural person in a tribunal of this State is not required for the establishment, enforcement or modification of a support order or the rendition of a judgment determining parentage of a child.

2. An affidavit, a document substantially complying with federally mandated forms or a document incorporated by reference in any of them, which would not be excluded under the hearsay rule in NRS 51.065 if given in person, is admissible in evidence if given under penalty of perjury by a party or witness residing outside this State.

3. A copy of the record of child-support payments certified as a true copy of the original by the custodian of the record may be forwarded to a responding tribunal. The copy is evidence of facts asserted therein and is admissible to show whether payments were made.

4. Copies of bills for testing for parentage of a child, and for prenatal and postnatal health care of the mother and child, furnished to the adverse party at least 20 days before trial are admissible in evidence to prove the amount of the charges billed and that the charges were reasonable, necessary and customary.

5. Documentary evidence transmitted from outside this State to a tribunal of this State by telephone, telecopier or other electronic means that do not provide an original record may not be excluded from evidence on an objection based on the means of transmission.

6. In a proceeding under this chapter, a tribunal of this State shall permit a party or witness residing outside this State to be deposed or to testify **under**

***penalty of perjury*** by telephone, audiovisual means or other electronic means at a designated tribunal or other location. A tribunal of this State shall cooperate with other tribunals in designating an appropriate location for the deposition or testimony.

7. In a civil proceeding under this chapter, if a party called to testify refuses to answer a question on the ground that the testimony may be self-incriminating, the trier of fact may draw an adverse inference from the refusal.

8. A privilege against the disclosure of communications between husband and wife does not apply in a proceeding under this chapter.

9. The defense of immunity based on the relationship of husband and wife or parent and child does not apply in a proceeding under this chapter.

10. A voluntary acknowledgment of paternity, certified as a true copy, is admissible to establish parentage of the child.

***Sec. 1.7. NRS 130.317 is hereby amended to read as follows:***

130.317 A tribunal of this State may communicate with a tribunal outside this State in a record, or by telephone, electronic mail or other means, to obtain information concerning the laws, ~~of that state or foreign country or political subdivision,~~ the legal effect of a judgment, decree or order of that tribunal, and the status of a proceeding. A tribunal of this State may furnish similar information by similar means to a tribunal outside this State.

***Sec. 1.8. NRS 130.501 is hereby amended to read as follows:***

130.501 An income-withholding order issued in another state may be sent by or on behalf of the obligee or by a support-enforcement agency to ~~an~~ ***the person defined as the obligor's*** employer ~~of an obligor in this State~~ ***under NRS 130.10115*** without first filing a petition or comparable pleading or registering the order with a tribunal of this State.

***Sec. 1.9. NRS 130.506 is hereby amended to read as follows:***

130.506 1. An obligor may contest the validity or enforcement of an income-withholding order issued in another state and received directly by an employer in this State by registering the order in a tribunal of this State and filing a contest to that order as provided in NRS 130.601 to ~~130.713,~~ ***130.614,*** inclusive, or otherwise contesting the order in the same manner as if the order had been issued by a tribunal of this State.

2. The obligor shall give notice of the contest to:

(a) A support-enforcement agency providing services to the obligee;

(b) Each employer that has directly received an income-withholding order relating to the obligor; and

(c) The person designated to receive payments in the income-withholding order, or if no person is designated, to the obligee.

3. ~~The obligor has the burden of proving one or more of the following defenses:~~

~~(a) The tribunal that issued the order lacked personal jurisdiction over the obligor;~~

~~(b) The order was obtained by fraud;~~

~~(c) The order has been vacated, suspended, stayed or modified by a later order; or~~

~~(d) There is a mistake of fact as to the amount of the order or the identity of the obligor.~~

~~4. The provisions of NRS 130.604 apply to the contest. If the tribunal determines:~~

~~(a) Any of the defenses presented pursuant to subsection 3 in favor of the obligor, it shall issue an order to stay the withholding;~~

~~(b) None of the defenses presented pursuant to subsection 3 in favor of the obligor, it shall order the employer to proceed with the withholding, and may assess costs and attorney's fees against the obligor.~~

~~5.] The tribunal shall provide the parties and employer with notice of its decision within 45 days after the obligor received a copy of the order pursuant to NRS 130.502.~~

**Sec. 1.95. NRS 130.602 is hereby amended to read as follows:**

130.602 1. Except as otherwise provided in NRS 130.706, a support order or income-withholding order of another state or a foreign support order may be registered in this State by sending the following records to the appropriate tribunal of this State:

(a) A letter of transmittal requesting registration and enforcement;

(b) Two copies, including one certified copy, of the order to be registered, including any modification of the order;

(c) A sworn statement by the person requesting registration or a certified statement by the custodian of the records showing the amount of any arrearage;

(d) The name of the obligor and, if known:

(1) The address and social security number of the obligor;

(2) The name and address of the employer of the obligor and any other source of income of the obligor; and

(3) A description and the location of property of the obligor in this State that is not exempt from execution; and

(e) Except as otherwise provided in NRS 130.312, the name and address of the obligee and, if applicable, the person to whom support payments are to be remitted.

2. On receipt of a request for registration, the registering tribunal shall cause the order to be filed as an order of a tribunal of another state or a foreign ~~country,~~ support order, together with one copy of the documents and information, regardless of their form.

3. A petition or comparable pleading seeking a remedy that must be affirmatively sought under other law of this State may be filed at the same time as the request for registration or later. The pleading must specify the grounds for the remedy sought.

4. If two or more orders are in effect, the person requesting registration shall:

- (a) Furnish to the tribunal a copy of every support order asserted to be in effect in addition to the documents specified in this section;
- (b) Specify the order alleged to be the controlling order, if any; and
- (c) Specify the amount of consolidated arrears, if any.

5. A request for a determination of which is the controlling order may be filed separately or with a request for registration and enforcement or for registration and modification. The person requesting registration shall give notice of the request to each party whose rights may be affected by the determination.

**Sec. 2.** NRS 130.703 is hereby amended to read as follows:

130.703 The ~~governmental entity of this State~~ ***Division of Welfare and Supportive Services of the Department of Health and Human Services*** is recognized as the agency designated by the United States central authority ~~may~~ to perform specific functions under the Convention.

**Sec. 2.3. NRS 130.704 is hereby amended to read as follows:**

130.704 1. In a support proceeding under NRS 130.7011 to 130.713, inclusive, the ~~governmental entity of this State designated pursuant to NRS 130.703~~ ***Division of Welfare and Supportive Services of the Department of Health and Human Services*** shall:

- (a) Transmit and receive applications; and
- (b) Initiate or facilitate the institution of a proceeding regarding an application in a tribunal of this State.

2. The following support proceedings are available to the obligee under the Convention:

- (a) Recognition or recognition and enforcement of a foreign support order;
- (b) Enforcement of a support order issued or recognized in this State;
- (c) Establishment of a support order if there is no existing order, including, if necessary, determination of parentage of a child;
- (d) Establishment of a support order if recognition of a foreign support order is refused under paragraphs (b), (d) or (i) of subsection 2 of NRS 130.708;
- (e) Modification of a support order of a tribunal of this State; and
- (f) Modification of a support order of a tribunal of another state or a foreign country.

3. The following support proceedings are available under the Convention to an obligor against which there is an existing support order:

- (a) Recognition of an order suspending or limiting enforcement of an existing support order of a tribunal of this State;
- (b) Modification of a support order of a tribunal of this State; and
- (c) Modification of a support order of a tribunal of another state or a foreign country.

4. A tribunal of this State may not require security, bond or deposit, however described, to guarantee the payment of costs and expenses in proceedings under the Convention.

**Sec. 2.7. NRS 130.710 is hereby amended to read as follows:**

130.710 1. Except as otherwise provided in subsections 3 and 4, a tribunal of this State shall recognize and enforce a foreign support agreement registered in this State.

2. An application or direct request for recognition and enforcement of a foreign support agreement must be accompanied by:

- (a) A complete text of the foreign support agreement; and
- (b) A record stating that the foreign support agreement is enforceable as ~~fe decision~~ **an order of support** in the issuing country.

3. A tribunal of this State may vacate the registration of a foreign support agreement only if, acting on its own motion, the tribunal finds that recognition and enforcement would be manifestly incompatible with public policy.

4. In a contest of a foreign support agreement, a tribunal of this State may refuse recognition and enforcement of the agreement if it finds:

- (a) Recognition and enforcement of the agreement is manifestly incompatible with public policy;
- (b) The agreement was obtained by fraud or falsification;
- (c) The agreement is incompatible with a support order involving the same parties and having the same purpose in this State, another state or a foreign country if the support order is entitled to recognition and enforcement under this chapter in this State; or
- (d) The record submitted under subsection 2 lacks authenticity or integrity.

5. A proceeding for recognition and enforcement of a foreign support agreement must be suspended during the pendency of a challenge to or appeal of the agreement before a tribunal of another state or a foreign country.

**Sec. 3.** Section 90 of chapter 47, Statutes of Nevada 2009, as amended by chapter 28, Statutes of Nevada 2011, at page 90, is hereby amended to read as follows:

Sec. 90. The amendatory provisions of this act apply to proceedings to establish a support order to determine parentage of a child or to register, recognize, enforce or modify a prior support order, determination or agreement, whenever issued or entered, which are commenced on or after ~~[the date that the provisions of The Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance is ratified by the President and the United States deposits its instrument of ratification.]~~ **July 1, 2015.**

**Sec. 4.** Section 91 of chapter 47, Statutes of Nevada 2009, at page 140, is hereby amended to read as follows:

Sec. 91. This act becomes effective on ~~[the date that the provisions of The Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance is ratified by the~~

~~President and the United States deposits its instrument of ratification.]  
July 1, 2015.~~

**Sec. 5.** Section 5 of chapter 414, Statutes of Nevada 2013, at page 2271, is hereby amended to read as follows:

Sec. 5. 1. This section and sections 1, 2 and 3 of this act become effective on October 1, 2013.

2. ~~[Section 3 of this act expires by limitation on the date that the provisions of The Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance are ratified by the President and the United States deposits its instrument of ratification.—3.]~~ Section 3.5 of this act becomes effective on ~~[the date that the provisions of The Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance are ratified by the President and the United States deposits its instrument of ratification.]~~ **July 1, 2015.**

**Sec. 6.** 1. This section and sections 3, 4 and 5 of this act become effective upon passage and approval.

2. Sections 1 ~~and 2~~ **to 2.7, inclusive,** of this act become effective on July 1, 2015.

Assemblyman Hansen moved the adoption of the amendment.

Remarks by Assemblyman Hansen.

ASSEMBLYMAN HANSEN:

Amendment 72 to Assembly Bill 13 revises provisions of *Nevada Revised Statutes* Chapter 130, the Uniform Interstate Family Support Act, to match recently issued federal mandates.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 19.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 214.

AN ACT relating to local governments; revising provisions governing the day on which certain governing bodies must hold budget hearings on tentative budgets prepared by those governing bodies; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Under existing law, certain local governmental entities which have the right to levy or receive money from ad valorem or other taxes, or any mandatory assessments, are required to prepare a tentative budget for the ensuing fiscal year. ~~(NRS 254.596)~~ Such a local governmental entity must submit the tentative budget to the Department of Taxation and then give notice of a public hearing on the tentative budget. Existing law requires that ~~the~~ **such a** budget ~~hearings~~ **hearing** must be held: (1) for county budgets,

on the third Monday in May; (2) for city budgets, on the third Tuesday in May; (3) for school districts, on the third Wednesday in May; and (4) for all other local governments, on the third Thursday in May or the Friday immediately succeeding the third Thursday in May. (NRS 354.596) This bill ~~revises the provision regarding the days on which~~ **eliminates the requirement that** the budget ~~hearings must~~ **hearing** be held ~~to require that the budget hearings instead be held on or before the specified day.~~ **on those specified days and instead requires that the budget hearing be held not sooner than the third Monday in May and not later than the last day in May.**

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

**Section 1.** NRS 354.596 is hereby amended to read as follows:

354.596 1. The officer charged by law shall prepare, or the governing body shall cause to be prepared, on appropriate forms prescribed by the Department of Taxation for the use of local governments, a tentative budget for the ensuing fiscal year. The tentative budget for the following fiscal year must be submitted to the county auditor and filed for public record and inspection in the office of:

- (a) The clerk or secretary of the governing body; and
- (b) The county clerk.

2. On or before April 15, a copy of the tentative budget must be submitted:

- (a) To the Department of Taxation; and
- (b) In the case of school districts, to the Department of Education.

3. At the time of filing the tentative budget, the governing body shall give notice of the time and place of a public hearing on the tentative budget and shall cause a notice of the hearing to be published once in a newspaper of general circulation within the area of the local government not more than 14 nor less than 7 days before the date set for the hearing. The notice of public hearing must state:

- (a) The time and place of the public hearing.
- (b) That a tentative budget has been prepared in such detail and on appropriate forms as prescribed by the Department of Taxation.
- (c) The places where copies of the tentative budget are on file and available for public inspection.

4. ~~[(Budget hearings)]~~ ***The public hearing on the tentative budget*** must be held ~~at~~

~~(a) For county budgets, on *or before* by the governing body not sooner than the third Monday in May;~~

~~(b) For cities, on *or before* the third Tuesday in May;~~

~~(c) For school districts, on *or before* the third Wednesday in May; and~~

~~(d) For all other local governments, on *or before* the third Thursday in May or the Friday immediately succeeding the third Thursday in May.~~



~~except that the board of county commissioners may consolidate the hearing on all local government budgets administered by the board of county commissioners with the county budget hearing.] and not later than the last day in May.~~

5. The Department of Taxation shall examine the submitted documents for compliance with law and with appropriate regulations and shall submit to the governing body at least 3 days before the public hearing a written certificate of compliance or a written notice of lack of compliance. The written notice must indicate the manner in which the submitted documents fail to comply with law or appropriate regulations.

6. Whenever the governing body receives from the Department of Taxation a notice of lack of compliance, the governing body shall forthwith proceed to amend the tentative budget to effect compliance with the law and with the appropriate regulation.

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

Assemblyman Ellison moved the adoption of the amendment.

Remarks by Assemblyman Ellison.

ASSEMBLYMAN ELLISON:

The amendment sets a range of dates for when budget hearings may take place, beginning on the third Monday in May and ending on the fourth Friday in May.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 31.

Bill read second time and ordered to third reading.

Assembly Bill No. 69.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 10.

AN ACT relating to courts; revising provisions governing the recycling of paper and paper products by courts; revising provisions governing the duties of court clerks and justices of the peace in relation to the fees charged by those officials; revising provisions governing the collection and reporting of certain statistical information by district courts, justice courts and municipal courts; changing the term “county clerk” to “clerk of the court” in certain statutes relating to the fees charged by clerks of the district courts; removing provisions requiring courts to provide to the Court Administrator certain orders relating to bail forfeitures; repealing the requirement that the Nevada Supreme Court decide an appeal from a judgment imposing the death penalty within a certain period; repealing provisions governing the selection of panels of jurors by boards of county commissioners; revising various other provisions relating to court administration; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires courts, the Legislative Counsel Bureau, state agencies, school districts and the Nevada System of Higher Education to recycle paper and paper products unless a waiver is granted because the cost of recycling is unreasonable or would place an undue burden on the entity. (NRS 1.115, 218F.310, 232.007, 386.4159, 396.437) To obtain such a waiver: (1) the Nevada Supreme Court must apply to the Interim Finance Committee; (2) a district court or justice court must apply to the board of county commissioners of the county in which the court is located; and (3) a municipal court must apply to the governing body of the city in which it is located. (NRS 1.115) **Section 1** of this bill removes existing provisions regarding a waiver of the requirement for courts to recycle and, instead, requires courts to recycle to the extent reasonably possible.

Existing law requires the Clerk of the Supreme Court to post in a conspicuous place in his or her office a table of the fees charged by the Clerk. (NRS 2.250) **Section 2** of this bill requires the table of fees to be posted by conventional or electronic means and requires the table of fees to be posted on the Internet website of the Clerk.

Existing law requires district courts, justice courts and municipal courts to submit to the Court Administrator a report of statistical information concerning the workload of those courts. (NRS 3.243, 4.175, 5.045) Existing law further requires the clerk of a district court to obtain and file certain information concerning the nature of each criminal and civil case filed with the court. (NRS 3.275) **Sections 3, 4, 8 and 10** of this bill amend these provisions to require district courts, justice courts and municipal courts to submit a report of statistical information to the Court Administrator pursuant to the uniform system for collecting and compiling statistical information concerning the State Court System which is prescribed by the Supreme Court.

**Existing law requires each justice of the peace to charge and collect certain fees and to pay those fees to the county treasurer not later than the first Monday of each month. (NRS 4.063, 4.065, 4.071) Sections 4.2, 4.4 and 4.6 of this bill require that the fees be paid on or before the fifth day of the month. Under existing law, a justice of the peace is required to pay to the county treasurer the amount of each fine that is paid or bail that is forfeited within 30 days after such payment or forfeiture. (NRS 176.285) Section 35.5 of this bill requires such payments to be made on or before the fifth day of the month immediately following the month in which the fine is paid or the bail forfeited.**

Existing law contains various provisions governing the fees charged by justices of the peace and clerks of the district court and imposes certain penalties for the failure to comply with these provisions. (NRS 4.080-4.140, 19.040-19.110) **Sections 5 and 31** of this bill specifically authorize justices of the peace and clerks of the district courts to maintain in electronic format the fee book required by existing law. **Sections 6 and 32** of this bill require

justices of the peace and clerks of the district courts to submit to the county official designated by the board of county commissioners a monthly financial statement of the fees collected by them rather than a quarterly financial statement. **Sections 7 and 27** of this bill require justices of the peace and clerks of the district courts to post tables of fees: (1) by conventional or electronic means in their offices; and (2) on their Internet websites. **Section 9** of this bill specifically authorizes a justice of the peace to keep his or her docket in written or electronic format.

Existing law authorizes jurors to be selected by a jury commissioner designated by the district court or, in counties where there is no jury commissioner, by the board of county commissioners. (NRS 6.045-6.090) **Sections 11 and 41** of this bill remove provisions relating to the selection of jurors by a board of county commissioners.

Under existing law, county clerks are *ex officio* clerks of the district court in and for their counties. (Nev. Const. Art. 4, § 32; NRS 3.250, 246.060) The Nevada Supreme Court has ruled that “[a] district court may exercise control over the court clerk’s office either directly, by assuming all or part of the court clerk’s functions, or indirectly, by supervising the county clerk in the performance of his or her duties as the *ex officio* court clerk.” (*State ex rel. Harvey v. Second Jud. Dist. Ct.*, 117 Nev. 754, 772 (2001)) **Sections 12-33 and 35** of this bill change the term “county clerk” to “clerk of the court” in various statutes relating to the fees charged for the filing of certain documents in the district court and other services provided by the clerk of a district court.

Under existing law, a person may register an order for protection against domestic violence issued by a court in another state by presenting a certified copy of the order to the clerk of the court in a judicial district in which the person believes that enforcement may be necessary. (NRS 33.090) **Section 34** of this bill: (1) provides that such an order may be registered in a court of competent jurisdiction in the judicial district in which the person believes that enforcement may be necessary; and (2) authorizes a copy of such an order to be forwarded by conventional or electronic means to the appropriate law enforcement agency.

Existing law requires a court, upon entering an order of probation or suspension of sentence, to direct the clerk of the court to certify a copy of the records in the case and deliver a copy of the records in the case to the Chief Parole and Probation Officer. (NRS 176A.220) **Section 36** of this bill removes the requirement that the clerk certify a copy of the records and authorizes the clerk to deliver the records to the Chief in writing, by electronic means or by affording the Chief access to an electronic system necessary to retrieve the records.

**Sections 37-40** of this bill remove provisions of existing law which require a court to provide to the Court Administrator a copy of: (1) an order of bail forfeiture; (2) an order exonerating a surety of a bail bond; and (3) an order setting aside a bail forfeiture. (NRS 178.508, 178.509, 178.512, 178.514)

**Section 41** removes certain provisions of existing law, including provisions: (1) requiring the Clerk of the Supreme Court to publish a list of certain cases in a newspaper; (2) establishing penalties for justices of the peace and county clerks who fail to perform certain duties; (3) requiring justices of the peace to keep records of certain traffic violations; and (4) requiring the Nevada Supreme Court to decide an appeal from a judgment imposing the death penalty within a certain period.

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

**Section 1.** NRS 1.115 is hereby amended to read as follows:

1.115 1. Except as otherwise provided in this section, each court of justice for this State shall recycle or cause to be recycled, *to the extent reasonably possible*, the paper and paper products it uses. This subsection does not apply to confidential documents if there is an additional cost for recycling those documents.

2. ~~[A court of justice may apply for a waiver from the requirements of subsection 1. For such a waiver, the Supreme Court or the Court of Appeals must apply to the Interim Finance Committee, a district court or a justice court must apply to the board of county commissioners of the county in which it is located and a municipal court must apply to the governing body of the city in which it is located. A waiver must be granted if it is determined that the cost to recycle or cause to be recycled the paper and paper products used by the court is unreasonable and would place an undue burden on the operations of the court.~~

~~3. The Court Administrator shall, after consulting with the State Department of Conservation and Natural Resources, prescribe the procedure for the disposition of the paper and paper products to be recycled. The Court Administrator may prescribe a procedure for the recycling of other waste materials produced on the premises of the court building.~~

~~4. Any money received by a court of justice for recycling or causing to be recycled the paper and paper products it uses must be paid by the clerk of that court to the State Treasurer for credit to the State General Fund.~~

~~5.]~~ As used in this section:

(a) "Paper" includes newspaper, high-grade office paper, fine paper, bond paper, offset paper, xerographic paper, mimeo paper, duplicator paper and any other cellulosic material which contains not more than 10 percent by weight or volume of a noncellulosic material, including, but not limited to, a laminate, binder, coating and saturant.

(b) "Paper product" means any paper article or commodity, including, but not limited to, paper napkins, towels, cardboard, construction material, paper and any other cellulosic material which contains not more than 10 percent by weight or volume of a noncellulosic material, including, but not limited to, a laminate, binder, coating and saturant.

**Sec. 2.** NRS 2.250 is hereby amended to read as follows:

2.250 1. The Clerk of the Supreme Court may demand and receive for the services of the Clerk rendered in discharging the duties imposed upon him or her by law the following fees:

(a) Except as otherwise provided in paragraph (d), whenever an appeal is taken to the Supreme Court, or whenever a special proceeding by way of mandamus, certiorari, prohibition, quo warranto, habeas corpus, or otherwise is brought in or to the Supreme Court, the appellant and any cross-appellant or the party bringing a special proceeding shall, at or before the appeal, cross-appeal or petition for a special proceeding has been entered on the docket, pay to the Clerk of the Supreme Court the sum of \$200.

(b) Except as otherwise provided in paragraph (d), a party to an appeal or special proceeding who petitions the Supreme Court for a rehearing shall, at the time of filing such a petition, pay to the Clerk of the Supreme Court the sum of \$100.

(c) Except as otherwise provided in paragraph (d), in addition to the fees required pursuant to paragraphs (a) and (b):

(1) Whenever an appeal is taken to the Supreme Court, or whenever a special proceeding by way of mandamus, certiorari, prohibition, quo warranto, habeas corpus, or otherwise is brought in or to the Supreme Court, the appellant and any cross-appellant or the party bringing a special proceeding shall, at or before the appeal, cross-appeal or petition for a special proceeding has been entered on the docket, pay to the Clerk of the Supreme Court a court automation fee of \$50.

(2) A party to an appeal or special proceeding who petitions the Supreme Court for a rehearing shall, at the time of filing such a petition, pay to the Clerk of the Supreme Court a court automation fee of \$50.

↪ The Clerk of the Supreme Court shall remit the fees collected pursuant to this paragraph to the State Controller for credit to a special account in the State General Fund. The State Controller shall distribute the money received to the Office of Court Administrator to be used for advanced and improved technological purposes in the Supreme Court. The special account is restricted to the use specified, and the balance in the special account must be carried forward at the end of each fiscal year. As used in this paragraph, “technological purposes” means the acquisition or improvement of technology, including, without limitation, acquiring or improving technology for converting and archiving records, purchasing hardware and software, maintaining the technology, training employees in the operation of the technology and contracting for professional services relating to the technology.

(d) No fees may be charged by the Clerk in:

(1) Any action brought in or to the Supreme Court wherein the State of Nevada or any county, city or town thereof, or any officer or commission thereof is a party in his, her or its official or representative capacity, against the State of Nevada, county, city, town, officer or commission;

(2) A habeas corpus proceeding of a criminal or quasi-criminal nature;  
or

(3) An appeal taken from, or a special proceeding arising out of, a criminal proceeding.

(e) A fee of \$60 for Supreme Court decisions in pamphlet form for each year, or a fee of \$30 for less than a 6 months' supply of decisions, to be collected from each person who requests such decisions, except those persons and agencies set forth in NRS 2.345. The Clerk may charge a reasonable fee to all parties, including, without limitation, the persons and agencies set forth in NRS 2.345, for access to decisions of the Supreme Court compiled in an electronic format.

(f) A fee from a person who requests a photostatic copy or a photocopy print of any paper or document in an amount determined by the justices of the Supreme Court.

2. The Clerk of the Supreme Court shall not charge any fee that is not authorized by law.

3. The Clerk of the Supreme Court shall keep a fee book *or electronic record* in which the Clerk shall enter in detail the title of the matter, proceeding or action, and the fees charged therein. The fee book *or electronic record, as applicable*, must be open to public inspection in the office of the Clerk.

4. The Clerk of the Supreme Court shall publish and post *by conventional or electronic means*, in some conspicuous place in the Clerk's office *and on the Internet website of the Clerk*, a table of fees for public inspection. ~~[The Clerk shall forfeit a sum of not less than \$20 for each day of his or her omission to do so, which sum with costs may be recovered by any person by filing an action before any justice of the peace of the same county.]~~

5. All fees prescribed in this section must be paid in advance, if demanded. If the Clerk of the Supreme Court has not received any or all of the fees which are due to the Clerk for services rendered in any suit or proceeding, the Clerk may have execution therefor in the Clerk's own name against the party from whom they are due, to be issued from the Supreme Court upon order of a justice thereof or from the Court upon affidavit filed.

6. The Clerk of the Supreme Court shall give a receipt on demand of the party paying a fee. The receipt must specify the title of the cause in which the fee is paid and the date and the amount of the payment.

7. The Clerk of the Supreme Court shall, when depositing with the State Treasurer money received for Court fees, render to the State Treasurer a brief note of the cases in which the money was received.

**Sec. 3.** NRS 3.243 is hereby amended to read as follows:

3.243 In the time and manner prescribed by the Supreme Court, the Chief Judge of the judicial district or, if the district has no Chief Judge, a district judge designated by mutual consent of the district judges of that district, shall submit to the Court Administrator a report of the statistical information required pursuant to ~~[this section and such other]~~ *the uniform*

*system for collecting and compiling* statistical information ~~[as]~~ *regarding the State Court System which is* prescribed by the Supreme Court. ~~[The report must include, without limitation, statistical information concerning:~~

- ~~— 1. Those cases which are pending and undecided and the judge to whom each case has been assigned;~~
- ~~— 2. The type and number of cases each judge considered during the preceding month;~~
- ~~— 3. The number of cases submitted to each judge during the preceding month;~~
- ~~— 4. The number of cases decided by each judge during the preceding month; and~~
- ~~— 5. The number of full judicial days in which each judge appeared in court or in chambers in performance of his or her duties during the preceding month.]~~

**Sec. 4.** NRS 3.275 is hereby amended to read as follows:

3.275 1. The clerk of each district court shall obtain and file information ~~[regarding the nature of each criminal and civil case filed with the district court. If the]~~ ***necessary to complete the report of statistical information required by NRS 3.243, including, without limitation, information relating to the referral of a criminal case [is referred]*** to a specialty court program, ~~[the clerk must obtain and file information regarding the nature of the case and the program to which the defendant was referred.]~~ ***using the case management system provided by the Court Administrator.***

2. The clerk shall provide a form approved by the Court Administrator for obtaining the information required by subsection 1 ~~[ ]~~ ***for each civil case filed in the district court.*** No ~~[criminal or]~~ civil case may be filed in the district court unless the initial pleading is accompanied by the form, signed by the initiating party or his or her representative. ~~[In addition to the information on the form, the]~~

3. ***The*** clerk shall maintain information concerning the disposition of each criminal ***and civil*** case and, if applicable, whether ~~[the]~~ ***a criminal*** defendant successfully completed ~~[a]~~ ***the*** specialty court program ~~[ ]~~ ***to which he or she was referred.***

4. The clerk shall maintain the information ~~[contained in the form and collected pursuant to subsection 2]~~ ***described in this section*** in a ~~[separate system of filing to allow]~~ ***manner that allows*** the retrieval of statistics relating to each criminal and civil action filed in the district courts ~~[ ]~~ ***as required to complete the report required by NRS 3.243.***

**Sec. 4.2. NRS 4.063 is hereby amended to read as follows:**

4.063 1. In a county whose population is 100,000 or more, the justice of the peace shall, on the commencement of any action or proceeding in the justice court for which a fee is required, and on the answer or appearance of any party in any such action or proceeding for which a fee is required, charge and collect a fee of not less than \$5 but not more than \$10 from the party commencing, answering or appearing in the action or proceeding. The fee

required pursuant to this section is in addition to any other fee required by law.

2. On or before the ~~first Monday~~ fifth day of each month, the justice of the peace shall pay over to the county treasurer the amount of all fees collected by the justice of the peace pursuant to subsection 1 during the preceding month for credit to an account for dispute resolution in the county general fund. The money in that account must not be used for purposes other than the programs established pursuant to NRS 3.500 and 244.1607.

3. The board of county commissioners of any other county may impose by ordinance an additional filing fee of not more than \$10 to be paid on the commencement of any action or proceeding in the justice court for which a fee is required and on the filing of any answer or appearance in any such action or proceeding for which a fee is required. On or before the fifth day of each month, in a county where this fee has been imposed, the justice of the peace shall account for and pay over to the county treasurer all fees collected during the preceding month pursuant to this subsection for credit to an account for dispute resolution in the county general fund. The money in the account must be used only to support a program established pursuant to NRS 3.500 or 244.1607.

**Sec. 4.4. NRS 4.065 is hereby amended to read as follows:**

4.065 1. The justice of the peace shall, on the commencement of any action or proceeding in the justice court for which a fee is required, and on the answer or appearance of any defendant in any such action or proceeding for which a fee is required, charge and collect a fee of \$1 from the party commencing, answering or appearing in the action or proceeding. These fees are in addition to any other fee required by law.

2. On or before the ~~first Monday~~ fifth day of each month, the justice of the peace shall pay over to the county treasurer the amount of all fees collected by the justice of the peace pursuant to subsection 1 during the preceding month for credit to the State General Fund. Quarterly, the county treasurer shall remit all money so collected to the State Controller, who shall place the money in an account in the State General Fund for use by the Executive Director of the Department of Taxation to administer the provisions of NRS 360.283 and 360.289.

**Sec. 4.6. NRS 4.071 is hereby amended to read as follows:**

4.071 1. In addition to any other fee required by law, in each county that charges a fee pursuant to NRS 19.031 to offset a portion of the costs of providing legal services without a charge to indigent or elderly persons, a board of county commissioners may impose by ordinance a filing fee to offset a portion of the costs of providing pro bono programs and of providing legal services without a charge to abused or neglected children and victims of domestic violence to be remitted to the organization operating the program for legal services that receives the fees charged pursuant to NRS 19.031 for programs for the indigent in an amount not to exceed \$10 to be paid on the commencement of any action or proceeding in the justice court for which a



filing fee is required and on the filing of any answer or appearance in any such action or proceeding for which a filing fee is required.

2. On or before the ~~first Monday~~ **fifth day** of each month, in a county in which a fee has been imposed pursuant to subsection 1, the justice of the peace shall account for and pay over to the county treasurer any such fees collected by the justice of the peace during the preceding month. The county treasurer shall remit quarterly to the organization to which the fees are to be paid pursuant to subsection 1 all the money received by the county treasurer from the justice of the peace.

3. Any fees collected pursuant to this section must be used for the benefit of the persons to whom the organization operating the program for legal services that receives money pursuant to this section provides legal services without a charge.

**Sec. 5.** NRS 4.090 is hereby amended to read as follows:

4.090 The justice of the peace shall keep in his or her office a fee book **or electronic record** in which he or she shall enter in detail the title of the matter, proceeding or action, and the fees charged therein. The fee book **or electronic record, as applicable**, shall be open to public inspection.

**Sec. 6.** NRS 4.100 is hereby amended to read as follows:

4.100 1. On ~~the first Mondays of January, April, July and October, the justices~~ **or before the 15th day of each month, a justice** of the peace who ~~receive~~ **receives** fees pursuant to the provisions of NRS 4.060, 4.063 and 4.065 shall make out and file with the ~~boards~~ **county official designated by the board** of county commissioners of ~~their several counties~~ **his or her county** a full and correct statement ~~under oath~~ of all fees or compensation, of whatever nature or kind, received in ~~their several~~ **his or her** official ~~capacities~~ **capacity** during the preceding ~~3 months~~ **month**. In the statement ~~they~~, **the justice of the peace** shall set forth the cause in which, and the services for which, such fees or compensation were received.

2. This section does not require personal attendance in filing statements, which may be transmitted by mail or otherwise directed to the ~~clerk of~~ **county official designated by** the board of county commissioners.

**Sec. 7.** NRS 4.130 is hereby amended to read as follows:

4.130 Any justice of the peace receiving fees as provided by law shall publish and set up **by conventional or electronic means**, in some conspicuous place in his or her office **and on the Internet website of the justice court**, a ~~fee~~ **table of fees** for public inspection. ~~[/A sum not exceeding \$20 for each day of his or her omission so to do shall be forfeited, which sum with costs may be recovered by any person by an action before any justice of the peace of the same county.]~~

**Sec. 8.** NRS 4.175 is hereby amended to read as follows:

4.175 In the time and manner prescribed by the Supreme Court, the justice of the peace of a township or, if there is more than one justice of the peace of a township, a justice of the peace designated by mutual consent of the other justices of the peace of that township, shall submit to the Court

Administrator a written report of the statistical information required pursuant to ~~{this section and such other}~~ *the uniform system for collecting and compiling* statistical information ~~{as}~~ *regarding the State Court System which is* prescribed by the Supreme Court. ~~{The report must include, without limitation, statistical information concerning:~~

- ~~—1. Those cases which are pending and undecided and the justice of the peace to whom each case has been assigned;~~
- ~~—2. The type and number of cases each justice of the peace considered during the preceding month;~~
- ~~—3. The number of cases submitted to each justice of the peace during the preceding month;~~
- ~~—4. The number of cases decided by each justice of the peace during the preceding month; and~~
- ~~—5. The number of full judicial days in which each justice of the peace appeared in court or in chambers in performance of his or her duties during the preceding month.]~~

**Sec. 9.** NRS 4.230 is hereby amended to read as follows:

4.230 ~~{+}~~ Every justice must keep a docket, *by conventional or electronic means*, in which the justice must enter:

- ~~{(a)}~~ 1. The title of every action or proceeding.
- ~~{(b)}~~ 2. The object of the action or proceeding; and if a sum of money be claimed, the amount thereof.
- ~~{(c)}~~ 3. The date of the summons, and the time of its return; and if an order to arrest the defendant be made, or a writ of attachment be issued, a statement of the fact.
- ~~{(d)}~~ 4. The time when the parties, or either of them, appear, or their nonappearance, if default be made; a minute of the pleadings and motions; if in writing, referring to them; if not in writing, a concise statement of the material parts of the pleading.
- ~~{(e)}~~ 5. Every adjournment, stating on whose application and to what time.
- ~~{(f)}~~ 6. The demand for a trial by jury, when the same is made, and by whom made, the order for the jury, and the time appointed for the return of the jury and for the trial.
- ~~{(g)}~~ 7. The names of the jurors who appear and are sworn, and the names of all witnesses sworn, and at whose request.
- ~~{(h)}~~ 8. The verdict of the jury, and when received; if the jury disagree and are discharged, the fact of such disagreement and discharge.
- ~~{(i)}~~ 9. The judgment of the court, specifying the costs included, and the time when rendered.
- ~~{(j)}~~ 10. The issuing of the execution, when issued and to whom; the renewals thereof, if any, and when made, and a statement of any money paid to the justice, when and by whom.
- ~~{(k)}~~ 11. The receipt of a notice of appeal, if any be given, and of the appeal bond, if any be filed.

~~[2.—The Court Administrator shall prescribe the form of the docket and of any other appropriate records to be kept by the justice, which form may vary from court to court according to the number and kind of cases customarily heard.]~~

**Sec. 10.** NRS 5.045 is hereby amended to read as follows:

5.045 In the time and manner prescribed by the Supreme Court, the municipal judge of a city or, if there is more than one municipal judge for a city, a municipal judge designated by mutual consent of the other municipal judges of that city, shall submit to the Court Administrator a written report of the statistical information required pursuant to ~~[this section and such other]~~ ***the uniform system for collecting and compiling*** statistical information ~~[as]~~ ***regarding the State Court System which is*** prescribed by the Supreme Court. ~~[The report must include, without limitation, statistical information concerning:~~

- ~~—1.—Those cases which are pending and undecided and the municipal judge to whom each case has been assigned;~~
- ~~—2.—The type and number of cases each municipal judge considered during the preceding month;~~
- ~~—3.—The number of cases submitted to each municipal judge during the preceding month;~~
- ~~—4.—The number of cases decided by each municipal judge during the preceding month; and~~
- ~~—5.—The number of full judicial days in which each municipal judge appeared in court or in chambers in performance of his or her duties during the preceding month.]~~

**Sec. 11.** NRS 6.090 is hereby amended to read as follows:

6.090 1. ~~[To constitute a regular panel of trial jurors for the district court in a county in which the board of county commissioners selects jurors on an annual basis, such number of names as the district judge may direct must be drawn from the jury box. The district judge shall make and file with the county clerk an order that a regular panel of trial jurors be drawn, and the number of jurors to be drawn must be named in the order. The drawing must take place in the office of the county clerk, during regular office hours, in the presence of all persons who may choose to witness it. The panel must be drawn by the district judge and clerk, or, if the district judge so directs, by any one of the county commissioners of the county and the clerk. If the district judge directs that the panel be drawn by one of the county commissioners of the county and the clerk, the district judge shall make and file with the clerk an order designating the name of the county commissioner and fixing the number of names to be drawn as trial jurors and the time at which the persons whose names are so drawn are required to attend in court.~~

~~—2.—The drawing, for jurors drawn pursuant to subsection 1, must be conducted as follows:~~

- ~~—(a) The number to be drawn having been previously determined by the district judge, the box containing the names of the jurors must first be~~

thoroughly shaken. It must then be opened and the district judge and clerk, or one of the county commissioners of the county and the clerk, if the district judge has so ordered, shall alternately draw therefrom one ballot until of nonexempt jurors the number determined upon is obtained.

~~—(b) If the officers drawing the jury deem that the attendance of any juror whose name is drawn cannot be obtained conveniently and inexpensively to the county, by reason of the distance of the juror's residence from the court or other cause, the juror's name may be returned to the box and in its place the name of another juror drawn whose attendance the officers may deem can be obtained conveniently and inexpensively to the county.~~

~~—(c) A list of the names obtained must be made out and certified by the officers drawing the jury. The list must remain in the clerk's office subject to inspection by any officer or attorney of the court, and the clerk shall immediately issue a venire.~~

~~—3.}~~ Whenever trial jurors are selected by a jury commissioner, the district judge may direct the jury commissioner to summon and assign to that court the number of qualified jurors the jury commissioner determines to be necessary for the formation of the petit jury. The jurors may be selected by computer whenever procedures to assure random selection from computerized lists have been established by the jury commissioner.

~~{4.}~~ 2. Every person named in the venire must be served by the sheriff personally or by the sheriff or the jury commissioner by mailing a summons to the person, commanding the person to attend as a juror at a time and place designated therein. Mileage is allowed only for personal service. The postage must be paid by the sheriff or the jury commissioner, as the case may be, and allowed him or her as other claims against the county. The sheriff shall make return of the venire at least the day before the day named for their appearance, after which the venire is subject to inspection by any officer or attorney of the court.

**Sec. 12.** NRS 6.150 is hereby amended to read as follows:

6.150 1. Each person summoned to attend as a grand juror or a trial juror in the district court or justice court is entitled to a fee of \$40 for each day after the second day of jury selection that the person is in attendance in response to the venire or summons, including Sundays and holidays.

2. Each grand juror and trial juror in the district court or justice court actually sworn and serving is entitled to a fee of \$40 a day as compensation for each day of service.

3. In addition to the fees specified in subsections 1 and 2, a board of county commissioners may provide that, for each day of such attendance or service, each person is entitled to be paid the per diem allowance and travel expenses provided for state officers and employees generally.

4. Each person summoned to attend as a grand juror or a trial juror in the district court or justice court and each grand juror and trial juror in the district court or justice court is entitled to receive 36.5 cents a mile for each mile

necessarily and actually traveled if the home of the person summoned or serving as a juror is 30 miles or more from the place of trial.

5. If the home of a person summoned or serving as such a juror is 65 miles or more from the place of trial and the selection, inquiry or trial lasts more than 1 day, the person is entitled to receive an allowance for lodging at the rate established for state employees, in addition to his or her daily compensation for attendance or service, for each day on which the person does not return to his or her home.

6. In civil cases, any fee, per diem allowance, travel expense or other compensation due each juror engaged in the trial of the cause must be paid each day in advance to the clerk of the court, or the justice of the peace, by the party who has demanded the jury. If the party paying this money is the prevailing party, the money is recoverable as costs from the losing party. If the jury from any cause is discharged in a civil action without finding a verdict and the party who demands the jury subsequently obtains judgment, the money so paid is recoverable as costs from the losing party.

7. The money paid by ~~the county~~ *the clerk of the court* to jurors for their services in a civil action or proceeding, which the ~~county~~ *clerk of the court* has received from the party demanding the jury, must be deducted from the total amount due them for attendance as such jurors, and any balance is a charge against the county.

**Sec. 13.** NRS 6.160 is hereby amended to read as follows:

6.160 The ~~county~~ *clerk of the court* in cases in the district court and the deputy clerk of the justice court in cases in the justice court shall keep a payroll, enrolling thereon the names of all jurors, the number of days in attendance and the actual number of miles traveled by the shortest and most practical route in going to and returning from the place where the court is held, and at the conclusion of a trial may:

1. Give a statement of the amounts due to the jurors to the county auditor, who shall draw warrants upon the county treasurer for the payment thereof; or

2. Make an immediate payment in cash of the amount owing to each juror.

↪ These payments must be made from and to the extent allowed by the fees collected from the demanding party, pursuant to the provisions of NRS 6.150, and from and to the extent allowed by any other fees which have been collected pursuant to law. The clerk shall obtain from each juror so paid a receipt signed by him or her and indicating the date of payment, the date of service and the amount paid. A duplicate of this receipt must be immediately delivered to the appropriate county auditor, county recorder or county comptroller.

**Sec. 14.** Chapter 19 of NRS is hereby amended by adding thereto the provisions set forth as sections 15 and 16 of this act.

**Sec. 15.** *As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 19.010 and section 16 of this act have the meanings ascribed to them in those sections.*

**Sec. 16.** *“Clerk of the court” means:*

**1.** *In a county where the district court in and for that county has not appointed a clerk, the county clerk when acting as ex officio clerk of the district court.*

**2.** *In a county where the district court in and for that county has appointed a clerk, the clerk of the district court.*

**Sec. 17.** NRS 19.013 is hereby amended to read as follows:

19.013 1. Except as otherwise provided by specific statute, ~~each~~ **the** county clerk **or clerk of the court, as applicable**, shall charge and collect the following fees:

On the commencement of any action or proceeding in the district court, or on the transfer of any action or proceeding from a district court of another county, except probate or guardianship proceedings, to be paid by the party commencing the action, proceeding or transfer .....	\$56.00
On an appeal to the district court of any case from a justice court or a municipal court, or on the transfer of any case from a justice court or a municipal court.....	42.00
On the filing of a petition for letters testamentary, letters of administration, setting aside an estate without administration, or a guardianship, which fee includes the court fee prescribed by NRS 19.020, to be paid by the petitioner:	
Where the stated value of the estate is more than \$2,500.....	72.00
Where the stated value of the estate is \$2,500 or less, no fee may be charged or collected.	
On the filing of a petition to contest any will or codicil, to be paid by the petitioner .....	44.00
On the filing of an objection or cross-petition to the appointment of an executor, administrator or guardian, or an objection to the settlement of account or any answer in an estate or guardianship matter.....	44.00
On the appearance of any defendant or any number of defendants answering jointly, to be paid upon the filing of the first paper in the action by the defendant or defendants .....	44.00
For filing a notice of appeal .....	24.00
For issuing a transcript of judgment and certifying thereto.....	3.00

For preparing any copy of any record, proceeding or paper, for each page, unless such fee is waived by the county clerk <b>or clerk of the court</b> .....	0.50
For each certificate of the clerk, under the seal of the court.....	3.00
For examining and certifying to a copy of any paper, record or proceeding prepared by another and presented for a certificate of the county clerk <b>or clerk of the court</b> .....	\$5.00
For filing all papers not otherwise provided for, other than papers filed in actions and proceedings in court and papers filed by public officers in their official capacity .....	15.00
For issuing any certificate under seal, not otherwise provided for.....	6.00
For searching records or files in the office of the county clerk <b>or clerk of the court</b> , for each year, unless such fee is waived by the county clerk <b>or clerk of the court, as applicable</b> .....	0.50
For filing and recording a bond of a notary public, per name .....	15.00
For entering the name of a firm or corporation in the register of the county clerk.....	20.00

2. A county clerk may charge and collect, in addition to any fee that a county clerk is otherwise authorized to charge and collect, an additional fee not to exceed \$5 for filing and recording a bond of a notary public, per name. On or before the fifth day of each month, the county clerk shall pay to the county treasurer the amount of fees collected by the county clerk pursuant to this subsection for credit to the account established pursuant to NRS 19.016.

3. Except as otherwise provided by specific statute, all fees prescribed in this section are payable in advance if demanded by the county clerk **or clerk of the court, as applicable**.

4. The fees set forth in subsection 1 are payment in full for all services rendered by the county clerk **or clerk of the court, as applicable**, in the case for which the fees are paid, including the preparation of the judgment roll, but the fees do not include payment for typing, copying, certifying or exemplifying or authenticating copies.

5. No fee may be charged to any attorney at law admitted to practice in this State for searching records or files in the office of the clerk. No fee may be charged for any services rendered to a defendant or the defendant's attorney in any criminal case or in habeas corpus proceedings.

6. Each county clerk **and clerk of the court** shall, on or before the fifth day of each month, account for and pay to the county treasurer all fees collected during the preceding month.

**Sec. 18.** NRS 19.030 is hereby amended to read as follows:

19.030 1. Except as otherwise provided by specific statute, on the commencement of any civil action or proceeding in the district court, other than the commencement of a proceeding for an adoption, the ~~county~~ clerk of ~~each county,~~ **the court**, in addition to any other fees provided by law, shall charge and collect \$32 from the party commencing the action or proceeding.

2. On or before the first Monday of each month, the ~~county~~ clerk **of the court** shall pay over to the county treasurer an amount equal to \$32 per civil case commenced as provided in subsection 1, for the preceding calendar month, and the county treasurer shall place that money to the credit of the State **General** Fund. The county treasurer shall remit quarterly all such fees turned over to the county treasurer by the ~~county~~ clerk **of the court** to the State Controller to be placed by the State Controller in the State General Fund.

**Sec. 19.** NRS 19.0302 is hereby amended to read as follows:

19.0302 1. Except as otherwise provided by specific statute and in addition to any other fee required by law, ~~each~~ **the** clerk of the court ~~for county clerk, as appropriate,~~ shall charge and collect the following fees:

(a) On the commencement of any action or proceeding in the district court, other than those listed in paragraphs (c), (e) and (f), or on the transfer of any action or proceeding from a district court of another county, to be paid by the party commencing the action, proceeding or transfer..... \$99

(b) On the appearance of any defendant or any number of defendants answering jointly, to be paid upon the filing of the first paper in the action by the defendant or defendants ..... \$99

(c) On the filing of a petition for letters testamentary, letters of administration or a guardianship, which fee does not include the court fee prescribed by NRS 19.020, to be paid by the petitioner:

(1) Where the stated value of the estate is \$200,000 or more ..... \$352

(2) Where the stated value of the estate is more than \$20,000 but less than \$200,000 ..... \$99

(3) Where the stated value of the estate is \$20,000 or less, no fee may be charged or collected.

(d) On the filing of a motion for summary judgment or a joinder thereto..... \$200

(e) On the commencement of an action defined as a business matter pursuant to the local rules of practice and on the answer or appearance of any party in any such action or proceeding, to be paid by the party commencing, answering or appearing in the action or proceeding thereto..... \$1,359



(f) On the commencement of:

(1) An action for a constructional defect pursuant to NRS 40.600 to 40.695, inclusive; or

(2) Any other action defined as “complex” pursuant to the local rules of practice,

➔ and on the answer or appearance of any party in any such action or proceeding, to be paid by the party commencing, answering or appearing in the action or proceeding ..... \$349

(g) On the filing of a third-party complaint, to be paid by the filing party ..... \$135

(h) On the filing of a motion to certify or decertify a class, to be paid by the filing party ..... \$349

(i) For the issuance of any writ of attachment, writ of garnishment, writ of execution or any other writ designed to enforce any judgment of the court ..... \$10

2. Except as otherwise provided in subsection 4, fees collected pursuant to this section must be deposited into a special account administered by the county and maintained for the benefit of the *district* court. The money in that account must be used only:

(a) To offset the costs for adding and maintaining new judicial departments, including, without limitation, the cost for additional staff;

(b) To reimburse the county for any capital costs incurred for maintaining any judicial departments that are added by the 75th Session of the Nevada Legislature; and

(c) If any money remains in the account in a fiscal year after satisfying the purposes set forth in paragraphs (a) and (b), to:

(1) Acquire land on which to construct additional facilities for the district court or a regional justice center that includes the district court;

(2) Construct or acquire additional facilities for the district court or a regional justice center that includes the district court;

(3) Renovate or remodel existing facilities for the district court or a regional justice center that includes the district court;

(4) Acquire furniture, fixtures and equipment necessitated by the construction or acquisition of additional facilities or the renovation of an existing facility for the district court or a regional justice center that includes the district court;

(5) Acquire advanced technology;

(6) Pay debt service on any bonds issued pursuant to subsection 3 of NRS 350.020 for the acquisition of land or facilities or the construction or renovation of facilities for the district court or a regional justice center that includes the district court;

(7) In a county whose population is less than 100,000, support court appointed special advocate programs for children, at the discretion of the judges of the judicial district;

(8) In a county whose population is less than 100,000, support legal services to the indigent and to be used by the organization operating the program for legal services that receives the fees charged pursuant to NRS 19.031 for the operation of programs for the indigent; or

(9) Be carried forward to the next fiscal year.

3. Except as otherwise provided by specific statute, all fees prescribed in this section are payable in advance if demanded by the clerk of the court . [or county clerk.]

4. Each clerk of the court [or county clerk] shall, on or before the fifth day of each month, account for and pay to the county treasurer:

(a) In a county whose population is 100,000 or more, an amount equal to \$10 of each fee collected pursuant to paragraphs (a) and (b) of subsection 1 during the preceding month. The county treasurer shall remit quarterly to the organization operating the program for legal services that receives the fees charged pursuant to NRS 19.031 for the operation of programs for the indigent all the money received from the clerk of the court [or county clerk] pursuant to this paragraph.

(b) All remaining fees collected pursuant to this section during the preceding month.

**Sec. 20.** NRS 19.031 is hereby amended to read as follows:

19.031 1. Except as otherwise provided in subsection 2 and NRS 19.034 , in each county in which legal services are provided without charge to indigent or elderly persons through a program for legal aid organized under the auspices of the State Bar of Nevada, a county or local bar association, a county or municipal program for legal services or other program funded by this State or the United States to provide legal assistance, the ~~county~~ clerk **of the court** shall, on the commencement of any civil action or proceeding in the district court for which a filing fee is required, and on the filing of any answer or appearance in any such action or proceeding for which a filing fee is required, charge and collect a fee of \$25 from the party commencing or appearing in the action or proceeding. These fees are in addition to any other fees required by law.

2. In each county described in subsection 1, the ~~county~~ clerk **of the court** shall, on the commencement of any action provided for in chapter 125 of NRS, and on the filing of any answer or appearance in any such action, charge and collect a fee of \$14 from the party commencing or appearing in the action. These fees are in addition to any other fees required by law.

3. On or before the first Monday of each month , the ~~county~~ clerk **of the court** shall pay over to the county treasurer the amount of all fees collected by the ~~county~~ clerk **of the court** pursuant to subsections 1 and 2. Except as otherwise provided in subsection 5, the county treasurer shall remit quarterly to the organization operating the program for legal services all the money received by the county treasurer from the ~~county~~ clerk **of the court**.

4. The organization operating the program for legal services shall use any money received pursuant to subsection 3 as follows:

(a) From each \$25 collected pursuant to subsection 1:

(1) Fifteen dollars and fifty cents for the benefit of indigent persons in the county; and

(2) Nine dollars and fifty cents for the benefit of elderly persons in the county.

(b) From each \$14 collected pursuant to subsection 2:

(1) Ten dollars for the benefit of indigent persons in the county; and

(2) Four dollars for the benefit of elderly persons in the county.

5. If the county treasurer receives notice from the State or a political subdivision that an award of attorney's fees or costs has been made to an organization that receives money pursuant to this section and has been paid, the county treasurer shall:

(a) Deduct an amount equal to the award from the amount to be paid to the organization; and

(b) Remit an equal amount to the State or to the political subdivision that paid the fees or costs at the time when the county treasurer would have paid it to the organization.

6. The fees which are collected from a county must be used for the benefit of the indigent or elderly persons in that county.

**Sec. 21.** NRS 19.0312 is hereby amended to read as follows:

19.0312 1. Except as otherwise provided in subsection 2, in addition to any other fee required by law, in each county that charges a fee pursuant to NRS 19.031 to offset a portion of the costs of providing legal services without a charge to indigent or elderly persons, a board of county commissioners may impose by ordinance a filing fee to offset a portion of the costs of providing pro bono programs and of providing legal services without a charge to abused or neglected children and victims of domestic violence to be remitted to the organization operating the program for legal services that receives the fees charged pursuant to NRS 19.031 for programs for the indigent in an amount not to exceed:

(a) Ten dollars to be paid on the commencement of any civil action or proceeding in the district court for which a filing fee is required and on the filing of any answer or appearance in any such action or proceeding for which a filing fee is required.

(b) Twenty-five dollars to be paid on the filing of any motion or other paper that seeks to modify or adjust a final order that was issued pursuant to chapter 125, 125B or 125C of NRS and on the filing of any answer or response to such a motion or other paper.

2. A board of county commissioners may not by ordinance impose a filing fee pursuant to paragraph (b) of subsection 1 for:

(a) A motion filed solely to adjust the amount of support for a child set forth in a final order; or

(b) A motion for reconsideration or for a new trial that is filed within 10 days after a final judgment or decree has been issued.

3. On or before the first Monday of each month, in a county in which a fee has been imposed pursuant to subsection 1, the [county] clerk *of the court* shall account for and pay over to the county treasurer any such fees collected by the [county] clerk *of the court* during the preceding month. The county treasurer shall remit quarterly to the organization to which the fees are to be paid pursuant to subsection 1 all the money received by the county treasurer from the [county] clerk [ ] *of the court*.

4. Any fees collected pursuant to this section must be used for the benefit of the persons to whom the organization operating the program for legal services that receives money pursuant to this section provides legal services without a charge.

**Sec. 22.** NRS 19.0313 is hereby amended to read as follows:

19.0313 1. Except as otherwise provided in NRS 19.034, in a county whose population is 100,000 or more, the [county] clerk *of the court* shall, on the commencement of any civil action or proceeding in the district court for which a filing fee is required, and on the filing of any answer or appearance in any such action or proceeding for which a filing fee is required, charge and collect not less than \$5 but not more than \$10 from the party commencing, answering or appearing in the action or proceeding. The fee required pursuant to this section is in addition to any other fee required by law.

2. On or before the first Monday of each month, the [county] clerk *of the court* shall pay over to the county treasurer the amount of all fees collected by the [county] clerk *of the court* pursuant to subsection 1 for use in the programs established in accordance with NRS 3.500 and 244.1607.

3. Except as otherwise provided in NRS 19.034, the board of county commissioners of any other county may impose by ordinance an additional filing fee of not more than \$10 to be paid on the commencement of any civil action or proceeding in the district court for which a filing fee is required and on the filing of any answer or appearance in any such action or proceeding for which a filing fee is required. On or before the fifth day of each month, in a county where this fee has been imposed, the [county] clerk *of the court* shall account for and pay over to the county treasurer all fees collected during the preceding month pursuant to this subsection for credit to an account for dispute resolution in the county general fund. The money in the account must be used only to support a program established pursuant to NRS 3.500 or 244.1607.

**Sec. 23.** NRS 19.0315 is hereby amended to read as follows:

19.0315 1. Except as otherwise provided in NRS 19.034, on the commencement of any civil action or proceeding in the district court for which a filing fee is required, and on the filing of any answer or appearance in any such action or proceeding for which a filing fee is required, a board of county commissioners may impose by ordinance a filing fee in an amount not

to exceed \$15 to offset a portion of the costs of providing programs of alternative dispute resolution on the party commencing, answering or appearing in the action or proceeding. These fees are in addition to any other fee required by law.

2. On or before the first Monday of each month, the [county] clerk *of the court* shall pay over to the county treasurer the amount of all fees collected by the [county] clerk *of the court* pursuant to subsection 1 for credit to an account for court programs for alternative dispute resolution in the county general fund. The money in the account must be used only to support programs for the arbitration of civil actions pursuant to NRS 38.250 and programs for the resolution of disputes through the use of other alternative methods of resolving disputes pursuant to NRS 38.258.

3. The provisions of this section apply only in judicial districts in which a program for alternative dispute resolution has been established pursuant to NRS 38.250 or 38.258.

4. As used in this section, “alternative dispute resolution” means alternative methods of resolving disputes, including, without limitation, arbitration and mediation.

**Sec. 24.** NRS 19.033 is hereby amended to read as follows:

19.033 1. In each county, on the commencement of any action for divorce in the district court, the [county] clerk *of the court* shall charge and collect, in addition to other fees required by law, a fee of \$20. The fee must be paid by the party commencing the action.

2. On or before the first Monday of each month, the [county] clerk *of the court* shall pay over to the county treasurer an amount equal to all fees collected by the [county] clerk *of the court* pursuant to subsection 1, and the county treasurer shall place that amount to the credit of the State General Fund. Quarterly, the county treasurer shall remit all money so collected to the State Controller, who shall place the money in an account in the State General Fund for use by the Director of the Department of Employment, Training and Rehabilitation to administer the provisions of NRS 388.605 to 388.655, inclusive.

3. The board of county commissioners of any county may impose by ordinance an additional filing fee of not more than \$6 to be paid by the defendant in an action for divorce, annulment or separate maintenance. In a county where this fee has been imposed:

(a) On the appearance of a defendant in the action in the district court, the [county] clerk [ ] *of the court*, in addition to any other fees provided by law, shall charge and collect from the defendant the prescribed fee to be paid upon the filing of the first paper in the action by the defendant.

(b) On or before the fifth day of each month, the [county] clerk *of the court* shall account for and pay to the county treasurer all fees collected during the preceding month pursuant to paragraph (a).

**Sec. 25.** NRS 19.034 is hereby amended to read as follows:

19.034 If the agency which provides child welfare services, or a child-placing agency licensed by the Division of Child and Family Services of the Department of Health and Human Services pursuant to chapter 127 of NRS, consents to the adoption of a child with special needs pursuant to NRS 127.186, ~~{a county}~~ **the clerk of the court** shall reduce the total filing fee to not more than \$1 for filing the petition to adopt such a child.

**Sec. 26.** NRS 19.035 is hereby amended to read as follows:

19.035 Notwithstanding any other provision of this chapter, ~~{a county}~~ **the clerk of the court** shall neither charge nor collect any fee for any service rendered by the ~~{county}~~ **clerk of the court** to:

1. The State of Nevada;
2. The county ~~{of}~~ **in** which he or she is ~~{county}~~ **clerk ~~{;} of the court;~~**
3. Any city or town within that county;
4. The school district of that county;
5. Any general improvement district which is located within that county;

or

6. Any officer of the State, that county or any such city, town, school district or general improvement district in the officer's official capacity.

**Sec. 27.** NRS 19.040 is hereby amended to read as follows:

19.040 ~~{-}~~ Every ~~{county}~~ **clerk of the court** shall publish and set up **by conventional or electronic means**, in some conspicuous place in his or her office **and on the Internet website of the clerk of the court**, a table of fees according to this chapter for the inspection of all persons who have business in the office of the ~~{county clerk}~~.

~~2. Any county clerk who fails to comply with the provisions of subsection 1 shall forfeit for each day of omission a sum not exceeding \$20, which, together with costs, may be recovered by any person in an action before a justice of the peace of the same county.} **clerk of the court.**~~

**Sec. 28.** NRS 19.050 is hereby amended to read as follows:

19.050 Except as otherwise provided in subsection 8 of NRS 127.186, when by law any publication is required to be made by a ~~{county}~~ **clerk of the court** of any suit, process, notice, order or other paper, the cost of such publication shall, if demanded, be tendered by the party to whom such order, process, notice or other paper was granted before the ~~{county}~~ **clerk of the court** shall be compelled to make publication thereof.

**Sec. 29.** NRS 19.060 is hereby amended to read as follows:

19.060 Except as otherwise provided by specific statute, all fees prescribed in this chapter must be paid in advance, if demanded. If ~~{any county}~~ **a clerk of the court** has not received any or all of the fees which may be due for services rendered by the ~~{county}~~ **clerk of the court** in any suit or proceeding, the ~~{county}~~ **clerk of the court** may have execution therefor in ~~{his or her own}~~ **the clerk's** name against the party or parties from whom they are due, to be issued from the court where the action is pending, upon the order of the judge or court upon affidavit filed.

**Sec. 30.** NRS 19.070 is hereby amended to read as follows:

19.070 A ~~county~~ clerk *of the court* shall not charge any fee that is not authorized by law.

**Sec. 31.** NRS 19.080 is hereby amended to read as follows:

19.080 ~~Each county~~ *The clerk of the court* shall keep in his or her office, open to public inspection, a fee book *or electronic record* in which the ~~county~~ clerk *of the court* shall enter in detail the fees charged with the title or the case number of the matter, proceeding or action in which they were charged.

**Sec. 32.** NRS 19.090 is hereby amended to read as follows:

19.090 1. ~~Each county~~ *The clerk of the court* shall, on ~~the first Monday in January, April, July and October,~~ *or before the 15th day of each month*, make out and file with the *county official designated by the* board of county commissioners a full and correct statement under oath of all fees, percentage or compensation, of whatever nature or kind, received in his or her official capacity during the preceding ~~3 months~~ *month*. In the statement, the ~~county~~ clerk *of the court* shall set forth the cause in which and the services for which such compensations were received.

2. Nothing in this section shall be so construed as to require personal attendance in filing the statements, and such statements may be transmitted by mail, express or otherwise directed to the *county official designated by the* board of county commissioners.

**Sec. 33.** NRS 19.110 is hereby amended to read as follows:

19.110 ~~If any county~~ *The clerk of the court shall not take* more or greater fees than are authorized by law. ~~the county clerk shall be liable to indictment, and on conviction shall be removed from office and fined in any sum not exceeding \$1,000.~~

**Sec. 34.** NRS 33.090 is hereby amended to read as follows:

33.090 1. A person may register an order for protection against domestic violence issued by the court of another state, territory or Indian tribe within the United States by presenting a certified copy of the order to the clerk of ~~the~~ *a court of competent jurisdiction* in a judicial district in which the person believes that enforcement may be necessary.

2. The clerk of the court shall:

- (a) Maintain a record of each order registered pursuant to this section;
- (b) Provide the protected party with a ~~certified~~ copy of the order registered pursuant to this section bearing proof of registration with the court;
- (c) Forward, *by conventional or electronic means*, by the end of the next business day, a copy of an order registered pursuant to this section to the appropriate law enforcement agency which has jurisdiction over the residence, school, child care facility or other provider of child care, or place of employment of the protected party or the child of the protected party; and
- (d) Inform the protected party upon the successful transfer of information concerning the registration to the Central Repository for Nevada Records of Criminal History as required pursuant to NRS 33.095.

3. The clerk of the court shall not:

(a) Charge a fee for registering an order or for providing a certified copy of an order pursuant to this section.

(b) Notify the party against whom the order has been made that an order for protection against domestic violence issued by the court of another state, territory or Indian tribe has been registered in this State.

4. A person who registers an order pursuant to this section must not be charged to have the order served in this State.

**Sec. 35.** NRS 41.260 is hereby amended to read as follows:

41.260 There shall be no fee charged or collected by ~~any county~~ **the** clerk **of the court** for any proceeding under the provisions of NRS 41.209 to 41.260, inclusive.

**Sec. 35.5. NRS 176.285 is hereby amended to read as follows:**

176.285 In Justice Court, when a fine is paid or bail is forfeited, the justice must pay the same to the county treasurer ~~within 30 days thereafter.~~ **on or before the fifth day of the month immediately following the month in which the fine is paid or bail is forfeited.**

**Sec. 36.** NRS 176A.220 is hereby amended to read as follows:

176A.220 **1.** The court shall, upon the entering of an order of probation or suspension of sentence, as provided for in this chapter, direct the clerk of the court to ~~certify~~ **deliver** a copy of the records in the case ~~and deliver the copy~~ to the Chief Parole and Probation Officer.

**2. At the court's discretion, the court may direct the clerk of the court to deliver the copy of the records in the case in writing, by electronic means or by providing the Chief Parole and Probation Officer access to the electronic systems necessary to retrieve the records.**

**Sec. 37.** NRS 178.508 is hereby amended to read as follows:

178.508 **1.** If the defendant fails to appear when the defendant's presence in court is lawfully required for the commission of a misdemeanor and the failure to appear is not excused or is lawfully required for the commission of a gross misdemeanor or felony, the court shall:

(a) Enter upon its minutes that the defendant failed to appear;

(b) Not later than 45 days after the date on which the defendant failed to appear, order the issuance of a warrant for the arrest of the defendant; and

(c) If the undertaking exceeds \$50 or money deposited instead of bail bond exceeds \$500, direct that each surety and the local agent of each surety, or the depositor if the depositor is not the defendant, be given notice that the defendant has failed to appear, by certified mail within 20 days after the date on which the defendant failed to appear. The court shall execute an affidavit of such mailing to be kept as an official public record of the court and shall direct that a copy of the notice be transmitted to the prosecuting attorney at the same time that notice is given to each surety or the depositor.

**2.** Except as otherwise provided in subsection 3 and NRS 178.509, an order of forfeiture of any undertaking or money deposited instead of bail bond must be prepared by the clerk of the court and signed by the court. An



order of forfeiture must include the date on which the forfeiture becomes effective. ~~[If the defendant who failed to appear has been charged with the commission of a gross misdemeanor or felony, a copy of the order must be forwarded to the Office of Court Administrator.]~~ The undertaking or money deposited instead of bail bond is forfeited 180 days after the date on which the notice is mailed pursuant to subsection 1.

3. The court may extend the date of the forfeiture for any reasonable period set by the court if the surety or depositor submits to the court:

(a) An application for an extension and the court determines that the surety or the depositor is making reasonable and ongoing efforts to bring the defendant before the court.

(b) An application for an extension on the ground that the defendant is temporarily prevented from appearing before the court because the defendant:

- (1) Is ill;
- (2) Is insane; or
- (3) Is being detained by civil or military authorities,

↪ and the court, upon hearing the matter, determines that one or more of the grounds described in this paragraph exist and that the surety or depositor did not in any way cause or aid the absence of the defendant.

**Sec. 38.** NRS 178.509 is hereby amended to read as follows:

178.509 1. If the defendant fails to appear when the defendant's presence in court is lawfully required, the court shall not exonerate the surety before the date of forfeiture prescribed in NRS 178.508 unless:

(a) The defendant appears before the court and the court, upon hearing the matter, determines that the defendant has presented a satisfactory excuse or that the surety did not in any way cause or aid the absence of the defendant; or

(b) The surety submits an application for exoneration on the ground that the defendant is unable to appear because the defendant:

- (1) Is dead;
- (2) Is ill;
- (3) Is insane;
- (4) Is being detained by civil or military authorities; or
- (5) Has been deported,

↪ and the court, upon hearing the matter, determines that one or more of the grounds described in this paragraph exist and that the surety did not in any way cause or aid the absence of the defendant.

2. If the requirements of subsection 1 are met, the court may exonerate the surety upon such terms as may be just.

~~3. If the court exonerates a surety pursuant to this section and there is any undertaking or money deposited instead of bail bond where the defendant has been charged with a gross misdemeanor or felony, the court shall:~~

~~—(a) Prepare an order exonerating the surety; and~~

~~—(b) Forward a copy of the order to the Office of Court Administrator.]~~

**Sec. 39.** NRS 178.512 is hereby amended to read as follows:

178.512 1. The court shall not set aside a forfeiture unless:

(a) The surety submits an application to set it aside on the ground that the defendant:

(1) Has appeared before the court since the date of the forfeiture and has presented a satisfactory excuse for the defendant's absence;

(2) Was dead before the date of the forfeiture but the surety did not know and could not reasonably have known of the defendant's death before that date;

(3) Was unable to appear before the court before the date of the forfeiture because of the defendant's illness or insanity, but the surety did not know and could not reasonably have known of the illness or insanity before that date;

(4) Was unable to appear before the court before the date of the forfeiture because the defendant was being detained by civil or military authorities, but the surety did not know and could not reasonably have known of the defendant's detention before that date; or

(5) Was unable to appear before the court before the date of the forfeiture because the defendant was deported, but the surety did not know and could not reasonably have known of the defendant's deportation before that date,

↪ and the court, upon hearing the matter, determines that one or more of the grounds described in this subsection exist and that the surety did not in any way cause or aid the absence of the defendant; and

(b) The court determines that justice does not require the enforcement of the forfeiture.

2. If the court sets aside a forfeiture pursuant to subsection 1 and the forfeiture includes any undertaking or money deposited instead of bail bond where the defendant has been charged with a gross misdemeanor or felony, the court shall make a written finding in support of setting aside the forfeiture. ~~[The court shall mail a copy of the order setting aside the forfeiture to the Office of Court Administrator immediately upon entry of the order.]~~

**Sec. 40.** NRS 178.514 is hereby amended to read as follows:

178.514 1. When a forfeiture has not been set aside, the court shall on motion enter a judgment of default and execution may issue thereon.

2. If ~~[the Office of Court Administrator has not received]~~ an order setting aside a forfeiture *has not been entered* within 180 days after the issuance of the order of forfeiture, ~~[the Court Administrator shall request that the court that ordered the forfeiture institute proceedings to enter a judgment of default with respect to the amount of the undertaking or money deposited instead of bail bond with the court. Not later than 30 days after receipt of the request from the Office of Court Administrator,]~~ the court shall enter judgment by default and commence execution proceedings therein.

3. By entering into a bond the obligors submit to the jurisdiction of the court and irrevocably appoint the clerk of the court as their agent upon whom any papers affecting their liability may be served. Their liability may be enforced on motion and such notice of the motion as the court prescribes may be served on the clerk of the court, who shall forthwith mail copies to the obligors to their last known addresses.

**Sec. 41.** NRS 2.260, 4.110, 4.200, 4.250, 4.330, 5.075, 6.050, 6.060, 6.070, 6.080, 19.100 and 177.267 are hereby repealed.

#### **LEADLINES OF REPEALED SECTIONS**

**2.260** List of cases submitted to be published monthly by Clerk.

**4.110** Penalty for failure to comply with statutory requirements.

**4.200** Duty to record violations concerning motor vehicles.

**4.250** Docket must be kept by justice of the peace.

**4.330** Justice of the peace to receive all money collected and pay it to parties.

**5.075** Form of docket and records.

**6.050** Estimate of required number of jurors by district court; selection by county commissioners.

**6.060** Names of persons selected to be placed in jury box.

**6.070** Juror not serving; name drawn again; exemption.

**6.080** Selection of additional jurors by county commissioners when names in jury box exhausted; open venire.

**19.100** Penalty for violating NRS 19.070, 19.080 or 19.090.

**177.267** Time within which court of appeals or Supreme Court shall render opinion on appeal from judgment of death.

Assemblyman Hansen moved the adoption of the amendment.

Remarks by Assemblyman Hansen.

ASSEMBLYMAN HANSEN:

Amendment 10 changes the date a justice of the peace and a justice court must pay over to the county treasurer certain fees collected the previous month to make the dates uniform and consistent.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 74.

Bill read second time.

The following amendment was proposed by the Committee on Commerce and Labor:

Amendment No. 19.

AN ACT relating to public utilities; extending to the landlord of a manufactured home park the applicability of provisions governing the resale of certain utility services by the landlord of a mobile home park or owner of a company town; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law imposes certain requirements on the landlord of a mobile home park or the owner of a company town who charges the tenants of the park or occupants of the dwellings for certain utility services provided to the landlord or owner by a utility or alternative seller. (NRS 704.905-704.960) This bill generally makes these provisions applicable to the landlord of a manufactured home park.

Existing law requires the landlord of a mobile home park or the owner of a company town who is subject to the provisions of NRS 704.905-704.960 to submit to the Public Utilities Commission of Nevada an annual report which contains information sufficient to determine whether the landlord or owner has complied with the applicable statutory requirements. (NRS 704.960) **Section 11** of this bill extends the applicability of this requirement to include the landlord of a manufactured home park, but limits the applicability of the provision only to a landlord or owner who is billed by a ~~gas or electric~~ utility or an alternative seller and in turn charges the tenants of the park or occupants of the dwellings for the service provided by the utility or alternative seller.

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

**Section 1.** NRS 702.090 is hereby amended to read as follows:

702.090 1. "Retail customer" means an end-use customer that purchases natural gas or electricity for consumption in this state.

2. The term includes, without limitation:

(a) A residential, commercial or industrial end-use customer that purchases natural gas or electricity for consumption in this state, including, without limitation, an eligible customer that purchases electricity for consumption in this state from a provider of new electric resources pursuant to the provisions of chapter 704B of NRS.

(b) A landlord of a *manufactured home park or* mobile home park or owner of a company town who is subject to any of the provisions of NRS 704.905 to 704.960, inclusive.

(c) A landlord who pays for natural gas or electricity that is delivered through a master meter and who distributes or resells the natural gas or electricity to one or more tenants for consumption in this state.

3. The term does not include this state, a political subdivision of this state or an agency or instrumentality of this state or political subdivision of this state when it is an end-use customer that purchases natural gas or electricity for consumption in this state, including, without limitation, when it is an eligible customer that purchases electricity for consumption in this state from a provider of new electric resources pursuant to the provisions of chapter 704B of NRS.

**Sec. 2.** NRS 702.260 is hereby amended to read as follows:

702.260 1. Seventy-five percent of the money in the Fund must be distributed to the Division of Welfare and Supportive Services for programs to assist eligible households in paying for natural gas and electricity. The Division may use not more than 5 percent of the money distributed to it pursuant to this section for its administrative expenses.

2. Except as otherwise provided in NRS 702.150, after deduction for its administrative expenses, the Division may use the money distributed to it pursuant to this section only to:

- (a) Assist eligible households in paying for natural gas and electricity.
- (b) Carry out activities related to consumer outreach.
- (c) Pay for program design.
- (d) Pay for the annual evaluations conducted pursuant to NRS 702.280.

3. Except as otherwise provided in subsection 4, to be eligible to receive assistance from the Division pursuant to this section, a household must have a household income that is not more than 150 percent of the federally designated level signifying poverty, as determined by the Division.

4. The Division is authorized to render emergency assistance to a household if an emergency related to the cost or availability of natural gas or electricity threatens the health or safety of one or more of the members of the household. Such emergency assistance may be rendered upon the good faith belief that the household is otherwise eligible to receive assistance pursuant to this section.

5. Before July 1, 2002, if a household is eligible to receive assistance pursuant to this section, the Division shall determine the amount of assistance that the household will receive by using the existing formulas set forth in the state plan for low-income home energy assistance.

6. On or after July 1, 2002, if a household is eligible to receive assistance pursuant to this section, the Division:

(a) Shall, to the extent practicable, determine the amount of assistance that the household will receive by determining the amount of assistance that is sufficient to reduce the percentage of the household's income that is spent on natural gas and electricity to the median percentage of household income spent on natural gas and electricity statewide.

(b) May adjust the amount of assistance that the household will receive based upon such factors as:

- (1) The income of the household;
- (2) The size of the household;
- (3) The type of energy that the household uses; and

(4) Any other factor which, in the determination of the Division, may make the household particularly vulnerable to increases in the cost of natural gas or electricity.

7. The Division shall adopt regulations to carry out and enforce the provisions of this section and NRS 702.250.

8. In carrying out the provisions of this section, the Division shall:

(a) Solicit advice from the Housing Division and from other knowledgeable persons;

(b) Identify and implement appropriate delivery systems to distribute money from the Fund and to provide other assistance pursuant to this section;

(c) Coordinate with other federal, state and local agencies that provide energy assistance or conservation services to low-income persons and, to the extent allowed by federal law and to the extent practicable, use the same simplified application forms as those other agencies;

(d) Establish a process for evaluating the programs conducted pursuant to this section;

(e) Develop a process for making changes to such programs; and

(f) Engage in annual planning and evaluation processes with the Housing Division as required by NRS 702.280.

9. For the purposes of this section, “eligible household” includes, without limitation:

(a) A tenant of a *manufactured home park or* mobile home park subject to the provisions of NRS 704.905 to 704.960, inclusive; and

(b) A tenant who purchases electricity from a landlord as described in paragraph (c) of subsection 2 of NRS 702.090 based on the actual usage of electricity by the tenant.

**Sec. 3.** NRS 704.7808 is hereby amended to read as follows:

704.7808 1. “Provider of electric service” and “provider” mean any person or entity that is in the business of selling electricity to retail customers for consumption in this State, regardless of whether the person or entity is otherwise subject to regulation by the Commission.

2. The term includes, without limitation, a provider of new electric resources that is selling electricity to an eligible customer for consumption in this State pursuant to the provisions of chapter 704B of NRS.

3. The term does not include:

(a) This State or an agency or instrumentality of this State.

(b) A rural electric cooperative established pursuant to chapter 81 of NRS.

(c) A general improvement district established pursuant to chapter 318 of NRS.

(d) A utility established pursuant to chapter 709 or 710 of NRS.

(e) A cooperative association, nonprofit corporation, nonprofit association or provider of electric service which is declared to be a public utility pursuant to NRS 704.673 and which provides service only to its members.

(f) A landlord of a *manufactured home park or* mobile home park or owner of a company town who is subject to any of the provisions of NRS 704.905 to 704.960, inclusive.

(g) A landlord who pays for electricity that is delivered through a master meter and who distributes or resells the electricity to one or more tenants for consumption in this State.

**Sec. 4.** NRS 704.7818 is hereby amended to read as follows:

704.7818 1. “Retail customer” means an end-use customer that purchases electricity for consumption in this state.

2. The term includes, without limitation:

(a) This state, a political subdivision of this state or an agency or instrumentality of this state or political subdivision of this state when it is an end-use customer that purchases electricity for consumption in this state, including, without limitation, when it is an eligible customer that purchases electricity for consumption in this state from a provider of new electric resources pursuant to the provisions of chapter 704B of NRS.

(b) A residential, commercial or industrial end-use customer that purchases electricity for consumption in this state, including, without limitation, an eligible customer that purchases electricity for consumption in this state from a provider of new electric resources pursuant to the provisions of chapter 704B of NRS.

(c) A landlord of a *manufactured home park or* mobile home park or owner of a company town who is subject to any of the provisions of NRS 704.905 to 704.960, inclusive.

(d) A landlord who pays for electricity that is delivered through a master meter and who distributes or resells the electricity to one or more tenants for consumption in this state.

**Sec. 5.** NRS 704.905 is hereby amended to read as follows:

704.905 As used in NRS 704.905 to 704.960, inclusive:

1. “Alternative seller” has the meaning ascribed to it in NRS 704.994.

2. “Company town” means a community whose primary purpose is to provide housing to employees of a person who owns not less than 70 percent of the dwellings, and may include commercial or other supporting establishments.

3. “Dwelling” includes a commercial or other supporting establishment.

4. “Utility” includes a public utility and all city, county or other governmental entities which provide electric, gas or water service to a *manufactured home park*, mobile home park or a company town.

**Sec. 6.** NRS 704.910 is hereby amended to read as follows:

704.910 1. The provisions of NRS ~~704.910~~ **704.905** to 704.960, inclusive, apply to ~~mobile~~ *manufactured* home parks governed by the provisions of ~~chapters~~ *chapter* 118B ~~and~~ *of NRS, mobile home parks governed by the provisions of chapter* 461A of NRS, utilities and alternative sellers which provide utility service to those parks and landlords who operate those parks.

2. A utility or an alternative seller which provides gas, water or electricity to any landlord exclusively for distribution or resale to tenants residing in *manufactured homes or* mobile homes or for the landlord’s residential use shall not charge the landlord for those services at a rate higher than the current rates offered by the utility or alternative seller, as appropriate, to its residential customers.

**Sec. 7.** NRS 704.920 is hereby amended to read as follows:

704.920 1. The provisions of NRS ~~[704.920]~~ **704.905** to 704.960, inclusive, apply to company towns, utilities and alternative sellers which provide utility services to company towns, and persons who own and operate company towns.

2. The Commission shall require a public utility or an alternative seller, as appropriate, which provides utility services to a **manufactured home park**, mobile home park or to a company town, or an independent person who is qualified, to conduct examinations to examine and test the lines and equipment for distributing electricity and gas within the park or town at the request of the Manufactured Housing Division of the Department of Business and Industry or a city or county which has responsibility for the enforcement of the provisions of chapter **118B or** 461A of NRS. The utility or alternative seller, the person selected to conduct the examination and the Commission may enter a **manufactured home park**, mobile home park or company town at reasonable times to examine and test the lines and equipment, whether or not they are owned by a utility or an alternative seller.

3. The utility or alternative seller, as appropriate, or the person selected to conduct the examination, shall conduct the examination and testing to determine whether any line or equipment is unsafe for service under the safety standards adopted by the Commission for the maintenance, use and operation of lines and equipment for distributing electricity and gas, and shall report the results of the examination and testing to the Commission.

4. The owner of the **manufactured home park**, mobile home park or company town shall pay for the costs of the examination and testing.

5. If the landlord of a **manufactured home park or** mobile home park or owner of a company town refuses to allow the examination and testing to be made as provided in this section, the Commission shall deem the unexamined lines and equipment to be unsafe for service.

6. If the Commission finds:

(a) Or deems any lines or equipment within a **manufactured home park**, mobile home park or company town to be unsafe for service, it shall take appropriate action to protect the safety of the residents of the park or town.

(b) Such lines or equipment to be unsafe for service or otherwise not in compliance with its safety standards, it may, after a hearing, order the landlord or owner to repair or replace such lines and equipment. For this purpose, the landlord or owner may expend some or all of the money in the landlord's or owner's account for service charges for utilities, which the landlord or owner is required to keep under NRS 704.940.

**Sec. 8.** NRS 704.930 is hereby amended to read as follows:

704.930 If a utility or an alternative seller provides a utility service to a **manufactured home park**, mobile home park or company town and the landlord of the park or owner of the **company** town charges the tenants or the occupants of such dwellings for that service, the landlord or owner shall:



1. Provide that service to the tenants or the occupants of such dwellings in a manner which is consistent with the utility's tariffs on file with the Commission, if applicable, and any law, ordinance or governmental regulation relating to the provision of that service. The landlord or owner of the town shall not interrupt such a service for nonpayment of charges unless the interruption is performed in a manner which is consistent with the utility's tariffs on file with the Commission, if applicable, and any law, ordinance or governmental regulation relating to the manner of interrupting such a service for nonpayment of charges.

2. Not more than 5 days after the landlord or owner of the town receives notice of a proposed increase in the rates of the utility service, give notice to the tenants or those occupants of the proposed increase.

**Sec. 9.** NRS 704.940 is hereby amended to read as follows:

704.940 1. In a *manufactured home park*, mobile home park or company town where the landlord or owner is billed by a gas or electric utility or an alternative seller and in turn charges the tenants or occupants of the dwellings for the service provided by the utility or alternative seller, and the park or town:

(a) Is equipped with individual meters for each lot, the landlord or owner shall not charge a tenant or occupant for that service at a rate higher than the rate paid by the landlord or owner.

(b) Is not equipped with individual meters for each lot, the landlord or owner shall prorate the cost of the service equally among the tenants of the park or occupants of the dwellings who use the service, but the prorated charges must not exceed in the aggregate the cost of the service to the landlord or owner.

2. In a *manufactured home park*, mobile home park or company town that:

(a) Is equipped with individual water meters for each lot, the individual meters must be read and billed by the purveyor of the water.

(b) Is not equipped with individual water meters for each lot and the landlord or owner is billed by the purveyor of the water and in turn charges the tenants or occupants of the dwellings for the service provided by the purveyor, the landlord or owner shall prorate the cost of the service equally among the tenants of the park or occupants of the dwellings who use the service, but the prorated charges must not exceed in the aggregate the cost of the service to the landlord or owner.

↪ The landlord or owner of a *manufactured home park or* mobile home park that converts from a master-metered water system to individual water meters for each mobile home lot shall not charge or receive any fee, surcharge or rent increase to recover from the landlord's or owner's tenants the costs of the conversion. The owner of a company town that is not equipped with individual water meters shall not convert from the master-metered water system to individual water meters.

3. To the extent that the cost of providing a utility service to the common area of a *manufactured home park*, mobile home park or company town can be identified, the landlord or owner may not recover the cost of the utility service provided to the common area by directly charging a tenant or the occupant of a dwelling for those services.

4. The landlord of a *manufactured home park or* mobile home park or owner of a company town may assess and collect a charge to reimburse the landlord or owner for the actual cost of the service charge the landlord or owner is required to pay to a water utility serving the park or town. If the landlord or owner collects such a charge, the landlord or owner shall prorate the actual cost of the service charge to the tenants or occupants of dwellings who use the service. The landlord or owner shall not collect more than the aggregate cost of the service to the landlord or owner.

5. The landlord may assess and collect a service charge from the tenants of the park for the provision of gas and electric utility services, but the amount of the charge must not be more than the tenants would be required to pay the utility or alternative seller providing the service. The landlord shall:

(a) Keep the money from the service charges in a separate account and expend it only for federal income taxes which must be paid as a result of the collection of the service charge, for preventive maintenance or for repairing or replacing utility lines or equipment when ordered or granted permission to do so by the Commission; and

(b) Retain for at least 3 years a complete record of all deposits and withdrawals of money from the account and file the record with the Commission on or before March 30 of each year.

6. Money collected by the landlord or owner for service provided by a utility or an alternative seller to the tenants of a *manufactured home park or* mobile home park or occupants of the dwellings may not be used to maintain, repair or replace utility lines or equipment serving the common area of the *manufactured home park*, mobile home park or company town.

7. The owner of a company town who provides a utility service directly to the occupants of the town may charge the occupants their pro rata share of the owner's cost of providing that service. Where meters are available, the pro rata share must be based on meter readings. Where meters are not available, the owner shall determine a fair allocation which must be explained in detail to the Commission in the reports required by NRS 704.960. The Commission may modify the allocation in accordance with its regulations if it determines the owner's method not to be fair. The Commission shall adopt regulations governing the determination of the costs which an owner of a company town may recover for providing a utility service directly to the occupants of that town and the terms and conditions governing the provision of that service.

8. The landlord or owner shall itemize all charges for utility services on all bills for rent or occupancy. The landlord or owner may pass through to the

tenant or occupant any increase in a rate for a utility service and shall pass through any decrease in a charge for a utility service as it becomes effective.

9. The landlord or owner shall retain for at least 3 years a copy of all billings for utility services made to the tenants or the occupants of the landlord's or owner's dwellings and shall make these records available upon request to the Commission for verification of charges made for utility services.

10. A landlord whose interest in a *manufactured home park or* mobile home park terminates for any reason shall transfer to the landlord's successor in interest any balance remaining in the account for service charges for utilities. Evidence of the transfer must be filed with the Commission.

11. The Commission may at any time examine all books and records which relate to the landlord's or owner's purchase of or billing for a service provided by a utility or an alternative seller if the landlord or owner is charging the tenants of the *manufactured home park or* mobile home park or occupants of the dwellings for that service.

**Sec. 10.** NRS 704.950 is hereby amended to read as follows:

704.950 1. The tenant of a lot in a *manufactured home park or* mobile home park or occupant of a dwelling in a company town who believes that the landlord or owner has violated the provisions of NRS 704.930, 704.940 or 704.960 may complain to the Division of Consumer Complaint Resolution of the Commission. The Division shall receive and promptly investigate the complaint. If the Division is unable to resolve the complaint, the Division shall transmit the complaint and its recommendation to the Commission.

2. The Commission shall investigate, give notice and hold a hearing upon the complaint, applying to the extent practicable the procedures provided for complaints against public utilities in chapter 703 of NRS.

3. If the Commission finds that the landlord of the *manufactured home park or* mobile home park or owner of the company town has violated the provisions of NRS 704.930, 704.940 or 704.960, it shall order the landlord or owner to cease and desist from any further violation. If the violation involves an overcharge for a service, the Commission shall determine the amount of the overcharge and order the landlord or owner to return that amount to the tenant or occupant within a specified time.

4. If the landlord or owner fails or refuses to comply with its order, the Commission may compel compliance by any appropriate civil remedy available to it under this chapter. For the purposes of compelling compliance by the landlord or owner, the Commission may use such methods as are available for the Commission to compel the compliance of a public utility.

**Sec. 11.** NRS 704.960 is hereby amended to read as follows:

704.960 Each landlord of a *manufactured home park or* mobile home park or owner of a company town *who is billed by a ~~gas or electric~~ utility or an alternative seller and in turn charges the tenants or occupants of the dwellings for the service provided by the utility or alternative seller* shall submit an annual report to the Commission. The report must contain detailed

information on the collections and expenditures of the landlord's or owner's account for service charges for utilities, information necessary to determine compliance with NRS 704.940, details of any changes in ownership during the period covered by the report and such other information as the Commission deems necessary to determine whether the landlord or owner has complied with the provisions of this chapter which apply to *manufactured home parks*, mobile home parks and company towns. The Commission shall by regulation provide for the annual filing of the reports.

**Sec. 12.** This act becomes effective:

1. Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks necessary to carry out the provisions of this act; and
2. On January 1, 2016, for all other purposes.

Assemblyman Kirner moved the adoption of the amendment.

Remarks by Assemblyman Kirner.

ASSEMBLYMAN KIRNER:

Amendment 19 clarifies that certain provisions of the bill apply to all utilities or alternative sellers who charge tenants or occupants for provided services, not just gas and electric utilities.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 90.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 211.

AN ACT relating to emergency management; establishing the Nevada Intrastate Mutual Aid System within the Division of Emergency Management of the Department of Public Safety; creating the Intrastate Mutual Aid Committee; setting forth the duties of the Committee; setting forth the circumstances under which a participant in the System may request intrastate mutual aid before, during or after an emergency; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law authorizes political subdivisions of this State to establish local organizations for emergency management in accordance with the state emergency management plan. The director of a local organization for emergency management may enter into reciprocal agreements with other such organizations to provide aid during an emergency or disaster. (NRS 414.090, 414.100) **Section 15** of this bill creates a statewide mutual aid system, designated the Nevada Intrastate Mutual Aid System, within the Division of Emergency Management of the Department of Public Safety to coordinate requests for mutual aid among the various public agencies of this State and certain Indian tribes and nations in this State. **Section 16** of this bill

creates an advisory committee, designated the Intrastate Mutual Aid Committee, which consists of emergency management and public safety professionals from certain public agencies and Indian tribes and nations in this State to: (1) advise and assist the Chief of the Division with the implementation and evaluation of the System; and (2) develop comprehensive guidelines and procedures regarding, among other things, requests and recordkeeping for intrastate mutual aid.

**Section 17** of this bill requires each public agency in this State to participate in the System unless it opts out, and any federally recognized Indian tribe or nation may opt to join the System.

**Sections 18 and 19** of this bill set forth the requirements for making a request for intrastate mutual aid through the System and the responsibilities of the requesting and assisting participants. **Section 20** of this bill sets forth the manner in which an assisting participant may be reimbursed by the requesting participant for costs incurred in providing mutual aid. **Section 21** of this bill provides for the portability of licenses, certifications and permits held by emergency responders providing services for a requesting agency during an emergency or disaster.

**Section 22** of this bill provides that an emergency responder of an assisting participant is not an employee of a requesting participant and is not entitled to any benefits held by the employees of the requesting participant. **Section 23** of this bill provides immunity from liability for assisting participants, except for acts of gross negligence, recklessness or willful misconduct. **Section 25** of this bill authorizes the Governor to request mutual aid from participants for use in providing interstate mutual aid pursuant to the Emergency Management Assistance Compact ratified by the Legislature pursuant to NRS 415.010.

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

**Section 1.** Title 36 of NRS is hereby amended by adding thereto a new chapter to consist of the provisions set forth as sections 2 to 24, inclusive, of this act.

**Sec. 2.** *As used in this chapter, unless the context otherwise requires, the words and terms defined in sections 3 to 14, inclusive, of this act have the meanings ascribed to them in those sections.*

**Sec. 3.** *“Assisting participant” means a participant that has responded to a requesting participant by providing resources pursuant to section 19 of this act.*

**Sec. 4.** *“Disaster” includes, without limitation, a disaster defined in NRS 414.0335.*

**Sec. 5.** *“Division” means the Division of Emergency Management of the Department of Public Safety.*

**Sec. 6.** *“Emergency” includes, without limitation, an emergency defined in NRS 414.0345.*

Sec. 7. *“Emergency responder” means an employee or volunteer of a participant who has received ~~the appropriate~~ such public safety training and licensing or certification ~~as~~ as deemed appropriate by the participant for which he or she is employed or volunteers.*

Sec. 8. *“Mutual aid” includes any equipment, vehicle or other support or service provided by a participant in response to a request made pursuant to section 18 of this act.*

Sec. 9. *“Participant” means a public agency that has not withdrawn from participation in, or a federally recognized Indian tribe or nation that has elected to join, the System pursuant to section 17 of this act.*

Sec. 10. *“Public agency” means any political subdivision of this State, including, without limitation, counties, incorporated cities and towns, including Carson City, unincorporated towns, school districts, special districts and other districts.*

Sec. 11. *“Requesting participant” means a participant that requests mutual aid from another participant pursuant to section 18 of this act.*

Sec. 12. *“Special district” has the meaning ascribed to it in NRS 360.650.*

Sec. 13. *“System” means the Nevada Intrastate Mutual Aid System established by section 15 of this act.*

Sec. 14. *“Volunteer” means an unpaid emergency responder who provides services on behalf of a participant.*

Sec. 15. 1. *The Nevada Intrastate Mutual Aid System is hereby established within the Division.*

2. *The Chief of the Division, subject to the direction and control of the Director of the Department of Public Safety, shall administer the System pursuant to the provisions of this chapter and shall:*

(a) *Coordinate the provision of mutual aid during the response to and recovery from an emergency or disaster;*

(b) *Maintain records of the requests for and provision of mutual aid throughout this State;*

(c) *Identify, maintain an inventory of and coordinate participant personnel and equipment available for intrastate mutual aid response;*

(d) *Provide information and assistance, upon request, to participants concerning reimbursement for services and other guidelines and procedures developed by the Intrastate Mutual Aid Committee pursuant to subsection 4 of section 16 of this act; and*

(e) *Adopt regulations relating to the administration of the System.*

Sec. 16. 1. *The Intrastate Mutual Aid Committee is hereby created. The Committee shall advise the Chief of the Division on issues related to emergency management and intrastate mutual aid in this State.*

2. *The Committee consists of the following members:*

(a) *The Chief of the Division, or his or her designee, who serves as the Chair of the Committee and is a nonvoting member; and*

(b) *Not more than 19 voting members, each of whom:*

- (1) *Is appointed by the Chief of the Division;*
- (2) *Is selected from participating public agencies or tribal governments;*
- (3) *Must have responsibility for public safety programs or activities within his or her public agency or tribe or nation; and*
- (4) *After the initial terms, serves a term of 2 years, and may be reappointed.*

3. *The Committee shall select a Vice Chair from among the voting members of the Committee. The Vice Chair serves as Vice Chair until the end of his or her current term as a voting member, and may be reselected.*

4. *The Committee shall develop comprehensive guidelines and procedures regarding, without limitation:*

- (a) *Requesting intrastate mutual aid;*
- (b) *Responding to a request for intrastate mutual aid;*
- (c) *Recordkeeping during an emergency or disaster for which intrastate mutual aid has been requested; and*
- (d) *Reimbursement of costs to assisting participants.*

5. *The Committee shall meet at least annually to evaluate the effectiveness and efficiency of the System and provide recommendations, if any, to the Chief of the Division to improve the System.*

Sec. 17. 1. *Except as otherwise provided in subsection 2, each public agency shall participate in the System.*

2. *Any participant may elect to withdraw from participation in the System by:*

- (a) *Adopting a resolution declaring that the participant elects not to participate in the System; and*
- (b) *Providing a copy of the resolution to the Division and the Governor.*

3. *Any federally recognized Indian tribe or nation, all or part of which is located within the boundaries of this State, may choose to become a participant in the System by:*

- (a) *Adopting a resolution declaring that the tribe or nation elects to participate in the System and agreeing to be bound by the provisions of this chapter; and*
- (b) *Providing a copy of the resolution to the Division and the Governor.*

4. *Each participant shall:*

(a) *Except as otherwise provided in subsection 4 of section 19 of this act, ensure that the participant is able to provide intrastate mutual aid in response to a request pursuant to section 18 of this act;*

(b) *Provide training to each emergency responder ~~and each member of the staff of the participant~~ on procedures related to ~~their~~ his or her respective ~~roles~~ role within the System;*

(c) *Actively monitor events in this State to determine the possibility of requesting or providing intrastate mutual aid;*

*(d) Maintain a current list of personnel and any equipment of the participant available for intrastate mutual aid and submit the list at least annually to the Division;*

*(e) Conduct joint planning, information sharing and capability and vulnerability analyses with other participants and conduct joint training exercises, if practicable; and*

*(f) Develop, carry out and periodically revise plans of operation, which must include, without limitation, the methods by which any resources, facilities and services of the participant must be available and furnished to other participants.*

**Sec. 18. 1.** *Any participant may request intrastate mutual aid before, during or after a declared or undeclared emergency or disaster for:*

*(a) Response, mitigation or recovery activities related to the emergency or disaster; and*

*(b) Participation in drills or exercises in preparation for an emergency or disaster.*

**2.** *A participant may make a request for intrastate mutual aid:*

*(a) Through the Division; or*

*(b) If an urgent response is needed, directly to a participant, except that any request for a responding state agency must be made as provided in paragraph (a).*

**3.** *Each request for intrastate mutual aid must be documented and forwarded to the Division not more than 24 hours after the request is made.*

**4.** *A requesting participant shall:*

*(a) Adequately describe the resources needed by the requesting participant;*

*(b) Provide logistical and technical support, as needed, to any emergency responders provided by an assisting participant; and*

*(c) Reimburse the assisting participant for costs incurred, if applicable, by the assisting participant in a timely manner.*

**Sec. 19. 1.** *An assisting participant shall:*

*(a) Except as otherwise provided in subsection 4, promptly respond to a request for intrastate mutual aid to the extent resources are available;*

*(b) Ensure that all emergency responders provided by the assisting participant in response to the request have workers' compensation coverage ~~that~~ in accordance with chapters 616A to 617, inclusive, of NRS;*

*(c) ~~Ensure that~~ Maintain a policy of liability and property insurance or a program of self-insurance on all vehicles and equipment used in response to the request ; ~~are adequately insured.~~*

*(d) Before responding to the request, provide a briefing to emergency responders, which must include information on recordkeeping in accordance with any requirements of the System; and*

*(e) Submit timely, accurate and complete records and requests for reimbursement in accordance with those requirements, if applicable.*



2. An emergency responder provided by an assisting participant remains under the command and, except as otherwise provided in this subsection, control of, and must comply with any requirements of, the participant with which or for which he or she is employed or volunteers, but is under the operational control of the requesting participant.

3. The assets and equipment of an assisting participant remain under the command and, except as otherwise provided in this subsection, control of the assisting participant, but are under the operational control of the requesting participant.

4. Any participant may deny a request for intrastate mutual aid if providing the requested assistance would prevent the participant from reasonably carrying out its duties in its jurisdiction.

Sec. 20. 1. ~~Within~~ Except as otherwise provided in subsection 3, within 10 business days after the completion of all activities taken in response to a request for intrastate mutual aid, each assisting participant shall provide a written notice to the requesting participant if the assisting participant intends to seek reimbursement from the requesting participant.

2. ~~Within 30~~ Except as otherwise provided in subsection 3, within 60 calendar days after the completion of the activities specified in subsection 1, the assisting participant shall provide to the requesting participant a final request for reimbursement which must include:

- (a) A summary of the services provided;
- (b) An invoice setting forth all services provided and the total amount of the reimbursement requested;
- (c) Any supporting documentation;
- (d) Any additional forms required by the System; and
- (e) The name and contact information of a person to contact if more information is needed.

3. If an assisting participant requires additional time to comply with the provisions of subsection 1 or 2, the assisting participant must request an extension in writing from the requesting participant. A requesting participant may, for good cause shown, grant an extension for an additional reasonable period.

4. A requesting participant shall reimburse an assisting participant for all reasonable costs incurred by the assisting participant in responding to the request for intrastate mutual aid, including, without limitation, any costs related to the use of personnel and equipment and travel. All costs must be documented in order to be eligible for reimbursement pursuant to this section, unless otherwise agreed upon by the requesting participant and assisting participant. Any costs associated with resources which were used without request are not eligible for reimbursement.

~~4.~~ 5. Reimbursement may be facilitated through the Division, upon request.

~~5.~~ 6. If a dispute between participants occurs regarding reimbursement, the participant disputing the reimbursement shall provide

*a written notice to the other participant setting forth the issues in dispute. If the dispute is not resolved within 90 days after the notice is provided, either participant may submit the matter to binding arbitration, which must be conducted pursuant to the rules for commercial arbitration established by the American Arbitration Association.*

~~{6.}~~ *7. The Division is not liable for any claim relating to the reimbursement of costs for providing intrastate mutual aid.*

*Sec. 21. If a person holds a license, certificate or other permit issued by a public agency or federally recognized Indian tribe or nation evidencing qualification or authorization to practice a professional, mechanical or other skill and that person is an emergency responder providing services for a requesting participant, the person shall be deemed to be licensed, certified or permitted, as applicable, by the authority having jurisdiction over the requesting participant for the duration of the emergency or disaster.*

*Sec. 22. 1. An emergency responder of an assisting participant is not an employee of the requesting participant and is not entitled to any right, privilege or benefit of employment from the requesting participant, including, without limitation, wages, leave, pensions, health care or other advantages.*

*2. An emergency responder who sustains an injury or dies while providing intrastate mutual aid to a requesting participant under this chapter is entitled to receive all applicable benefits available for a death or injury sustained in the course of employment with his or her employer.*

*Sec. 23. 1. All activities performed pursuant to this chapter are deemed to be governmental functions for which immunity is provided under the provisions of NRS 414.110.*

*2. An emergency responder of an assisting participant is an agent of the requesting participant for the purposes of tort liability and immunity. An assisting participant or its officers or employees providing assistance under this chapter are not liable for any act or omission while providing or attempting to provide such assistance in good faith. As used in this subsection, "in good faith" does not include willful misconduct, gross negligence or recklessness.*

*Sec. 24. The provisions of this chapter:*

*1. Do not prohibit a participant from entering into a supplemental agreement with another participant or other entity.*

*2. Do not prohibit a participant from receiving support under an agreement or contract.*

*3. Do not apply to routine support provided by a public agency to a neighboring jurisdiction.*

*4. Are in addition to and not a substitute for chapters 414 and 415 of NRS.*

**Sec. 25.** Chapter 414 of NRS is hereby amended by adding thereto a new section to read as follows:

**1. *If interstate mutual aid is provided to a party state pursuant to the Compact ratified by the Legislature pursuant to NRS 415.010, the Governor may, pursuant to sections 2 to 24, inclusive, of this act, request mutual aid from a participant for use in providing aid in that state. If a participant provides emergency responders pursuant to a request made by the Governor, those emergency responders shall be deemed agents of this State.***

**2. *As used in this section, “participant” has the meaning ascribed to it in section 9 of this act.***

**Sec. 26.** NRS 414.040 is hereby amended to read as follows:

414.040 1. A Division of Emergency Management is hereby created within the Department of Public Safety. The Chief of the Division is appointed by and holds office at the pleasure of the Director of the Department of Public Safety. The Division is the State Agency for Emergency Management and the State Agency for Civil Defense for the purposes of the Compact ratified by the Legislature pursuant to NRS 415.010. The Chief is the State’s Director of Emergency Management and the State’s Director of Civil Defense for the purposes of that Compact.

2. The Chief may employ technical, clerical, stenographic and other personnel as may be required, and may make such expenditures therefor and for other expenses of his or her office within the appropriation therefor, or from other money made available to him or her for purposes of emergency management, as may be necessary to carry out the purposes of this chapter.

3. The Chief, subject to the direction and control of the Director, shall carry out the program for emergency management in this state. The Chief shall coordinate the activities of all organizations for emergency management within the State, maintain liaison with and cooperate with agencies and organizations of other states and of the Federal Government for emergency management and carry out such additional duties as may be prescribed by the Director.

4. The Chief shall assist in the development of comprehensive, coordinated plans for emergency management by adopting an integrated process, using the partnership of governmental entities, business and industry, volunteer organizations and other interested persons, for the mitigation of, preparation for, response to and recovery from emergencies or disasters. In adopting this process, the Chief shall conduct activities designed to:

(a) Eliminate or reduce the probability that an emergency will occur or to reduce the effects of unavoidable disasters;

(b) Prepare state and local governmental agencies, private organizations and other persons to be capable of responding appropriately if an emergency or disaster occurs by fostering the adoption of plans for emergency

operations, conducting exercises to test those plans, training necessary personnel and acquiring necessary resources;

(c) Test periodically plans for emergency operations to ensure that the activities of state and local governmental agencies, private organizations and other persons are coordinated;

(d) Provide assistance to victims, prevent further injury or damage to persons or property and increase the effectiveness of recovery operations; and

(e) Restore the operation of vital community life-support systems and return persons and property affected by an emergency or disaster to a condition that is comparable to or better than what existed before the emergency or disaster occurred.

**5. In addition to any other requirement concerning the program of emergency management in this State, the Chief shall:**

**(a) Maintain an inventory of any state or local services, equipment, supplies, personnel and other resources related to participation in the Nevada Intrastate Mutual Aid System established pursuant to section 15 of this act;**

**(b) Coordinate the provision of resources and equipment within this State in response to requests for mutual aid pursuant to sections 2 to 24, inclusive, of this act or section 25 of this act; and**

**(c) Coordinate with state agencies, local governments, Indian tribes or nations and special districts to use the personnel and equipment of those state agencies, local governments, Indian tribes or nations and special districts as agents of the State during a response to a request for mutual aid pursuant to section 18 or 25 of this act.**

**6.** The Division shall perform the duties required pursuant to chapter 415A of NRS.

~~{6.}~~ **7.** The Division shall perform the duties required pursuant to NRS 353.2753 at the request of a state agency or local government.

**Sec. 27.** NRS 415A.200 is hereby amended to read as follows:

415A.200 1. While an emergency declaration is in effect, the Division may by order limit, restrict or otherwise regulate:

(a) The duration of practice by volunteer health practitioners;

(b) The geographical areas in which volunteer health practitioners may practice;

(c) The types of volunteer health practitioners who may practice; and

(d) Any other matters necessary to coordinate effectively the provision of health or veterinary services during the emergency.

2. An order issued pursuant to subsection 1 may take effect immediately, without prior notice or comment, and is not a regulation for the purposes of chapter 233B of NRS.

3. A host entity that uses volunteer health practitioners to provide health or veterinary services in this State shall:

(a) Consult with and coordinate its activities with the Division to the extent practicable to provide for the efficient and effective use of those volunteer health practitioners; and

(b) Comply with any laws other than this chapter relating to the management of emergency health or veterinary services, including, without limitation, the provisions of chapter 414 of NRS ~~[-]~~ **and sections 2 to 24, inclusive, of this act.**

**Sec. 28.** NRS 480.110 is hereby amended to read as follows:

480.110 Except as otherwise provided therein, the Department shall execute, administer and enforce, and perform the functions and duties provided in:

1. Chapters 176A and 213 of NRS relating to parole and probation;
2. Chapter 414 of NRS relating to emergency management;
3. **Sections 2 to 24, inclusive, of this act.**
4. Chapter 453 of NRS relating to controlled substances and chapter 454 of NRS relating to dangerous drugs;
- ~~4.]~~ 5. Chapter 459 of NRS relating to the transportation of hazardous materials;
- ~~5.]~~ 6. Chapter 477 of NRS relating to the State Fire Marshal; and
- ~~6.]~~ 7. NRS 486.363 to 486.377, inclusive, relating to the education and safety of motorcycle riders.

**Sec. 29.** NRS 480.140 is hereby amended to read as follows:

480.140 The primary functions and responsibilities of the divisions of the Department are as follows:

1. The Investigation Division shall:
  - (a) Execute, administer and enforce the provisions of chapter 453 of NRS relating to controlled substances and chapter 454 of NRS relating to dangerous drugs;
  - (b) Assist the Secretary of State in carrying out an investigation pursuant to NRS 293.124; and
  - (c) Perform such duties and exercise such powers as may be conferred upon it pursuant to this chapter and any other specific statute.
2. The Nevada Highway Patrol Division shall, in conjunction with the Department of Motor Vehicles, execute, administer and enforce the provisions of chapters 484A to 484E, inclusive, of NRS and perform such duties and exercise such powers as may be conferred upon it pursuant to NRS 480.360 and any other specific statute.
3. The Division of Emergency Management shall execute, administer and enforce the provisions of chapter 414 of NRS and **sections 2 to 24, inclusive, of this act and** perform such duties and exercise such powers as may be conferred upon it pursuant to chapter 414 of NRS and **sections 2 to 24, inclusive, of this act and** any other specific statute.
4. The State Fire Marshal Division shall execute, administer and enforce the provisions of chapter 477 of NRS and perform such duties and exercise

such powers as may be conferred upon it pursuant to chapter 477 of NRS and any other specific statute.

5. The Division of Parole and Probation shall execute, administer and enforce the provisions of chapters 176A and 213 of NRS relating to parole and probation and perform such duties and exercise such powers as may be conferred upon it pursuant to those chapters and any other specific statute.

6. The Capitol Police Division shall assist in the enforcement of subsection 1 of NRS 331.140.

7. The Training Division shall provide training to the employees of the Department.

8. The General Services Division shall:

(a) Execute, administer and enforce the provisions of chapter 179A of NRS and perform such duties and exercise such powers as may be conferred upon it pursuant to chapter 179A of NRS and any other specific statute;

(b) Provide dispatch services for the Department and other agencies as determined by the Director;

(c) Maintain records of the Department as determined by the Director; and

(d) Provide support services to the Director, the divisions of the Department and the Nevada Criminal Justice Information System as may be imposed by the Director.

**Sec. 30.** As soon as practicable after July 1, 2015, the Chief of the Division of Emergency Management of the Department of Public Safety shall appoint the members of the Intrastate Mutual Aid Committee created by section 16 of this act. In appointing the members, the Chief shall select:

1. An even number of the members to serve initial terms of 1 year; and

2. An odd number of the members to serve initial terms of 2 years.

**Sec. 31.** This act becomes effective on July 1, 2015.

Assemblyman Ellison moved the adoption of the amendment.

Remarks by Assemblyman Ellison.

ASSEMBLYMAN ELLISON:

The amendment clarifies the definition of "emergency responder"; removes a training requirement for each member of the staff of the participant; ensures that all emergency responders have all applicable benefits in addition to workers' compensation; changes from 30 days to 60 days the time in which an assisting participant must provide a final request for reimbursement; allows for an extension for the assisting participant to submit reimbursement documentation; and finally, maintains a program of liability and property insurance or self-insurance on all operations.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 94.

Bill read second time.

The following amendment was proposed by the Committee on Legislative Operations and Elections:

Amendment No. 155.

SUMMARY—Authorizes ~~to~~ **election officials to establish systems for** registered ~~voter~~ **voters** to elect to receive ~~a~~ sample ~~ballot~~ **ballots** by electronic ~~mail~~ **means**. (BDR 24-518)

AN ACT relating to elections; authorizing ~~to~~ **election officials to establish systems for** registered ~~voter~~ **voters** to elect to receive ~~a~~ sample ~~ballot~~ **ballots** by electronic ~~mail~~ **means; allowing registered voters who participate in such systems to elect to have their electronic mail addresses withheld from the public;** and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires each county and city clerk to mail a sample ballot to each registered voter in the applicable county or city. (NRS 293.565, 293C.530) **Sections 2 and 4** of this bill ~~require~~ **authorize** each county and city clerk to **establish a system to** distribute a sample ballot by electronic ~~mail~~ **means** to each registered voter who elects to receive sample ballots in that manner. **Such a system must be approved by the Secretary of State and may include, without limitation, electronic mail or electronic access through an Internet website.**

**Existing law provides that a registered voter may submit a written request to the county clerk to have his or her address and telephone number withheld from the public. (NRS 293.558) Section 1.7 of this bill allows a registered voter who participates in a system to distribute sample ballots by electronic means to elect to have his or her electronic mail address withheld from the public.**

**Sections 1, 1.3, 1.5, 3, 3.5 and 5-10** of this bill make conforming changes.

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

**Section 1.** NRS 293.097 is hereby amended to read as follows:

293.097 **1.** "Sample ballot" means a document distributed by a county or city clerk upon which is ~~printed~~ **included** a list of the offices, candidates and ballot questions that will appear on a ballot.

**2.** The term includes **without limitation**, any such document which is ~~printed by~~ **prepared on** a computer ~~and distributed by mail or electronic mail~~ **means pursuant to NRS 293.565 or 293C.530.**

**Sec. 1.3. NRS 293.301 is hereby amended to read as follows:**

293.301 **1.** The county clerk of each county shall require an election board officer to post an alphabetical listing of all registered voters for each precinct in a public area of each polling place in the county. Except as otherwise provided in NRS 293.5002 and 293.558, the alphabetical listing must include the name, address and political affiliation of each voter ~~and~~ **and the electronic mail address of the voter if provided by the voter pursuant to NRS 293.565 or 293C.530.** Not less than four times during the hours in

which the polling place is open, an election board officer shall identify the name of each voter that voted since the last identification.

2. Each page of the alphabetical listing must contain a notice which reads substantially as follows:

It is unlawful for any person to remove, tear, mark or otherwise deface this alphabetical listing of registered voters except an election board officer acting pursuant to subsection 1 of NRS 293.301.

3. Any person who removes, tears, marks or otherwise defaces an alphabetical listing posted pursuant to this section with the intent to falsify or prevent others from readily ascertaining the name, address, electronic mail address or political affiliation of any voter, or the fact that a voter has or has not voted, is guilty of a misdemeanor.

**Sec. 1.5. NRS 293.440 is hereby amended to read as follows:**

293.440 1. Any person who desires a copy of any list of the persons who are registered to vote in any precinct, district or county may obtain a copy by applying at the office of the county clerk and paying therefor a sum of money equal to 1 cent per name on the list, except that one copy of each original and supplemental list for each precinct, district or county must be provided both to the state central committee of any major political party and to the county central committee of any major political party, and to the executive committee of any minor political party upon request, without charge.

2. Except as otherwise provided in NRS 293.5002 and 293.558, the copy of the list provided pursuant to this section must indicate the address, date of birth, telephone number and the serial number on each application to register to vote ~~+~~ and the electronic mail address of the voter if provided by the voter pursuant to NRS 293.565 or 293C.530. If the county maintains this information in a computer database, the date of the most recent addition or revision to an entry, if made on or after July 1, 1989, must be included in the database and on any resulting list of the information. The date must be expressed numerically in the order of month, day and year.

3. A county may not pay more than 10 cents per folio or more than \$6 per thousand copies for printed lists for a precinct or district.

4. A county which has a system of computers capable of recording information on magnetic tape or diskette shall, upon request of the state central committee or county central committee of any major political party or the executive committee of any minor political party which has filed a certificate of existence with the Secretary of State, record for both the state central committee and the county central committee of the major political party, if requested, and for the executive committee of the minor political party, if requested, on magnetic tape or diskette supplied by it:

(a) The list of persons who are registered to vote and the information required in subsection 2; and



(b) Not more than four times per year, as requested by the state or county central committee or the executive committee:

(1) A complete list of the persons who are registered to vote with a notation for the most recent entry of the date on which the entry or the latest change in the information was made; or

(2) A list that includes additions and revisions made to the list of persons who are registered to vote after a date specified by the state or county central committee or the executive committee.

5. If a political party does not provide its own magnetic tape or diskette, or if a political party requests the list in any other form that does not require printing, the county clerk may charge a fee to cover the actual cost of providing the tape, diskette or list.

6. Any state or county central committee of a major political party, any executive committee of a minor political party or any member or representative of such a central committee or executive committee who receives without charge a list of the persons who are registered to vote in any precinct, district or county pursuant to this section shall not:

(a) Use the list for any purpose that is not related to an election; or

(b) Sell the list for compensation or other valuable consideration.

**Sec. 1.7. NRS 293.558 is hereby amended to read as follows:**

293.558 1. The county clerk shall disclose the identification number of a registered voter to the public, including, without limitation:

(a) In response to an inquiry received by the county clerk; or

(b) By inclusion of the identification number of the registered voter on any list of registered voters made available for public inspection pursuant to NRS 293.301, 293.440, 293.557, 293C.290 or 293C.542.

2. The county clerk shall not disclose the social security number or the driver's license or identification card number of a registered voter.

3. A registered voter may submit a written request to the county clerk to have ~~his or her address and~~ **withheld from the public the registered voter's address, telephone number ~~[withheld from the public.] or electronic mail address if provided by the registered voter pursuant to NRS 293.565 or 293C.530.~~** Upon receipt of such a request, the county clerk shall not disclose the address, ~~for~~ telephone number **or electronic mail address** of the registered voter to the public, including, without limitation:

(a) In response to an inquiry received by the county clerk; or

(b) By inclusion on any list of registered voters made available for public inspection pursuant to NRS 293.301, 293.440, 293.557, 293C.290 or 293C.542.

4. No information other than the address, telephone number, **electronic mail address,** social security number and driver's license or identification card number of a registered voter may be withheld from the public.

**Sec. 2. NRS 293.565 is hereby amended to read as follows:**

293.565 1. Except as otherwise provided in subsection 3, sample ballots must include:

- (a) If applicable, the statement required by NRS 293.267;
- (b) The fiscal note or description of anticipated financial effect, as provided pursuant to NRS 218D.810, 293.250, 293.481, 295.015, 295.095 or 295.230 for each proposed constitutional amendment, statewide measure, measure to be voted upon only by a special district or political subdivision and advisory question;
- (c) An explanation, as provided pursuant to NRS 218D.810, 293.250, 293.481, 295.121 or 295.230, of each proposed constitutional amendment, statewide measure, measure to be voted upon only by a special district or political subdivision and advisory question;
- (d) Arguments for and against each proposed constitutional amendment, statewide measure, measure to be voted upon only by a special district or political subdivision and advisory question, and rebuttals to each argument, as provided pursuant to NRS 218D.810, 293.250, 293.252 or 295.121; and
- (e) The full text of each proposed constitutional amendment.

2. If, pursuant to the provisions of NRS 293.2565, the word "Incumbent" must appear on the ballot next to the name of the candidate who is the incumbent, the word "Incumbent" must appear on the sample ballot next to the name of the candidate who is the incumbent.

3. Sample ballots that are mailed to registered voters may be printed without the full text of each proposed constitutional amendment if:

- (a) The cost of printing the sample ballots would be significantly reduced if the full text of each proposed constitutional amendment were not included;
- (b) The county clerk ensures that a sample ballot that includes the full text of each proposed constitutional amendment is provided at no charge to each registered voter who requests such a sample ballot; and
- (c) The sample ballots provided to each polling place include the full text of each proposed constitutional amendment.

4. *A county clerk may establish a system for distributing sample ballots by electronic means to each registered voter ~~may elect~~ who elects to receive a sample ballot by electronic ~~mail~~ means. Such a system must be approved by the Secretary of State and may include, without limitation, electronic mail or electronic access through an Internet website. If a county clerk establishes such a system and a registered voter elects to receive a sample ballot by electronic ~~mail~~ means, the county clerk shall ~~distribute~~ :*

*(a) Distribute the sample ballot to the registered voter by electronic ~~mail~~ means pursuant to the procedures and requirements set forth by regulations adopted by the Secretary of State ~~;~~ ; and*

*(b) If the system requires the registered voter to provide an electronic mail address to the county clerk, inform the registered voter that his or her electronic mail address will be available to the public unless the registered voter submits a written request to have his or her electronic mail address withheld from the public pursuant to NRS 293.558.*

5. *If a registered voter does not elect to receive a sample ballot by electronic ~~mail~~, means pursuant to subsection 4, the county clerk shall distribute the sample ballot to the registered voter by mail.*

~~5.7~~ 6. Before the period for early voting for any election begins, the county clerk shall ~~cause to be mailed distributed by mail or electronic mail, as applicable,~~ **distribute** to each registered voter in the county ~~a~~ **by mail or electronic means, as applicable, the** sample ballot for his or her precinct, with a notice informing the voter of the location of his or her polling place. If the location of the polling place has changed since the last election:

(a) The county clerk shall mail a notice of the change to each registered voter in the county not sooner than 10 days before ~~mailing~~ **distributing** the sample ballots; or

(b) The sample ballot must also include a notice in bold type immediately above the location which states:

NOTICE: THE LOCATION OF YOUR POLLING PLACE  
HAS CHANGED SINCE THE LAST ELECTION

~~5.6.7~~ 7. Except as otherwise provided in subsection ~~6.7.7~~ 8, a sample ballot required to be ~~mailed~~ **distributed** pursuant to this section must:

(a) Be ~~printed~~ **prepared** in at least 12-point type; and

(b) Include on the front page, in a separate box created by bold lines, a notice ~~printed~~ **prepared** in at least 20-point bold type that states:

NOTICE: TO RECEIVE A SAMPLE BALLOT IN  
LARGE TYPE, CALL (Insert appropriate telephone number)

~~6.7.7~~ 8. A portion of a sample ballot that contains a facsimile of the display area of a voting device may include material in less than 12-point type to the extent necessary to make the facsimile fit on the pages of the sample ballot.

~~7.8.7~~ 9. The sample ballot ~~mailed~~ **distributed** to a person who requests a sample ballot in large type by exercising the option provided pursuant to NRS 293.508, or in any other manner, must be ~~printed~~ **prepared** in at least 14-point type, or larger when practicable.

~~8.9.7~~ 10. If a person requests a sample ballot in large type, the county clerk shall ensure that all future sample ballots ~~mailed~~ **distributed** to that person from the county are in large type.

~~9.10.7~~ 11. The county clerk shall include in each sample ballot a statement indicating that the county clerk will, upon request of a voter who is elderly or disabled, make reasonable accommodations to allow the voter to vote at his or her polling place and provide reasonable assistance to the voter in casting his or her vote, including, without limitation, providing appropriate materials to assist the voter. In addition, if the county clerk has provided pursuant to subsection 4 of NRS 293.2955 for the placement at centralized voting locations of specially equipped voting devices for use by voters who

are elderly or disabled, the county clerk shall include in the sample ballot a statement indicating:

- (a) The addresses of such centralized voting locations;
- (b) The types of specially equipped voting devices available at such centralized voting locations; and
- (c) That a voter who is elderly or disabled may cast his or her ballot at such a centralized voting location rather than at his or her regularly designated polling place.

~~10-11~~ **12.** The cost of ~~mailing~~ **distributing** sample ballots for any election other than a primary or general election must be borne by the political subdivision holding the election.

**Sec. 3.** NRS 293.780 is hereby amended to read as follows:

293.780 1. A person who is entitled to vote shall not vote or attempt to vote more than once at the same election. Any person who votes or attempts to vote twice at the same election is guilty of a category D felony and shall be punished as provided in NRS 193.130.

2. Notice of the provisions of subsection 1 must be given by the county or city clerk as follows:

- (a) ~~Printed~~ **Stated** on all sample ballots ~~mailed;~~ **distributed by mail or electronic ~~mail;~~ means;**
- (b) Posted in boldface type at each polling place; and
- (c) Posted in boldface type at the office of the county or city clerk.

**Sec. 3.5. NRS 293C.290 is hereby amended to read as follows:**

293C.290 1. The city clerk shall require an election board officer to post an alphabetical listing of all registered voters for each precinct in a public area of each polling place in the city. Except as otherwise provided in NRS 293.5002 and 293.558, the alphabetical listing must include the name and address of each voter ~~and~~ **and the electronic mail address of the voter if provided by the voter pursuant to NRS 293C.530.** Not less than four times during the hours in which the polling place is open, an election board officer shall identify the name of each voter who voted since the last identification.

2. Each page of the alphabetical listing must contain a notice which reads substantially as follows:

It is unlawful for any person to remove, tear, mark or otherwise deface this alphabetical listing of registered voters except an election board officer acting pursuant to NRS 293C.290.

3. Any person who removes, tears, marks or otherwise defaces an alphabetical listing posted pursuant to this section with the intent to falsify or prevent others from readily ascertaining the name ~~or~~ address **or electronic mail address** of any voter, or the fact that a voter has or has not voted, is guilty of a misdemeanor.

**Sec. 4.** NRS 293C.530 is hereby amended to read as follows:

293C.530 1. **A city clerk may establish a system for distributing sample ballots by electronic means to each registered voter ~~may elect~~ who**

elects to receive a sample ballot by electronic ~~mail~~ means. Such a system must be approved by the Secretary of State and may include, without limitation, electronic mail or electronic access through an Internet website. If a city clerk establishes such a system and a registered voter elects to receive a sample ballot by electronic ~~mail~~ means, the city clerk shall ~~distribute~~ :

(a) Distribute the sample ballot to the registered voter by electronic ~~mail~~ means pursuant to the procedures and requirements set forth by regulations adopted by the Secretary of State ~~;~~ ; and

(b) If the system requires the registered voter to provide an electronic mail address to the city clerk, inform the registered voter that his or her electronic mail address will be available to the public unless the registered voter submits a written request to have his or her electronic mail address withheld from the public pursuant to NRS 293.558.

2. If a registered voter does not elect to receive a sample ballot by electronic ~~mail~~ means pursuant to subsection 1, the city clerk shall distribute the sample ballot to the registered voter by mail.

~~2. 3.~~ Before the period for early voting for any election begins, the city clerk shall ~~cause to be mailed distributed by mail or electronic mail, as applicable,~~ distribute to each registered voter in the city ~~a~~ by mail or electronic means, as applicable, the sample ballot for his or her precinct, with a notice informing the voter of the location of his or her polling place. If the location of the polling place has changed since the last election:

(a) The city clerk shall mail a notice of the change to each registered voter in the city not sooner than 10 days before ~~mailing~~ distributing the sample ballots; or

(b) The sample ballot must also include a notice in bold type immediately above the location which states:

NOTICE: THE LOCATION OF YOUR POLLING PLACE  
HAS CHANGED SINCE THE LAST ELECTION

~~2. 3. 4.~~ 4. Except as otherwise provided in subsection ~~4, 5,~~ 6, a sample ballot required to be ~~mailed~~ distributed pursuant to this section must:

(a) Be ~~printed~~ prepared in at least 12-point type;

(b) Include the description of the anticipated financial effect and explanation of each citywide measure and advisory question, including arguments for and against the measure or question, as required pursuant to NRS 295.205 or 295.217; and

(c) Include on the front page, in a separate box created by bold lines, a notice ~~printed~~ prepared in at least 20-point bold type that states:

NOTICE: TO RECEIVE A SAMPLE BALLOT IN  
LARGE TYPE, CALL (Insert appropriate telephone number)

~~{3.-4.}~~ 5. The word “Incumbent” must appear on the sample ballot next to the name of the candidate who is the incumbent, if required pursuant to NRS 293.2565.

~~{4.-5.}~~ 6. A portion of a sample ballot that contains a facsimile of the display area of a voting device may include material in less than 12-point type to the extent necessary to make the facsimile fit on the pages of the sample ballot.

~~{5.-6.}~~ 7. The sample ballot ~~{mailed}~~ *distributed* to a person who requests a sample ballot in large type by exercising the option provided pursuant to NRS 293.508, or in any other manner, must be ~~{printed}~~ *prepared* in at least 14-point type, or larger when practicable.

~~{6.-7.}~~ 8. If a person requests a sample ballot in large type, the city clerk shall ensure that all future sample ballots ~~{mailed}~~ *distributed* to that person from the city are in large type.

~~{7.-8.}~~ 9. The city clerk shall include in each sample ballot a statement indicating that the city clerk will, upon request of a voter who is elderly or disabled, make reasonable accommodations to allow the voter to vote at his or her polling place and provide reasonable assistance to the voter in casting his or her vote, including, without limitation, providing appropriate materials to assist the voter. In addition, if the city clerk has provided pursuant to subsection 4 of NRS 293C.281 for the placement at centralized voting locations of specially equipped voting devices for use by voters who are elderly or disabled, the city clerk shall include in the sample ballot a statement indicating:

- (a) The addresses of such centralized voting locations;
- (b) The types of specially equipped voting devices available at such centralized voting locations; and
- (c) That a voter who is elderly or disabled may cast his or her ballot at such a centralized voting location rather than at the voter’s regularly designated polling place.

~~{8.-9.}~~ 10. The cost of ~~{mailing}~~ *distributing* sample ballots for a city election must be borne by the city holding the election.

**Sec. 5.** NRS 244A.785 is hereby amended to read as follows:

244A.785 1. The board of county commissioners of a county whose population is 700,000 or more may, by ordinance, create one or more districts within the unincorporated area of the county for the support of public parks. Such a district may include territory within the boundary of an incorporated city if so provided by interlocal agreement between the county and the city.

2. The ordinance creating a district must specify its boundaries. The area included within the district may be contiguous or noncontiguous. The boundaries set by the ordinance are not affected by later annexations to or incorporation of a city.

3. The alteration of the boundaries of such a district may be initiated by:

(a) A petition proposed unanimously by the owners of the property which is located in the proposed area which was not previously included in the district; or

(b) A resolution adopted by the board of county commissioners on its own motion.

➔ If the board of county commissioners proposes on its own motion to alter the boundaries of a district for the support of public parks, it shall, at the next primary or general election, submit to the registered voters who reside in the proposed area which was not previously included in the district, the question of whether the boundaries of the district shall be altered. If a majority of the voters approve the question, the board shall, by ordinance, alter the boundaries of the district as approved by the voters.

4. The sample ballot required to be ~~mailed~~ **distributed** pursuant to NRS 293.565 must include for the question described in subsection 3, a disclosure of any future increase or decrease in costs which may be reasonably anticipated in relation to the purposes of the district for the support of public parks and its probable effect on the district's tax rate.

**Sec. 6.** NRS 266.0325 is hereby amended to read as follows:

266.0325 1. At least 10 days before an election held pursuant to NRS 266.029, the county clerk or registrar of voters shall ~~cause to be mailed distributed by mail or electronic mail, as applicable,~~ **distributed** to each qualified elector **by mail or electronic means, as applicable,** a sample ballot for the elector's precinct with a notice informing the elector of the location of the polling place for that precinct. **A sample ballot may be distributed by electronic means to an elector only if the county clerk has established a system for distributing sample ballots by electronic means pursuant to NRS 293.565 and the elector elects to receive a sample ballot by electronic means.**

2. The sample ballot must:

(a) Be in the form required by NRS 266.032.

(b) Include the information required by NRS 266.032.

(c) Except as otherwise provided in subsection 3, be ~~printed~~ **prepared** in at least 12-point type.

(d) Describe the area proposed to be incorporated by assessor's parcel maps, existing boundaries of subdivision or parcel maps, identifying visible ground features, extensions of the visible ground features, or by any boundary that coincides with the official boundary of the State, a county, a city, a township, a section or any combination thereof.

(e) Contain a copy of the map or plat that was submitted with the petition pursuant to NRS 266.019 and depicts the existing dedicated streets, sewer interceptors and outfalls and their proposed extensions.

(f) Include on the front page, in a separate box created by bold lines, a notice ~~printed~~ **prepared** in at least 20-point bold type that states:

NOTICE: TO RECEIVE A SAMPLE BALLOT IN  
LARGE TYPE, CALL (Insert appropriate telephone number)

3. A portion of a sample ballot that contains a facsimile of the display area of a voting device may include material in less than 12-point type to the extent necessary to make the facsimile fit on the pages of the sample ballot.

4. The sample ballot ~~mailed~~ **distributed** to a person who requests a sample ballot in large type by exercising the option provided pursuant to NRS 293.508, or in any other manner, must be ~~printed~~ **prepared** in at least 14-point type, or larger when practicable.

5. If a person requests a sample ballot in large type, the county clerk shall ensure that all future sample ballots ~~mailed~~ **distributed** to that person from the county are in large type.

**Sec. 7.** NRS 266.034 is hereby amended to read as follows:

266.034 1. The costs incurred by the board of county commissioners in carrying out the provisions relating to the incorporation, including the costs incurred in certifying the petition, publishing the notices, requesting the report pursuant to NRS 266.0261, conducting the public hearing and election, including the cost of ~~mailing~~ **distributing** the sample ballots, and any appeal pursuant to NRS 266.0265 are a charge against the county if the proposed incorporation is not submitted to the voters or the incorporation is disapproved by the voters, and a charge against the incorporated city if the incorporation is approved by the voters.

2. The costs incurred by the incorporators in carrying out the provisions relating to the incorporation, including the costs incurred in preparation of the petition for incorporation, preparation of the descriptions and map of the area proposed to be incorporated and circulation of the petition are chargeable to the incorporated city if the incorporation is approved by the voters.

**Sec. 8.** NRS 349.015 is hereby amended to read as follows:

349.015 1. Except as otherwise provided in subsection 3, the sample ballot required to be ~~mailed~~ **distributed** pursuant to NRS 293.565 or 293C.530, and the notice of election must contain:

- (a) The time and places of holding the election.
- (b) The hours during the day in which the polls will be open, which must be the same as provided for general elections.
- (c) The purposes for which the bonds are to be issued.
- (d) A disclosure of any:

(1) Future increase or decrease in costs which can reasonably be anticipated in relation to the purposes for which the obligations are to be issued and its probable effect on the tax rate; and

(2) Requirement relating to the bond question which is imposed pursuant to a court order or state or federal statute and the probable consequences which will result if the bond question is not approved by the voters.



(e) An estimate of the annual cost to operate, maintain and repair any buildings, structures or other facilities or improvements to be constructed or acquired with the proceeds of the bonds.

(f) The maximum amount of the bonds.

(g) The maximum rate of interest.

(h) The maximum number of years which the bonds are to run.

2. Any election called pursuant to NRS 349.010 to 349.070, inclusive, may be consolidated with a primary or general election.

3. If the election is consolidated with a general election, the notice of election need not set forth the places of holding the election, but may instead state that the places of holding the election will be the same as those provided for the general election.

**Sec. 9.** NRS 350.024 is hereby amended to read as follows:

350.024 1. The ballot question for a proposal submitted to the electors of a municipality pursuant to subsection 1 of NRS 350.020 must contain the principal amount of the general obligations to be issued or incurred, the purpose of the issuance or incurrence of the general obligations and an estimate established by the governing body of:

(a) The duration of the levy of property tax that will be used to pay the general obligations; and

(b) The average annual increase, if any, in the amount of property taxes that an owner of a new home with a fair market value of \$100,000 will pay for debt service on the general obligations to be issued or incurred.

2. Except as otherwise provided in subsection 4, the sample ballot required to be ~~mailed~~ **distributed** pursuant to NRS 293.565 or 293C.530 and the notice of election must contain:

(a) The time and places of holding the election.

(b) The hours during the day in which the polls will be open, which must be the same as provided for general elections.

(c) The ballot question.

(d) The maximum amount of the obligations, including the anticipated interest, separately stating the total principal, the total anticipated interest and the anticipated interest rate.

(e) An estimate of the range of property tax rates stated in dollars and cents per \$100 of assessed value necessary to provide for debt service upon the obligations for the dates when they are to be redeemed. The municipality shall, for each such date, furnish an estimate of the assessed value of the property against which the obligations are to be issued or incurred, and the governing body shall estimate the tax rate based upon the assessed value of the property as given in the assessor's estimates.

3. If an operating or maintenance rate is proposed in conjunction with the question to issue obligations, the questions may be combined, but the sample ballot and notice of election must each state the tax rate required for the obligations separately from the rate proposed for operation and maintenance.

4. Any election called pursuant to NRS 350.020 to 350.070, inclusive, may be consolidated with a primary or general municipal election or a primary or general state election. The notice of election need not set forth the places of holding the election, but may instead state that the places of holding the election will be the same as those provided for the election with which it is consolidated.

5. If the election is a special election, the clerk shall cause notice of the close of registration to be published in a newspaper printed in and having a general circulation in the municipality once in each calendar week for 2 successive calendar weeks next preceding the close of registration for the election.

**Sec. 10.** NRS 350.027 is hereby amended to read as follows:

350.027 1. In addition to any requirements imposed pursuant to NRS 350.024, any sample ballot required to be ~~mailed~~ *distributed* pursuant to NRS 293.565 or 293C.530 and any notice of election, for an election that includes a proposal for the issuance by any municipality of any bonds or other securities, including an election that is not called pursuant to NRS 350.020 to 350.070, inclusive, must contain an estimate of the annual cost to operate, maintain and repair any buildings, structures or other facilities or improvements to be constructed or acquired with the proceeds of the bonds or other securities.

2. For the purposes of this section, "municipality" has the meaning ascribed to it in NRS 350.538.

**Sec. 11.** This act becomes effective upon passage and approval for the purposes of adopting regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act, and on January 1, 2016, for all other purposes.

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Stewart.

ASSEMBLYMAN STEWART:

County and city election officials are authorized to establish a system to distribute sample ballots by electronic means, when approved by the Secretary of State. The system may include electronic mail or electronic access through a website. A registered voter may elect to have his or her electronic mail address kept confidential.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 101.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 51.

AN ACT relating to motor carriers; exempting the transportation of workers to and from certain work sites from the definition of "charter bus

transportation” ~~is~~ **in certain counties;** and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law requires drivers of charter buses, who are employed in providing charter bus transportation services, to have a driver’s permit issued by the Nevada Transportation Authority. (NRS 706.462) Among other requirements, to obtain a driver’s permit, an applicant must submit an application which includes the applicant’s fingerprints for the purpose of conducting a Federal Bureau of Investigation criminal background check. In addition, the applicant must pay upon both initial issuance and upon renewal a fee not to exceed \$50, as well as the cost for processing the fingerprints. (NRS 706.462)

This bill exempts from the definition of “charter bus transportation” buses used to transport workers to and from certain work sites, including, without limitation, construction sites, mines and renewable energy facilities, **in a county whose population is less than 100,000 (currently counties other than Clark and Washoe Counties). This exemption** effectively ~~removing~~ **removes** drivers of such buses from the requirement to obtain and renew a driver’s permit and pay the requisite fees.

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

**Section 1.** NRS 706.462 is hereby amended to read as follows:

706.462 1. A person shall not drive a charter bus for the purposes of charter bus transportation, a motor vehicle for a fully regulated carrier of passengers or a taxicab motor carrier as an employee, independent contractor or lessee unless the person has been issued a driver’s permit by the Authority pursuant to this section.

2. The Authority shall issue a driver’s permit to each applicant who satisfies the requirements of this section. Before issuing a driver’s permit, the Authority shall:

(a) Require the applicant to submit a complete set of his or her fingerprints, which the Authority shall forward to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation to ascertain whether the applicant has a criminal record and the nature of any such record, and may further investigate the applicant’s background; and

(b) Require proof that the applicant is employed or under a contract or lease agreement or has an offer of employment, a contract or a lease agreement that is contingent on the applicant obtaining a driver’s permit pursuant to this section and:

(1) Has a valid license issued pursuant to NRS 483.340 which authorizes the applicant to drive in this State any motor vehicle that is within the scope of the employment, contract or lease; or

(2) If the driver is a resident of a state other than Nevada, has a valid license issued by the state in which he or she resides which authorizes the applicant to drive any motor vehicle that is within the scope of the employment, contract or lease.

3. The Authority may refuse to issue a driver's permit if:

(a) The applicant has been convicted of:

(1) A felony, other than a sexual offense, in this State or any other jurisdiction within the 5 years immediately preceding the date of the application;

(2) A felony involving any sexual offense in this State or any other jurisdiction at any time before the date of the application; or

(3) A violation of NRS 484C.110 or 484C.430 or a law of any other jurisdiction that prohibits the same or similar conduct within the 3 years immediately preceding the date of the application.

(b) After further investigation into the applicant's background, if any, the Authority determines that the issuance of the driver's permit would be detrimental to public health, welfare or safety.

4. A driver's permit issued pursuant to this section is valid for not longer than 3 years, but lapses if the driver ceases to be employed by the carrier identified in the application for the original or renewal permit or if the contract or lease expires and the driver enters into a contract or lease with a different carrier. A driver must notify the Authority within 10 days after the lapse of a permit and obtain a new permit pursuant to this section before driving for a different carrier.

5. An applicant shall pay to the Authority:

(a) A fee for the processing of fingerprints which is to be established by the Authority and which may not exceed the fee charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints.

(b) For an original driver's permit, a fee not to exceed \$50.

(c) For the renewal of a driver's permit, a fee not to exceed \$50.

6. As used in this section, "charter bus transportation" means transportation by bus of a group of persons who, pursuant to a common purpose and under a single contract, at a fixed charge for the motor vehicle, have acquired the exclusive use of the motor vehicle to travel together under an itinerary either specified in advance or modified after having left the place of origin. The term does not include:

(a) The transportation of passengers and their baggage in the same vehicle for a per capita charge between airports or between an airport and points and places in this State;

(b) The transportation at a per capita or an hourly rate of passengers to various points of interest for the purpose of sightseeing or visiting those points of interest where a narrated tour is presented to the passengers; ~~or~~

(c) The transportation of persons who have acquired the use of a vehicle for a special event between definite points of origin and destination, at a per capita rate ~~1~~; or

(d) ~~The~~ ***In a county whose population is less than 100,000, the transportation of a group of persons to and from a single job site or work site, including, without limitation, a construction site, mine or facility or project for the production of renewable energy. As used in this paragraph:***

(1) ***“Construction site” means any location at which construction work is being commenced or in progress.***

(2) ***“Mine” means an excavation in the earth from which ores, coal or other mineral substances are extracted, or a subterranean natural deposit of minerals located and identified as such by the staking of a claim or other method recognized by law. The term includes, without limitation, a well drilled to extract minerals.***

(3) ***“Renewable energy” means a source of energy that occurs naturally or is regenerated naturally, including, without limitation:***

***(I) Biomass;***

***(II) Fuel cells;***

***(III) Geothermal energy;***

***(IV) Solar energy;***

***(V) Waterpower; and***

***(VI) Wind.***

↪ ***The term does not include coal, natural gas, oil, propane or any other fossil fuel, or nuclear energy.***

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

Assemblyman Wheeler moved the adoption of the amendment.

Remarks by Assemblyman Wheeler.

ASSEMBLYMAN WHEELER:

Amendment 51 limits the provisions of Assembly Bill 101 to apply only to counties with a population of less than 100,000.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 108.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 11.

AN ACT relating to criminal procedure; authorizing courts to allow certain victims of sex trafficking or involuntary servitude who have been convicted of ~~trespassing~~ **certain crimes** to have their judgments of conviction vacated; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law allows a court to grant a motion to vacate a judgment if the defendant was convicted of engaging in or soliciting prostitution and the

defendant's participation in the offense was the result of having been a victim of sex trafficking or involuntary servitude. (NRS 176.515) ~~Existing law also provides that a person commits the crime of trespassing if the person willfully goes or remains upon any land or in any building after having been warned not to trespass by the owner or occupant of the land or building. (NRS 207.200).~~ This bill allows a court to grant a motion to vacate a judgment if the defendant was convicted of : **(1) trespassing, loitering in a gaming area or a violation of a county, city or town ordinance prohibiting loitering for the purpose of solicitation or prostitution;** and **(2)** the defendant's participation in the offense was the result of having been a victim of sex trafficking or involuntary servitude.

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

**Section 1.** NRS 176.515 is hereby amended to read as follows:

176.515 1. The court may grant a new trial to a defendant if required as a matter of law or on the ground of newly discovered evidence.

2. If trial was by the court without a jury, the court may vacate the judgment if entered, take additional testimony and direct the entry of a new judgment.

3. Except as otherwise provided in NRS 176.09187, a motion for a new trial based on the ground of newly discovered evidence may be made only within 2 years after the verdict or finding of guilt.

4. A motion for a new trial based on any other grounds must be made within 7 days after the verdict or finding of guilt or within such further time as the court may fix during the 7-day period.

5. The court may grant a motion to vacate a judgment if:

(a) The judgment is a conviction for a violation of :

**(1) NRS 201.354, for engaging in prostitution or solicitation for prostitution, provided that the defendant was not alleged to be a customer of a prostitute; ~~for~~**

**(2) NRS 207.200, for unlawful trespass;**

**(3) Paragraph (b) of subsection 1 of NRS 463.350, for loitering; or**

**(4) A county, city or town ordinance, for loitering for the purpose of solicitation or prostitution.**

(b) The participation of the defendant in the offense was the result of the defendant having been a victim of:

(1) Trafficking in persons as described in the Trafficking Victims Protection Act of 2000, 22 U.S.C. §§ 7101 et seq.; or

(2) Involuntary servitude as described in NRS 200.463 or 200.4631; and

(c) The defendant makes a motion under this subsection with due diligence after the defendant has ceased being a victim of trafficking or involuntary servitude or has sought services for victims of such trafficking or involuntary servitude.

6. In deciding whether to grant a motion made pursuant to subsection 5, the court shall take into consideration any reasonable concerns for the safety of the defendant, family members of the defendant or other victims that may be jeopardized by the bringing of such a motion.

7. If the court grants a motion made pursuant to subsection 5, the court:

- (a) Shall vacate the judgment and dismiss the accusatory pleading; and
- (b) May take any additional action that the court deems appropriate under the circumstances.

Assemblyman Hansen moved the adoption of the amendment.

Remarks by Assemblyman Hansen.

ASSEMBLYMAN HANSEN:

This amendment allows a court to grant a motion to vacate a judgment of conviction. The courts may grant the motion if the defendant's offense was the result of being a victim of sex trafficking or involuntary servitude and the defendant is convicted of any county ordinance that prohibits loitering for the purpose of prostitution or loitering in a gaming area.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 114.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 70.

AN ACT relating to restitution; providing that a judgment requiring the payment of restitution does not expire until it is satisfied; exempting such a judgment from the time limitation for commencing an action upon or seeking the renewal thereof; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law provides that a judgment which, among other things, requires a defendant in a criminal action to pay restitution constitutes a lien which is enforceable as a judgment in a civil action. (NRS 176.275) Existing law also provides that an action upon a judgment or decree or for the renewal of such judgment or decree must be commenced within 6 years. (NRS 11.190) This bill: (1) provides that a judgment requiring a defendant in a criminal action **or a parent or guardian of a child** to pay restitution does not expire until it is satisfied; and (2) exempts such a judgment from the time limitation for commencing an action or seeking the renewal thereof.

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

**Section 1.** NRS 176.275 is hereby amended to read as follows:

176.275 *1.* A judgment which imposes a fine or administrative assessment or requires a defendant to pay restitution or repay the expenses of a defense constitutes a lien in like manner as a judgment for money rendered in a civil action.

2. *A judgment which requires a defendant to pay restitution:*

(a) *May be recorded, docketed and enforced as any other judgment for money rendered in a civil action.*

(b) *Does not expire until the judgment is satisfied.*

3. *An independent action to enforce a judgment which requires a defendant to pay restitution may be commenced at any time.*

Sec. 2. NRS 176A.850 is hereby amended to read as follows:

176A.850 1. A person who:

(a) Has fulfilled the conditions of probation for the entire period thereof;

(b) Is recommended for earlier discharge by the Division; or

(c) Has demonstrated fitness for honorable discharge but because of economic hardship, verified by the Division, has been unable to make restitution as ordered by the court,

↪ may be granted an honorable discharge from probation by order of the court.

2. Any amount of restitution remaining unpaid constitutes a civil liability arising upon the date of discharge ~~and~~ *and is enforceable pursuant to NRS 176.275.*

3. Except as otherwise provided in subsection 4, a person who has been honorably discharged from probation:

(a) Is free from the terms and conditions of probation.

(b) Is immediately restored to the following civil rights:

(1) The right to vote; and

(2) The right to serve as a juror in a civil action.

(c) Four years after the date of honorable discharge from probation, is restored to the right to hold office.

(d) Six years after the date of honorable discharge from probation, is restored to the right to serve as a juror in a criminal action.

(e) If the person meets the requirements of NRS 179.245, may apply to the court for the sealing of records relating to the conviction.

(f) Must be informed of the provisions of this section and NRS 179.245 in the person's probation papers.

(g) Is exempt from the requirements of chapter 179C of NRS, but is not exempt from the requirements of chapter 179D of NRS.

(h) Shall disclose the conviction to a gaming establishment and to the State and its agencies, departments, boards, commissions and political subdivisions, if required in an application for employment, license or other permit. As used in this paragraph, "establishment" has the meaning ascribed to it in NRS 463.0148.

(i) Except as otherwise provided in paragraph (h), need not disclose the conviction to an employer or prospective employer.

4. Except as otherwise provided in this subsection, the civil rights set forth in subsection 3 are not restored to a person honorably discharged from probation if the person has previously been convicted in this State:



- (a) Of a category A felony.
  - (b) Of an offense that would constitute a category A felony if committed as of the date of the honorable discharge from probation.
  - (c) Of a category B felony involving the use of force or violence that resulted in substantial bodily harm to the victim.
  - (d) Of an offense involving the use of force or violence that resulted in substantial bodily harm to the victim and that would constitute a category B felony if committed as of the date of honorable discharge from probation.
  - (e) Two or more times of a felony, unless a felony for which the person has been convicted arose out of the same act, transaction or occurrence as another felony, in which case the convictions for those felonies shall be deemed to constitute a single conviction for the purposes of this paragraph.
- ↪ A person described in this subsection may petition a court of competent jurisdiction for an order granting the restoration of civil rights as set forth in subsection 3.

5. The prior conviction of a person who has been honorably discharged from probation may be used for purposes of impeachment. In any subsequent prosecution of the person, the prior conviction may be pleaded and proved if otherwise admissible.

6. Except for a person subject to the limitations set forth in subsection 4, upon honorable discharge from probation, the person so discharged must be given an official document which provides:

- (a) That the person has received an honorable discharge from probation;
- (b) That the person has been restored to his or her civil rights to vote and to serve as a juror in a civil action as of the date of honorable discharge from probation;
- (c) The date on which the person's civil right to hold office will be restored pursuant to paragraph (c) of subsection 3; and
- (d) The date on which the person's civil right to serve as a juror in a criminal action will be restored pursuant to paragraph (d) of subsection 3.

7. Subject to the limitations set forth in subsection 4, a person who has been honorably discharged from probation in this State or elsewhere and whose official documentation of honorable discharge from probation is lost, damaged or destroyed may file a written request with a court of competent jurisdiction to restore the person's civil rights pursuant to this section. Upon verification that the person has been honorably discharged from probation and is eligible to be restored to the civil rights set forth in subsection 3, the court shall issue an order restoring the person to the civil rights set forth in subsection 3. A person must not be required to pay a fee to receive such an order.

8. A person who has been honorably discharged from probation in this State or elsewhere may present:

- (a) Official documentation of honorable discharge from probation, if it contains the provisions set forth in subsection 6; or
- (b) A court order restoring the person's civil rights,

↪ as proof that the person has been restored to the civil rights set forth in subsection 3.

**Sec. 3.** NRS 176A.870 is hereby amended to read as follows:

176A.870 A defendant whose term of probation has expired and:

1. Whose whereabouts are unknown;
2. Who has failed to make restitution in full as ordered by the court, without a verified showing of economic hardship; or
3. Who has otherwise failed to qualify for an honorable discharge as provided in NRS 176A.850,

↪ is not eligible for an honorable discharge and must be given a dishonorable discharge. A dishonorable discharge releases the probationer from any further obligation, except a civil liability arising on the date of discharge for any unpaid restitution ~~[-]~~ **which is enforceable pursuant to NRS 176.275**, but does not entitle the probationer to any privilege conferred by NRS 176A.850.

**Sec. 4.** NRS 11.190 is hereby amended to read as follows:

11.190 Except as otherwise provided in NRS 40.4639, 125B.050 and 217.007, actions other than those for the recovery of real property, unless further limited by specific statute, may only be commenced as follows:

1. Within 6 years:
  - (a) ~~[-]~~ **Except as otherwise provided in NRS 62B.420 and 176.275, an action upon a judgment or decree of any court of the United States, or of any state or territory within the United States, or the renewal thereof.**
  - (b) An action upon a contract, obligation or liability founded upon an instrument in writing, except those mentioned in the preceding sections of this chapter.
2. Within 4 years:
  - (a) An action on an open account for goods, wares and merchandise sold and delivered.
  - (b) An action for any article charged on an account in a store.
  - (c) An action upon a contract, obligation or liability not founded upon an instrument in writing.
  - (d) An action against a person alleged to have committed a deceptive trade practice in violation of NRS 598.0903 to 598.0999, inclusive, but the cause of action shall be deemed to accrue when the aggrieved party discovers, or by the exercise of due diligence should have discovered, the facts constituting the deceptive trade practice.
3. Within 3 years:
  - (a) An action upon a liability created by statute, other than a penalty or forfeiture.
  - (b) An action for waste or trespass of real property, but when the waste or trespass is committed by means of underground works upon any mining claim, the cause of action shall be deemed to accrue upon the discovery by the aggrieved party of the facts constituting the waste or trespass.

(c) An action for taking, detaining or injuring personal property, including actions for specific recovery thereof, but in all cases where the subject of the action is a domestic animal usually included in the term “livestock,” which has a recorded mark or brand upon it at the time of its loss, and which strays or is stolen from the true owner without the owner’s fault, the statute does not begin to run against an action for the recovery of the animal until the owner has actual knowledge of such facts as would put a reasonable person upon inquiry as to the possession thereof by the defendant.

(d) Except as otherwise provided in NRS 112.230 and 166.170, an action for relief on the ground of fraud or mistake, but the cause of action in such a case shall be deemed to accrue upon the discovery by the aggrieved party of the facts constituting the fraud or mistake.

(e) An action pursuant to NRS 40.750 for damages sustained by a financial institution or other lender because of its reliance on certain fraudulent conduct of a borrower, but the cause of action in such a case shall be deemed to accrue upon the discovery by the financial institution or other lender of the facts constituting the concealment or false statement.

4. Within 2 years:

(a) An action against a sheriff, coroner or constable upon liability incurred by acting in his or her official capacity and in virtue of his or her office, or by the omission of an official duty, including the nonpayment of money collected upon an execution.

(b) An action upon a statute for a penalty or forfeiture, where the action is given to a person or the State, or both, except when the statute imposing it prescribes a different limitation.

(c) An action for libel, slander, assault, battery, false imprisonment or seduction.

(d) An action against a sheriff or other officer for the escape of a prisoner arrested or imprisoned on civil process.

(e) Except as otherwise provided in NRS 11.215, an action to recover damages for injuries to a person or for the death of a person caused by the wrongful act or neglect of another. The provisions of this paragraph relating to an action to recover damages for injuries to a person apply only to causes of action which accrue after March 20, 1951.

(f) An action to recover damages under NRS 41.740.

5. Within 1 year:

(a) An action against an officer, or officer de facto to recover goods, wares, merchandise or other property seized by the officer in his or her official capacity, as tax collector, or to recover the price or value of goods, wares, merchandise or other personal property so seized, or for damages for the seizure, detention or sale of, or injury to, goods, wares, merchandise or other personal property seized, or for damages done to any person or property in making the seizure.

(b) An action against an officer, or officer de facto for money paid to the officer under protest, or seized by the officer in his or her official capacity, as a collector of taxes, and which, it is claimed, ought to be refunded.

**Sec. 4.5. NRS 62B.420 is hereby amended to read as follows:**

62B.420 1. Except as otherwise provided in this subsection, if, pursuant to this title, a child or a parent or guardian of a child is ordered by the juvenile court to pay a fine, administrative assessment, fee or restitution or to make any other payment and the fine, administrative assessment, fee, restitution or other payment or any part of it remains unpaid after the time established by the juvenile court for its payment, the juvenile court may enter a civil judgment against the child or the parent or guardian of the child for the amount due in favor of the victim, the state or local entity to whom the amount is owed or both. The juvenile court may not enter a civil judgment against a person who is a child unless the person has attained the age of 18 years, the person is a child who is determined to be outside the jurisdiction of the juvenile court pursuant to NRS 62B.330 or 62B.335 or the person is a child who is certified for proper criminal proceedings as an adult pursuant to NRS 62B.390.

2. Notwithstanding the termination of the jurisdiction of the juvenile court pursuant to NRS 62B.410 or the termination of any period of supervision or probation ordered by the juvenile court, the juvenile court retains jurisdiction over any civil judgment entered pursuant to subsection 1 and retains jurisdiction over the person against whom a civil judgment is entered pursuant to subsection 1. The juvenile court may supervise the civil judgment and take any of the actions authorized by the laws of this State.

3. A civil judgment entered pursuant to subsection 1 may be enforced and renewed in the manner provided by law for the enforcement and renewal of a judgment for money rendered in a civil action. **A judgment which requires a parent or guardian of a child to pay restitution does not expire until the judgment is satisfied. An independent action to enforce a judgment that requires a parent or guardian of a child to pay restitution may be commenced at any time.**

4. If the juvenile court enters a civil judgment pursuant to subsection 1, the person or persons against whom the judgment is issued is liable for a collection fee, to be imposed by the juvenile court at the time the civil judgment is issued, of:

(a) Not more than \$100, if the amount of the judgment is less than \$2,000.

(b) Not more than \$500, if the amount of the judgment is \$2,000 or greater, but is less than \$5,000.

(c) Ten percent of the amount of the judgment, if the amount of the judgment is \$5,000 or greater.

5. In addition to attempting to collect the judgment through any other lawful means, a victim, a representative of the victim or a state or local entity that is responsible for collecting a civil judgment entered pursuant to subsection 1 may take any or all of the following actions:

(a) Except as otherwise provided in this paragraph, report the judgment to reporting agencies that assemble or evaluate information concerning credit. If the judgment was entered against a person who was less than 21 years of age at the time the judgment was entered, the judgment cannot be reported pursuant to this paragraph until the person reaches 21 years of age.

(b) Request that the juvenile court take appropriate action pursuant to subsection 6.

(c) Contract with a collection agency licensed pursuant to NRS 649.075 to collect the judgment and the collection fee. The collection agency must be paid as compensation for its services an amount not greater than the amount of the collection fee imposed pursuant to subsection 4, in accordance with the provisions of the contract.

6. If the juvenile court determines that a child or the parent or guardian of a child against whom a civil judgment has been entered pursuant to subsection 1 has failed to make reasonable efforts to satisfy the civil judgment, the juvenile court may take any of the following actions:

(a) Order the suspension of the driver's license of a child for a period not to exceed 1 year. If the child is already the subject of a court order suspending the driver's license of the child, the juvenile court may order the additional suspension to apply consecutively with the previous order. At the time the juvenile court issues an order suspending the driver's license of a child pursuant to this paragraph, the juvenile court shall require the child to surrender to the juvenile court all driver's licenses then held by the child. The juvenile court shall, within 5 days after issuing the order, forward to the Department of Motor Vehicles the licenses, together with a copy of the order. The Department of Motor Vehicles shall report a suspension pursuant to this paragraph to an insurance company or its agent inquiring about the driving record of a child, but such a suspension must not be considered for the purpose of rating or underwriting.

(b) If a child does not possess a driver's license, prohibit the child from applying for a driver's license for a period not to exceed 1 year. If the child is already the subject of a court order delaying the issuance of a license to drive, the juvenile court may order any additional delay in the ability of the child to apply for a driver's license to apply consecutively with the previous order. At the time the juvenile court issues an order pursuant to this paragraph delaying the ability of a child to apply for a driver's license, the juvenile court shall, within 5 days after issuing the order, forward to the Department of Motor Vehicles a copy of the order.

(c) If the civil judgment was issued for a delinquent fine or administrative assessment, order the confinement of the person in the appropriate prison, jail or detention facility, as provided in NRS 176.065 and 176.075.

(d) Enter a finding of contempt against a child or the parent or guardian of a child and punish the child or the parent or guardian for contempt in the manner provided in NRS 62E.040. A person who is indigent may not be punished for contempt pursuant to this subsection.

7. Money collected from a collection fee imposed pursuant to subsection 4 must be deposited and used in the manner set forth in subsection 4 of NRS 176.064.

8. If the juvenile court enters a civil judgment pursuant to subsection 1 and the person against whom the judgment is entered is convicted of a crime before he or she satisfies the civil judgment, the court sentencing the person for that crime shall include in the sentence the civil judgment or such portion of the civil judgment that remains unpaid.

**Sec. 5.** NRS 213.154 is hereby amended to read as follows:

213.154 1. The Division shall issue an honorable discharge to a parolee whose term of sentence has expired if the parolee has:

- (a) Fulfilled the conditions of his or her parole for the entire period of his or her parole; or
- (b) Demonstrated his or her fitness for honorable discharge but because of economic hardship, verified by a parole and probation officer, has been unable to make restitution as ordered by the court.

2. The Division shall issue a dishonorable discharge to a parolee whose term of sentence has expired if:

- (a) The whereabouts of the parolee are unknown;
- (b) The parolee has failed to make full restitution as ordered by the court, without a verified showing of economic hardship; or
- (c) The parolee has otherwise failed to qualify for an honorable discharge pursuant to subsection 1.

3. Any amount of restitution that remains unpaid by a person after the person has been discharged from parole constitutes a civil liability as of the date of discharge ~~{ }~~ **and is enforceable pursuant to NRS 176.275.**

**Sec. 6.** The amendatory provisions of this act apply to any judgment which requires a defendant to pay restitution which is rendered before, on or after October 1, 2015.

Assemblyman Hansen moved the adoption of the amendment.

Remarks by Assemblymen Hansen and Carlton.

ASSEMBLYMAN HANSEN:

This provides that a judgment requiring a child or a parent or guardian of a child to pay restitution does not expire until the judgment is satisfied and allows an independent action to enforce a judgment that requires a child or a parent or guardian of a child to pay restitution to be commenced at any time.

ASSEMBLYWOMAN CARLTON:

To the chair of Judiciary, I want to make sure I understand this. Currently there is a six-year statute of limitations on this that will be removed under this legislation, and the responsibility will fall to the parent or child. If that is so, are there provisions for the subrogation of possible insurance payments that were made, and if so, how do we true up to make sure that the person who owes the restitution is not being double billed?

ASSEMBLYMAN HANSEN:

Frankly, I do not know the answer to that question. If you would like, we can hold the amendment and bring it back on the next legislative day. I will get the answer if that is what you would prefer.

Motion to adopt amendment withdrawn.

Bill ordered to third reading.

SECOND READING AND AMENDMENT

Assembly Bill No. 131.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 52.

AN ACT relating to motor vehicles; revising the procedures by which certain males authorize the Department of Motor Vehicles to register them with the Selective Service System as required by federal law; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Under existing law, any male who is: (1) a citizen of the United States or an immigrant; and (2) at least 18 years of age but less than 26 years of age, when applying to the Department of Motor Vehicles for a driver's license, commercial driver's license, identification card, instruction permit, restricted license or special restricted license or for a duplicate or the renewal or reinstatement of such a license, permit or card, may authorize the Department to register him with the Selective Service System in compliance with federal law. (NRS 483.294, 483.855, 483.937; Section 3 of the Military Selective Service Act, 50 U.S.C. App. §§ 451 et seq., as amended) **Sections 1-3** of this bill provide that submission of an application for a driver's license, commercial driver's license, identification card, instruction permit, restricted license, special restricted license or driver authorization card or for a duplicate or the renewal or reinstatement of such a license, permit or card, to the Department by any eligible male authorizes the Department to register him with the Selective Service System unless the applicant has checked a box provided on the application indicating that he is not required to register pursuant to federal law. The application must inform the applicant that , unless he has checked the box to indicate that he is not required to register, submission of the application indicates that the applicant either has already registered with the Selective Service System or that he is authorizing the Department to forward to the Selective Service System the necessary information for such registration. This bill becomes effective: (1) upon passage and approval, for administrative purposes; and (2) for all other purposes, on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that the Department possesses sufficient resources to carry out the amendatory provisions of this act.

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

**Section 1.** NRS 483.294 is hereby amended to read as follows:

483.294 1. ~~When~~ **Except as otherwise provided in subsection 3,** *when* applying for a driver's license, an instruction permit, a restricted license, ~~for~~ a special restricted license ***or a driver authorization card*** or for a duplicate or the renewal or reinstatement of such a license, ~~for~~ permit ~~or~~ ***card***, a male applicant who is:

- (a) A citizen of the United States or an immigrant; and
- (b) At least 18 years of age but less than 26 years of age,

↪ ~~may authorize~~ ***authorizes*** the Department to register him with the Selective Service System in compliance with section 3 of the Military Selective Service Act, 50 U.S.C. App. §§ 451 et seq., as amended.

2. An application for a driver's license, an instruction permit, a restricted license, ~~for~~ a special restricted license ***or a driver authorization card*** or for a duplicate or substitute or the renewal or reinstatement of such a license, ~~for~~ permit ***or card*** must ~~include a box which may be checked by an applicant described in subsection 1 to authorize the Department to submit the necessary personal information to the Selective Service System to register the applicant in compliance with federal law. The application must also~~ inform ~~the~~ ***an applicant described in subsection 1*** that ~~by~~:

(a) ~~Submission~~ **Unless the applicant has checked the box described in subsection 3, submission of the application indicates that the applicant has already registered with the Selective Service System in compliance with federal law or that he is authorizing the Department to forward to the Selective Service System the necessary information for such registration; and**

(b) ***By*** registering with the Selective Service System in compliance with federal law, the applicant remains eligible for federal student loans, grants, benefits relating to job training, most federal jobs and, if applicable, citizenship in the United States.

3. ~~If an applicant indicates on his application that he wishes the Department to forward the necessary personal information to the Selective Service System, the~~ **An application for a driver's license, instruction permit, restricted license, special restricted license or driver authorization card, or for a duplicate or substitute or the renewal or reinstatement of such a license, permit or card, must include a box which may be checked by a male applicant who is at least 18 years of age but less than 26 years of age to indicate that the applicant is not required to register with the Selective Service System pursuant to the Military Selective Service Act, 50 U.S.C. App. §§ 451 et seq., as amended.**

4. ***The*** Department shall forward ~~that~~ ***the necessary personal information of any eligible applicant*** to the Selective Service System in an electronic format.



**Sec. 2.** NRS 483.855 is hereby amended to read as follows:

483.855 1. ~~When~~ **Except as otherwise provided in subsection 3, when** applying for an identification card or for a duplicate or the renewal of such a card, a male applicant who is:

- (a) A citizen of the United States or an immigrant; and
- (b) At least 18 years of age but less than 26 years of age,

↪ ~~may authorize~~ **authorizes** the Department to register him with the Selective Service System in compliance with section 3 of the Military Selective Service Act, 50 U.S.C. App. §§ 451 et seq., as amended.

2. An application for an identification card or for a duplicate or the renewal of such a card must ~~include a box which may be checked by an applicant described in subsection 1 to authorize the Department to submit the necessary personal information to the Selective Service System to register the applicant in compliance with federal law. The application must also~~ inform ~~the~~ **an applicant described in subsection 1** that ~~by~~ :

(a) ~~Submission~~ **Unless the applicant has checked the box described in subsection 3, submission of the application indicates that the applicant has already registered with the Selective Service System in compliance with federal law or that he is authorizing the Department to forward to the Selective Service System the necessary information for such registration; and**

(b) **By** registering with the Selective Service System in compliance with federal law, the applicant remains eligible for federal student loans, grants, benefits relating to job training, most federal jobs and, if applicable, citizenship in the United States.

3. ~~If an applicant indicates on his application that he wishes the Department to forward the necessary personal information to the Selective Service System, the~~ **An application for an identification card, or for a duplicate or the renewal of such a card, must include a box which may be checked by a male applicant who is at least 18 years of age but less than 26 years of age to indicate that the applicant is not required to register with the Selective Service System pursuant to the Military Selective Service Act, 50 U.S.C. App. §§ 451 et seq., as amended.**

**4.** The Department shall forward ~~that~~ **the necessary personal information of any eligible applicant** to the Selective Service System in an electronic format.

**Sec. 3.** NRS 483.937 is hereby amended to read as follows:

483.937 1. ~~When~~ **Except as otherwise provided in subsection 3, when** applying for a commercial driver's license or for a duplicate or the renewal or reinstatement of such a license, a male applicant who is:

- (a) A citizen of the United States or an immigrant; and
- (b) At least 18 years of age but less than 26 years of age,

↪ ~~may authorize~~ **authorizes** the Department to register him with the Selective Service System in compliance with section 3 of the Military Selective Service Act, 50 U.S.C. App. §§ 451 et seq., as amended.

2. An application for a commercial driver's license or for a duplicate or the renewal or reinstatement of such a license must ~~include a box which may be checked by an applicant described in subsection 1 to authorize the Department to submit the necessary personal information to the Selective Service System to register the applicant in compliance with federal law. The application must also~~ inform ~~the~~ *an applicant described in subsection 1* that ~~by~~ :

(a) ~~(Submission)~~ ***Unless the applicant has checked the box described in subsection 3, submission of the application indicates that the applicant has already registered with the Selective Service System in compliance with federal law or that he is authorizing the Department to forward to the Selective Service System the necessary information for such registration; and***

(b) *By registering with the Selective Service System in compliance with federal law, the applicant remains eligible for federal student loans, grants, benefits relating to job training, most federal jobs and, if applicable, citizenship in the United States.*

3. ~~If an applicant indicates on his application that he wishes the Department to forward the necessary personal information to the Selective Service System, the~~ ***An application for a commercial driver's license, or for a duplicate or the renewal or reinstatement of such a license, must include a box which may be checked by a male applicant who is at least 18 years of age but less than 26 years of age to indicate that the applicant is not required to register with the Selective Service System pursuant to the Military Selective Service Act, 50 U.S.C. App. §§ 451 et seq., as amended.***

4. *The Department shall forward ~~that~~ the necessary personal information of any eligible applicant to the Selective Service System in an electronic format.*

**Sec. 4. As soon as practicable, upon determining that sufficient resources are available to enable the Department of Motor Vehicles to carry out the amendatory provisions of this act, the Director of the Department shall notify the Governor and the Director of the Legislative Counsel Bureau of that fact, and shall publish on the Internet website of the Department notice to the public of that fact.**

~~{Sec. 4.}~~ **Sec. 5. This act becomes effective ~~on July 1, 2015.~~**

**1. Upon passage and approval for the purposes of adoption of regulations and any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and**

**2. For all other purposes, on the date on which the Director of the Department of Motor Vehicles, pursuant to section 4 of this act, notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the amendatory provisions of this act.**

Assemblyman Wheeler moved the adoption of the amendment.

Remarks by Assemblyman Wheeler.

ASSEMBLYMAN WHEELER:

Amendment 52 makes two changes to Assembly Bill 131. First, the amendment allows an applicant at the Department of Motor Vehicles the option to indicate on the application that he is exempt from the requirement to register with the Selective Service System pursuant to federal law. Second, the amendment changes the effective date of the bill from July 1, 2015, to upon passage and approval for purposes of adopting regulations and other preparatory administrative tasks, and for all other purposes, the date on which the Director of the DMV notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the DMV to carry out the amendatory provisions of this act.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 135.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 208.

AN ACT relating to public records; requiring the Division of State Library and Archives of the Department of Administration to develop and conduct a program of education and training concerning the retention and disposition of official state records for the employees of agencies, boards and commissions that are required to have a schedule approved by the Committee to Approve Schedules for the Retention and Disposition of Official State Records; requiring the head of such an agency, board or commission to require certain employees to complete the program; requiring the head of such an agency, board or commission to issue a letter of reprimand to an employee who **knowingly and willfully** disposes of an official state record in a manner contrary to an approved schedule for the retention and disposition of official state records ~~and~~ **or** authorizing the head of an agency, board or commission to take ~~additional appropriate~~ **more severe** disciplinary action against such an employee ~~and~~ **in appropriate circumstances;** and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires certain state agencies, boards and commissions, in cooperation with the Division of State Library and Archives of the Department of Administration, to develop a schedule for the retention and disposition of the official state records of the agency, board or commission. Existing law also requires the Division to submit the schedules to the Committee to Approve Schedules for the Retention and Disposition of Official State Records for approval. Upon approval of a schedule, existing law provides that an official state record may be disposed of only in accordance with the approved schedule. (NRS 239.077, 239.080) As recommended by the Sunset Subcommittee of the Legislative Commission, this bill requires the Division to develop and conduct a program of education

and training concerning the retention and disposition of official state records for employees of such agencies, boards and commissions. This bill also requires the head of a state agency, board or commission that is required to maintain its official state records in accordance with such an approved schedule to require certain employees to complete the program. This bill further : (1) requires the head of an agency, board or commission to issue a letter of reprimand to an employee of the agency, board or commission who **knowingly and willfully** disposes of an official state record in a manner contrary to the approved schedule. ~~[This bill also]~~ ; or (2) authorizes the head of an agency, board or commission to take more severe disciplinary action against such an employee in appropriate circumstances.

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

**Section 1.** Chapter 239 of NRS is hereby amended by adding thereto a new section to read as follows:

**1. *The Division shall develop and conduct a program of education and training on the retention and disposition of official state records for the employees of each agency, board and commission that is required to maintain its official state records in accordance with a schedule for the retention and disposition of official state records that has been developed pursuant to NRS 239.080. The program must include, without limitation, instruction concerning:***

**(a) *The general standards of the Division for the development pursuant to NRS 239.080 of schedules for the retention and disposition of official state records;***

**(b) *The specific criteria for the retention and disposition of official state records in accordance with the approved schedule applicable to the agency, board or commission by which an employee is employed; and***

**(c) *Any criminal or civil penalties or other administrative or disciplinary action to which an employee may be subject as the result of the disposal of an official state record in a manner contrary to the approved schedule for the retention and disposition of official state records applicable to the agency, board or commission by which the employee is employed.***

**2. *The head of an agency, board or commission that is required to maintain its official state records in accordance with a schedule for the retention and disposition of official state records that has been developed pursuant to NRS 239.080 and approved by the Committee pursuant to NRS 239.077:***

**(a) *Shall require each employee of the agency, board or commission, as applicable, whose duties include the management of the retention ~~for~~ and disposal of any official state ~~record~~ records of the agency, board or commission to complete the program of education and training on the retention and disposition of official state records that is developed and conducted by the Division pursuant to subsection 1.***

**(b) May require other employees of the agency, board or commission, as applicable, to complete the program of education and training described in paragraph (a).**

**(c) Except as otherwise provided in paragraph ~~(e)~~ (d), shall issue a letter of reprimand to any employee of the agency, board or commission, as applicable, who knowingly and willfully disposes of an official state record of the agency, board or commission in a manner contrary to the approved schedule for the retention and disposition of the official state records of the agency, board or commission.**

**~~(e)~~ (d) In lieu of a letter of reprimand issued pursuant to paragraph ~~(b)~~ (c), may take more severe disciplinary action against an employee in a matter involving a repeated offense or where circumstances otherwise warrant such action.**

**Sec. 2.** NRS 239.005 is hereby amended to read as follows:

239.005 As used in this chapter, unless the context otherwise requires:

1. “Actual cost” means the direct cost related to the reproduction of a public record. The term does not include a cost that a governmental entity incurs regardless of whether or not a person requests a copy of a particular public record.

2. “Agency of the Executive Department” means an agency, board, commission, bureau, council, department, division, authority or other unit of the Executive Department of the State Government. The term does not include the Nevada System of Higher Education.

3. “Committee” means the Committee to Approve Schedules for the Retention and Disposition of Official State Records.

4. “Division” means the Division of State Library and Archives of the Department of Administration.

5. “Governmental entity” means:

(a) An elected or appointed officer of this State or of a political subdivision of this State;

(b) An institution, board, commission, bureau, council, department, division, authority or other unit of government of this State, including, without limitation, an agency of the Executive Department, or of a political subdivision of this State;

(c) A university foundation, as defined in NRS 396.405; or

(d) An educational foundation, as defined in NRS 388.750, to the extent that the foundation is dedicated to the assistance of public schools.

6. “Official state record” includes, without limitation:

(a) Papers, unpublished books, maps and photographs;

(b) Information stored on magnetic tape or computer, laser or optical disc;

(c) Materials that are capable of being read by a machine, including, without limitation, microforms and audio and visual materials; and

(d) Materials that are made or received by a state agency and preserved by that agency or its successor as evidence of the organization, operation,

*policy or any other activity of that agency or because of the information contained in the material.*

7. "Privatization contract" means a contract executed by or on behalf of a governmental entity which authorizes a private entity to provide public services that are:

(a) Substantially similar to the services provided by the public employees of the governmental entity; and

(b) In lieu of the services otherwise authorized or required to be provided by the governmental entity.

**Sec. 3.** NRS 239.080 is hereby amended to read as follows:

239.080 1. An official state record may be disposed of only in accordance with a schedule for retention and disposition which is approved by the Committee.

2. In cooperation with the Division, each agency, board and commission shall develop a schedule for the retention and disposition of each type of official state record.

3. The Division shall submit the schedules described in subsection 2 to the Committee for final approval.

~~[4. As used in this section, "official state record" includes, without limitation, any:~~

~~—(a) Papers, unpublished books, maps and photographs;~~

~~—(b) Information stored on magnetic tape or computer, laser or optical disc;~~

~~—(c) Materials which are capable of being read by a machine, including microforms and audio and visual materials; and~~

~~—(d) Materials which are made or received by a state agency and preserved by that agency or its successor as evidence of the organization, operation, policy or any other activity of that agency or because of the information contained in the material.]~~

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

1. Upon passage and approval for the purpose of performing any preparatory administrative tasks necessary to carry out the provisions of this act; and

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

Assemblyman Ellison moved the adoption of the amendment.

Remarks by Assemblyman Ellison.

ASSEMBLYMAN ELLISON:

This amendment limits the employees who must attend a training program to those whose duties include the management of the retention and disposal of any official state record of an agency. It authorizes the head of an agency, board, or commission, at his or her discretion, to require other employees to complete the training program. In addition, the amendment limits the head of an agency, board, or commission to issue a letter of reprimand to only employees who knowingly and willfully dispose of state records in a manner contrary to the approved schedule.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 141.

Bill read second time and ordered to third reading.

Assembly Bill No. 143.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 147.

AN ACT relating to motor vehicles; authorizing an insurer who provides a contract of insurance for the operation of a motor vehicle to provide, upon the request of the insured and to the extent available, evidence of that insurance in an electronic format that can be displayed on a mobile electronic device; prohibiting a peace officer to whom such a device is presented for the purpose of showing evidence of insurance from **intentionally** viewing any other content on the device; providing that the person presenting such a device for the purpose of showing evidence of insurance assumes all liability for any damage to the device; providing a penalty; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Under existing law, an insurer who provides a contract of insurance for the operation of a motor vehicle must provide evidence of insurance to the insured on a form approved by the Commissioner of Insurance. (NRS 690B.023) **Section 4** of this bill authorizes such an insurer to provide, upon the request of the insured and to the extent available, evidence of insurance in an electronic format that can be displayed on a mobile electronic device. The insured may also request that the insurer provide the insured with the evidence of insurance form. **Section 4** also provides that a person who presents a mobile electronic device to another person to provide evidence of insurance assumes all liability for any resulting damage to the mobile electronic device.

Existing law requires that a person applying for registration of a fleet of vehicles provide the Department of Motor Vehicles with evidence of insurance for those vehicles. (NRS 482.215) **Section 1** of this bill newly provides that the evidence of insurance may be provided in an electronic format.

Existing law requires a peace officer who stops a vehicle for violating certain traffic laws to demand proof of insurance. (NRS 484A.650) **Section 2** of this bill newly provides that, if the evidence of insurance provided to the peace officer by the driver of the vehicle is in an electronic format displayed on a mobile electronic device, the peace officer shall not **intentionally** view any other content on the mobile electronic device. A violation of this prohibition would be punished as a misdemeanor under existing law. (NRS 484A.900)

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

**Section 1.** NRS 482.215 is hereby amended to read as follows:

482.215 1. All applications for registration, except applications for renewal of registration, must be made as provided in this section.

2. Except as otherwise provided in NRS 482.294, applications for all registrations, except renewals of registration, must be made in person, if practicable, to any office or agent of the Department or to a registered dealer.

3. Each application must be made upon the appropriate form furnished by the Department and contain:

(a) The signature of the owner, except as otherwise provided in subsection 2 of NRS 482.294, if applicable.

(b) The owner's residential address.

(c) The owner's declaration of the county where he or she intends the vehicle to be based, unless the vehicle is deemed to have no base. The Department shall use this declaration to determine the county to which the governmental services tax is to be paid.

(d) A brief description of the vehicle to be registered, including the name of the maker, the engine, identification or serial number, whether new or used, and the last license number, if known, and the state in which it was issued, and upon the registration of a new vehicle, the date of sale by the manufacturer or franchised and licensed dealer in this State for the make to be registered to the person first purchasing or operating the vehicle.

(e) Except as otherwise provided in this paragraph, if the applicant is not an owner of a fleet of vehicles or a person described in subsection 5:

(1) Proof satisfactory to the Department or registered dealer that the applicant carries insurance on the vehicle provided by an insurance company licensed by the Division of Insurance of the Department of Business and Industry and approved to do business in this State as required by NRS 485.185; and

(2) A declaration signed by the applicant that he or she will maintain the insurance required by NRS 485.185 during the period of registration. If the application is submitted by electronic means pursuant to NRS 482.294, the applicant is not required to sign the declaration required by this subparagraph.

(f) If the applicant is an owner of a fleet of vehicles or a person described in subsection 5, evidence of insurance provided by an insurance company licensed by the Division of Insurance of the Department of Business and Industry and approved to do business in this State as required by NRS 485.185:

(1) In the form of a certificate of insurance on a form approved by the Commissioner of Insurance;

(2) In the form of a card issued pursuant to NRS 690B.023 which identifies the vehicle or the registered owner of the vehicle; or



(3) In another form satisfactory to the Department [ ] , *including, without limitation, an electronic format authorized by NRS 690B.023.*

↪ The Department may file that evidence, return it to the applicant or otherwise dispose of it.

(g) If required, evidence of the applicant's compliance with controls over emission.

(h) If the application for registration is submitted via the Internet, a statement which informs the applicant that he or she may make a nonrefundable monetary contribution of \$2 for each vehicle registered for the Complete Streets Program, if any, created pursuant to NRS 244.2643, 277A.285 or 403.575, as applicable, based on the declaration made pursuant to paragraph (c). The application form must state in a clear and conspicuous manner that a contribution for a Complete Streets Program is nonrefundable and voluntary and is in addition to any fees required for registration, and must include a method by which the applicant must indicate his or her intention to opt in or opt out of making such a contribution.

4. The application must contain such other information as is required by the Department or registered dealer and must be accompanied by proof of ownership satisfactory to the Department.

5. For purposes of the evidence required by paragraph (f) of subsection 3:

(a) Vehicles which are subject to the fee for a license and the requirements of registration of the Interstate Highway User Fee Apportionment Act, and which are based in this State, may be declared as a fleet by the registered owner thereof on his or her original application for or application for renewal of a proportional registration. The owner may file a single certificate of insurance covering that fleet.

(b) Other fleets composed of 10 or more vehicles based in this State or vehicles insured under a blanket policy which does not identify individual vehicles may each be declared annually as a fleet by the registered owner thereof for the purposes of an application for his or her original or any renewed registration. The owner may file a single certificate of insurance covering that fleet.

(c) A person who qualifies as a self-insurer pursuant to the provisions of NRS 485.380 may file a copy of his or her certificate of self-insurance.

(d) A person who qualifies for an operator's policy of liability insurance pursuant to the provisions of NRS 485.186 and 485.3091 may file *or provide electronic* evidence of that insurance.

**Sec. 2.** NRS 484A.650 is hereby amended to read as follows:

484A.650 *I.* Whenever the driver of a vehicle is stopped by a peace officer for violating a provision of chapters 484A to 484E, inclusive, of NRS, except for violating a provision of NRS 484B.440 to 484B.523, inclusive, the officer shall demand proof of the insurance required by NRS 485.185 or 490.0825 and issue a citation as provided in NRS 484A.630 if the officer has probable cause to believe that the driver of the vehicle is in violation of

NRS 485.187 or subsection 4 of NRS 490.520. If the driver of the vehicle is not the owner, a citation must also be issued to the owner, and in such a case the driver:

~~1-1~~ (a) May sign the citation on behalf of the owner; and

~~2-1~~ (b) Shall notify the owner of the citation within 3 days after it is issued.

↪ The agency which employs the peace officer shall immediately forward a copy of the citation to the registered owner of the vehicle, by certified mail, at his or her address as it appears on the certificate of registration.

**2. When the evidence of insurance provided by the driver of the vehicle upon the demand of the peace officer is in an electronic format displayed on a mobile electronic device, the peace officer may view only the evidence of insurance and shall not intentionally view any other content on the mobile electronic device.**

**Sec. 3.** NRS 485.034 is hereby amended to read as follows:

485.034 “Evidence of insurance” means:

1. The ~~form~~ **information** provided by an insurer **in a form approved** pursuant to NRS 690B.023 as evidence of a contract of insurance for a motor vehicle liability policy; or

2. The certificate of self-insurance issued to a self-insurer by the Department pursuant to NRS 485.380.

**Sec. 4.** NRS 690B.023 is hereby amended to read as follows:

690B.023 ~~1-1~~

**1. Except as otherwise provided in subsection 2, if** insurance for the operation of a motor vehicle required pursuant to NRS 485.185 is provided by a contract of insurance, the insurer shall:

~~1-1~~ (a) Provide evidence of insurance to the insured on a form approved by the Commissioner. The evidence of insurance must include:

~~(a)~~ (I) The name and address of the policyholder;

~~(b)~~ (2) The name and address of the insurer;

~~(c)~~ (3) Vehicle information, consisting of:

~~(1)~~ (I) The year, make and complete identification number of the insured vehicle or vehicles; or

~~(2)~~ (II) The word “Fleet” and the name of the registered owner if the vehicle is covered under a fleet policy written on an any auto basis or blanket policy basis;

~~(d)~~ (4) The term of the insurance, including the day, month and year on which the policy:

~~(1)~~ (I) Becomes effective; and

~~(2)~~ (II) Expires;

~~(e)~~ (5) The number of the policy;

~~(f)~~ (6) A statement that the coverage meets the requirements set forth in NRS 485.185; and

~~[(e)]~~ (7) The statement “This ~~is~~ *evidence of insurance* must be carried in the insured motor vehicle for production upon demand.” The statement must be prominently displayed.

~~[(2)]~~ (b) Provide new evidence of insurance if:

~~[(a)]~~ (1) The information regarding the insured vehicle or vehicles required pursuant to ~~paragraph (c) of subsection 1]~~ **subparagraph (3) of paragraph (a)** no longer is accurate;

~~[(b)]~~ (2) An additional motor vehicle is added to the policy;

~~[(c)]~~ (3) A new number is assigned to the policy; or

~~[(d)]~~ (4) The insured notifies the insurer that the original evidence of insurance has been lost.

**2. Upon the request of an insured and to the extent available, the insurer may provide the evidence of insurance in an electronic format that can be displayed on a mobile electronic device. The electronic format must provide for the inclusion of all information required by paragraph (a) of subsection 1. An insured who makes such a request may also request that the insurer provide the insured with the form provided for in subsection 1.**

**3. A person who presents a mobile electronic device to another person to provide evidence of insurance assumes all liability for any resulting damage to the mobile electronic device.**

**Sec. 5.** This act becomes effective:

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

2. On ~~January 1, 2016,~~ **October 1, 2015**, for all other purposes.

Assemblyman Wheeler moved the adoption of the amendment.

Remarks by Assemblyman Wheeler.

ASSEMBLYMAN WHEELER:

Amendment 147 makes two changes to Assembly Bill 143. First, it adds the word “intentionally” in relation to the prohibition for a peace officer to view any other content on a mobile electronic device when the officer is viewing evidence of insurance. Second, the amendment changes part of the effective date of the bill from January 1, 2016, to October 1, 2015. Provisions of the bill relating to adopting regulations remain effective upon passage and approval.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 145.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 84.

AN ACT relating to motor vehicle registration; revising provisions governing the pro rata refund of registration fees and governmental services

tax paid on a vehicle that is due when the registration is cancelled under certain circumstances; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Under existing law, if a person cancels his or her registration for a vehicle and surrenders to the Department of Motor Vehicles the license plates for the vehicle, the Department is required, under certain circumstances, to refund to the person the portion of the registration fee and governmental services tax paid on the vehicle attributable to the remainder of the current calendar year or registration period on a pro rata basis. The Department is only required to provide such a refund if: (1) the request is made at the time the registration is cancelled and the license plates are surrendered; (2) the person requesting the refund is a resident of Nevada; (3) the amount eligible for refund exceeds \$100; and (4) evidence satisfactory to the Department is submitted that reasonably proves the existence of extenuating circumstances. The term "extenuating circumstances" is defined to mean circumstances wherein: (1) the person has recently relinquished his or her driver's license and has sold or otherwise disposed of his or her vehicle; (2) the vehicle has been determined to be inoperable and the person does not transfer the registration to a different vehicle; (3) the owner of the vehicle is seriously ill or has died and the guardians or survivors have sold or otherwise disposed of the vehicle; or (4) any other event occurs which the Department, by regulation, has defined to constitute an extenuating circumstance. (NRS 482.399)

This bill revises that provision to ~~provide~~ **set forth** that, in the case where the owner of a vehicle is seriously ill or has died and the guardians or survivors have sold or otherwise disposed of the vehicle, the Department is required to refund to the guardians or survivors the portion of the registration fee and governmental services tax paid on the vehicle attributable to the remainder of the current calendar year or registration period on a pro rata basis regardless of the residency of the person requesting the refund or the amount eligible for refund, ~~provided that~~ **but only if** the person **: (1)** cancels the registration and surrenders the license plates not more than 60 days after the vehicle is sold or otherwise disposed of ~~and~~ **: (2)** requests the refund at the time the registration is cancelled and the license plates are surrendered ~~;~~ **; and (3) the amount eligible for refund exceeds \$100.**

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

**Section 1.** NRS 482.399 is hereby amended to read as follows:

482.399 1. Upon the transfer of the ownership of or interest in any vehicle by any holder of a valid registration, or upon destruction of the vehicle, the registration expires.

2. Except as otherwise provided in subsection 3 of NRS 482.483, the holder of the original registration may transfer the registration to another vehicle to be registered by the holder and use the same regular license plate or plates or special license plate or plates issued pursuant to NRS 482.3667 to

482.3823, inclusive, or 482.384, on the vehicle from which the registration is being transferred, if the license plate or plates are appropriate for the second vehicle, upon filing an application for transfer of registration and upon paying the transfer registration fee and the excess, if any, of the registration fee and governmental services tax on the vehicle to which the registration is transferred over the total registration fee and governmental services tax paid on all vehicles from which he or she is transferring ownership or interest. Except as otherwise provided in NRS 482.294, an application for transfer of registration must be made in person, if practicable, to any office or agent of the Department or to a registered dealer, and the license plate or plates may not be used upon a second vehicle until registration of that vehicle is complete.

3. In computing the governmental services tax, the Department, its agent or the registered dealer shall credit the portion of the tax paid on the first vehicle attributable to the remainder of the current registration period or calendar year on a pro rata monthly basis against the tax due on the second vehicle or on any other vehicle of which the person is the registered owner. If any person transfers ownership or interest in two or more vehicles, the Department or the registered dealer shall credit the portion of the tax paid on all of the vehicles attributable to the remainder of the current registration period or calendar year on a pro rata monthly basis against the tax due on the vehicle to which the registration is transferred or on any other vehicle of which the person is the registered owner. The certificates of registration and unused license plates of the vehicles from which a person transfers ownership or interest must be submitted before credit is given against the tax due on the vehicle to which the registration is transferred or on any other vehicle of which the person is the registered owner.

4. In computing the registration fee, the Department or its agent or the registered dealer shall credit the portion of the registration fee paid on each vehicle attributable to the remainder of the current calendar year or registration period on a pro rata basis against the registration fee due on the vehicle to which registration is transferred.

5. If the amount owed on the registration fee or governmental services tax on the vehicle to which registration is transferred is less than the credit on the total registration fee or governmental services tax paid on all vehicles from which a person transfers ownership or interest, no refund may be allowed by the Department.

6. If the license plate or plates are not appropriate for the second vehicle, the plate or plates must be surrendered to the Department or registered dealer and an appropriate plate or plates must be issued by the Department. The Department shall not reissue the surrendered plate or plates until the next succeeding licensing period.

7. If application for transfer of registration is not made within 60 days after the destruction or transfer of ownership of or interest in any vehicle, the

license plate or plates must be surrendered to the Department on or before the 60th day for cancellation of the registration.

8. Except as otherwise provided in subsection 2 of NRS 371.040 and subsection 7 of NRS 482.260, if a person cancels his or her registration and surrenders to the Department the license plates for a vehicle, the Department shall, in accordance with the provisions of subsection 9 ~~9~~ **or 10, as applicable**, issue to the person a refund of the portion of the registration fee and governmental services tax paid on the vehicle attributable to the remainder of the current calendar year or registration period on a pro rata basis.

9. ~~The~~ **Except as otherwise provided in subsection 10, the** Department shall issue a refund pursuant to subsection 8 only if the request for a refund is made at the time the registration is cancelled and the license plates are surrendered, the person requesting the refund is a resident of Nevada, the amount eligible for refund exceeds \$100, and evidence satisfactory to the Department is submitted that reasonably proves the existence of extenuating circumstances. For the purposes of this subsection, the term “extenuating circumstances” means circumstances wherein:

(a) The person has recently relinquished his or her driver’s license and has sold or otherwise disposed of his or her vehicle.

(b) The vehicle has been determined to be inoperable and the person does not transfer the registration to a different vehicle.

(c) ~~The owner of the vehicle is seriously ill or has died and the guardians or survivors have sold or otherwise disposed of the vehicle.~~

~~(d)~~ Any other event occurs which the Department, by regulation, has defined to constitute an “extenuating circumstance” for the purposes of this subsection.

**10. The Department shall issue a refund pursuant to subsection 8 if:**

**(a) Evidence satisfactory to the Department is submitted which reasonably proves that the owner of the vehicle is seriously ill or has died and the guardians or survivors, including, without limitation, the spouse or domestic partner of the owner, have sold or otherwise disposed of the vehicle;**

**(b) The guardians or survivors cancel the registration and surrender the license plates not more than 60 days after the vehicle is sold or otherwise disposed of; ~~and~~**

**(c) The guardians or survivors request the refund at the time the registration is cancelled and the license plates are surrendered ~~and~~;**

**(d) The amount eligible for refund exceeds \$100.**

**Sec. 2.** This act becomes effective on July 1, 2015.

Assemblyman Wheeler moved the adoption of the amendment.

Remarks by Assemblyman Wheeler.

ASSEMBLYMAN WHEELER:

Amendment 84 revises the provisions of Assembly Bill 145 to specify that the Department of Motor Vehicles only has to provide a refund under the provisions of the bill if the refund exceeds \$100.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 175.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 118.

AN ACT relating to motor vehicles; revising provisions relating to the use of safety belts in taxicabs; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Under existing law, with certain exceptions, each adult passenger who rides in a taxicab in this State is required to wear a safety belt. Existing law also provides that a violation of this requirement may not be considered: (1) as negligence or as causation in any civil action or as negligent or reckless driving; or (2) as misuse or abuse of a product or as causation in any action brought to recover damages for injury to a person or property resulting from the manufacture, distribution, sale or use of a product. (NRS 484D.500) This bill removes the preceding legal limitations ~~and thus allowing~~ **and expressly allows** a violation of the requirement to wear a safety belt while riding in a taxicab to be considered for those purposes.

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

**Section 1.** NRS 484D.500 is hereby amended to read as follows:

484D.500 1. Any passenger 18 years of age or older who rides in the front or back seat of any taxicab on any highway, road or street in this State shall wear a safety belt if one is available for the seating position of the passenger, except that this subsection does not apply:

(a) To a passenger who possesses a written statement by a physician certifying that the passenger is unable to wear a safety belt for medical or physical reasons; or

(b) If the taxicab was not required by federal law at the time of initial sale to be equipped with safety belts.

2. A citation must be issued to any passenger who violates the provisions of subsection 1. A citation may be issued pursuant to this subsection only if the violation is discovered when the vehicle is halted or its driver arrested for another alleged violation or offense. Any person who violates the provisions of subsection 1 shall be punished by a fine of not more than \$25 or by a sentence to perform a certain number of hours of community service.

3. A violation of subsection 1:

(a) Is ~~is~~ not a moving traffic violation under NRS 483.473.

(b) May ~~not~~ be considered as negligence or as causation in any civil action or as negligent or reckless driving under NRS 484B.653.

(c) May ~~not~~ be considered as misuse or abuse of a product or as causation in any action brought to recover damages for injury to a person or property resulting from the manufacture, distribution, sale or use of a product.

4. An owner or operator of a taxicab shall post a sign within each of his or her taxicabs advising passengers that they must wear safety belts while being transported by the taxicab. Such a sign must be placed within the taxicab so as to be visible to and easily readable by passengers, except that this subsection does not apply if the taxicab was not required by federal law at the time of initial sale to be equipped with safety belts.

Assemblyman Wheeler moved the adoption of the amendment.

Remarks by Assemblyman Wheeler.

ASSEMBLYMAN WHEELER:

Amendment 118 revises the provisions of Assembly Bill 175 to retain most of the language proposed to be deleted in the original bill and would only remove the word "not" in subsections (b) and (c). This amendment expressly provides that failure by a passenger in a taxicab to wear a safety belt may be considered as causation in certain actions.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 248.

Bill read second time.

The following amendment was proposed by the Committee on Health and Human Services:

Amendment No. 166.

AN ACT relating to public health; authorizing physicians, under certain circumstances, to report to the Department of Motor Vehicles certain information regarding patients who have epilepsy; abolishing certain duties of physicians to report certain patient information; requiring physicians to inform certain patients with epilepsy of the dangers of operating a motor vehicle; providing that certain reports and statements provided to the Department concerning patients with epilepsy are not subject to the doctor-patient privilege under certain circumstances; providing that a cause of action may not be brought against a physician for failing to report such information to the Department; providing that a cause of action may not be brought against a physician for reporting certain information regarding patients who have epilepsy to the Department except in certain circumstances; and providing other matters properly relating thereto.



**Legislative Counsel's Digest:**

Existing law requires: (1) a physician to report immediately to the Division of Public and Behavioral Health of the Department of Health and Human Services, in writing, the name, age and address of every person diagnosed as a case of epilepsy, ~~as defined by the State Board of Health~~; and (2) the Division to report this information to the Department of Motor Vehicles. (NRS 439.270) **Section 1** of this bill abolishes these duties and ~~instead, the requirement that the State Board define the term "epilepsy."~~ **Section 1** requires a physician who determines that a patient's epilepsy severely impairs the ability of a patient to safely operate a motor vehicle to notify such a patient of this determination and obtain from the patient a signed statement acknowledging the notification. If the patient refuses to sign an acknowledgment, **section 1** requires the physician to sign a written statement verifying that the physician provided the required notification. **Section 1** authorizes a physician, upon the request of the Department of Motor Vehicles, to provide a copy of the acknowledgment or statement to the Department.

**Section 4** of this bill prohibits a person with epilepsy from operating a motor vehicle if the person has been informed by a physician that his or her condition would severely impair his or her ability to safely operate a motor vehicle. **Section 4** authorizes a physician who is aware that a person with epilepsy has violated this provision to submit, without the person's consent, a written report to the Department of Motor Vehicles that includes the name, address and age of the person.

**Section 2** of this bill provides that a person who has been informed by a physician that his or her condition would severely impair his or her ability to safely operate a motor vehicle has no privilege to prevent a physician from disclosing this information to the Department of Motor Vehicles.

**Sections 1 and 4** provide that the Department of Motor Vehicles may only use such information to determine whether a person is eligible to operate a motor vehicle in this State. **Sections 1 and 4** also provide that no cause of action may be brought against a physician: (1) for failing to provide such information to the Department; or (2) for providing such information to the Department, unless the physician acted with malice, intentional misconduct, gross negligence or intentional or knowing violation of the law.

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

**Section 1.** NRS 439.270 is hereby amended to read as follows:

439.270 1. ~~1. The State Board of Health shall define epilepsy for the purposes of the reports hereinafter referred to in this section.~~

~~2. All physicians shall report immediately to the Division, in writing, the name, age and address of every person diagnosed as a case of epilepsy.~~

~~3.~~ The Division shall report, in writing, to the Department of Motor Vehicles the name, age and address of every person reported to it as a case of epilepsy.

~~4.~~ Except as otherwise provided in NRS 239.0115, the reports are for the information of the Department of Motor Vehicles and must be kept confidential.] *If a physician determines that, in his or her professional judgment, a patient's epilepsy severely impairs the ability of the patient to safely operate a motor vehicle, the physician shall:*

(a) *Adequately inform the patient of the dangers of operating a motor vehicle with his or her condition until such time as the physician or another physician informs the patient that the patient's condition does not severely impair the ability of the patient to safely operate a motor vehicle; and*

(b) *Except as otherwise provided in subsection ~~3~~ 2:*

(1) *Require the patient to sign a statement acknowledging that he or she has been informed by the physician of the dangers of operating a motor vehicle with his or her condition; and*

(2) *Retain the original signed statement and provide a copy of the signed statement to the patient.*

~~3~~ 2. *If a patient refuses to sign a statement pursuant to paragraph (b) of subsection ~~2~~ 1, the physician shall sign a written statement verifying that the physician informed the patient of all material facts and information required by paragraph (a) of subsection ~~2~~ 1. The physician shall, to the extent practicable, provide a copy of the statement signed by the physician to the patient.*

~~4~~ 3. *A statement signed by a patient pursuant to subsection ~~2~~ 1 or a statement signed by a physician pursuant to subsection ~~3~~ 2 shall be deemed a health care record, as defined in NRS 629.021.*

~~5~~ 4. *A physician may, upon the request of the Department, provide to the Department a copy of a statement signed by a patient pursuant to subsection ~~2~~ 1 or a statement signed by the physician pursuant to subsection ~~3~~ 2. A statement received by the Department pursuant to this subsection:*

(a) *Is confidential, except that the contents of the statement may be disclosed to the patient; and*

(b) *May be used by the Department solely to determine the eligibility of ~~any person~~ the patient to operate a vehicle on the streets and highways of this State.*

~~5.~~ [A violation of this section is a misdemeanor.]

~~6~~ *The provision by a physician of a copy of a statement pursuant to subsection ~~5~~ 4 is solely within his or her discretion. No cause of action may be brought against a physician based on the fact that he or she did not provide such a copy.*

~~7~~ 6. *No cause of action may be brought against a physician based on the fact that he or she provided a copy of a statement pursuant to*

*subsection ~~5~~ 4 unless the physician acted with malice, intentional misconduct, gross negligence or intentional or knowing violation of the law.*

~~§~~ 7. *As used in this section:*

(a) *“Department” means the Department of Motor Vehicles.*

(b) *“Patient” means a person who consults or is examined or interviewed by a physician for the purposes of diagnosis or treatment.*

**Sec. 2.** NRS 49.245 is hereby amended to read as follows:

49.245 There is no privilege under NRS 49.225 or 49.235:

1. For communications relevant to an issue in proceedings to hospitalize the patient for mental illness, if the doctor in the course of diagnosis or treatment has determined that the patient is in need of hospitalization.

2. As to communications made in the course of a court-ordered examination of the condition of a patient with respect to the particular purpose of the examination unless the court orders otherwise.

3. As to written medical or hospital records relevant to an issue of the condition of the patient in any proceeding in which the condition is an element of a claim or defense.

4. In a prosecution or mandamus proceeding under chapter 441A of NRS.

5. As to any information communicated to a physician in an effort unlawfully to procure a dangerous drug or controlled substance, or unlawfully to procure the administration of any such drug or substance.

6. As to any written medical or hospital records which are furnished in accordance with the provisions of NRS 629.061.

7. As to records that are required by chapter 453 of NRS to be maintained.

8. *As to reports made to the Department of Motor Vehicles pursuant to subsection 2 of section 4 of this act and any statements provided to the Department pursuant to NRS 439.270.*

9. If the services of the physician are sought or obtained to enable or aid a person to commit or plan to commit fraud or any other unlawful act in violation of any provision of chapter 616A, 616B, 616C, 616D or 617 of NRS which the person knows or reasonably should know is fraudulent or otherwise unlawful.

**Sec. 3.** NRS 239.010 is hereby amended to read as follows:

239.010 1. Except as otherwise provided in this section and NRS 1.4683, 1A.110, 49.095, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653, 119B.370, 119B.382, 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817, 130.312, 159.044, 172.075, 172.245, 176.015,

176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.165, 179A.450, 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3925, 209.419, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 228.270, 228.450, 228.495, 228.570, 231.069, 233.190, 237.300, 239.0105, 239.0113, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 240.007, 241.020, 241.030, 242.105, 244.264, 244.335, 250.087, 250.130, 250.140, 250.150, 268.095, 268.490, 268.910, 271A.105, 281.195, 281A.350, 281A.440, 281A.550, 284.4068, 286.110, 287.0438, 289.025, 289.080, 289.387, 293.5002, 293.503, 293.558, 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.610, 365.138, 366.160, 368A.180, 372A.080, 378.290, 378.300, 379.008, 386.655, 387.626, 387.631, 388.5275, 388.528, 388.5315, 388.750, 391.035, 392.029, 392.147, 392.264, 392.271, 392.652, 392.850, 394.167, 394.1698, 394.447, 394.460, 394.465, 396.3295, 396.405, 396.525, 396.535, 398.403, 408.3885, 408.3886, 412.153, 416.070, 422.290, 422.305, 422A.320, 422A.350, 425.400, 427A.1236, 427A.872, 432.205, 432B.175, 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 433.534, 433A.360, 439.270, 439.840, 439B.420, 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395, 445A.665, 445B.570, 449.209, 449.245, 449.720, 453.1545, 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050, 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403, 463.3407, 463.790, 467.1005, 467.137, 481.063, 482.170, 482.5536, 483.340, 483.363, 483.800, 484E.070, 485.316, 503.452, 522.040, 534A.031, 561.285, 571.160, 584.583, 584.655, 598.0964, 598.0979, 598.098, 598A.110, 599B.090, 603.070, 603A.210, 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350, 618.341, 618.425, 622.310, 623.131, 623A.353, 624.110, 624.265, 624.327, 625.425, 625A.185, 628.418, 629.069, 630.133, 630.30665, 630.336, 630A.555, 631.368, 632.121, 632.125, 632.405, 633.283, 633.301, 633.524, 634.212, 634.214, 634A.185, 635.158, 636.107, 637.085, 637A.315, 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075, 640A.220, 640B.730, 640C.400, 640C.745, 640C.760, 640D.190, 640E.340, 641.090, 641A.191, 641B.170, 641C.760, 642.524, 643.189, 644.446, 645.180, 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135, 645E.300, 645E.375, 645G.510, 645H.320, 645H.330, 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228, 654.110, 656.105, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310, 671.170, 673.430, 675.380, 676A.340, 676A.370, 677.243, 679B.122, 679B.152, 679B.159, 679B.190, 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.280, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306, 687A.110, 687A.115, 687C.010, 688C.230, 688C.480, 688C.490, 692A.117, 692C.190,

692C.420, 693A.480, 693A.615, 696B.550, 703.196, 704B.320, 704B.325, 706.1725, 710.159, 711.600, **and section 4 of this act**, sections 35, 38 and 41 of chapter 478, Statutes of Nevada 2011 and section 2 of chapter 391, Statutes of Nevada 2013 and unless otherwise declared by law to be confidential, all public books and public records of a governmental entity must be open at all times during office hours to inspection by any person, and may be fully copied or an abstract or memorandum may be prepared from those public books and public records. Any such copies, abstracts or memoranda may be used to supply the general public with copies, abstracts or memoranda of the records or may be used in any other way to the advantage of the governmental entity or of the general public. This section does not supersede or in any manner affect the federal laws governing copyrights or enlarge, diminish or affect in any other manner the rights of a person in any written book or record which is copyrighted pursuant to federal law.

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

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

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

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

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

**Sec. 4.** Chapter 483 of NRS is hereby amended by adding thereto a new section to read as follows:

**1. *A person with epilepsy shall not operate a motor vehicle if that person has been informed by a physician pursuant to NRS 439.270 that his or her condition would severely impair his or her ability to safely operate a motor vehicle.***

**2. *If a physician is aware that a person has violated subsection 1 after the physician has informed the person pursuant to NRS 439.270 that the person's condition would severely impair his or her ability to safely operate a motor vehicle, the physician may, without the consent of the person, submit a written report to the Department that includes the name, address***

*and age of the person. A report received by the Department pursuant to this subsection:*

*(a) Is confidential, except that the contents of the report may be disclosed to the person about whom the report is made;*

*(b) May include the statement maintained by the physician pursuant to subsection ~~4~~ 3 of NRS 439.270; and*

*(c) May be used by the Department solely to determine the eligibility of the person to operate a vehicle on the streets and highways of this State.*

*3. The submission by a physician of a report pursuant to subsection 2 is solely within his or her discretion. No cause of action may be brought against a physician based on the fact that he or she did not submit such a report.*

*4. No cause of action may be brought against a physician based on the fact that he or she submitted a report pursuant to subsection 2 unless the physician acted with malice, intentional misconduct, gross negligence or intentional or knowing violation of the law.*

~~*5. As used in this section, "epilepsy" has the meaning ascribed to it by the State Board of Health pursuant to NRS 439.270.*~~

Assemblyman Oscarson moved the adoption of the amendment.

Remarks by Assemblyman Oscarson.

ASSEMBLYMAN OSCARSON:

This amendment removes the requirement that the State Board of Health define the term "epilepsy."

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 250.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 117.

AN ACT relating to special license plates; revising provisions relating to disabled veterans who are entitled to special license plates; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law authorizes the issuance of special license plates to veterans of the Armed Forces of the United States who survived the attack on Pearl Harbor, or who were awarded the Purple Heart or the Congressional Medal of Honor. (NRS 482.3765, 482.3775, 482.378) Existing law also authorizes the issuance of special license plates to a veteran who has been captured and held as a prisoner of war or who, as a result of his or her service, has suffered a 100-percent service-connected disability and receives compensation from the United States for the disability. Special license plates issued to a veteran with a qualifying disability must be inscribed with the international symbol

of access, which is a diagram of a figure that resembles a wheelchair. A vehicle on which such ex prisoner of war or disabled veteran special license plates are displayed is exempt from the payment of parking fees charged by the State or any political subdivision or other public body within the State, other than the United States. (NRS 482.377)

**Sections 1, 3 and 4** of this bill provide that a veteran who is eligible for Pearl Harbor, Purple Heart or Congressional Medal of Honor special license plates and who, as a result of his or her service, has suffered a 100-percent service-connected disability and receives compensation from the United States for the disability may have the international symbol of access inscribed on his or her special license plates, and that a vehicle on which such plates are displayed is exempt from the payment of parking fees charged by the State or any political subdivision or other public body within the State, other than the United States. **Section 2** of this bill provides that a veteran who is eligible for ex prisoner of war special license plates and who, as a result of his or her service, has suffered a 100-percent service-connected disability and receives compensation from the United States for the disability may have the international symbol of access inscribed on his or her special license plates.

**Sections 5 and 6** of this bill make conforming changes to the provisions of existing law regarding the applicability of parking laws to vehicles displaying special license plates which bear the international symbol of access. (NRS 484B.463, 484B.467) **Section 8 of this bill provides that the special license plates will be issued not later than July 1, 2018, and earlier than that date if the Department of Motor Vehicles determines that it has sufficient resources to issue the plates before that time.**

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

**Section 1.** NRS 482.3765 is hereby amended to read as follows:

482.3765 1. A veteran of the Armed Forces of the United States who survived the attack on Pearl Harbor on December 7, 1941, is entitled to specially designed license plates inscribed with the words “PEARL HARBOR VETERAN” or “PEARL HARBOR SURVIVOR,” at the option of the veteran, and a number of characters, including numbers and letters, as determined necessary by the Director.

2. *A person who qualifies for special license plates pursuant to this section, has suffered a 100-percent service-connected disability as a result of his or her service in the Armed Forces of the United States and receives compensation from the United States for the disability is entitled to have his or her special license plates issued pursuant to this section inscribed with the international symbol of access, which must comply with any applicable federal standards and must be white on a blue background.*

3. Each person who qualifies for special license plates pursuant to this section may apply for not more than two sets of plates. If the person applies

for a second set of plates for an additional vehicle, the second set of plates must have a different number than the first set of plates issued to the same applicant. Special license plates issued pursuant to this section may be used only on a private passenger vehicle, a noncommercial truck or a motor home.

~~{3-}~~ 4. The Department shall issue specially designed license plates for persons qualified pursuant to this section who submit an application on a form prescribed by the Department and evidence of their status as a survivor *and, if applicable, evidence of disability* required by the Department.

~~{4-}~~ 5. *A vehicle on which license plates issued by the Department pursuant to subsection 2 are displayed is exempt from the payment of any parking fees, including those collected through parking meters, charged by the State or any political subdivision or other public body within the State, other than the United States.*

6. If, during a registration year, the holder of a set of special license plates issued pursuant to this section disposes of the vehicle to which the plates are affixed, the holder shall:

(a) Retain the plates and affix them to another vehicle which meets the requirements of this section and report the change to the Department in accordance with the procedure set forth for other transfers; or

(b) Within 30 days after removing the plates from the vehicle, return them to the Department.

~~{5-}~~ 7. The fee for a set of special license plates issued pursuant to this section is \$25, in addition to all other applicable registration and license fees and governmental services taxes. The annual fee for a renewal sticker for a set of special license plates issued pursuant to this section is \$5.

**Sec. 2.** NRS 482.377 is hereby amended to read as follows:

482.377 1. A veteran of the Armed Forces of the United States who, as a result of his or her service:

(a) Has suffered a 100-percent service-connected disability and who receives compensation from the United States for the disability is entitled to specially designed license plates that must be inscribed with:

(1) The words "DISABLED VETERAN," "DISABLED FEMALE VETERAN" or "VETERAN WHO IS DISABLED," at the option of the veteran;

(2) The international symbol of access, which must comply with any applicable federal standards and must be white on a blue background; and

(3) A number of characters, including numbers and letters, as determined necessary by the Director.

(b) Has been captured and held prisoner by a military force of a foreign nation is entitled to specially designed license plates inscribed with the words "EX PRISONER OF WAR" and a number of characters, including numbers and letters, as determined necessary by the Director.

2. *A person who qualifies for special license plates pursuant to paragraph (b) of subsection 1, has suffered a 100-percent service-connected disability as a result of his or her service in the Armed Forces of*



*the United States and receives compensation from the United States for the disability is entitled to have his or her special license plates issued pursuant to this section inscribed with the international symbol of access, which must comply with any applicable federal standards and must be white on a blue background.*

3. Each person who qualifies for special license plates pursuant to this section may apply for not more than two sets of plates. If the person applies for a second set of plates for an additional vehicle, the second set of plates must have a different number than the first set of plates issued to the same applicant. Special license plates issued pursuant to this section may be used only on a private passenger vehicle, a noncommercial truck or a motor home.

~~{3.}~~ 4. The Department shall issue specially designed license plates for persons qualified pursuant to this section who submit an application on a form prescribed by the Department and evidence of disability, ~~{or}~~ former imprisonment *or both, as applicable*, required by the Department.

~~{4.}~~ 5. A vehicle on which license plates issued by the Department pursuant to this section are displayed is exempt from the payment of any parking fees, including those collected through parking meters, charged by the State or any political subdivision or other public body within the State, other than the United States.

~~{5.}~~ 6. If, during a registration year, the holder of a set of special license plates issued pursuant to this section disposes of the vehicle to which the plates are affixed, the holder shall:

(a) Retain the plates and affix them to another vehicle which meets the requirements of this section and report the change to the Department in accordance with the procedure set forth for other transfers; or

(b) Within 30 days after removing the plates from the vehicle, return them to the Department.

**Sec. 3.** NRS 482.3775 is hereby amended to read as follows:

482.3775 1. A veteran of the Armed Forces of the United States who was awarded the Purple Heart is entitled to specially designed license plates which indicate that the veteran is a recipient of the Purple Heart.

2. *A person who qualifies for special license plates pursuant to this section, has suffered a 100-percent service-connected disability as a result of his or her service in the Armed Forces of the United States and receives compensation from the United States for the disability is entitled to have his or her special license plates issued pursuant to this section inscribed with the international symbol of access, which must comply with any applicable federal standards and must be white on a blue background.*

3. Each person who qualifies for special license plates pursuant to this section may apply for not more than two sets of plates. If the person applies for a second set of plates for an additional vehicle, the second set of plates must have a different number than the first set of plates issued to the same applicant. Special license plates issued pursuant to this section may be used only on a private passenger vehicle, a noncommercial truck or a motor home.

~~{3-}~~ 4. The Department shall issue specially designed license plates for any person qualified pursuant to this section who submits an application on a form prescribed by the Department and evidence of his or her status as a recipient of the Purple Heart *and, if applicable, evidence of disability* as required by the Department. The Department may designate any appropriate colors for the special plates.

~~{4-}~~ 5. *A vehicle on which license plates issued by the Department pursuant to subsection 2 are displayed is exempt from the payment of any parking fees, including those collected through parking meters, charged by the State or any political subdivision or other public body within the State, other than the United States.*

6. If, during a registration year, the holder of a set of special license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall:

(a) Retain the plates and affix them to another vehicle which meets the requirements of this section and report the change to the Department in accordance with the procedure set forth for other transfers; or

(b) Within 30 days after removing the plates from the vehicle, return them to the Department.

~~{5-}~~ 7. Except as otherwise provided in this subsection, no fee in addition to the applicable registration and license fees and governmental services taxes may be charged for the issuance or renewal of a set of special license plates pursuant to this section. If the special plates issued pursuant to this section are lost, stolen or mutilated, the owner of the vehicle may secure a set of replacement license plates from the Department for a fee of \$5.

**Sec. 4.** NRS 482.378 is hereby amended to read as follows:

482.378 1. An owner of a motor vehicle who is a resident of this State and has been awarded the Congressional Medal of Honor may, upon signed application on a form prescribed and furnished by the Department, be issued license plates which indicate that he or she is a recipient of the Congressional Medal of Honor. The applicant shall comply with the motor vehicle laws of this State, including the provisions of chapter 371 of NRS and the payment of the registration fees required by this chapter, but no fee may be charged under NRS 482.367.

2. *A person who qualifies for special license plates pursuant to this section, has suffered a 100-percent service-connected disability as a result of his or her service in the Armed Forces of the United States and receives compensation from the United States for the disability is entitled to have his or her special license plates issued pursuant to this section inscribed with the international symbol of access, which must comply with any applicable federal standards and must be white on a blue background.*

3. Each person who is eligible for special license plates under this section may apply for two sets of plates. The second set of plates for an additional vehicle must have a different number than the first set of plates issued to the

same applicant. The plates may be used only on a private passenger vehicle, a noncommercial truck or a motor home.

~~§~~ **4.** *A vehicle on which license plates issued by the Department pursuant to subsection 2 are displayed is exempt from the payment of any parking fees, including those collected through parking meters, charged by the State or any political subdivision or other public body within the State, other than the United States.*

5. The Department may adopt regulations governing the issuance of special license plates to recipients of the Congressional Medal of Honor.

**Sec. 5.** NRS 484B.463 is hereby amended to read as follows:

484B.463 1. Except as otherwise provided in subsection 3, an owner or operator of a motor vehicle displaying a special parking placard, a special parking sticker, a temporary parking placard, a temporary parking sticker or a special plate or plates issued pursuant to NRS 482.384, or a special plate or plates for a veteran with a disability issued pursuant to NRS ~~482.3765, 482.377, 482.3775 or 482.378~~ may park the motor vehicle for not more than 4 hours at any one time in a parking zone restricted as to the length of time parking is permitted, without penalty, removal or impoundment of the vehicle if the parking is otherwise consistent with public safety and is done by a person with a permanent disability, disability of moderate duration or temporary disability, a veteran with a disability or a person transporting any such person.

2. An owner or operator of a motor vehicle displaying a special plate or plates for a veteran with a disability issued pursuant to NRS ~~482.3765, 482.377, 482.3775 or 482.378~~ may, without displaying a special license plate, placard or sticker issued pursuant to NRS 482.384, park in a parking space designated for persons who are handicapped if:

- (a) The parking is done by a veteran with a disability; or
- (b) A veteran with a disability is a passenger in the motor vehicle being parked.

3. This section does not authorize the parking of a motor vehicle in any privately or municipally owned facility for parking off the highway without paying the required fee for the time during which the vehicle is so parked.

**Sec. 6.** NRS 484B.467 is hereby amended to read as follows:

484B.467 1. Any parking space designated for persons who are handicapped must be indicated by a sign:

(a) Bearing the international symbol of access with or without the words “Parking,” “Handicapped Parking,” “Handicapped Parking Only” or “Reserved for the Handicapped,” or any other word or combination of words indicating that the space is designated for persons who are handicapped;

(b) Stating “Minimum fine of \$250 for use by others” or equivalent words; and

(c) The bottom of which must be not less than 4 feet above the ground.

2. In addition to the requirements of subsection 1, a parking space designated for persons who are handicapped which:

(a) Is designed for the exclusive use of a vehicle with a side-loading wheelchair lift; and

(b) Is located in a parking lot with 60 or more parking spaces,  
 ↪ must be indicated by a sign using a combination of words to state that the space is for the exclusive use of a vehicle with a side-loading wheelchair lift.

3. If a parking space is designed for the use of a vehicle with a side-loading wheelchair lift, the space which is immediately adjacent and intended for use in the loading and unloading of a wheelchair into or out of such a vehicle must be indicated by a sign:

(a) Stating "No Parking" or similar words which indicate that parking in such a space is prohibited;

(b) Stating "Minimum fine of \$250 for violation" or similar words indicating that the minimum fine for parking in such a space is \$250; and

(c) The bottom of which must not be less than 4 feet above the ground.

4. An owner of private property upon which is located a parking space described in subsection 1, 2 or 3 shall erect and maintain or cause to be erected and maintained any sign required pursuant to subsection 1, 2 or 3, whichever is applicable. If a parking space described in subsection 1, 2 or 3 is located on public property, the governmental entity having control over that public property shall erect and maintain or cause to be erected and maintained any sign required pursuant to subsection 1, 2 or 3, whichever is applicable.

5. A person shall not park a vehicle in a space designated for persons who are handicapped by a sign that meets the requirements of subsection 1, whether on public or privately owned property, unless the person is eligible to do so and the vehicle displays:

(a) A special license plate or plates issued pursuant to NRS 482.384;

(b) A special or temporary parking placard issued pursuant to NRS 482.384;

(c) A special or temporary parking sticker issued pursuant to NRS 482.384;

(d) A special license plate or plates, a special or temporary parking sticker, or a special or temporary parking placard displaying the international symbol of access issued by another state or a foreign country; or

(e) A special license plate or plates for a veteran with a disability issued pursuant to NRS ~~482.3765~~, ~~482.377~~ ~~{-}~~, ~~482.3775~~ or ~~482.378~~.

6. Except as otherwise provided in this subsection, a person shall not park a vehicle in a space that is reserved for the exclusive use of a vehicle with a side-loading wheelchair lift and is designated for persons who are handicapped by a sign that meets the requirements of subsection 2, whether on public or privately owned property, unless:

(a) The person is eligible to do so;

(b) The vehicle displays the special license plate, plates or placard set forth in subsection 5; and

(c) The vehicle is equipped with a side-loading wheelchair lift.

↪ A person who meets the requirements of paragraphs (a) and (b) may park a vehicle that is not equipped with a side-loading wheelchair lift in such a parking space if the space is in a parking lot with fewer than 60 parking spaces.

7. A person shall not park in a space which:

(a) Is immediately adjacent to a space designed for use by a vehicle with a side-loading wheelchair lift; and

(b) Is designated as a space in which parking is prohibited by a sign that meets the requirements of subsection 3,

↪ whether on public or privately owned property.

8. A person shall not use a plate, sticker or placard set forth in subsection 5 to park in a space designated for persons who are handicapped unless he or she is a person with a permanent disability, disability of moderate duration or temporary disability, a veteran with a disability or the driver of a vehicle in which any such person is a passenger.

9. A person with a permanent disability, disability of moderate duration or temporary disability to whom a:

(a) Special license plate, or a special or temporary parking sticker, has been issued pursuant to NRS 482.384 shall not allow any other person to park the vehicle or motorcycle displaying the special license plate or special or temporary parking sticker in a space designated for persons who are handicapped unless the person with the permanent disability, disability of moderate duration or temporary disability is a passenger in the vehicle or on the motorcycle, or is being picked up or dropped off by the driver of the vehicle or motorcycle, at the time that the vehicle or motorcycle is parked in the space designated for persons who are handicapped.

(b) Special or temporary parking placard has been issued pursuant to NRS 482.384 shall not allow any other person to park the vehicle which displays the special or temporary parking placard in a space designated for persons who are handicapped unless the person with the permanent disability, disability of moderate duration or temporary disability is a passenger in the vehicle, or is being picked up or dropped off by the driver of the vehicle, at the time that it is parked in the space designated for persons who are handicapped.

10. A person who violates any of the provisions of subsections 5 to 9, inclusive, is guilty of a misdemeanor and shall be punished:

(a) Upon the first offense, by a fine of \$250.

(b) Upon the second offense, by a fine of \$250 and not less than 8 hours, but not more than 50 hours, of community service.

(c) Upon the third or subsequent offense, by a fine of not less than \$500, but not more than \$1,000 and not less than 25 hours, but not more than 100 hours, of community service.

**Sec. 7. As soon as practicable after January 1, 2016, upon determining that sufficient resources are available to enable the Department of Motor Vehicles to carry out the amendatory provisions of**

**this act, the Director of the Department shall notify the Governor and the Director of the Legislative Counsel Bureau of that fact, and shall publish on the Internet website of the Department notice to the public of that fact.**

**Sec. 8. This act becomes effective:**

**1. Upon passage and approval for the purpose of performing any preparatory administrative tasks that are necessary to carry out the provisions of this act; and**

**2. For all other purposes, on the earlier of:**

**(a) July 1, 2018; or**

**(b) The date on which the Director of the Department of Motor Vehicles, pursuant to section 7 of this act, notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the amendatory provisions of this act.**

Assemblyman Wheeler moved the adoption of the amendment.

Remarks by Assemblyman Wheeler.

ASSEMBLYMAN WHEELER:

Amendment 117 revises the provisions of Assembly Bill 250 by changing the effective date from October 1, 2015, to upon passage and approval for purposes of adopting regulations and other preparatory administrative tasks, and for all other purposes, July 1, 2018, or the date on which the Director of the DMV notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the DMV to carry out the amendatory provisions of this act, whichever is earlier.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 301.

Bill read second time and ordered to third reading.

Assembly Bill No. 420.

Bill read second time and ordered to third reading.

Assembly Bill No. 456.

Bill read second time and ordered to third reading.

Senate Bill No. 109.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 176.

AN ACT relating to county-owned telephone systems; authorizing a board of county commissioners to sell or lease such a system without acceptance or rejection by the registered voters of the county under certain circumstances; revising the manner in which the sale or lease of such a system is conducted; requiring the board to consider certain factors in accepting or rejecting an

offer to purchase or lease such a system; exempting from open meeting requirements certain meetings of the board regarding the sale or lease of such a system; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law authorizes the board of county commissioners of a county which owns a telephone system to initiate proceedings to sell or lease the system by adopting a resolution proposing the sale or lease of the system. If the board adopts the resolution, the board is required to place the issue on a ballot for approval by the registered voters of the county. (NRS 710.151) Existing law also provides that, if approved by the voters, the telephone system must be advertised for sale or lease in a newspaper with countywide distribution. (NRS 710.159) **Section 1** of this bill authorizes a board of county commissioners to initiate proceedings to sell or lease a county-owned telephone system by adopting a resolution to evaluate the propriety of receiving offers for the sale or lease of the system and without the requirement of holding a primary or general election or obtaining approval of the registered voters of the county. **Section 4** of this bill requires a board of county commissioners that adopts a resolution to receive offers to sell a county-owned telephone system to contract with an expert to market and sell or lease the telephone system in a commercially reasonable manner, removing the requirement for newspaper advertisements. **Section 4** also provides that the board is not required to accept the highest bid, but must consider other factors, including the preservation of jobs, future revenue and local control of the telephone system. **Finally, section 4 requires that, at least 3 days before the board votes to accept or reject a proposed sale or lease, a notice must be published at least once in a local newspaper.** **Section 5** of this bill repeals certain provisions concerning the holding of a special election for the sale or lease of the telephone system and the consolidation of voting precincts.

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

**Section 1.** NRS 710.151 is hereby amended to read as follows:

710.151 1. Proceedings to sell or lease a county-owned telephone system may be instituted by:

(a) Twenty-five percent or more of the freeholders of the county filing a petition with the board of county commissioners requesting the sale or lease of the system; or

(b) The adoption of a resolution by the board of county commissioners proposing to ~~sell~~ *evaluate the propriety of receiving offers for the sale or lease of the system* ~~and to receive offers.~~

2. After receipt of a petition provided for in paragraph (a) of subsection 1, ~~for pursuant to a resolution adopted pursuant to the provisions of paragraph (b) of subsection 1,~~ the board of county commissioners shall cause the proposal contained in the petition to be placed upon the ballot of

the next primary or general election for acceptance or rejection by the registered voters of the county.

3. The **adoption of a** resolution ~~[adopted]~~ pursuant to the provisions of paragraph (b) of subsection 1 ~~[must:~~

~~—(a) Call an election for submission of the question of the sale or lease of the system;~~

~~—(b) Designate whether the election will be consolidated with the next primary or general election, or will be a special election which the board of county commissioners is authorized to call; and~~

~~—(c) Fix the date of the election.~~

~~4. A special election may be held only if the board of county commissioners determines, by a unanimous vote, that an emergency exists. The determination made by the board is conclusive unless it is shown that the board acted with fraud or a gross abuse of discretion. An action to challenge the determination made by the board must be commenced within 15 days after the board's determination is final. As used in this subsection, "emergency" means any unexpected occurrence or combination of occurrences which requires immediate action by the board of county commissioners to prevent or mitigate a substantial financial loss to the county or to enable the board to provide an essential service to the residents of the county.] **does not require a sale or lease to be completed by the board of county commissioners.**~~

**Sec. 2.** NRS 710.152 is hereby amended to read as follows:

710.152 When proceedings are instituted to sell or lease a county-owned telephone system ~~[;]~~ **pursuant to paragraph (a) of subsection 1 of NRS 710.151**, the district attorney shall draft the measure and an explanation thereof for submission to the registered voters.

**Sec. 3.** NRS 710.153 is hereby amended to read as follows:

710.153 ~~[;]~~ If the question of the sale or lease of the county-owned telephone system is submitted at a general election, no notice of registration of electors is required other than that required by the general election laws for such election. ~~[If the question is submitted at a special election, the county clerk shall cause to be published at least once a week for 5 consecutive weeks by five weekly insertions a week apart, the first publication to be not more than 60 days nor less than 45 days next preceding the election, in a newspaper published within the county and having a general circulation therein, a notice signed by the county clerk to the effect that registration for the special election will be closed on a date and time designated therein, as provided in this section.~~

~~2. Except as otherwise provided in this subsection, the office of the county clerk must be open for such a special election from 9 a.m. to 12 m. and from 1 p.m. to 5 p.m. on Mondays through Fridays, with Saturdays, Sundays and legal holidays excepted, for the registration of any qualified elector. The office of the county clerk must be open during the last days of registration as provided in subsection 2 of NRS 293.560.~~



~~3. The office of the county clerk must be opened for registration of voters for the special election from and including the 20th day next preceding the election and up to but excluding the 10th day next preceding the election and during regular office hours.]~~

**Sec. 4.** NRS 710.159 is hereby amended to read as follows:

710.159 1. If, at the primary ~~or~~ **or** general ~~for special~~ election, it is shown that a majority of the ballots cast favors the sale or lease of the telephone system, **or** the board of county commissioners *has adopted a resolution pursuant to paragraph (b) of subsection 1 of NRS 710.151, the board of county commissioners* shall contract with a reputable and qualified expert in rural telecommunications to appraise the value of the telephone system. Except as otherwise provided in NRS 239.0115, the appraisal is confidential and must not be disclosed before the completion of the sale or lease of the telephone system.

2. Upon the return of the appraisal, the board of county commissioners shall ~~advertise the sale or lease, for a term of years agreed upon by the board, of the telephone system by notice published at least once a week for 5 consecutive weeks by five weekly insertions a week apart in a newspaper published within the county and having a general circulation therein. After publication of the first such notice,]~~ **contract with a reputable and qualified expert in rural telecommunications, other than the expert who provided the appraisal pursuant to subsection 1, to market and sell or lease the telephone system in a commercially reasonable manner. After entering into the contract,** the board or its authorized representatives may enter into negotiations for the sale or lease of the telephone system. If the notice is for the sale of the telephone system, the board shall not accept a sum less than the amount of the appraisal of the telephone system. ~~If the notice is for the lease of the telephone system, the board shall not accept a sum less than an amount to realize not less than 7 percent per annum upon the value of the telephone system as so appraised.]~~ If the telephone system is leased, the board shall safeguard the county's interest by demanding a bond for the faithful performance of the covenants contained in the lease. The board may reject any and all offers made for such a sale or lease.

3. **The board of county commissioners is not obligated to accept the highest bid for the purchase or lease of the telephone system and shall consider, without limitation:**

- (a) **The return on investment to the county;**
- (b) **The preservation of existing jobs and future employment opportunities within the county;**
- (c) **The preservation of future revenue generated by the telephone system within the county; and**
- (d) **The likelihood of local control and management of the telephone system.**

4. **Not less than 3 days before the board of county commissioners votes to accept or reject a sale or lease of the telephone system, the board shall**

*cause a notice of the proposed sale or lease to be published at least once in a newspaper published in the county, or if no such newspaper is published, then a newspaper published in this State that has a general circulation in the county.*

*5. A meeting of the board of county commissioners held to consider the general objectives for a sale or lease, including, without limitation, terms and conditions acceptable to the board, is not subject to the provisions of chapter 241 of NRS. The provisions of this subsection do not apply to any vote by the board to seek offers or to accept an offer.*

**Sec. 5.** NRS 710.155 and 710.157 are hereby repealed.

**Sec. 6.** This act becomes effective on July 1, 2015.

#### TEXT OF REPEALED SECTIONS

**710.155 Sale or lease of system: Publication of notice of special election; contents.**

1. If the resolution adopted pursuant to paragraph (b) of subsection 1 of NRS 710.151 calls a special election, the county clerk shall cause a notice of the election to be published in some newspaper printed in and having a general circulation in the county at least once a week for 2 consecutive weeks by two weekly insertions a week apart, the first publication to be not more than 14 days nor less than 8 days next preceding the election.

2. The notice of the special election shall contain:

(a) The time and places of holding the election.

(b) The hours during the day in which the polls will be open, which shall be the same as provided for general elections.

(c) A statement of the question in substantially the same form as it will appear on the ballots.

**710.157 Sale or lease of system: Powers and duties of county clerk for special election; qualifications to vote.**

1. The county clerk may consolidate or otherwise modify voting precincts, shall designate the polling places, appoint officers of the election for each precinct in such number as the county clerk may determine and fix their duties and compensation.

2. Any qualified elector who is properly registered is qualified to vote at the special election.

Assemblyman Ellison moved the adoption of the amendment.

Remarks by Assemblyman Ellison.

ASSEMBLYMAN ELLISON:

The amendment requires that at least three days before the board of county commissioners votes to accept or reject a proposed sale or lease of a county-owned telephone system, a notice must be published at least once in a local newspaper.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 148.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 228.

SUMMARY—Revises provisions governing ~~concealed~~ firearms. (BDR ~~2015~~-242)

AN ACT relating to ~~concealed~~ firearms; ~~authorizing a sheriff to provide certain information concerning the availability of certain courses relating to firearm safety;~~ **authorizing the possession of a firearm in a motor vehicle that is on the property of certain educational entities or child care facilities in certain circumstances;** authorizing a person who holds a permit to carry a concealed firearm to do so on certain property of a public airport and on the property of the Nevada System of Higher Education ~~[, a private or public school or child care facility]~~ under certain circumstances; revising the provisions governing the carrying of a concealed firearm in a public building; ~~authorizing the Police Department for the System to provide certain information concerning the availability of certain courses relating to firearm safety;~~ and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

~~[Section 1 of this bill authorizes the sheriff of a county to provide to persons who hold a permit to carry a concealed firearm information concerning instructors and organizations that offer courses in firearm safety which focus on issues relating to firearm safety in an educational environment.]~~

**Existing law generally makes it a gross misdemeanor to carry or possess certain weapons while on the property of the Nevada System of Higher Education, a private or public school or a child care facility, or while in a vehicle of a private or public school or a child care facility except in certain circumstances. (NRS 202.265) Section 3 of this bill adds an exception so that a person who holds a permit to carry a concealed firearm is not prohibited from possessing a firearm capable of being concealed upon the person on the property of the Nevada System of Higher Education, a private or public school or a child care facility, if the firearm remains out of public view and if the firearm is: (1) inside a motor vehicle that is occupied or, if the motor vehicle is unoccupied, the motor vehicle is locked; or (2) stored in a locked container that is affixed securely to the motor vehicle.**

Existing law prohibits a person from carrying a concealed firearm while on the property of the Nevada System of Higher Education, a private or public school or a child care facility, unless the person holds a permit to carry a concealed firearm and has written permission from the president of a branch or facility of the System, the principal of the school or the person designated by the child care facility to give permission to carry or possess a weapon to carry the concealed firearm. Existing law also prohibits a person from carrying a concealed firearm: (1) while on the premises of a public building

that is located on the property of a public airport; and (2) while on the premises of a public building that has a metal detector at each public entrance or a sign posted at each public entrance indicating that no firearms are allowed in the building. (NRS 202.265, 202.3673) **Sections 3 and 4** of this bill authorize a person who holds such a permit to carry a concealed firearm while on the property of the System. ~~[a private or public school or a child care facility.]~~ **Section 4** also revises provisions governing the carrying of a concealed firearm to prohibit the carrying by a permittee of a concealed firearm only in a secure area of a public airport. Finally, **section 4** provides that the carrying of a concealed firearm in a public building is prohibited if the building has both a metal detector and a sign at each public entrance indicating that no firearms are allowed in the building.

~~[Section 5 of this bill authorizes the Police Department for the System to provide to persons who hold a permit to carry a concealed firearm information concerning instructors and organizations that offer courses in firearm safety which focus on issues relating to firearm safety in an educational environment.]~~

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

**Section 1.** ~~[Chapter 248 of NRS is hereby amended by adding thereto a new section to read as follows:~~

~~*The sheriff of each county may, within the limits of available money, provide to persons who are authorized to carry a concealed firearm pursuant to the provisions of NRS 202.3653 to 202.369, inclusive, information concerning instructors and organizations that offer courses in firearm safety which focus on issues relating to firearm safety in an educational environment.] (Deleted by amendment.)*~~

**Sec. 2.** NRS 62C.060 is hereby amended to read as follows:

62C.060 1. If a child is taken into custody for an unlawful act that involves the possession, use or threatened use of a firearm, the child must not be released before a detention hearing is held pursuant to NRS 62C.040.

2. At the detention hearing, the juvenile court shall, if the child was taken into custody for:

(a) Carrying or possessing a firearm while on the property of the Nevada System of Higher Education, a private or public school or child care facility, or while in a vehicle of a private or public school or child care facility, order the child to:

(1) Be evaluated by a qualified professional; and

(2) Submit to a test to determine whether the child is using any controlled substance.

(b) Committing an unlawful act involving a firearm other than the act described in paragraph (a), determine whether to order the child to be evaluated by a qualified professional.

3. If the juvenile court orders the child to be evaluated by a qualified professional or to submit to a test to determine whether the child is using any controlled substance, the evaluation or the results from the test must be completed not later than 14 days after the detention hearing. Until the evaluation or the test is completed, the child must be:

- (a) Detained at a facility for the detention of children; or
- (b) Placed under a program of supervision in the home of the child that may include electronic surveillance of the child.

4. If a child is evaluated by a qualified professional pursuant to this section, the statements made by the child to the qualified professional during the evaluation and any evidence directly or indirectly derived from those statements may not be used for any purpose in a proceeding which is conducted to prove that the child committed a delinquent act or criminal offense. The provisions of this subsection do not prohibit the district attorney from proving that the child committed a delinquent act or criminal offense based upon evidence obtained from sources or by means that are independent of the statements made by the child to the qualified professional during the evaluation.

5. As used in this section, “child care facility” has the meaning ascribed to it in paragraph (a) of subsection ~~{5}~~ 6 of NRS 202.265.

**Sec. 3.** NRS 202.265 is hereby amended to read as follows:

202.265 1. Except as otherwise provided in this section, a person shall not carry or possess while on the property of the Nevada System of Higher Education, a private or public school or a child care facility, or while in a vehicle of a private or public school or a child care facility:

- (a) An explosive or incendiary device;
- (b) A dirk, dagger or switchblade knife;
- (c) A nunchaku or trefoil;
- (d) A blackjack or billy club or metal knuckles;
- (e) A pistol, revolver or other firearm; or
- (f) Any device used to mark any part of a person with paint or any other substance.

2. Any person who violates subsection 1 is guilty of a gross misdemeanor.

3. This section does not prohibit the possession of a weapon listed in subsection 1 *while* on the property of:

(a) ~~{A}~~ *The Nevada System of Higher Education*, a private or public school or a child care facility by a:

- (1) Peace officer;
- (2) School security guard; or
- (3) Person having written permission from the president of a branch or facility of the Nevada System of Higher Education or the principal of the school or the person designated by a child care facility to give permission to carry or possess the weapon.

(b) A child care facility which is located at or in the home of a natural person by the person who owns or operates the facility so long as the person resides in the home and the person complies with any laws governing the possession of such a weapon.

4. ~~This section does not prohibit the possession of a firearm while on the property of the Nevada System of Higher Education, a private or public school or a child care facility.~~ capable of being concealed upon the person by a person who is authorized to carry a concealed firearm pursuant to the provisions of NRS 202.3653 to 202.369, inclusive ~~and~~, if:

(a) The person is carrying upon his or her person a concealed firearm on the property of the Nevada System of Higher Education; or

(b) The motor vehicle that is or was being operated by the person or in which the person is or was a passenger is located on the property of the Nevada System of Higher Education, a private or public school or a child care facility, the firearm remains out of common observation, and the firearm is:

(1) Inside a motor vehicle, other than a school bus, that is:

(I) Occupied; or

(II) Unoccupied and locked; or

(2) Stored in a locked container that is affixed securely to a motor vehicle, other than a school bus.

5. The provisions of this section apply to a child care facility located at or in the home of a natural person only during the normal hours of business of the facility.

~~5.6.~~ 6. For the purposes of this section:

(a) "Child care facility" means any child care facility that is licensed pursuant to chapter 432A of NRS or licensed by a city or county.

(b) "Firearm" includes any device from which a metallic projectile, including any ball bearing or pellet, may be expelled by means of spring, gas, air or other force.

(c) "Nunchaku" has the meaning ascribed to it in NRS 202.350.

~~(d) "School bus" has the meaning ascribed to it in NRS 484A.230.~~

~~(e)~~ (e) "Switchblade knife" has the meaning ascribed to it in NRS 202.350.

~~(f)~~ (f) "Trefoil" has the meaning ascribed to it in NRS 202.350.

~~(g) "Vehicle" has the meaning ascribed to "school bus" in NRS 484A.230.~~

**Sec. 4.** NRS 202.3673 is hereby amended to read as follows:

202.3673 1. Except as otherwise provided in subsections 2 and 3, a permittee may carry a concealed firearm while the permittee is on the premises of any public building.

2. A permittee shall not carry a concealed firearm while the permittee is ~~on the premises~~ in a secure area of a ~~public building that is located on the property of a~~ public airport.

3. A permittee shall not carry a concealed firearm while the permittee is on the premises of :

(a) A public building that is located on the property of a public school or a child care facility , [for the property of the Nevada System of Higher Education.] unless the permittee has obtained written permission to carry a concealed firearm while he or she is on the premises of the public building pursuant to subparagraph (3) of paragraph (a) of subsection 3 of NRS 202.265. ***If a public school or a child care facility is located on the property of the Nevada System of Higher Education, this paragraph must be construed to prohibit only the carrying of a concealed firearm in that portion of a public building and on that portion of the property of the Nevada System of Higher Education that is occupied by the public school or child care facility, assuming that the permittee has not obtained written permission to carry a concealed firearm while he or she is on the premises of the public building pursuant to subparagraph (3) of paragraph (a) of subsection 3 of NRS 202.265 from the principal of the public school or the person designated by the child care facility to give such permission.***

(b) A ~~for~~ public building that has a metal detector at each public entrance ~~for~~ and a sign posted at each public entrance indicating that no firearms are allowed in the building, unless the permittee is not prohibited from carrying a concealed firearm while he or she is on the premises of the public building pursuant to subsection 4.

4. The provisions of paragraph (b) of subsection 3 do not prohibit:

(a) A permittee who is a judge from carrying a concealed firearm in the courthouse or courtroom in which the judge presides or from authorizing a permittee to carry a concealed firearm while in the courtroom of the judge and while traveling to and from the courtroom of the judge.

(b) A permittee who is a prosecuting attorney of an agency or political subdivision of the United States or of this State from carrying a concealed firearm while he or she is on the premises of a public building.

(c) A permittee who is employed in the public building from carrying a concealed firearm while he or she is on the premises of the public building.

(d) A permittee from carrying a concealed firearm while he or she is on the premises of the public building if the permittee has received written permission from the person in control of the public building to carry a concealed firearm while the permittee is on the premises of the public building.

5. A person who violates subsection 2 or 3 is guilty of a misdemeanor.

6. As used in this section:

(a) “Child care facility” has the meaning ascribed to it in paragraph (a) of subsection ~~[5]~~ 6 of NRS 202.265. ***If only part of the building is occupied by a child care facility, the term means only that portion of the building which is so occupied.***

(b) “Public building” means any building or office space occupied by:

(1) Any component of the Nevada System of Higher Education and used for any purpose related to the System; or

(2) The Federal Government, the State of Nevada or any county, city, school district or other political subdivision of the State of Nevada and used for any public purpose.

↪ If only part of the building is occupied by an entity described in this ~~subsection.~~ **paragraph**, the term means only that portion of the building which is so occupied.

~~(b)~~ **(c) “Secure area” means a portion of a public airport to which access is generally controlled through the screening of persons and property in accordance with an airport security program approved by the Transportation Security Administration of the United States Department of Homeland Security pursuant to 49 C.F.R. § 1542.101.**

Sec. 5. ~~[Chapter 396 of NRS is hereby amended by adding thereto a new section to read as follows:~~

~~**The Police Department for the System may, within the limits of available money, provide to persons who are authorized to carry a concealed firearm pursuant to the provisions of NRS 202.3653 to 202.369, inclusive, information concerning instructors and organizations that offer courses in firearm safety which focus on issues relating to firearm safety in an educational environment.] (Deleted by amendment.)**~~

Sec. 6. NRS 396.110 is hereby amended to read as follows:

396.110 1. The Board of Regents may prescribe rules for:

(a) Its own government; and

(b) The government of the System.

2. The Board of Regents shall prescribe rules for the granting of permission to carry or possess a weapon pursuant to NRS 202.265. ***The rules prescribed by the Board of Regents pursuant to this subsection must not require a person who is authorized to carry a concealed firearm pursuant to the provisions of NRS 202.3653 to 202.369, inclusive, to obtain permission to carry a concealed firearm.***

3. ***Any rules prescribed by the Board of Regents pursuant to subsection 2 before, on or after July 1, 2015, that are inconsistent with the provisions of subsection 2 are void.***

Sec. 7. The Board of Regents of the University of Nevada shall, on or before September 1, 2015, prescribe the rules for the granting of permission to carry or possess a weapon pursuant to NRS 202.265 required by subsection 2 of NRS 396.110, as amended by section 6 of this act.

Sec. 8. This act becomes effective on July 1, 2015.

Assemblyman Hansen moved the adoption of the amendment.

Remarks by Assemblyman Hansen.



## ASSEMBLYMAN HANSEN:

This amendment authorizes a person who has a concealed firearm permit to carry a firearm capable of being concealed while on the property of Nevada System of Higher Education. The amendment allows a person authorized to carry a concealed firearm to possess a firearm inside a motor vehicle that is occupied, or if the motor vehicle is unoccupied, the motor vehicle is locked and the weapon is securely stored in a locked container attached to the motor vehicle while on the property of Nevada System of Higher Education, a private or public school or a child care facility. It also deletes provisions regarding providing concealed firearm information.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

## GENERAL FILE AND THIRD READING

Assembly Bill No. 30.

Bill read third time.

Remarks by Assemblyman Elliot Anderson.

## ASSEMBLYMAN ELLIOT ANDERSON:

Assembly Bill 30 deletes the requirement that school improvement plans be submitted by the principals of each school directly to the Governor, the Superintendent of Public Instruction, and the State Board of Education.

In addition to cleaning up the procedure, this bill gets us better data on English language learners. I urge the body's passage.

Roll call on Assembly Bill No. 30:

YEAS—41.

NAYS—None.

EXCUSED—Thompson.

Assembly Bill No. 30 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

## MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Paul Anderson moved that upon return from the printer, Assembly Bills Nos. 135 and 145 be rereferred to the Committee on Ways and Means.

Motion carried.

## GENERAL FILE AND THIRD READING

Assembly Bill No. 39.

Bill read third time.

Remarks by Assemblyman Trowbridge.

## ASSEMBLYMAN TROWBRIDGE:

Assembly Bill 39 limits the amount the State Board of Health may establish for the application fee to not exceed \$2,000 for the Physician Visa Waiver Program.

Roll call on Assembly Bill No. 39:

YEAS—39.

NAYS—Jones, Wheeler—2.

EXCUSED—Thompson.

Assembly Bill No. 39 having received a two-thirds majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 40.

Bill read third time.

Remarks by Assemblyman Gardner.

ASSEMBLYMAN GARDNER:

Assembly Bill 40 exempts certain proceedings and actions of the State Gaming Control Board from the Open Meeting Law, including investigative hearings. The exemptions expire in four years. The bill also changes the name of the State Gaming Control Board to the Nevada Gaming Control Board.

Roll call on Assembly Bill No. 40:

YEAS—41.

NAYS—None.

EXCUSED—Thompson.

Assembly Bill No. 40 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 42.

Bill read third time.

Remarks by Assemblyman Oscarson.

ASSEMBLYMAN OSCARSON:

Assembly Bill 42 removes the requirement that a radiation machine be used exclusively for mammography, thereby allowing the machine to be used for other procedures. The bill authorizes the State Board of Health to require any health care provider to report cases of cancer and other neoplasms. The fee imposed on a health care facility for abstracting records at the request of the Division of Public and Behavioral Health is removed. The criminal penalty for failure to comply with certain provisions is changed to an administrative penalty established by the Board.

The bill requires a qualified research facility that requests cancer-related data to be conducting valid scientific research. Lastly, A.B. 42 repeals the designation of the Nevada Cancer Institute as the official cancer institute of the state. This bill is effective on July 1, 2015.

Roll call on Assembly Bill No. 42:

YEAS—41.

NAYS—None.

EXCUSED—Thompson.

Assembly Bill No. 42 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 44.

Bill read third time.

Remarks by Assemblywoman Seaman.

ASSEMBLYWOMAN SEAMAN:

Assembly Bill 44 provides that a judgment by confession may be entered without action in any justice court. The measure requires a written statement signed by the defendant to accompany the judgment. The statement must authorize the entry of judgment for a specified

sum, including costs and attorney fees; include the facts on which the confession is based; and state the amount of debt due or contingent liability for which the judgment will be entered.

The written statement must be filed with the clerk of the court. The judgment may not be amended to include additional costs or attorney's fees incurred after the date of entry of the judgment. A judgment signed by the defendant before the effective date of the bill does not require a signed statement. This bill is effective on July 1, 2015.

Roll call on Assembly Bill No. 44:

YEAS—41.

NAYS—None.

EXCUSED—Thompson.

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

Bill ordered transmitted to the Senate.

Assembly Bill No. 46.

Bill read third time.

Remarks by Assemblyman O'Neill.

ASSEMBLYMAN O'NEILL:

Assembly Bill 46 removes a provision of current law requiring a court to include in a sentence any unpaid civil judgment ordered by a juvenile court that remains if the person has subsequently been convicted of a crime before satisfying the civil judgment.

Roll call on Assembly Bill No. 46:

YEAS—41.

NAYS—None.

EXCUSED—Thompson.

Assembly Bill No. 46 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 52.

Bill read third time.

Remarks by Assemblyman Gardner.

ASSEMBLYMAN GARDNER:

Assembly Bill 52 clarifies that a public or private home, institution, or facility is responsible for a child's welfare if the child resides or receives care at the home, institution, or facility.

Roll call on Assembly Bill No. 52:

YEAS—41.

NAYS—None.

EXCUSED—Thompson.

Assembly Bill No. 52 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 111.

Bill read third time.

Remarks by Assemblymen Kirner, Carlton, Hickey, Armstrong, Diaz and Fiore.

## ASSEMBLYMAN KIRNER:

Assembly Bill 111 increases the number of semester credit hours that a community college student must maintain in order to be eligible for the Millennium Scholarship. This number of credit hours is increased from six credit hours to nine credit hours beginning in July 2015.

This bill also increases the amount of money the student may receive for a semester to not more than the cost of 13 credit hours per semester beginning July 2015, 14 credit hours beginning July 2016, and 15 credit hours beginning July 2017, but the total amount of money that such a student may receive remains unchanged at \$10,000.

I believe, based on an inquiry made yesterday by my colleague from the south, there may be some confusion. This bill actually increases the reimbursement a student may receive. Today they can only receive up to 12 credit hours at a four-year university, and this graduates that up to 15 hours. However, if they take 12 hours, they get reimbursed for 12 hours. As it stands today, if they take 15 hours, they only get reimbursed for 12. This is an improvement and is designed to help our students graduate within four years.

## ASSEMBLYWOMAN CARLTON:

I have to rise in opposition to Assembly Bill 111. As was just stated by the sponsor and the chair, this does allow the money to be drawn down more quickly. Being one of the few members left in this body who was here when this scholarship was established, I have concerns that if the money is drawn down quicker, the time value of that total pool of money will be diminished. We know it is only going to make it to 2017. If we draw that money down faster, the interest will not accumulate enough to be able to fulfill our obligations until 2017. I do not believe that was discussed in the policy committee.

I have concerns we are going to be leaving children behind, and they will be coming to us in the next legislative session saying You promised this to me, Where is the money? We will have to make up that promise to them because we have put that on the record. My concerns with this bill are not against the Millennium Scholarship. I am working toward supporting Complete College America; I am trying to get there on that policy. My concerns are purely fiscal—that there will not be enough money left at the end to take care of those kids.

## ASSEMBLYMAN HICKEY:

I rise in support of Assembly Bill 111. This bill is the result of studies done by our Nevada System of Higher Education [NSHE] Board and urges our students to graduate more quickly. Studies have shown that students who take a full load, where possible of 15 credits, have more of a chance of doing that. In that sense, this supports our workforce needs in the state. As has been said, this does not reduce the award to any Millennium recipient. For that reason, I urge this body's support.

## ASSEMBLYMAN ARMSTRONG:

I rise in support of Assembly Bill 111. I want to congratulate my colleague from District 26 for bringing forth this bill. We owe it to our kids to not only start them in college, but to ensure their completion. I feel that Assembly Bill 111 does that and ensures that more of the kids that start will become the future leaders of the state of Nevada.

## ASSEMBLYWOMAN DIAZ:

I rise in opposition to Assembly Bill 111. I do concur with the policy intent of my colleague from District 26. I know studies show that the more kids go to school full-time, the higher the likelihood they will actually graduate from our higher education institutions. However, we are penalizing some of our students, especially our low socioeconomic students. I am concerned that we are closing the door on them when they already cannot afford college.

If we want to make them go to school full time, we need to increase the 15 credits and cover those 15 credits completely, not do it in this 1-unit increment. You are defeating the purpose and the intention of the policy, because if you want kids to focus on graduation, if you want their money to go towards the end goal of graduating from college, then they should be taking classes that support that end. My fear is that with this one-credit increment at the university level, they are going to be taking classes that do not support the scope of their degree.

I am also concerned and have expressed a need for a hardship waiver. There are many kids in my community who have to help their households economically, and sometimes it is not feasible for them to go for the number of units we are establishing as law. Why are we penalizing kids that might be in a tough spot? We are just going to say We are not going to give you the money to go to school. We are not going to open the door. We are basically shutting it on them. If those two concerns were alleviated, I would most definitely support this policy decision.

ASSEMBLYWOMAN FIORE:

I rise in support of Assembly Bill 111. I really think that we will be doing our students a justice if we help them speed up their education.

ASSEMBLYMAN KIRNER:

To my colleague from District 14, I believe your data is not correct. You testified that the funding available for the Millennium Scholarship would expire in 2017. We had testimony in the Education Committee that suggested these numbers would go until at least 2020. I do believe that it is important at some point we come up with a mechanism to permanently fund this.

As to my other colleague from the south, I would disagree with her. I do not believe students would be looking for one credit. I believe they will be looking for the incremental three credits. They will only get reimbursed for 13 and then reimbursed for 14. As it is now, they take 15 credits, and they do not get reimbursed for 3 of those credits. We are moving in a fiscally responsible direction. I urge the body's support of this. I do believe there is a misunderstanding, and I apologize if I have not communicated that well enough.

Roll call on Assembly Bill No. 111:

YEAS—31.

NAYS—Elliot Anderson, Araujo, Benitez-Thompson, Carlton, Carrillo, Diaz, Flores, Joiner, Munford, Swank—10.

EXCUSED—Thompson.

Assembly Bill No. 111 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 136.

Bill read third time.

Remarks by Assemblymen Ellison and Titus.

ASSEMBLYMAN ELLISON:

Assembly Bill 136 allows a person to carry a firearm for self-defense when hunting with archery equipment or a muzzle-loading firearm. The firearm may not have a barrel length greater than eight inches or a telescopic sight. This bill also requires the Nevada Department of Wildlife to provide reasonable accommodations for persons with disabilities taking hunter education courses. This bill becomes effective on July 1, 2015.

ASSEMBLYWOMAN TITUS:

I would like to clarify Assembly Bill 136. The bill as originally presented had deleted some language, and then the bill was amended. Now the only thing this bill does is insert new language and provisions. Any deletion has remained current. When the Nevada Department of Wildlife sent it back to us, it was a bill they supported at the current level. The concerns about NRS 503.165—about loaded firearms in the cars or shooting across highways—none of those NRS have been changed.

Roll call on Assembly Bill No. 136:

YEAS—41.

NAYS—None.

EXCUSED—Thompson.

Assembly Bill No. 136 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 144.

Bill read third time.

Remarks by Assemblywoman Bustamante Adams.

ASSEMBLYWOMAN BUSTAMANTE ADAMS:

Assembly Bill 144 sets forth the legislative intent that members of the Executive Council of the State Land Use Planning Advisory Council—SLUPAC for short—should be representative of the geographic areas of the state. The bill also transfers responsibility for making recommendations and adopting proposed regulations for land use planning involving areas of critical environmental concern from the Executive Council to the SLUPAC. The bill is effective on July 1, 2015.

Roll call on Assembly Bill No. 144:

YEAS—41.

NAYS—None.

EXCUSED—Thompson.

Assembly Bill No. 144 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 222.

Bill read third time.

Remarks by Assemblywoman Titus.

ASSEMBLYWOMAN TITUS:

Assembly Bill 222 allows the Division of Public and Behavioral Health to impose administrative sanctions against a person who operates any facility for the dependent without a license. The bill is effective upon passage and approval.

Roll call on Assembly Bill No. 222:

YEAS—41.

NAYS—None.

EXCUSED—Thompson.

Assembly Bill No. 222 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 243.

Bill read third time.

Remarks by Assemblywoman Titus.

ASSEMBLYWOMAN TITUS:

Assembly Bill 243 requires a county, provider of health care, or medical facility to provide counseling when a person receives a positive result on a rapid test for the human immunodeficiency virus, or HIV, recommending an additional test can be performed with a more accurate test or a different rapid test. A person who is not a licensed health care professional is authorized by this bill to perform certain tests for the detection of HIV if the person has received training on administration, infection control procedures, and counseling. The bill also prohibits the State Board of Health from adopting regulations that require a director

of a laboratory that only performs certain tests for the detection of HIV to be a licensed physician or perform other duties.

I only regret that Assemblyman Thompson, who has worked so hard on this bill, is not here to introduce it, and I am proud to introduce it for him.

Roll call on Assembly Bill No. 243:

YEAS—41.

NAYS—None.

EXCUSED—Thompson.

Assembly Bill No. 243 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 333.

Bill read third time.

Remarks by Assemblyman Kirner.

ASSEMBLYMAN KIRNER:

Assembly Bill 333 authorizes a board of county commissioners of a county whose population is less than 700,000—currently all counties other than Clark County—to consolidate two or more fire protection districts if each district is contiguous to at least one other district, the territory of each district is located entirely within the county, and the rates of certain taxes relating to fire protection levied by the board of county commissioners within each district are equal at the time of consolidation.

The consolidation may be initiated by the filing of a petition with the board of county commissioners by a majority of the owners of property within each such district or the adoption of a resolution by the board of county commissioners proposing consolidation of the districts.

This bill will provide for the merger of Sierra Fire and Truckee Fire Districts in Washoe County. These districts actually merged three years ago. They have one chief, one union, and one fire board, but they have two completely separate sets of books in terms of engines, bonding, audits, meetings held by the fire boards, and so forth. So this actually completes something that was started three years ago and financially puts them together.

I might also add that this would be my third bill heard today. The first bill was [Assembly Bill] 111 and passed, the second bill was 222 and passed, and this one would be 333. I urge my colleagues to support me, and if we can pass it, you might want to join me with my lottery ticket purchase this afternoon.

Roll call on Assembly Bill No. 333:

YEAS—41.

NAYS—None.

EXCUSED—Thompson.

Assembly Bill No. 333 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bills Nos. 20, 34, 41, and 45.

## GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Elliot Anderson, the privilege of the floor of the Assembly Chamber for this day was extended to Renee Kadlubek.

On request of Assemblywoman Joiner, the privilege of the floor of the Assembly Chamber for this day was extended to Eleanor Davis.

On request of Assemblyman Oscarson, the privilege of the floor of the Assembly Chamber for this day was extended to Eddie Tierney, Emilie Tierney, Josie Tierney, and Finn Tierney.

On request of Assemblyman Silberkraus, the privilege of the floor of the Assembly Chamber for this day was extended to Jeannie Lany, Chelyn Sawyer, and Sawyer Silberkraus.

On request of Assemblyman Sprinkle, the privilege of the floor of the Assembly Chamber for this day was extended to Mike Sprinkle.

Assemblyman Paul Anderson moved that the Assembly adjourn until Monday, April 6, 2015, at 11:30 a.m.

Motion carried.

Assembly adjourned at 1:55 p.m.

Approved:

JOHN HAMBRICK  
*Speaker of the Assembly*

Attest: SUSAN FURLONG  
*Chief Clerk of the Assembly*