

**THE SIXTY-FIFTH DAY**

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CARSON CITY (Tuesday), April 11, 2017

Assembly called to order at 4:40 p.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Patrick Propster.

The impact of words is knowing what to say. There are 1,322 words in the Declaration of Independence; the Gettysburg Address has 286 words; the Lord's Prayer has 66, which are:

Our Father, Who art in Heaven,

Hallowed be Thy Name.

Thy Kingdom come. Thy will be done on earth as it is in heaven.

Give us this day our daily bread.

And forgive us our debts, as we forgive our debtors.

And lead us not into temptation, but deliver us from evil. For thine is the kingdom, and the power, and the glory, forever. Amen.

Pledge of allegiance to the Flag.

Assemblywoman Benitez-Thompson 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 Commerce and Labor, to which were referred Assembly Bill No. 452; Assembly Joint Resolution No. 10, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

IRENE BUSTAMANTE ADAMS, *Chair*

*Mr. Speaker:*

Your Committee on Education, to which was referred Assembly Bill No. 469, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Education, to which was referred Assembly Bill No. 482, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

TYRONE THOMPSON, *Chair*

*Mr. Speaker:*

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 154, 337, 435, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Government Affairs, to which were referred Assembly Bills Nos. 8, 134, 151, 297, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

EDGAR FLORES, *Chair*

*Mr. Speaker:*

Your Committee on Health and Human Services, to which was referred Assembly Bill No. 236, 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 Health and Human Services, to which was referred Assembly Bill No. 305, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MICHAEL C. SPRINKLE, *Chair*

*Mr. Speaker:*

Your Committee on Transportation, to which was referred Assembly Bill No. 234, 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 Transportation, to which were referred Assembly Bills Nos. 261, 364, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

RICHARD CARRILLO, *Chair*

## MOTIONS, RESOLUTIONS AND NOTICES

### NOTICE OF EXEMPTION

April 11, 2017

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the eligibility for exemption of: Assembly Bill No. 187.

CINDY JONES

*Fiscal Analysis Division*

## SECOND READING AND AMENDMENT

Assembly Bill No. 22.

Bill read second time.

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

Amendment No. 68.

AN ACT relating to veterans; revising provisions relating to the position of deputy director of the Department of Veterans Services; requiring the Director of the Department to create and maintain a statewide database of information relating to veterans and a registry of certain entities that provide services and resources to veterans; requiring the Director to ensure that each generation of veterans is recognized annually; removing provisions relating to the provision of guardianship services by the Director; removing the requirement that certain offices of the Department be located in certain cities; and providing other matters properly relating thereto.

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

Existing law requires the Director of the Department of Veterans Services to appoint one Deputy Director of the Department, who must be a resident of Nevada, possess an honorable discharge from some branch of the military or naval service and have at least 4 years of management or administration experience. (NRS 417.030) **Section 2** of this bill: (1) authorizes the Director to appoint additional deputy directors as needed to assist the Director in performing his or her duties ~~and~~, **including a Deputy Director for Programs and Services and a Deputy Director for Health and Wellness;** and (2)

~~removes the requirement that a deputy director be a resident of Nevada, possess an honorable discharge and have at least 4 years of management or administration experience.]~~ **prescribes the qualifications of the Deputy Director for Programs and Services and the Deputy Director for Health and Wellness.** Sections 1, 3 and 5 of this bill make conforming changes to account for the appointment of additional deputy directors. Sections 4, 6, 7 and 11 of this bill eliminate references in existing law to certain powers and duties of the Deputy Director, thereby leaving the Director with the discretion to assign those powers and duties to a deputy director.

**Section 4** of this bill requires the Director to: (1) create and maintain a database containing information on veterans residing in Nevada; (2) ensure that each generation of veterans receives recognition annually; and (3) create and maintain a registry of organizations that provide services and resources to veterans, service members and their families and publish the registry on the Department's Internet website.

In 2011, the Legislature eliminated the provision of guardianship services by the Office of Veterans Services, which is now known as the Department of Veterans Services. (Section 29 of chapter 372, Statutes of Nevada 2011, p. 2194) Sections 9, 10 and 12 of this bill remove provisions inadvertently remaining in existing law related to the previous role of the Director as guardian of the estates of certain veterans and their dependents.

**Section 12** of this bill removes the requirement in existing law that the office of the Deputy Director be maintained in Las Vegas and the office of the Director be maintained in the same city as the state regional office of the United States Department of Veterans Affairs. (NRS 417.070)

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

**Section 1.** NRS 417.013 is hereby amended to read as follows:

417.013 "Deputy ~~{Director}~~ **director**" means ~~{the Deputy Director}~~ **a deputy director** of the Department ~~{}~~ **appointed pursuant to NRS 417.030.**

**Sec. 2.** NRS 417.030 is hereby amended to read as follows:

417.030 1. The office of Director of the Department of Veterans Services is hereby created.

2. The Director must be appointed by and serves at the pleasure of the Governor.

3. The Director shall appoint ~~{one Deputy Director of the Department, who shall}~~ **such deputy directors as are necessary to** assist the Director in performing the duties prescribed in this chapter ~~{}~~ **, including, without limitation, a Deputy Director for Programs and Services and a Deputy Director for Health and Wellness.**

4. Any person to be eligible for appointment as the Director or the Deputy Director for Programs and Services must:

- (a) Be an actual and bona fide resident of the State of Nevada;
- (b) Possess an honorable discharge from some branch of the military and naval service of the United States; and
- (c) Have at least 4 years of experience in management or administration.

5. Except as otherwise provided in this subsection, any person to be eligible for appointment as the Deputy Director for Health and Wellness must:

- (a) Be an actual and bona fide resident of the State of Nevada;
- (b) Possess an honorable discharge from some branch of the military and naval service of the United States; and
- (c) Have at least 4 years of experience in health care management or administration.

↪ If no person is available for appointment who possesses all the qualifications required by this subsection, the Director may waive the qualification set forth in paragraph (b) for a person who is otherwise qualified for appointment pursuant to paragraphs (a) and (c).

**Sec. 3.** NRS 417.060 is hereby amended to read as follows:

417.060 The Director and ~~the Deputy Director~~ **each deputy director** are in the unclassified service of the State. Except as otherwise provided in NRS 284.143, **the Director and each deputy director** shall devote his or her entire time and attention to the business of his or her office and shall not pursue any other business or occupation or hold any other office of profit.

**Sec. 4.** NRS 417.090 is hereby amended to read as follows:

417.090 The Director ~~and the Deputy Director~~ shall:

1. Assist veterans, and those presently serving in the military and naval forces of the United States who are residents of the State of Nevada, their wives, widows, widowers, husbands, children, dependents, administrators, executors and personal representatives, in preparing, submitting and presenting any claim against the United States, or any state, for adjusted compensation, hospitalization, insurance, pension, disability compensation, vocational training, education or rehabilitation and assist them in obtaining any aid or benefit to which they may, from time to time, be entitled under the laws of the United States or of any of the states.

2. Aid, assist, encourage and cooperate with every nationally recognized service organization insofar as the activities of such organizations are for the benefit of veterans, servicemen and servicewomen.

3. Give aid, assistance and counsel to each and every problem, question and situation, individual as well as collective, affecting any veteran, serviceman or servicewoman, or their dependents, or any group of veterans, servicemen and servicewomen, when in their opinion such comes within the scope of this chapter.

4. Coordinate activities of veterans' organizations.

5. Serve as a clearinghouse and disseminate information relating to veterans' benefits.

6. Conduct any studies which will assist veterans to obtain compensation, hospitalization, insurance, pension, disability compensation, vocational training, education, rehabilitation or any other benefit to which veterans may be entitled under the laws of the United States or of any state.

7. Aid, assist and cooperate with the office of coordinator of services for veterans created in a county pursuant to NRS 244.401.

8. Pay to each county that creates the office of coordinator of services for veterans, from state money available to him or her, a portion of the cost of operating the office in an amount determined by the Director.

9. Take possession of any abandoned or unclaimed artifacts or other property that has military value for safekeeping. The Director ~~for Deputy Director~~ may transfer such property to a veterans' or military museum.

**10. Create and maintain a statewide database of information relating to veterans to assist the Department in identifying and communicating with veterans and connecting veterans with benefits and opportunities for which they are eligible.**

**11. Create and maintain a registry of governmental agencies and private entities that provide services and resources to veterans, service members and their families and publish a digital copy of the registry on the Internet website maintained by the Department.**

**12. Ensure that each generation of veterans is recognized annually through a ceremony, information campaign or other form of public acknowledgment.**

**Sec. 5.** NRS 417.100 is hereby amended to read as follows:

417.100 The Director and ~~the Deputy Director~~ **each deputy director** may:

1. Administer oaths to any person whose acknowledgment may become necessary in the prosecution of any claim for compensation, hospitalization, insurance or other aid or benefits.

2. Certify to the correctness of any document or documents which may be submitted in connection with any such application.

**Sec. 6.** NRS 417.190 is hereby amended to read as follows:

417.190 The Nevada Veterans Services Commission shall:

1. Advise the Director. ~~and Deputy Director.~~

2. Prepare and submit a report, on or before November 1 of each year, to the Interagency Council on Veterans Affairs. The report must, without limitation:

(a) Summarize the activities of the Commission during the preceding fiscal year.

(b) Make recommendations to the Governor, the Legislature ~~and~~ **and** the Director ~~and the Deputy Director~~ regarding issues relating to veterans.

3. Make recommendations to the Governor pursuant to NRS 417.400.

**Sec. 7.** NRS 417.220 is hereby amended to read as follows:

417.220 1. The Account for Veterans Affairs is hereby created in the State General Fund.

2. Money received by the Director ~~for the Deputy Director~~ from:

- (a) Fees charged pursuant to NRS 417.210;
- (b) Allowances for burial from the United States Department of Veterans Affairs or other money provided by the Federal Government for the support of veterans' cemeteries;
- (c) Receipts from the sale of gifts and general merchandise;
- (d) Grants obtained by the Director ~~for the Deputy Director~~ for the support of veterans' cemeteries; and
- (e) Except as otherwise provided in subsection 6 and NRS 417.115, 417.145, 417.147 and 417.410, gifts of money and proceeds derived from the sale of gifts of personal property that he or she is authorized to accept, if the use of such gifts has not been restricted by the donor,  
↳ must be deposited with the State Treasurer for credit to the Account for Veterans Affairs and must be accounted for separately for a veterans' cemetery in northern Nevada or a veterans' cemetery in southern Nevada, whichever is appropriate.

3. The interest and income earned on the money deposited pursuant to subsection 2, after deducting any applicable charges, must be accounted for separately. Interest and income must not be computed on money appropriated from the State General Fund to the Account for Veterans Affairs.

4. The money deposited pursuant to subsection 2 may only be used for the operation and maintenance of the cemetery for which the money was collected. In addition to personnel he or she is authorized to employ pursuant to NRS 417.200, the Director may use money deposited pursuant to subsection 2 to employ such additional employees as are necessary for the operation and maintenance of the cemeteries, except that the number of such additional full-time employees that the Director may employ at each cemetery must not exceed 60 percent of the number of full-time employees for national veterans' cemeteries that is established by the National Cemetery Administration of the United States Department of Veterans Affairs.

5. Except as otherwise provided in subsection 7, gifts of personal property which the Director ~~for the Deputy Director~~ is authorized to receive but which are not appropriate for conversion to money may be used in kind.

6. The Gift Account for Veterans Cemeteries is hereby created in the State General Fund. Gifts of money that the Director ~~for the Deputy Director~~ is authorized to accept and which the donor has restricted to one or more uses at a veterans' cemetery must be accounted for separately in the Gift Account for Veterans Cemeteries. The interest and income earned on the money deposited pursuant to this subsection must, after deducting any applicable charges, be accounted for separately for a veterans' cemetery in northern Nevada or a veterans' cemetery in southern Nevada, as applicable. Any money remaining in the Gift Account for Veterans Cemeteries at the end of each fiscal year does not revert to the State General Fund, but must be carried over into the next fiscal year.

7. The Director ~~for the Deputy Director~~ shall use gifts of money or personal property that he or she is authorized to accept and for which the donor has restricted to one or more uses at a veterans' cemetery in the manner designated by the donor, except that if the original purpose of the gift has been fulfilled or the original purpose cannot be fulfilled for good cause, any money or personal property remaining in the gift may be used for other purposes at the veterans' cemetery in northern Nevada or the veterans' cemetery in southern Nevada, as appropriate.

**Sec. 8.** NRS 417.410 is hereby amended to read as follows:

417.410 1. The Nevada Will Always Remember Veterans Gift Account is hereby created in the State General Fund.

2. The Director ~~and the Deputy Director~~ may accept donations, gifts and grants of money from any source for deposit in the Account.

3. The money deposited in the Account pursuant to subsection 2 must only be used to pay for the design, procurement and installation of markers, plaques, statues or signs bearing the names of deceased members of the Armed Forces of the United States pursuant to the provisions of NRS 331.125, 407.066 and 408.119.

4. The interest and income earned on the money in the Account, after deducting any applicable charges, must be credited to the Account.

5. Any money remaining in the Account at the end of each fiscal year does not revert to the State General Fund, but must be carried forward to the next fiscal year.

**Sec. 9.** NRS 160.040 is hereby amended to read as follows:

160.040 1. Except as otherwise provided in this section, it is unlawful for any person to accept appointment as guardian of any ward if the proposed guardian is at that time acting as guardian for five wards. In any case, upon presentation of a petition by an attorney of the Department of Veterans Affairs pursuant to this section alleging that a guardian is acting in a fiduciary capacity for more than five wards and requesting his or her discharge for that reason, the court, upon proof substantiating the petition, shall require a final accounting from the guardian and shall discharge the guardian in the case.

2. The limitations of this section do not apply where the guardian is a bank or trust company acting for the wards' estates only.

3. An individual may be guardian of more than five wards if they are all members of the same family.

4. The limitations of this section do not apply to ~~the Director of the Department of Veterans Services or to~~ a public guardian.

**Sec. 10.** NRS 160.090 is hereby amended to read as follows:

160.090 1. Before making an appointment under the provisions of this chapter, the court shall establish to its satisfaction that the person whose appointment as guardian is sought is a fit and proper person to be appointed.

2. Upon the appointment being made, the guardian shall, except as otherwise provided in this section, execute and file a bond to be approved by

the court in an amount not less than the value of the personal property of the estate plus the anticipated annual income. Thereafter, the amount of the bond must be equal to the total value of the personal estate plus the annual income. The bond must be in the form and be conditioned as required of guardians appointed pursuant to the provisions of chapter 159 of NRS. The premiums on all such bonds must be paid from the estate.

3. If a banking corporation as defined in NRS 657.016, or a trust company, as defined by NRS 669.070, doing business in this state is appointed guardian of the estate of a ward, no bond is required of the guardian unless the court by specific order requires a bond. ~~[If the Director of the Department of Veterans Services is appointed guardian, no bond is required.]~~

4. If the court orders that the estate and income, or a part thereof, be deposited in a banking corporation, as defined in NRS 657.016, or trust company, as defined by NRS 669.070, doing business in this state and that such estate and income, or any part thereof, must not be withdrawn without authorization of the court, then the amount of the guardian's bond must be reduced in an amount equal to the amount of the estate and income on deposit with the banking corporation, and the surety on the bonds must be exonerated from any loss to the estate in connection with the deposit.

5. Where a bond is tendered by a guardian with personal sureties, the sureties shall file with the court a certificate under oath which describes the property owned, both real and personal, and contains a statement that they are each worth the sum named in the bond as the penalty thereof over and above all their debts and liabilities and exclusive of property exempt from execution.

**Sec. 11.** NRS 244.401 is hereby amended to read as follows:

244.401 1. The board of county commissioners of any county may create by ordinance the office of coordinator of services for veterans. If such an office is created, the board shall appoint a qualified veteran to hold the office and the board shall establish the coordinator's compensation.

2. The coordinator of services for veterans shall:

(a) Assist a veteran or the veteran's spouse or dependent, if the person requesting assistance is a resident of the county, in preparing, submitting and pursuing any claim that the person has against the United States, or any state, to establish the person's right to any privilege, preference, care or compensation to which he or she believes that he or she is entitled;

(b) Aid, assist and cooperate with the Director ~~[and Deputy Director]~~ of the Department of Veterans Services and with the Nevada Veterans Services Commission;

(c) Disseminate information relating to veterans' benefits in cooperation with the Director ~~[and Deputy Director]~~ of the Department of Veterans Services; and



(d) Perform such other services related to assisting a veteran, or the veteran's spouse or dependent, as requested by the board of county commissioners.

3. Two or more counties jointly may create one office of coordinator of services for veterans to serve those counties.

**Sec. 11.5. Notwithstanding the provisions of NRS 417.030, as amended by section 2 of this act, any person who, on July 1, 2017, is serving as the Deputy Director for Health and Wellness of the Department of Veterans Services may continue to serve in that position until the Director of the Department appoints a different person to that position pursuant to NRS 417.030, as amended by section 2 of this act.**

**Sec. 12.** NRS 417.035 and 417.070 are hereby repealed.

**Sec. 13.** This act becomes effective on July 1, 2017.

#### TEXT OF REPEALED SECTIONS

**417.035 Director: Official bond.** The Director shall execute and deliver to the Secretary of State his or her official bond in the penal sum of \$500,000 with a corporate surety licensed to do business in this State, conditioned to ensure his or her faithful discharge of responsibilities as guardian of the estates of those veterans and dependents for whom he or she acts. A separate bond for each estate is not required.

**417.070 Location of offices.**

1. The office of the Director must be located in the same city where the state regional office of the United States Department of Veterans Affairs maintains its state administrative bureau, and if that office is discontinued in the State of Nevada, then at such place as the Governor may designate.

2. The office of the Deputy Director must be maintained at Las Vegas, Nevada.

Assemblyman Flores moved the adoption of the amendment.

Remarks by Assemblyman Flores.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 38.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 39.

AN ACT relating to bail; authorizing the electronic transmission of certain notices relating to bail; requiring certain persons who are engaged in certain businesses relating to bail to receive electronic transmissions relating to bail; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law provides that, under certain circumstances, a bail bond posted for an original offense charged must be transferred to the clerk of the court in

which a related public offense is later charged and notice of the transfer must be mailed to the surety on the bond and the bail agent who executed the bond. (NRS 178.502) **Section 2** of this bill authorizes the electronic transmission of the notice of such a transfer.

Existing law provides that, under certain circumstances, if a defendant fails to make a required appearance in court, the court shall **: (1) 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 (2)** direct that each surety and the local agent of each surety or depositor, as applicable, be given notice by certified mail that the defendant failed to appear. (NRS 178.508) **Section 3** of this bill **: (1) requires the court to issue a warrant for the arrest of the defendant not later than 14 days after the defendant's failure to appear; and (2)** authorizes the electronic transmission of the notice of the defendant's failure to appear. **Section 3** also provides that, in the case of electronic transmission, ~~notice shall be deemed to have been given when the electronic transmission of the notice is successfully initiated.~~ **a receipt of delivery must be requested.**

Existing law requires notice of a motion to enforce liability for a bond to be mailed to the obligor. (NRS 178.514) **Section 4** of this bill authorizes the electronic transmission of the notice of such a motion. ~~Section 4 also provides that, in the case of electronic transmission, notice shall be deemed to have been given when the electronic transmission of the notice is successfully initiated.~~

**Section 5** of this bill requires **, with certain exceptions,** every bail agent ~~or bail enforcement agent, bail solicitor,~~ **and** insurer authorized to write surety in this State and every subsidiary corporation of any such insurer to maintain a means of receiving electronic transmissions and to receive electronic transmissions pursuant to **sections 2-4** of this bill.

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

**Section 1.** Chapter 178 of NRS is hereby amended by adding thereto a new section to read as follows:

*As used in NRS 178.484 to 178.548, inclusive, and this section, unless the context otherwise requires, "electronic transmission," "electronically transmit" or "electronically transmitted" means any form or process of communication not directly involving the physical transfer of paper or another tangible medium which:*

- 1. Is suitable for the retention, retrieval and reproduction of information by the recipient; and*
- 2. Is retrievable and reproducible in paper form by the recipient through an automated process used in conventional commercial practice.*

**Sec. 2.** NRS 178.502 is hereby amended to read as follows:

178.502 1. A person required or permitted to give bail shall execute a bond for the person's appearance. The magistrate or court or judge or justice,

having regard to the considerations set forth in NRS 178.498, may require one or more sureties or may authorize the acceptance of cash or bonds or notes of the United States in an amount equal to or less than the face amount of the bond.

2. Any bond or undertaking for bail must provide that the bond or undertaking:

(a) Extends to any action or proceeding in a Justice Court, municipal court or district court:

(1) Arising from the charge on which bail was first given in any of these courts; and

(2) Arising from a later charge, filed before the expiration of the periods provided in subsection 4, which is substantially similar to the charge upon which bail was first given and is based upon the same act or omission as that charge; and

(b) Remains in effect until exonerated by the court.

↪ This subsection does not require that any bond or undertaking extend to proceedings on appeal.

3. If an action or proceeding against a defendant who has been admitted to bail is transferred to another trial court, the bond or undertaking must be transferred to the clerk of the court to which the action or proceeding has been transferred.

4. If the action or proceeding against a defendant who has been admitted to bail is dismissed, the bail must not be exonerated until a period of 30 days has elapsed from the entry of the order of dismissal unless the defendant requests that bail be exonerated before the expiration of the 30-day period. If no formal action or proceeding is instituted against a defendant who has been admitted to bail, the bail must not be exonerated until a period of 30 days has elapsed from the day the bond or undertaking is posted unless the defendant requests that bail be exonerated before the expiration of the 30-day period.

5. If, within the periods provided in subsection 4, the defendant is charged with a public offense arising out of the same act or omission supporting the charge upon which bail was first given, the prosecuting attorney shall forthwith notify the clerk of the court where the bond was posted, the bail must be applied to the public offense later charged, and the bond or undertaking must be transferred to the clerk of the appropriate court. Within 10 days after its receipt, the clerk of the court to whom the bail is transferred shall mail *or electronically transmit* notice of the transfer to the surety on the bond and the bail agent who executed the bond. ~~[In the case of electronic transmission, notice shall be deemed to have been given when the electronic transmission of such notice is successfully initiated.]~~

6. Bail given originally on appeal must be deposited with the magistrate or the clerk of the court from which the appeal is taken.

**Sec. 3.** 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~~ **14 judicial** 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 **or electronic transmission, receipt of delivery requested,** within 20 days after the date on which the defendant failed to appear. The court shall execute an affidavit of such mailing **or electronic transmission** 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. ~~[In the case of electronic transmission, notice shall be deemed to have been given when the electronic transmission of such notice is successfully initiated.]~~

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. The undertaking or money deposited instead of bail bond is forfeited 180 days after the date on which the notice is mailed **or electronically transmitted** 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. 4.** 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 an order setting aside a forfeiture has not been entered within 180 days after the issuance of the order of forfeiture, 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 *or electronically transmit* copies to the obligors to their last known addresses ~~[-] or by means that have been designated by the obligors for the purpose of receiving electronic transmissions. [In the case of electronic transmission, notice shall be deemed to have been given when the electronic transmission of such notice is successfully initiated.]~~

Sec. 5. Chapter 697 of NRS is hereby amended by adding thereto a new section to read as follows:

1. ~~Every~~ Except as otherwise provided in subsections 2 and 3, every bail agent, bail enforcement agent, bail solicitor, and insurer authorized to write surety in this State and every subsidiary corporation of such an insurer shall maintain a means of receiving electronic transmissions and shall receive electronic transmissions made pursuant to NRS 178.502, 178.508 and 178.514.

2. Before April 1, 2018, a bail agent or insurer authorized to write surety in this State and every subsidiary corporation of such an insurer may elect to receive a notice pursuant to NRS 178.502, 178.508 or 178.514 by mail by providing a written request to the court.

3. On and after April 1, 2018, a bail agent or insurer authorized to write surety in this State and every subsidiary corporation of such an insurer may receive a notice pursuant to NRS 178.502, 178.508 or 178.514 by mail only pursuant to a court order issued upon request by the bail agent or insurer for good cause shown.

4. As used in this section, "electronic transmission" has the meaning ascribed to it in section 1 of this act.

Sec. 6. ~~[This act becomes effective on July 1, 2017.] (Deleted by amendment.)~~

Assemblyman Yeager moved the adoption of the amendment.

Remarks by Assemblyman Yeager.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 46.

Bill read second time.

The following amendment was proposed by the Committee on Health and Human Services:

Amendment No. 171.

AN ACT relating to mental health; providing for the certification and regulation of providers of community-based living arrangement services; clarifying that providers of community-based living arrangement services, supported living arrangement services and temporary respite services are not

subject to certain licensing and regulatory requirements; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law: (1) imposes certain requirements relating to supported living arrangement services provided to persons with intellectual disabilities and related conditions; and (2) authorizes the Aging and Disability Services Division of the Department of Health and Human Services to take certain actions to regulate the provision of such services. (NRS 435.3305-435.339)

**Sections 2-12** of this bill enact similar provisions that apply to community-based living arrangement services. **Section 4** defines “community-based living arrangement services” to mean flexible, individualized services provided in the home to persons with mental illness or persons with related conditions that are designed to help such persons maximize their independence.

**Section 5** requires a person or entity to be certified by the Division of Public and Behavioral Health of the Department or be a natural person who is employed by the holder of a certificate before providing community-based living arrangement services. **Section 6:** (1) requires the State Board of Health to adopt regulations governing community-based living arrangement services; and (2) authorizes the Board to impose a fee for the issuance or renewal of a certificate. **Section 7:** (1) requires an applicant for renewal of a certificate who has a state business registration to provide his or her business identification number in the application; and (2) prohibits the renewal of a certificate if the applicant fails to provide such information or is delinquent on a debt to a state agency.

**Section 8** authorizes the Division to investigate an applicant for the issuance or renewal of a certificate or a provider of community-based living arrangement services against whom a complaint has been filed. **Section 8** also authorizes the Division to employ such persons and enter into such agreements as are necessary to carry out provisions of law governing community-based living arrangement services. **Section 9** authorizes the Division to bring an action to enjoin any person or entity who provides community-based living arrangement services without a certificate or after a certificate has been revoked or suspended.

Existing federal law requires each state to adopt procedures to ensure that applicants for certain licenses and certificates comply with child support obligations. (42 U.S.C. § 666) **Sections 10-12** enact such procedures applicable to applicants for certificates in order to comply with federal law.

Certain providers of nursing services are subject to regulation under existing law as medical facilities. (NRS 449.0015, 449.0151, 449.0153) **Sections 16 and 19** of this bill exempt providers of community-based living arrangement services from those provisions. Existing law defines “supported living arrangement services” to mean flexible, individualized services provided in the home, for compensation, to a person with an intellectual disability or a person with a related condition that are designed and

coordinated to assist the person in maximizing the person's independence. (NRS 435.3315) **Sections 18 and 20** of this bill clarify that a home in which community-based living arrangement services or supported living arrangement services are provided does not constitute a residential facility for groups or a home for individual residential care subject to regulation under chapter 449 of NRS. **Section 17** of this bill provides that an agency that contracts with the Aging and Disability Services Division of the Department to provide temporary respite services, which are services provided to a natural person periodically to provide a respite to the person's regular caregiver, is not an agency to provide personal care services in the home subject to regulation under chapter 449 of NRS.

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

**Section 1.** Chapter 433 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 12, inclusive, of this act.

**Sec. 2.** *As used in sections 2 to 12, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3 and 4 of this act have the meanings ascribed to them in those sections.*

**Sec. 3.** *"Certificate" means a certificate that authorizes a natural person or entity to provide services that is issued by the Division pursuant to sections 2 to 12, inclusive, of this act and the regulations adopted pursuant thereto.*

**Sec. 4.** *"Community-based living arrangement services" or "services" means flexible, individualized services, including, without limitation, training and habilitation services, that are:*

*1. Provided in the home, for compensation, to persons with mental illness or persons with related conditions who are served by the Division ~~or~~ or any other entity; and*

*2. Designed and coordinated to assist such persons in maximizing their independence.*

**Sec. 5. 1.** *Except as otherwise provided in subsection 2, a person, government or governmental agency shall not provide services without first obtaining a certificate from the Division.*

*2. A natural person who has not been issued a certificate but is employed by the holder of a certificate may provide services within the scope of his or her employment by the holder.*

**Sec. 6. 1.** *The State Board of Health shall adopt regulations governing services, including, without limitation, regulations that set forth:*

*(a) Standards for the provision of quality care by a provider of services;*

*(b) Requirements for the issuance and renewal of a certificate; and*

*(c) The rights of consumers of services, in addition to those prescribed in this chapter, including, without limitation, the right of a consumer to file a complaint against a provider of services and the procedure for filing such a complaint.*

2. *The State Board of Health may, by regulation, prescribe a fee for:*

- (a) The issuance of a certificate; and*
- (b) The renewal of a certificate.*

3. *Any fee prescribed pursuant to subsection 2 must be calculated to produce the revenue estimated to cover the costs related to the issuance and renewal of certificates, but in no case may the fee for the issuance or renewal of a certificate exceed the actual cost to the Division of issuing or renewing the certificate, as applicable.*

Sec. 7. 1. *In addition to any other requirements set forth in this chapter and the regulations adopted pursuant to section 6 of this act, an applicant for the renewal of a certificate must indicate in the application submitted to the Division whether the applicant has a state business registration. If the applicant has a state business registration, the applicant must include in the application the business identification number assigned by the Secretary of State upon compliance with the provisions of chapter 76 of NRS.*

2. *A certificate may not be renewed if:*

*(a) The applicant fails to submit the information required by subsection 1; or*

*(b) The State Controller has informed the Division pursuant to subsection 5 of NRS 353C.1965 that the applicant owes a debt to an agency that has been assigned to the State Controller for collection and the applicant has not:*

*(1) Satisfied the debt;*

*(2) Entered into an agreement for the payment of the debt pursuant to NRS 353C.130; or*

*(3) Demonstrated that the debt is not valid.*

3. *As used in this section:*

*(a) "Agency" has the meaning ascribed to it in NRS 353C.020.*

*(b) "Debt" has the meaning ascribed to it in NRS 353C.040.*

Sec. 8. *The Division may:*

1. *Upon receipt of an application for a certificate, conduct an investigation into the qualifications of the personnel, methods of operation, policies and purposes of the applicant;*

2. *Upon receipt of a complaint against a provider of services, except for a complaint concerning the cost of services, conduct an investigation into the qualifications of the personnel, methods of operation, policies, procedures and records of the provider of services;*

3. *Employ such professional, technical and clerical assistance as it deems necessary to carry out the provisions of sections 2 to 12, inclusive, of this act; and*

4. *Enter into such agreements with public and private agencies as it deems necessary for the provision of services.*



*Sec. 9. 1. The Division may bring an action in the name of the State of Nevada to enjoin any person, government or governmental agency from providing services:*

- (a) Without first obtaining a certificate from the Division; or*
- (b) After the certificate has been revoked or suspended by the Division.*

*2. It is sufficient in such an action to allege that the defendant did, on a certain date and in a certain place, provide services without a certificate.*

*Sec. 10. 1. A natural person who applies for the issuance or renewal of a certificate must submit to the Division the statement prescribed by the Division of Welfare and Supportive Services of the Department pursuant to NRS 425.520. The statement must be completed and signed by the applicant.*

*2. The Division shall include the statement required pursuant to subsection 1 in:*

- (a) The application or any other forms that must be submitted for the issuance or renewal of the certificate; or*
- (b) A separate form prescribed by the Division.*

*3. A certificate may not be issued or renewed by the Division if the applicant is a natural person who:*

- (a) Fails to submit the statement required pursuant to subsection 1; or*
- (b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.*

*4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Division shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.*

*Sec. 11. The application of a natural person who applies for the issuance of a certificate must include the social security number of the applicant.*

*Sec. 12. 1. If the Division receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a natural person who is the holder of a certificate, the Division shall deem the certificate issued to that person to be suspended at the end of the 30th day after the date the court order was issued unless the Division receives a letter issued to the holder of the certificate by the district attorney or other public agency pursuant to NRS 425.550 stating*

*that the holder of the certificate has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.*

*2. The Division shall reinstate a certificate that has been suspended by a district court pursuant to NRS 425.540 if the Division receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose certificate was suspended stating that the person whose certificate was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.*

**Sec. 13.** NRS 439B.225 is hereby amended to read as follows:

439B.225 1. As used in this section, “licensing board” means any division or board empowered to adopt standards for the issuance or renewal of licenses, permits or certificates of registration pursuant to NRS 435.3305 to 435.339, inclusive, chapter 449, 625A, 630, 630A, 631, 632, 633, 634, 634A, 635, 636, 637, 637B, 639, 640, 640A, 640D, 641, 641A, 641B, 641C, 652 or 654 of NRS ~~1~~ *or sections 2 to 12, inclusive, of this act.*

2. The Committee shall review each regulation that a licensing board proposes or adopts that relates to standards for the issuance or renewal of licenses, permits or certificates of registration issued to a person or facility regulated by the board, giving consideration to:

- (a) Any oral or written comment made or submitted to it by members of the public or by persons or facilities affected by the regulation;
- (b) The effect of the regulation on the cost of health care in this State;
- (c) The effect of the regulation on the number of licensed, permitted or registered persons and facilities available to provide services in this State; and
- (d) Any other related factor the Committee deems appropriate.

3. After reviewing a proposed regulation, the Committee shall notify the agency of the opinion of the Committee regarding the advisability of adopting or revising the proposed regulation.

4. The Committee shall recommend to the Legislature as a result of its review of regulations pursuant to this section any appropriate legislation.

**Sec. 14.** Chapter 449 of NRS is hereby amended by adding thereto a new section to read as follows:

*“Community-based living arrangement services” has the meaning ascribed to it in section 4 of this act.*

**Sec. 15.** NRS 449.001 is hereby amended to read as follows:

449.001 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 449.0015 to 449.0195, inclusive, *and section 14 of this act* have the meanings ascribed to them in those sections.

**Sec. 16.** NRS 449.0015 is hereby amended to read as follows:

449.0015 *I.* “Agency to provide nursing in the home” means any person or governmental organization which provides in the home, through its employees or by contractual arrangement with other persons, skilled nursing and assistance and training in health and housekeeping skills.

*2.* The term does not include ~~1~~ *:*

*(a) A provider of community-based living arrangement services during any period in which the provider of community-based living arrangement services is engaged in providing community-based living arrangement services; or*

*(b) A provider of supported living arrangement services during any period in which the provider of supported living arrangement services is engaged in providing supported living arrangement services.*

**Sec. 17.** NRS 449.0021 is hereby amended to read as follows:

449.0021 1. “Agency to provide personal care services in the home” means any person, other than a natural person, which provides in the home the services authorized pursuant to NRS 449.1935 to elderly persons or persons with disabilities.

2. The term does not include:

(a) An independent contractor who provides nonmedical services specified in NRS 449.1935 without the assistance of employees;

(b) An organized group of persons composed of the family or friends of a person needing personal care services that employs or contracts with persons to provide nonmedical services specified in NRS 449.1935 for the person if:

(1) The organization of the group of persons is set forth in a written document that is made available for review by the Division upon request; and

(2) The personal care services are provided to only one person or one family who resides in the same residence; ~~for~~

(c) An intermediary service organization ~~for~~; *or*

*(d) A person or agency that contracts with the Aging and Disability Services Division of the Department of Health and Human Services to provide temporary respite services.*

3. As used in this section ~~“intermediary”~~:

*(a) “Intermediary service organization”* has the meaning ascribed to it in NRS 449.4304.

*(b) “Temporary respite services” means services provided through a contract with the Aging and Disability Services Division of the Department of Health and Human Services to a natural person on a periodic basis to provide a respite for a regular provider of services.*

**Sec. 18.** NRS 449.0105 is hereby amended to read as follows:

449.0105 “Home for individual residential care” means a home in which a natural person furnishes food, shelter, assistance and limited supervision, for compensation, to not more than two persons with intellectual disabilities or with physical disabilities or who are aged or infirm, unless the persons receiving those services are related within the third degree of consanguinity or affinity to the person providing those services. The term does not include:

1. A halfway house for recovering alcohol and drug abusers; or

2. A home in which *community-based living arrangement services or* supported living arrangement services are provided by a provider of ~~supported living arrangement~~ *such* services during any period in which the

provider ~~[of supported living arrangement services]~~ is engaged in providing ~~[supported living arrangement]~~ *the* services.

**Sec. 19.** NRS 449.0153 is hereby amended to read as follows:

449.0153 **1.** “Nursing pool” means a person or agency which provides for compensation, through its employees or by contractual arrangement with other persons, nursing services to any natural person, medical facility or facility for the dependent.

**2.** The term does not include:

~~1-1~~ **(a)** An independent contractor who provides such services without the assistance of employees;

~~2-1~~ **(b)** A nursing pool based in a medical facility or facility for the dependent; ~~or~~

~~3-1~~ **(c)** *A provider of community-based living arrangement services during any period in which the provider of community-based living arrangement services is engaged in providing community-based living arrangement services; or*

**(d)** A provider of supported living arrangement services during any period in which the provider of supported living arrangement services is engaged in providing supported living arrangement services.

**Sec. 20.** NRS 449.017 is hereby amended to read as follows:

449.017 **1.** Except as otherwise provided in subsection 2, “residential facility for groups” means an establishment that furnishes food, shelter, assistance and limited supervision to a person with an intellectual disability or with a physical disability or a person who is aged or infirm. The term includes, without limitation, an assisted living facility.

**2.** The term does not include:

**(a)** An establishment which provides care only during the day;

**(b)** A natural person who provides care for no more than two persons in his or her own home;

**(c)** A natural person who provides care for one or more persons related to him or her within the third degree of consanguinity or affinity;

**(d)** A halfway house for recovering alcohol and drug abusers; or

**(e)** A ~~[facility funded by a division or program of the Department of Health and Human Services.]~~ *home in which community-based living arrangement services or supported living arrangement services are provided by a provider of such services during any period in which the provider is providing the services.*

**Sec. 21.** NRS 632.316 is hereby amended to read as follows:

632.316 The provisions of NRS 632.315 do not prohibit:

**1.** Gratuitous nursing by friends or by members of the family of a patient.

**2.** The incidental care of the sick by domestic servants or persons primarily employed as housekeepers as long as they do not practice nursing within the meaning of this chapter.

**3.** Nursing assistance in the case of an emergency.

4. The practice of nursing by students enrolled in accredited schools of nursing or by graduates of those schools or courses pending the results of the first licensing examination scheduled by the Board following graduation. A student or graduate may not work as a nursing assistant unless the student or graduate is certified to practice as a nursing assistant pursuant to the provisions of this chapter.

5. The practice of nursing in this State by any legally qualified nurse or nursing assistant of another state whose engagement requires the nurse or nursing assistant to accompany and care for a patient temporarily residing in this State during the period of one such engagement, not to exceed 6 months, if the person does not represent or hold himself or herself out as a nurse licensed to practice in this State or as a nursing assistant who holds a certificate to practice in this State.

6. The practice of any legally qualified nurse of another state who is employed by the United States Government, or any bureau, division or agency thereof, while in the discharge of his or her official duties in this State, including, without limitation, providing medical care in a hospital in accordance with an agreement entered into pursuant to NRS 449.2455.

7. Nonmedical nursing for the care of the sick, with or without compensation, if done by the adherents of, or in connection with, the practice of the religious tenets of any well-recognized church or religious denomination, if that nursing does not amount to the practice of practical or professional nursing as defined in NRS 632.017 and 632.018, respectively.

8. A personal assistant from performing services for a person with a disability pursuant to NRS 629.091.

9. *A natural person from providing community-based living arrangement services if:*

*(a) That person has been issued a certificate pursuant to sections 2 to 12, inclusive, of this act, and the regulations adopted pursuant to section 6 of this act; or*

*(b) That person is employed or retained as an independent contractor by a partnership, firm, corporation or association, state or local government or agency thereof that has been issued a certificate pursuant to sections 2 to 12, inclusive, of this act, and the regulations adopted pursuant to section 6 of this act.*

*↪ As used in this subsection, "community-based living arrangement services" has the meaning ascribed to it in section 4 of this act.*

10. A natural person from providing supported living arrangement services if:

(a) That person has been issued a certificate pursuant to NRS 435.3305 to 435.339, inclusive, and the regulations adopted pursuant to NRS 435.3305 to 435.339, inclusive; or

(b) That person is employed or retained as an independent contractor by a partnership, firm, corporation or association, state or local government or agency thereof that has been issued a certificate pursuant to NRS 435.3305 to

435.339, inclusive, and the regulations adopted pursuant to NRS 435.3305 to 435.339, inclusive.

↪ As used in this subsection, “supported living arrangement services” has the meaning ascribed to it in NRS 435.3315.

**Sec. 22.** Notwithstanding the provisions of section 5 of this act, a person, government or governmental agency is not required to possess a certificate issued by the Division of Public and Behavioral Health of the Department of Health and Human Services to provide community-based living arrangement services in this State before October 1, 2017, unless the Division establishes, by regulation, an earlier date for compliance with section 5 of this act.

**Sec. 23.** 1. This act becomes effective on July 1, 2017.

2. Sections 10, 11 and 12 of this act expire by limitation on the date on which the provisions of 42 U.S.C. § 666 requiring each state to establish procedures under which the state has authority to withhold or suspend, or to restrict the use of professional, occupational and recreational licenses of persons who:

(a) Have failed to comply with the subpoena or warrant relating to a proceeding to determine the paternity of a child or to establish or enforce an obligation for the support of a child; or

(b) Are in arrears in the payment for the support of one or more children,

↪ are repealed by the Congress of the United States.

Assemblyman Sprinkle moved the adoption of the amendment.

Remarks by Assemblyman Sprinkle.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 60.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 35.

AN ACT relating to vehicles; requiring the payment of a fee and the submission of certain information for the reinstatement of certain licenses relating to vehicles which are not timely renewed; revising provisions relating to fingerprint requirements for certain initial licenses relating to vehicles; repealing provisions requiring the payment of a fee for the issuance of certain temporary placards; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Under existing law, a license issued by the Department of Motor Vehicles is required for a person who wishes to operate as a: (1) vehicle transporter; (2) motor vehicle manufacturer; (3) motor vehicle distributor; (4) new and used vehicle dealer; (5) vehicle rebuilder; (6) broker of vehicles; (7) automobile wrecker; (8) salvage pool; or (9) body shop. (NRS 482.3161,

482.322, 482.333, 487.050, 487.410, 487.610) Registration with the Department is required under existing law for a person who wishes to operate a garage. (NRS 487.560) Existing law also provides for the renewal of all such licenses and registration. (NRS 482.3163, 482.325, 482.333, 487.070, 487.430, 487.565, 487.630) **Sections 1, 4, 5, 8 and 10-12** of this bill establish a late fee of \$25 for the reinstatement of such licenses and registration if the license or registration, as applicable, is allowed to expire before renewal. **Section 2** of this bill establishes certain requirements for a vehicle transporter who electronically submits the statement required for licensure regarding child support to retain the original version of such a statement for 3 years after submission. (NRS 482.31632)

Under existing law, the Department requires a person applying for initial licensure to operate as a vehicle transporter, a motor vehicle manufacturer, distributor, dealer or rebuilder, a broker of vehicles or a salesperson of vehicles, trailers or semitrailers to submit a complete set of fingerprints for submission to the Federal Bureau of Investigation for its report. (NRS 482.3163, 482.325, 482.333, 482.362) The Department also requires a person applying for initial licensure to operate as a vehicle transporter, a motor vehicle manufacturer, distributor, dealer or rebuilder, to pay a processing fee established by the Department in regulation for the fingerprints. (NRS 482.3163, 482.325) **Sections 5 and 6** of this bill require a person applying for initial licensure to operate as a broker of vehicles or a salesperson of vehicles, trailers or semitrailers to pay a fee established by the Department by regulation for processing the fingerprints. **Section 13** of this bill makes a conforming change. (NRS 490.210) **Sections 7, 9 and 12** of this bill require a person applying for initial licensure to operate as an automobile wrecker, a salvage pool or a body shop to submit a complete set of fingerprints for submission to the Federal Bureau of Investigation for its report and to pay a fee established by the Department by regulation for processing the fingerprints. (NRS 487.050, 487.410, 487.630) **Sections 7, 9 and 12 also require an application form for such licensure to designate the persons whose names must appear on the form.**

Existing law requires a seller or long-term lessor of a vehicle to attach to a vehicle he or she has sold or leases a temporary placard which authorizes the operation of such a vehicle on the highways of this State for a period not to exceed 30 days. (NRS 482.423-482.4245) The temporary placard must be removed when the vehicle is registered and license plates are affixed. Existing law requires the Department to collect a fee for each such temporary placard issued to a seller or long-term lessor of vehicles. (NRS 482.4247) **Section 14** of this bill repeals the requirement for the collection of such a fee. **Section 3** of this bill makes a conforming change. (NRS 482.31776)

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

**Section 1.** NRS 482.3163 is hereby amended to read as follows:

482.3163 1. An application for a license as a vehicle transporter must be accompanied by a fee of \$100, be submitted on forms supplied by the Department and include the social security number of the applicant. The forms must designate the persons whose names are required to appear on the forms. An additional fee for the processing of fingerprints must be submitted for each applicant for initial licensure. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints.

2. The application for a license as a vehicle transporter must contain:

- (a) The applicant's name and address; and
- (b) Such other information as the Department requires.

3. Each applicant for initial licensure shall submit with the application:

(a) A complete set of his or her fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; and

(b) If the applicant is a natural person, the statement required pursuant to NRS 482.31632.

4. Upon receipt of the application and when satisfied that the applicant is entitled thereto, the Department shall issue to the applicant a license as a vehicle transporter.

5. A license issued pursuant to this section expires on December 31 of each year. Before December 31 of each year, a licensee must submit to the Department, on forms supplied by the Department and in the manner specified by the Department, an application for renewal accompanied by an annual fee for renewal of \$50. If the applicant is a natural person, the application also must be accompanied by the statement required pursuant to NRS 482.31632.

**6. A license that expires for failure to renew before December 31 may be reinstated upon submission to the Department of:**

**(a) The application for renewal and the annual fee for renewal as required in subsection 5;**

**(b) If the applicant is a natural person, the statement required pursuant to NRS 482.31632; and**

**(c) A late fee of \$25.**

**Sec. 2.** NRS 482.31632 is hereby amended to read as follows:

482.31632 1. ~~Ann~~ **Except as otherwise provided in subsection 5, an applicant for the issuance or renewal of a license as a vehicle transporter shall submit to the Department the statement prescribed by the Division of**



Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant.

2. The Department shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the license; or

(b) A separate form prescribed by the Department.

3. A license as a vehicle transporter may not be issued or renewed by the Department if the applicant:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Department shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

**5. *If a licensee renews an existing license electronically, the licensee shall keep the original of the statement required pursuant to subsection 1 at his or her place of business for not less than 3 years after submitting the electronic renewal. The statement must be available during business hours for inspection by any authorized agent of the Director or the State of Nevada.***

**Sec. 3.** NRS 482.31776 is hereby amended to read as follows:

482.31776 1. A consignee of a vehicle shall, upon entering into a consignment contract or other form of agreement to sell a vehicle owned by another person:

(a) Open and maintain a separate trust account in a federally insured bank or savings and loan association that is located in this State, into which the consignee shall deposit all money received from a prospective buyer as a deposit, or as partial or full payment of the purchase price agreed upon, toward the purchase or transfer of interest in the vehicle. A consignee of a vehicle shall not:

(1) Commingle the money in the trust account with any other money that is not on deposit or otherwise maintained toward the purchase of the vehicle subject to the consignment contract or agreement; or

(2) Use any money in the trust account to pay his or her operational expenses for any purpose that is not related to the consignment contract or agreement.

(b) Obtain from the consignor, before receiving delivery of the vehicle, a signed and dated disclosure statement that is included in the consignment contract and provides in at least 10-point bold type or font:

IMPORTANT NOTICE TO VEHICLE OWNERS

State law (NRS 482.31776) requires that the operator of this business file a Uniform Commercial Code 1 (UCC1) form with the Office of the Secretary of State on your behalf to protect your interest in your vehicle. The form is required to protect your vehicle from forfeiture in the event that the operator of this business fails to meet his or her financial obligations to a third party holding a security interest in his or her inventory. The form must be filed by the operator of this business before the operator may take possession of your vehicle. If the form is not filed as required, YOU MAY LOSE YOUR VEHICLE THROUGH NO FAULT OF YOUR OWN. For a copy of the UCC1 form filed on your behalf or for more information, please contact:

The Office of the Secretary of State of Nevada  
Uniform Commercial Code Division  
~~{(775) 684-5708}~~ **(775) 684-7100**

I understand and acknowledge the above disclosure.

.....  
Consignee Signature

.....  
Date

(c) Assist the consignor in completing, with respect to the consignor's purchase-money security interest in the vehicle, a financing statement of the type described in subsection 5 of NRS 104.9317 and shall file the financing statement with the Secretary of State on behalf of the consignor. If a consignee has previously granted to a third party a security interest with an after-acquired property clause in the consignee's inventory, the consignee additionally shall assist the consignor in sending an authenticated notification, as described in paragraph (b) of subsection 1 of NRS 104.9324, to each holder of a conflicting security interest. The consignee must not receive delivery of the vehicle until the consignee has:

- (1) Filed the financing statement with the Secretary of State; and
- (2) If applicable, assisted the consignor in sending an authenticated notification to each holder of a conflicting security interest.

2. Upon the sale or transfer of interest in the vehicle, the consignee shall forthwith:

- (a) Satisfy or cause to be satisfied all outstanding security interests in the vehicle; and

(b) Satisfy the financial obligations due the consignor pursuant to the consignment contract.

3. Upon the receipt of money by delivery of cash, bank check or draft, or any other form of legal monetary exchange, or after any form of transfer of interest in a vehicle, the consignee shall notify the consignor that the money has been received or that a transfer of interest in the vehicle has occurred. Notification by the consignee to the consignor must be given in person or, in the absence of the consignor, by registered or certified mail addressed to the last address or residence of the consignor known to the consignee. The notification must be made within 3 business days after the date on which the money is received or the transfer of interest in the vehicle is made.

4. The provisions of this section do not apply to:

- (a) An executor;
- (b) An administrator;
- (c) A sheriff;
- (d) A salvage pool subject to the provisions of NRS 487.400 to 487.510, inclusive; or

(e) Any other person who sells a vehicle pursuant to the powers or duties granted to or imposed on him or her by specific statute.

5. Notwithstanding any provision of NRS 482.423 to ~~482.4247,~~ **482.4245**, inclusive, to the contrary, a vehicle subject to a consignment contract may not be operated by the consignee, an employee or agent of the consignee, or a prospective buyer in accordance with NRS 482.423 to ~~482.4247,~~ **482.4245**, inclusive, by displaying a temporary placard to operate the vehicle unless the operation of the vehicle is authorized by the express written consent of the consignor.

6. A vehicle subject to a consignment contract may not be operated by the consignee, an employee or agent of the consignee, or a prospective buyer in accordance with NRS 482.320 by displaying a special plate unless the operation of the vehicle is authorized by the express written consent of the consignor.

7. A consignee shall maintain a written log for each vehicle for which he or she has entered into a consignment contract. The written log must include:

- (a) The name and address, or place of residence, of the consignor;
- (b) A description of the vehicle consigned, including the year, make, model and serial or identification number of the vehicle;
- (c) The date on which the consignment contract is entered into;
- (d) The period that the vehicle is to be consigned;
- (e) The minimum agreed upon sales price for the vehicle;
- (f) The approximate amount of money due any lienholder or other person known to have an interest in the vehicle;
- (g) If the vehicle is sold, the date on which the vehicle is sold;
- (h) The date that the money due the consignor and the lienholder was paid;

(i) The name and address of the federally insured bank or savings and loan association in which the consignee opened the trust account required pursuant to subsection 1; and

(j) The signature of the consignor acknowledging that the terms of the consignment contract were fulfilled or terminated, as appropriate.

8. A person who:

(a) Appropriates, diverts or otherwise converts to his or her own use money in a trust account opened pursuant to paragraph (a) of subsection 1 or otherwise subject to a consignment contract or agreement is guilty of embezzlement and shall be punished in accordance with NRS 205.300. The court shall, in addition to any other penalty, order the person to pay restitution.

(b) Violates paragraph (b) or (c) of subsection 1 is guilty of a misdemeanor. The court shall, in addition to any other penalty, order the person to pay restitution.

(c) Violates any other provision of this section is guilty of a misdemeanor.

**Sec. 4.** NRS 482.325 is hereby amended to read as follows:

482.325 1. An application for a manufacturer's, distributor's, dealer's or rebuilder's license must be filed upon forms supplied by the Department and include the social security number of the applicant. The forms must designate the persons whose names are required to appear thereon. The applicant shall furnish:

(a) Such proof as the Department may deem necessary that the applicant is a manufacturer, distributor, dealer or rebuilder.

(b) A fee of \$125.

(c) A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints.

(d) For initial licensure, a complete set of fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.

(e) If the applicant is a natural person, the statement required pursuant to NRS 482.319.

(f) A certificate of insurance for automobile liability.

2. Upon receipt of the application and when satisfied that the applicant is entitled thereto, the Department shall issue to the applicant a dealer's, manufacturer's, distributor's or rebuilder's license containing the name of the licensee and the address of the licensee's established place of business or the address of the main office of a manufacturer without an established place of business in this State.

3. Licenses issued pursuant to this section expire on December 31 of each year. Before December 31 of each year, a licensee must furnish the

Department with an application for renewal of the license accompanied by an annual fee of \$50. If the applicant is a natural person, the application for renewal also must be accompanied by the statement required pursuant to NRS 482.319. The additional fee for the processing of fingerprints, established by regulation pursuant to paragraph (c) of subsection 1, must be submitted for each applicant whose name does not appear on the original application for the license. The renewal application must be provided by the Department and contain information required by the Department.

**4. A license that expires for failure to renew before December 31 may be reinstated upon submission to the Department of:**

**(a) The application for renewal and the annual fee for renewal required in subsection 3;**

**(b) If the applicant is a natural person, the statement required pursuant to NRS 482.319;**

**(c) The additional fee for processing fingerprints required in subsection 3, if applicable; and**

**(d) A late fee of \$25.**

**Sec. 5.** NRS 482.333 is hereby amended to read as follows:

482.333 1. A person shall not engage in the activity of a broker of vehicles in this State without first having received a license from the Department. Before issuing a license to a broker, the Department shall require:

(a) An application, signed and verified by the applicant, stating that the applicant desires to be licensed as a broker, his or her residential address, his or her social security number and the address of his or her principal place of business . ~~{ }~~

(b) A statement as to whether any previous application of the applicant for a license as a vehicle dealer or broker has been denied or whether such a license has been suspended or revoked . ~~{ }~~

(c) Payment of a nonrefundable license fee of \$125 . ~~{ }~~

**(d) A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints.**

(e) For initial licensure, the submission of a complete set of the applicant's fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report . ~~{ and~~

~~{ (e) }~~ (f) Any other information the Department deems necessary.

↪ A license issued pursuant to this section expires on December 31 of the year in which it was issued and may be renewed annually upon the payment of a fee of \$50. **If a licensee fails to renew his or her license before it**

*expires on December 31, the license may be reinstated upon the payment to the Department of the annual renewal fee of \$50 and a late fee of \$25.*

2. The Department may deny the issuance of, suspend or revoke a license to engage in the activities of a broker of vehicles upon any of the following grounds:

(a) Failure of the applicant to have an established place of business in this State.

(b) Conviction of a felony in this State or any other state, territory or nation.

(c) Material misstatement in the application.

(d) Evidence of unfitness of the applicant or licensee.

(e) Failure or refusal to provide to the Department an authorization for the disclosure of financial records for the business as required pursuant to subsection 6.

(f) Willful failure to comply with a provision of the motor vehicle laws of this State or a directive of the Director. For the purpose of this paragraph, failure to comply with a directive of the Director advising the licensee of noncompliance with a provision of the motor vehicle laws of this State or a regulation of the Department, within 10 days after the receipt of the directive, is prima facie evidence of willful failure to comply with the directive.

(g) Failure or refusal to furnish and keep in force any bond.

(h) Failure on the part of the licensee to maintain a fixed place of business in this State.

(i) Failure or refusal by the licensee to pay or otherwise discharge a final judgment against the licensee rendered and entered against the licensee, arising out of the misrepresentation of a vehicle, trailer or semitrailer, or out of a fraud committed in connection with the brokering of a vehicle, trailer or semitrailer.

(j) Failure of the licensee to maintain any other license or bond required by a political subdivision of this State.

(k) Any other reason determined by the Director to be in the best interests of the public.

↪ The Director may deny the issuance of a license to an applicant or revoke a license already issued if the Department is satisfied that the applicant or licensee is not entitled thereto.

3. If an application for a broker's license has been denied, the applicant may not reapply sooner than 6 months after the denial.

4. A broker's license must be posted in a conspicuous place on the premises of the broker's principal place of business.

5. If any information submitted in the application for a broker's license changes, the broker shall submit a written notice of the change to the Department within 10 days after the change occurs.

6. Upon the receipt of any report or complaint alleging that an applicant or a licensee has engaged in financial misconduct or has failed to satisfy financial obligations related to the activity of a broker of vehicles, the

Department may require the applicant or licensee to submit to the Department an authorization for the disclosure of financial records for the business as provided in NRS 239A.090. The Department may use any information obtained pursuant to such an authorization only to determine the suitability of the applicant or licensee for initial or continued licensure. Information obtained pursuant to such an authorization may be disclosed only to those employees of the Department who are authorized to issue a license to an applicant pursuant to NRS 482.333 to 482.334, inclusive, or to determine the suitability of an applicant or a licensee for such licensure.

7. Except as otherwise provided in NRS 482.555, any person who fails to comply with the provisions of this section is guilty of a misdemeanor.

**Sec. 6.** NRS 482.362 is hereby amended to read as follows:

482.362 1. A person shall not engage in the activity of a salesperson of vehicles, trailers or semitrailers, or act in the capacity of a salesperson as defined by this chapter, in the State of Nevada without first having received a license or temporary permit from the Department. Before issuing a license or temporary permit to engage in the activity of a salesperson, the Department shall require:

(a) An application, signed and verified by the applicant, stating that the applicant is to engage in the activity of a salesperson, his or her residence address, and the name and address of the applicant's employer.

(b) Proof of the employment of the applicant by a licensed and bonded vehicle dealer, trailer or semitrailer dealer, lessor or rebuilder at the time the application is filed.

(c) A statement as to whether any previous application of the applicant has been denied or license revoked.

(d) Payment of a nonrefundable license fee of \$75. The license expires on December 31 of each calendar year and may be renewed annually upon the payment of a fee of \$40.

(e) *A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints.*

(f) For initial licensure, the applicant to submit a complete set of fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.

~~[(f)]~~ (g) Any other information the Department deems necessary.

2. The Department may issue a 60-day temporary permit to an applicant who has submitted an application and paid the required ~~fee.] fees.~~

3. A license to act as a salesperson of vehicles, trailers or semitrailers, or to act in the capacity of a salesperson as defined in this chapter, issued pursuant to this chapter does not permit a person to engage in the business of selling mobile homes.

4. An application for a salesperson's license may be denied and a salesperson's license may be suspended or revoked upon the following grounds:

(a) Failure of the applicant to establish by proof satisfactory to the Department that the applicant is employed by a licensed and bonded vehicle dealer, trailer dealer or semitrailer dealer, lessor or rebuilder.

(b) Conviction of a felony.

(c) Conviction of a gross misdemeanor.

(d) Conviction of a misdemeanor for violation of any of the provisions of this chapter.

(e) Falsification of the application.

(f) Evidence of unfitness as described in NRS 482.3255.

(g) Failure of the applicant to provide any information deemed necessary by the Department to process the application.

(h) Any reason determined by the Director to be in the best interests of the public.

5. Except where a dealer, lessor or rebuilder has multiple branches licensed under NRS 482.326, a salesperson of vehicles shall not engage in any sales activity, or act in any other capacity as a salesperson as defined in this chapter, other than for the account of or for and in behalf of a single employer, at a specified place of business of that employer, who must be a licensed dealer, lessor or rebuilder.

6. If an application for a salesperson's license has been denied, the applicant may reapply not less than 6 months after the denial.

7. A salesperson's license must be posted in a conspicuous place on the premises of the dealer, lessor or rebuilder for whom the salesperson is licensed to sell vehicles.

8. If a licensed salesperson ceases to be employed by a licensed and bonded dealer, lessor or rebuilder, the license to act as a salesperson is automatically suspended and the right to act as a salesperson thereupon immediately ceases, and the person shall not engage in the activity of a salesperson until he or she has paid the Department a transfer fee of \$20 and submitted a certificate of employment indicating he or she has been reemployed by a licensed and bonded dealer, lessor or rebuilder, and has thereafter presented a current temporary permit or a new salesperson's license to the employer.

9. If a licensed salesperson changes his or her residential address, the salesperson shall submit a written notice of the change to the Department within 10 days.

10. If a person who holds a temporary permit to act as a salesperson ceases to be employed by a licensed and bonded dealer, lessor or rebuilder, the permit to act as a salesperson is automatically suspended, the right to act as a salesperson thereupon immediately ceases and the person shall not engage in the activity of a salesperson until he or she has paid the Department a transfer fee of \$20 and submitted a certificate of employment



indicating he or she has been reemployed by a licensed and bonded dealer, lessor or rebuilder, and has thereafter presented a current temporary permit or a new salesperson's license to the employer.

11. A licensed dealer, lessor or rebuilder who employs a licensed salesperson shall notify the Department of the termination of his or her employment within 10 days following the date of termination by forwarding the salesperson's license to the Department.

12. Any person who fails to comply with the provisions of this section is guilty of a misdemeanor except as otherwise provided in NRS 482.555.

**Sec. 7.** NRS 487.050 is hereby amended to read as follows:

487.050 1. It is unlawful for any person to dismantle, scrap, process or wreck any vehicle without first applying for and obtaining a license for that operation from the Department.

2. An application for a license must be made on a form provided by the Department. ~~It~~ **The forms must designate the persons whose names are required to appear thereon. The application must** include the social security number of the applicant and be accompanied by ~~such~~ :

(a) *Such* proof as the Department may require that the applicant:

~~(a)~~ (1) Is a bona fide automobile wrecker; and

~~(b)~~ (2) Owns or leases a place of business which meets the requirements of NRS 487.073.

(b) *A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints.*

(c) *For initial licensure, a complete set of fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.*

(d) *The fee for issuance of a license provided in NRS 487.080.*

**Sec. 8.** NRS 487.070 is hereby amended to read as follows:

487.070 1. The Department may approve or reject the application. If the Department receives the statement required pursuant to NRS 487.003 and approves the application, it shall issue to the applicant:

(a) A license containing the applicant's name and address, the name under which the business is to be conducted, the business address, and a distinguishing number assigned to the applicant.

(b) A card which:

(1) Contains the information specified in paragraph (a);

(2) Includes a picture of the licensee; and

(3) Clearly identifies the holder of the card as a licensed automobile wrecker.

2. A licensee may obtain one or two cards for his or her business. The Department shall charge a fee of \$50 for each card issued. ~~Fees collected by~~

~~the Department pursuant to this subsection must be deposited with the State Treasurer for credit to the Motor Vehicle Fund.]~~

3. A licensee shall post the license in a conspicuous place clearly visible to the general public at the business address set forth on the license.

4. A license expires on April 30 of each year.

5. ~~[A]~~ ***Except as otherwise provided in subsection 6, a*** licensee may renew the license by submitting to the Department:

(a) A completed application for renewal upon a form supplied by the Department;

(b) The statement required pursuant to NRS 487.003; and

(c) The fee for renewal of a license provided in NRS 487.080.

***6. A license that expires for failure to renew before April 30 may be reinstated upon submission to the Department of:***

***(a) The application for renewal and statement specified in paragraphs (a) and (b) of subsection 5;***

***(b) The fee for renewal of a license provided in NRS 487.080; and***

***(c) A late fee of \$25.***

***7. Fees collected by the Department pursuant to this section must be deposited with the State Treasurer for credit to the Motor Vehicle Fund.***

**Sec. 9.** NRS 487.410 is hereby amended to read as follows:

487.410 1. No person may operate a salvage pool without first applying for and obtaining a license for that business from the Department.

2. An application for a license must be made on a form provided by the Department. ~~[A]~~ ***The forms must designate the persons whose names are required to appear thereon. The application must*** include the social security number of the applicant and be accompanied by ~~[such]~~ :

***(a) Such*** proof as the Department requires that the applicant meets the statutory requirements to be an operator of a salvage pool.

***(b) A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints.***

***(c) For initial licensure, a complete set of fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.***

***(d) The fee for issuance of a license provided in NRS 487.450.***

**Sec. 10.** NRS 487.430 is hereby amended to read as follows:

487.430 1. The Department may approve or reject the application for a license to operate a salvage pool. If the Department receives the statement required pursuant to NRS 487.003 and approves the application, it shall issue to the applicant a license containing the applicant's name and address, the name under which the business is to be conducted, the business address, and a distinguishing number assigned to the applicant.

2. A licensee shall post the license in a conspicuous place clearly visible to the general public at the business address set forth on the license.

3. A license expires on April 30 of each year.

4. ~~[A]~~ ***Except as otherwise provided in subsection 5, a*** licensee may renew his or her license by submitting to the Department:

(a) A completed application for renewal upon a form supplied by the Department;

(b) The statement required pursuant to NRS 487.003; and

(c) The fee for renewal of a license provided in NRS 487.450.

5. ***A license that expires for failure to renew before April 30 may be reinstated upon submission to the Department of:***

(a) ***The application for renewal and statement specified in paragraphs (a) and (b) of subsection 4;***

(b) ***The fee for renewal of a license provided in NRS 487.450; and***

(c) ***A late fee of \$25. Any fee collected by the Department pursuant to this paragraph must be deposited with the State Treasurer for credit to the Motor Vehicle Fund.***

**Sec. 11.** NRS 487.565 is hereby amended to read as follows:

487.565 1. If the Department receives an application for registration that contains the information required by NRS 487.560, it shall issue to the applicant a certificate of registration for each garage operated by the applicant. The certificate must contain the name of the applicant, the name under which the applicant's business will be conducted, the address of the business and the registration number for the garage.

2. A certificate of registration is valid for 1 year after the date of issuance. A garage operator may renew his or her ***unexpired*** registration by submitting to the Department:

(a) An application for renewal on a form provided by the Department; and

(b) Except as otherwise provided in NRS 487.560, the fee for renewal set forth in that section.

3. ***A garage operator seeking to renew a certificate of registration more than 1 year after the date of issuance may reinstate his or her registration by submitting to the Department:***

(a) ***An application for renewal on a form provided by the Department;***

(b) ***Except as otherwise provided in NRS 487.560, the fee for renewal set forth in that section; and***

(c) ***A late fee of \$25. Any fee collected by the Department pursuant to this paragraph must be deposited with the State Treasurer for credit to the Motor Vehicle Fund.***

**Sec. 12.** NRS 487.630 is hereby amended to read as follows:

487.630 1. An application for a license to operate a body shop must be filed with the Department upon forms supplied by the Department. **The forms must designate the persons whose names are required to appear thereon.** The application must include the social security number of the applicant and must be accompanied by ~~[such]~~ :

(a) *Such* proof as the Department requires to demonstrate that the applicant meets the statutory requirements to operate a body shop.

(b) *A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints.*

(c) *For initial licensure, a complete set of fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.*

(d) *The fee for issuance of a license required by subsection 2.*

2. The Department shall charge a fee of \$300 for the issuance or renewal of a license to operate a body shop. ~~Fees collected by the Department pursuant to this subsection must be deposited with the State Treasurer for credit to the Motor Vehicle Fund.]~~

3. Upon receipt of the application and the statement required pursuant to NRS 487.003 and when satisfied that the applicant is entitled thereto, the Department shall issue to the applicant a license to operate a body shop. The license must contain the name and the address of the body shop and the name of the operator.

4. Upon receipt of the license, the operator shall post the license in a conspicuous place clearly visible to the general public in the body shop and include the license number on all estimates and invoices for repairs.

5. A license expires on April 30 of each year.

6. ~~[A]~~ *Except as otherwise provided in subsection 7, a licensee may renew his or her license by submitting to the Department:*

(a) A completed application for renewal upon a form supplied by the Department;

(b) The statement required pursuant to NRS 487.003;

(c) Evidence satisfactory to the Department that the licensee has completed and electronically submitted, within 60 days immediately preceding the date of the submission of the application for renewal, the survey required pursuant to NRS 487.685; and

(d) The fee for renewal of a license provided in subsection 2.

7. *A license that expires for failure to renew before April 30 may be reinstated upon submission to the Department of:*

(a) *The application, statement and evidence specified in paragraphs (a), (b) and (c) of subsection 6;*

(b) *The fee for renewal of a license provided in subsection 2; and*

(c) *A late fee of \$25.*

8. *Fees collected by the Department pursuant to this section must be deposited with the State Treasurer for credit to the Motor Vehicle Fund.*

**Sec. 13.** NRS 490.210 is hereby amended to read as follows:

490.210 1. An application for a license for an off-highway vehicle dealer, long-term or short-term lessor or manufacturer must be filed upon forms supplied by the Department and include the social security number of the applicant. The forms must designate the persons whose names are required to appear thereon. The applicant must furnish:

(a) Such proof as the Department may deem necessary that the applicant is an off-highway vehicle dealer, long-term or short-term lessor or manufacturer.

(b) A fee of \$125.

(c) Unless the applicant has previously met the requirements of subsection 3 of NRS 482.3163, paragraphs (c) and (d) of subsection 1 of NRS 482.325, ~~paragraph~~ *paragraphs* (d) *and* (e) of subsection 1 of NRS 482.333 or ~~paragraph~~ *paragraphs* (e) *and* (f) of subsection 1 of NRS 482.362:

(1) A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints.

(2) For initial licensure, a complete set of the applicant's fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.

(d) If the applicant is a natural person, the statement required pursuant to NRS 490.330.

(e) A certificate of insurance for liability.

2. Upon receipt of the application and when satisfied that the applicant is entitled thereto, the Department shall issue to the applicant a license for an off-highway vehicle dealer, long-term or short-term lessor or manufacturer containing the name of the licensee and the address of his or her established place of business or the address of the main office of a manufacturer without an established place of business in this State.

3. Licenses issued pursuant to this section expire on December 31 of each year. Before December 31 of each year, a licensee must furnish the Department with an application for renewal of his or her license accompanied by an annual fee of \$50. If the applicant is a natural person, the application for renewal also must be accompanied by the statement required pursuant to NRS 490.330. The additional fee for the processing of fingerprints, established by regulation pursuant to paragraph (c) of subsection 1, must be submitted for each applicant whose name does not appear on the original application for the license. The renewal application must be provided by the Department and contain information required by the Department.

**Sec. 14.** NRS 482.4247 is hereby repealed.

**Sec. 15.** This act becomes effective on January 1, 2018.

**TEXT OF REPEALED SECTION****482.4247 Temporary placards issued by Department; fee; disposition of proceeds.**

1. The Department shall collect a fee for each temporary placard issued by the Department to a seller or long-term lessor pursuant to NRS 482.423 to 482.4245, inclusive. The fee may not exceed the cost to the Department of producing the temporary placard.

2. The fees collected pursuant to subsection 1 must be deposited with the State Treasurer for credit to the Motor Vehicle Fund and allocated to the Department to pay for the cost of producing the temporary placards.

Assemblyman Carrillo moved the adoption of the amendment.

Remarks by Assemblyman Carrillo.

Amendment adopted.

The following amendment was proposed by Assemblywoman Swank:

Amendment No. 207.

AN ACT relating to vehicles; requiring the payment of a fee and the submission of certain information for the reinstatement of certain licenses relating to vehicles which are not timely renewed; revising provisions relating to fingerprint requirements for certain initial licenses relating to vehicles; **revising the types of criminal convictions for which the Department of Motor Vehicles may deny an application for or suspend or revoke a salesperson's license;** repealing provisions requiring the payment of a fee for the issuance of certain temporary placards; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Under existing law, a license issued by the Department of Motor Vehicles is required for a person who wishes to operate as a: (1) vehicle transporter; (2) motor vehicle manufacturer; (3) motor vehicle distributor; (4) new and used vehicle dealer; (5) vehicle rebuilder; (6) broker of vehicles; (7) automobile wrecker; (8) salvage pool; or (9) body shop. (NRS 482.3161, 482.322, 482.333, 487.050, 487.410, 487.610) Registration with the Department is required under existing law for a person who wishes to operate a garage. (NRS 487.560) Existing law also provides for the renewal of all such licenses and registration. (NRS 482.3163, 482.325, 482.333, 487.070, 487.430, 487.565, 487.630) **Sections 1, 4, 5, 8 and 10-12** of this bill establish a late fee of \$25 for the reinstatement of such licenses and registration if the license or registration, as applicable, is allowed to expire before renewal. **Section 2** of this bill establishes certain requirements for a vehicle transporter who electronically submits the statement required for licensure regarding child support to retain the original version of such a statement for 3 years after submission. (NRS 482.31632)

Under existing law, the Department requires a person applying for initial licensure to operate as a vehicle transporter, a motor vehicle manufacturer,

distributor, dealer or rebuilder, a broker of vehicles or a salesperson of vehicles, trailers or semitrailers to submit a complete set of fingerprints for submission to the Federal Bureau of Investigation for its report. (NRS 482.3163, 482.325, 482.333, 482.362) The Department also requires a person applying for initial licensure to operate as a vehicle transporter, a motor vehicle manufacturer, distributor, dealer or rebuilder, to pay a processing fee established by the Department in regulation for the fingerprints. (NRS 482.3163, 482.325) **Sections 5 and 6** of this bill require a person applying for initial licensure to operate as a broker of vehicles or a salesperson of vehicles, trailers or semitrailers to pay a fee established by the Department by regulation for processing the fingerprints. **Section 13** of this bill makes a conforming change. (NRS 490.210) **Sections 7, 9 and 12** of this bill require a person applying for initial licensure to operate as an automobile wrecker, a salvage pool or a body shop to submit a complete set of fingerprints for submission to the Federal Bureau of Investigation for its report and to pay a fee established by the Department by regulation for processing the fingerprints. (NRS 487.050, 487.410, 487.630)

**Under existing law, an application for a license as a salesperson of vehicles, trailers or semitrailers may be denied, or such a license may be suspended or revoked, if the applicant or licensee has been convicted of: (1) a felony; (2) a gross misdemeanor; or (3) a misdemeanor for a violation of the provisions of existing law relating to those salespersons. (NRS 482.362) Section 6 amends existing law by providing that those convictions are only relevant to the applicant if they occurred: (1) for a class C, D or E felony or a gross misdemeanor, within the immediately preceding 10 years; and (2) for a misdemeanor for a violation of the provisions of existing law relating to such salespersons, within the immediately preceding 20 years.**

Existing law requires a seller or long-term lessor of a vehicle to attach to a vehicle he or she has sold or leases a temporary placard which authorizes the operation of such a vehicle on the highways of this State for a period not to exceed 30 days. (NRS 482.423-482.4245) The temporary placard must be removed when the vehicle is registered and license plates are affixed. Existing law requires the Department to collect a fee for each such temporary placard issued to a seller or long-term lessor of vehicles. (NRS 482.4247) **Section 14** of this bill repeals the requirement for the collection of such a fee. **Section 3** of this bill makes a conforming change. (NRS 482.31776)

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

**Section 1.** NRS 482.3163 is hereby amended to read as follows:

482.3163 1. An application for a license as a vehicle transporter must be accompanied by a fee of \$100, be submitted on forms supplied by the Department and include the social security number of the applicant. The forms must designate the persons whose names are required to appear on the

forms. An additional fee for the processing of fingerprints must be submitted for each applicant for initial licensure. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints.

2. The application for a license as a vehicle transporter must contain:

- (a) The applicant's name and address; and
- (b) Such other information as the Department requires.

3. Each applicant for initial licensure shall submit with the application:

(a) A complete set of his or her fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; and

(b) If the applicant is a natural person, the statement required pursuant to NRS 482.31632.

4. Upon receipt of the application and when satisfied that the applicant is entitled thereto, the Department shall issue to the applicant a license as a vehicle transporter.

5. A license issued pursuant to this section expires on December 31 of each year. Before December 31 of each year, a licensee must submit to the Department, on forms supplied by the Department and in the manner specified by the Department, an application for renewal accompanied by an annual fee for renewal of \$50. If the applicant is a natural person, the application also must be accompanied by the statement required pursuant to NRS 482.31632.

**6. A license that expires for failure to renew before December 31 may be reinstated upon submission to the Department of:**

**(a) The application for renewal and the annual fee for renewal as required in subsection 5;**

**(b) If the applicant is a natural person, the statement required pursuant to NRS 482.31632; and**

**(c) A late fee of \$25.**

**Sec. 2.** NRS 482.31632 is hereby amended to read as follows:

482.31632 1. ~~Ann~~ **Except as otherwise provided in subsection 5, an applicant for the issuance or renewal of a license as a vehicle transporter shall submit to the Department the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant.**

2. The Department shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the license; or

(b) A separate form prescribed by the Department.



3. A license as a vehicle transporter may not be issued or renewed by the Department if the applicant:

- (a) Fails to submit the statement required pursuant to subsection 1; or
- (b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Department shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

***5. If a licensee renews an existing license electronically, the licensee shall keep the original of the statement required pursuant to subsection 1 at his or her place of business for not less than 3 years after submitting the electronic renewal. The statement must be available during business hours for inspection by any authorized agent of the Director or the State of Nevada.***

**Sec. 3.** NRS 482.31776 is hereby amended to read as follows:

482.31776 1. A consignee of a vehicle shall, upon entering into a consignment contract or other form of agreement to sell a vehicle owned by another person:

(a) Open and maintain a separate trust account in a federally insured bank or savings and loan association that is located in this State, into which the consignee shall deposit all money received from a prospective buyer as a deposit, or as partial or full payment of the purchase price agreed upon, toward the purchase or transfer of interest in the vehicle. A consignee of a vehicle shall not:

(1) Commingle the money in the trust account with any other money that is not on deposit or otherwise maintained toward the purchase of the vehicle subject to the consignment contract or agreement; or

(2) Use any money in the trust account to pay his or her operational expenses for any purpose that is not related to the consignment contract or agreement.

(b) Obtain from the consignor, before receiving delivery of the vehicle, a signed and dated disclosure statement that is included in the consignment contract and provides in at least 10-point bold type or font:

#### IMPORTANT NOTICE TO VEHICLE OWNERS

State law (NRS 482.31776) requires that the operator of this business file a Uniform Commercial Code 1 (UCC1) form with the Office of the

Secretary of State on your behalf to protect your interest in your vehicle. The form is required to protect your vehicle from forfeiture in the event that the operator of this business fails to meet his or her financial obligations to a third party holding a security interest in his or her inventory. The form must be filed by the operator of this business before the operator may take possession of your vehicle. If the form is not filed as required, YOU MAY LOSE YOUR VEHICLE THROUGH NO FAULT OF YOUR OWN. For a copy of the UCC1 form filed on your behalf or for more information, please contact:

The Office of the Secretary of State of Nevada  
Uniform Commercial Code Division  
{(775) 684-5708} (775) 684-7100

I understand and acknowledge the above disclosure.

.....  
Consignee Signature

.....  
Date

(c) Assist the consignor in completing, with respect to the consignor’s purchase-money security interest in the vehicle, a financing statement of the type described in subsection 5 of NRS 104.9317 and shall file the financing statement with the Secretary of State on behalf of the consignor. If a consignee has previously granted to a third party a security interest with an after-acquired property clause in the consignee’s inventory, the consignee additionally shall assist the consignor in sending an authenticated notification, as described in paragraph (b) of subsection 1 of NRS 104.9324, to each holder of a conflicting security interest. The consignee must not receive delivery of the vehicle until the consignee has:

- (1) Filed the financing statement with the Secretary of State; and
- (2) If applicable, assisted the consignor in sending an authenticated notification to each holder of a conflicting security interest.

2. Upon the sale or transfer of interest in the vehicle, the consignee shall forthwith:

- (a) Satisfy or cause to be satisfied all outstanding security interests in the vehicle; and
- (b) Satisfy the financial obligations due the consignor pursuant to the consignment contract.

3. Upon the receipt of money by delivery of cash, bank check or draft, or any other form of legal monetary exchange, or after any form of transfer of interest in a vehicle, the consignee shall notify the consignor that the money has been received or that a transfer of interest in the vehicle has occurred. Notification by the consignee to the consignor must be given in person or, in the absence of the consignor, by registered or certified mail addressed to the last address or residence of the consignor known to the consignee. The

notification must be made within 3 business days after the date on which the money is received or the transfer of interest in the vehicle is made.

4. The provisions of this section do not apply to:

- (a) An executor;
- (b) An administrator;
- (c) A sheriff;
- (d) A salvage pool subject to the provisions of NRS 487.400 to 487.510, inclusive; or
- (e) Any other person who sells a vehicle pursuant to the powers or duties granted to or imposed on him or her by specific statute.

5. Notwithstanding any provision of NRS 482.423 to ~~482.4247,~~ **482.4245**, inclusive, to the contrary, a vehicle subject to a consignment contract may not be operated by the consignee, an employee or agent of the consignee, or a prospective buyer in accordance with NRS 482.423 to ~~482.4247,~~ **482.4245**, inclusive, by displaying a temporary placard to operate the vehicle unless the operation of the vehicle is authorized by the express written consent of the consignor.

6. A vehicle subject to a consignment contract may not be operated by the consignee, an employee or agent of the consignee, or a prospective buyer in accordance with NRS 482.320 by displaying a special plate unless the operation of the vehicle is authorized by the express written consent of the consignor.

7. A consignee shall maintain a written log for each vehicle for which he or she has entered into a consignment contract. The written log must include:

- (a) The name and address, or place of residence, of the consignor;
- (b) A description of the vehicle consigned, including the year, make, model and serial or identification number of the vehicle;
- (c) The date on which the consignment contract is entered into;
- (d) The period that the vehicle is to be consigned;
- (e) The minimum agreed upon sales price for the vehicle;
- (f) The approximate amount of money due any lienholder or other person known to have an interest in the vehicle;
- (g) If the vehicle is sold, the date on which the vehicle is sold;
- (h) The date that the money due the consignor and the lienholder was paid;
- (i) The name and address of the federally insured bank or savings and loan association in which the consignee opened the trust account required pursuant to subsection 1; and
- (j) The signature of the consignor acknowledging that the terms of the consignment contract were fulfilled or terminated, as appropriate.

8. A person who:

- (a) Appropriates, diverts or otherwise converts to his or her own use money in a trust account opened pursuant to paragraph (a) of subsection 1 or otherwise subject to a consignment contract or agreement is guilty of embezzlement and shall be punished in accordance with NRS 205.300. The

court shall, in addition to any other penalty, order the person to pay restitution.

(b) Violates paragraph (b) or (c) of subsection 1 is guilty of a misdemeanor. The court shall, in addition to any other penalty, order the person to pay restitution.

(c) Violates any other provision of this section is guilty of a misdemeanor.

**Sec. 4.** NRS 482.325 is hereby amended to read as follows:

482.325 1. An application for a manufacturer's, distributor's, dealer's or rebuilder's license must be filed upon forms supplied by the Department and include the social security number of the applicant. The forms must designate the persons whose names are required to appear thereon. The applicant shall furnish:

(a) Such proof as the Department may deem necessary that the applicant is a manufacturer, distributor, dealer or rebuilder.

(b) A fee of \$125.

(c) A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints.

(d) For initial licensure, a complete set of fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.

(e) If the applicant is a natural person, the statement required pursuant to NRS 482.319.

(f) A certificate of insurance for automobile liability.

2. Upon receipt of the application and when satisfied that the applicant is entitled thereto, the Department shall issue to the applicant a dealer's, manufacturer's, distributor's or rebuilder's license containing the name of the licensee and the address of the licensee's established place of business or the address of the main office of a manufacturer without an established place of business in this State.

3. Licenses issued pursuant to this section expire on December 31 of each year. Before December 31 of each year, a licensee must furnish the Department with an application for renewal of the license accompanied by an annual fee of \$50. If the applicant is a natural person, the application for renewal also must be accompanied by the statement required pursuant to NRS 482.319. The additional fee for the processing of fingerprints, established by regulation pursuant to paragraph (c) of subsection 1, must be submitted for each applicant whose name does not appear on the original application for the license. The renewal application must be provided by the Department and contain information required by the Department.

**4. A license that expires for failure to renew before December 31 may be reinstated upon submission to the Department of:**

(a) *The application for renewal and the annual fee for renewal required in subsection 3;*

(b) *If the applicant is a natural person, the statement required pursuant to NRS 482.319;*

(c) *The additional fee for processing fingerprints required in subsection 3, if applicable; and*

(d) *A late fee of \$25.*

**Sec. 5.** NRS 482.333 is hereby amended to read as follows:

482.333 1. A person shall not engage in the activity of a broker of vehicles in this State without first having received a license from the Department. Before issuing a license to a broker, the Department shall require:

(a) An application, signed and verified by the applicant, stating that the applicant desires to be licensed as a broker, his or her residential address, his or her social security number and the address of his or her principal place of business. ~~{ }~~

(b) A statement as to whether any previous application of the applicant for a license as a vehicle dealer or broker has been denied or whether such a license has been suspended or revoked. ~~{ }~~

(c) Payment of a nonrefundable license fee of \$125. ~~{ }~~

(d) *A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints.*

(e) For initial licensure, the submission of a complete set of the applicant's fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. ~~{ and~~

~~{ (e) }~~ (f) Any other information the Department deems necessary.

↪ A license issued pursuant to this section expires on December 31 of the year in which it was issued and may be renewed annually upon the payment of a fee of \$50. *If a licensee fails to renew his or her license before it expires on December 31, the license may be reinstated upon the payment to the Department of the annual renewal fee of \$50 and a late fee of \$25.*

2. The Department may deny the issuance of, suspend or revoke a license to engage in the activities of a broker of vehicles upon any of the following grounds:

(a) Failure of the applicant to have an established place of business in this State.

(b) Conviction of a felony in this State or any other state, territory or nation.

(c) Material misstatement in the application.

(d) Evidence of unfitness of the applicant or licensee.

(e) Failure or refusal to provide to the Department an authorization for the disclosure of financial records for the business as required pursuant to subsection 6.

(f) Willful failure to comply with a provision of the motor vehicle laws of this State or a directive of the Director. For the purpose of this paragraph, failure to comply with a directive of the Director advising the licensee of noncompliance with a provision of the motor vehicle laws of this State or a regulation of the Department, within 10 days after the receipt of the directive, is prima facie evidence of willful failure to comply with the directive.

(g) Failure or refusal to furnish and keep in force any bond.

(h) Failure on the part of the licensee to maintain a fixed place of business in this State.

(i) Failure or refusal by the licensee to pay or otherwise discharge a final judgment against the licensee rendered and entered against the licensee, arising out of the misrepresentation of a vehicle, trailer or semitrailer, or out of a fraud committed in connection with the brokering of a vehicle, trailer or semitrailer.

(j) Failure of the licensee to maintain any other license or bond required by a political subdivision of this State.

(k) Any other reason determined by the Director to be in the best interests of the public.

↪ The Director may deny the issuance of a license to an applicant or revoke a license already issued if the Department is satisfied that the applicant or licensee is not entitled thereto.

3. If an application for a broker's license has been denied, the applicant may not reapply sooner than 6 months after the denial.

4. A broker's license must be posted in a conspicuous place on the premises of the broker's principal place of business.

5. If any information submitted in the application for a broker's license changes, the broker shall submit a written notice of the change to the Department within 10 days after the change occurs.

6. Upon the receipt of any report or complaint alleging that an applicant or a licensee has engaged in financial misconduct or has failed to satisfy financial obligations related to the activity of a broker of vehicles, the Department may require the applicant or licensee to submit to the Department an authorization for the disclosure of financial records for the business as provided in NRS 239A.090. The Department may use any information obtained pursuant to such an authorization only to determine the suitability of the applicant or licensee for initial or continued licensure. Information obtained pursuant to such an authorization may be disclosed only to those employees of the Department who are authorized to issue a license to an applicant pursuant to NRS 482.333 to 482.334, inclusive, or to determine the suitability of an applicant or a licensee for such licensure.

7. Except as otherwise provided in NRS 482.555, any person who fails to comply with the provisions of this section is guilty of a misdemeanor.

**Sec. 6.** NRS 482.362 is hereby amended to read as follows:

482.362 1. A person shall not engage in the activity of a salesperson of vehicles, trailers or semitrailers, or act in the capacity of a salesperson as defined by this chapter, in the State of Nevada without first having received a license or temporary permit from the Department. Before issuing a license or temporary permit to engage in the activity of a salesperson, the Department shall require:

(a) An application, signed and verified by the applicant, stating that the applicant is to engage in the activity of a salesperson, his or her residence address, and the name and address of the applicant's employer.

(b) Proof of the employment of the applicant by a licensed and bonded vehicle dealer, trailer or semitrailer dealer, lessor or rebuilder at the time the application is filed.

(c) A statement as to whether any previous application of the applicant has been denied or license revoked.

(d) Payment of a nonrefundable license fee of \$75. The license expires on December 31 of each calendar year and may be renewed annually upon the payment of a fee of \$40.

(e) *A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints.*

(f) For initial licensure, the applicant to submit a complete set of fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.

~~[(g)]~~ (g) Any other information the Department deems necessary.

2. The Department may issue a 60-day temporary permit to an applicant who has submitted an application and paid the required ~~fee~~ fees.

3. A license to act as a salesperson of vehicles, trailers or semitrailers, or to act in the capacity of a salesperson as defined in this chapter, issued pursuant to this chapter does not permit a person to engage in the business of selling mobile homes.

4. An application for a salesperson's license may be denied and a salesperson's license may be suspended or revoked upon the following grounds:

(a) Failure of the applicant to establish by proof satisfactory to the Department that the applicant is employed by a licensed and bonded vehicle dealer, trailer dealer or semitrailer dealer, lessor or rebuilder.

(b) Conviction of a class A or B felony.

(c) Conviction of a class C, D or E felony within the immediately preceding 10 years.

~~(d)~~ (d) Conviction of a gross misdemeanor ~~f~~

~~(e)~~ within the immediately preceding 10 years.

(e) Conviction of a misdemeanor within the immediately preceding 20 years for violation of any of the provisions of this chapter.

~~[(e)]~~ (f) Falsification of the application.

~~[(f)]~~ (g) Evidence of unfitness as described in NRS 482.3255.

~~[(g)]~~ (h) Failure of the applicant to provide any information deemed necessary by the Department to process the application.

~~[(h)]~~ (i) Any reason determined by the Director to be in the best interests of the public.

5. Except where a dealer, lessor or rebuilder has multiple branches licensed under NRS 482.326, a salesperson of vehicles shall not engage in any sales activity, or act in any other capacity as a salesperson as defined in this chapter, other than for the account of or for and in behalf of a single employer, at a specified place of business of that employer, who must be a licensed dealer, lessor or rebuilder.

6. If an application for a salesperson's license has been denied, the applicant may reapply not less than 6 months after the denial.

7. A salesperson's license must be posted in a conspicuous place on the premises of the dealer, lessor or rebuilder for whom the salesperson is licensed to sell vehicles.

8. If a licensed salesperson ceases to be employed by a licensed and bonded dealer, lessor or rebuilder, the license to act as a salesperson is automatically suspended and the right to act as a salesperson thereupon immediately ceases, and the person shall not engage in the activity of a salesperson until he or she has paid the Department a transfer fee of \$20 and submitted a certificate of employment indicating he or she has been reemployed by a licensed and bonded dealer, lessor or rebuilder, and has thereafter presented a current temporary permit or a new salesperson's license to the employer.

9. If a licensed salesperson changes his or her residential address, the salesperson shall submit a written notice of the change to the Department within 10 days.

10. If a person who holds a temporary permit to act as a salesperson ceases to be employed by a licensed and bonded dealer, lessor or rebuilder, the permit to act as a salesperson is automatically suspended, the right to act as a salesperson thereupon immediately ceases and the person shall not engage in the activity of a salesperson until he or she has paid the Department a transfer fee of \$20 and submitted a certificate of employment indicating he or she has been reemployed by a licensed and bonded dealer, lessor or rebuilder, and has thereafter presented a current temporary permit or a new salesperson's license to the employer.

11. A licensed dealer, lessor or rebuilder who employs a licensed salesperson shall notify the Department of the termination of his or her employment within 10 days following the date of termination by forwarding the salesperson's license to the Department.



12. Any person who fails to comply with the provisions of this section is guilty of a misdemeanor except as otherwise provided in NRS 482.555.

**Sec. 7.** NRS 487.050 is hereby amended to read as follows:

487.050 1. It is unlawful for any person to dismantle, scrap, process or wreck any vehicle without first applying for and obtaining a license for that operation from the Department.

2. An application for a license must be made on a form provided by the Department, include the social security number of the applicant and be accompanied by ~~such~~ :

(a) *Such* proof as the Department may require that the applicant:

~~{(a)}~~ (1) Is a bona fide automobile wrecker; and

~~{(b)}~~ (2) Owns or leases a place of business which meets the requirements of NRS 487.073.

(b) *A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints.*

(c) *For initial licensure, a complete set of fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.*

(d) *The fee for issuance of a license provided in NRS 487.080.*

**Sec. 8.** NRS 487.070 is hereby amended to read as follows:

487.070 1. The Department may approve or reject the application. If the Department receives the statement required pursuant to NRS 487.003 and approves the application, it shall issue to the applicant:

(a) A license containing the applicant's name and address, the name under which the business is to be conducted, the business address, and a distinguishing number assigned to the applicant.

(b) A card which:

(1) Contains the information specified in paragraph (a);

(2) Includes a picture of the licensee; and

(3) Clearly identifies the holder of the card as a licensed automobile wrecker.

2. A licensee may obtain one or two cards for his or her business. The Department shall charge a fee of \$50 for each card issued. ~~[Fees collected by the Department pursuant to this subsection must be deposited with the State Treasurer for credit to the Motor Vehicle Fund.]~~

3. A licensee shall post the license in a conspicuous place clearly visible to the general public at the business address set forth on the license.

4. A license expires on April 30 of each year.

5. ~~[A]~~ *Except as otherwise provided in subsection 6, a licensee may renew the license by submitting to the Department:*

(a) A completed application for renewal upon a form supplied by the Department;

(b) The statement required pursuant to NRS 487.003; and

(c) The fee for renewal of a license provided in NRS 487.080.

**6. A license that expires for failure to renew before April 30 may be reinstated upon submission to the Department of:**

**(a) The application for renewal and statement specified in paragraphs (a) and (b) of subsection 5;**

**(b) The fee for renewal of a license provided in NRS 487.080; and**

**(c) A late fee of \$25.**

**7. Fees collected by the Department pursuant to this section must be deposited with the State Treasurer for credit to the Motor Vehicle Fund.**

**Sec. 9.** NRS 487.410 is hereby amended to read as follows:

487.410 1. No person may operate a salvage pool without first applying for and obtaining a license for that business from the Department.

2. An application for a license must be made on a form provided by the Department, include the social security number of the applicant and be accompanied by ~~such~~:

(a) *Such* proof as the Department requires that the applicant meets the statutory requirements to be an operator of a salvage pool.

(b) *A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints.*

(c) *For initial licensure, a complete set of fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.*

(d) *The fee for issuance of a license provided in NRS 487.450.*

**Sec. 10.** NRS 487.430 is hereby amended to read as follows:

487.430 1. The Department may approve or reject the application for a license to operate a salvage pool. If the Department receives the statement required pursuant to NRS 487.003 and approves the application, it shall issue to the applicant a license containing the applicant's name and address, the name under which the business is to be conducted, the business address, and a distinguishing number assigned to the applicant.

2. A licensee shall post the license in a conspicuous place clearly visible to the general public at the business address set forth on the license.

3. A license expires on April 30 of each year.

4. ~~{A}~~ *Except as otherwise provided in subsection 5, a licensee may renew his or her license by submitting to the Department:*

(a) A completed application for renewal upon a form supplied by the Department;

(b) The statement required pursuant to NRS 487.003; and

(c) The fee for renewal of a license provided in NRS 487.450.

**5. A license that expires for failure to renew before April 30 may be reinstated upon submission to the Department of:**

**(a) The application for renewal and statement specified in paragraphs (a) and (b) of subsection 4;**

**(b) The fee for renewal of a license provided in NRS 487.450; and**

**(c) A late fee of \$25. Any fee collected by the Department pursuant to this paragraph must be deposited with the State Treasurer for credit to the Motor Vehicle Fund.**

**Sec. 11.** NRS 487.565 is hereby amended to read as follows:

487.565 1. If the Department receives an application for registration that contains the information required by NRS 487.560, it shall issue to the applicant a certificate of registration for each garage operated by the applicant. The certificate must contain the name of the applicant, the name under which the applicant's business will be conducted, the address of the business and the registration number for the garage.

2. A certificate of registration is valid for 1 year after the date of issuance. A garage operator may renew his or her *unexpired* registration by submitting to the Department:

(a) An application for renewal on a form provided by the Department; and

(b) Except as otherwise provided in NRS 487.560, the fee for renewal set forth in that section.

**3. A garage operator seeking to renew a certificate of registration more than 1 year after the date of issuance may reinstate his or her registration by submitting to the Department:**

**(a) An application for renewal on a form provided by the Department;**

**(b) Except as otherwise provided in NRS 487.560, the fee for renewal set forth in that section; and**

**(c) A late fee of \$25. Any fee collected by the Department pursuant to this paragraph must be deposited with the State Treasurer for credit to the Motor Vehicle Fund.**

**Sec. 12.** NRS 487.630 is hereby amended to read as follows:

487.630 1. An application for a license to operate a body shop must be filed with the Department upon forms supplied by the Department. The application must include the social security number of the applicant and must be accompanied by ~~such~~:

(a) *Such* proof as the Department requires to demonstrate that the applicant meets the statutory requirements to operate a body shop.

(b) *A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints.*

(c) *For initial licensure, a complete set of fingerprints and written permission authorizing the Department to forward those fingerprints to the*

*Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.*

*(d) The fee for issuance of a license required by subsection 2.*

2. The Department shall charge a fee of \$300 for the issuance or renewal of a license to operate a body shop. ~~Fees collected by the Department pursuant to this subsection must be deposited with the State Treasurer for credit to the Motor Vehicle Fund.~~

3. Upon receipt of the application and the statement required pursuant to NRS 487.003 and when satisfied that the applicant is entitled thereto, the Department shall issue to the applicant a license to operate a body shop. The license must contain the name and the address of the body shop and the name of the operator.

4. Upon receipt of the license, the operator shall post the license in a conspicuous place clearly visible to the general public in the body shop and include the license number on all estimates and invoices for repairs.

5. A license expires on April 30 of each year.

6. ~~[A]~~ *Except as otherwise provided in subsection 7, a licensee may renew his or her license by submitting to the Department:*

(a) A completed application for renewal upon a form supplied by the Department;

(b) The statement required pursuant to NRS 487.003;

(c) Evidence satisfactory to the Department that the licensee has completed and electronically submitted, within 60 days immediately preceding the date of the submission of the application for renewal, the survey required pursuant to NRS 487.685; and

(d) The fee for renewal of a license provided in subsection 2.

7. *A license that expires for failure to renew before April 30 may be reinstated upon submission to the Department of:*

(a) *The application, statement and evidence specified in paragraphs (a), (b) and (c) of subsection 6;*

(b) *The fee for renewal of a license provided in subsection 2; and*

(c) *A late fee of \$25.*

8. *Fees collected by the Department pursuant to this section must be deposited with the State Treasurer for credit to the Motor Vehicle Fund.*

**Sec. 13.** NRS 490.210 is hereby amended to read as follows:

490.210 1. An application for a license for an off-highway vehicle dealer, long-term or short-term lessor or manufacturer must be filed upon forms supplied by the Department and include the social security number of the applicant. The forms must designate the persons whose names are required to appear thereon. The applicant must furnish:

(a) Such proof as the Department may deem necessary that the applicant is an off-highway vehicle dealer, long-term or short-term lessor or manufacturer.

(b) A fee of \$125.

(c) Unless the applicant has previously met the requirements of subsection 3 of NRS 482.3163, paragraphs (c) and (d) of subsection 1 of NRS 482.325, ~~paragraph~~ **paragraphs** (d) **and** (e) of subsection 1 of NRS 482.333 or ~~paragraph~~ **paragraphs** (e) **and** (f) of subsection 1 of NRS 482.362:

(1) A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints.

(2) For initial licensure, a complete set of the applicant's fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.

(d) If the applicant is a natural person, the statement required pursuant to NRS 490.330.

(e) A certificate of insurance for liability.

2. Upon receipt of the application and when satisfied that the applicant is entitled thereto, the Department shall issue to the applicant a license for an off-highway vehicle dealer, long-term or short-term lessor or manufacturer containing the name of the licensee and the address of his or her established place of business or the address of the main office of a manufacturer without an established place of business in this State.

3. Licenses issued pursuant to this section expire on December 31 of each year. Before December 31 of each year, a licensee must furnish the Department with an application for renewal of his or her license accompanied by an annual fee of \$50. If the applicant is a natural person, the application for renewal also must be accompanied by the statement required pursuant to NRS 490.330. The additional fee for the processing of fingerprints, established by regulation pursuant to paragraph (c) of subsection 1, must be submitted for each applicant whose name does not appear on the original application for the license. The renewal application must be provided by the Department and contain information required by the Department.

**Sec. 14.** NRS 482.4247 is hereby repealed.

**Sec. 15.** This act becomes effective on January 1, 2018.

#### **TEXT OF REPEALED SECTION**

**482.4247 Temporary placards issued by Department; fee; disposition of proceeds.**

1. The Department shall collect a fee for each temporary placard issued by the Department to a seller or long-term lessor pursuant to NRS 482.423 to 482.4245, inclusive. The fee may not exceed the cost to the Department of producing the temporary placard.

2. The fees collected pursuant to subsection 1 must be deposited with the State Treasurer for credit to the Motor Vehicle Fund and allocated to the Department to pay for the cost of producing the temporary placards.

Assemblywoman Swank moved the adoption of the amendment.

Remarks by Assemblywoman Swank.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 118.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 188.

AN ACT relating to concealed firearms; authorizing certain persons who are at least 18 years of age but less than 21 years of age to be eligible for a permit to carry a concealed firearm; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires that a person who is a resident of this State must be at least 21 years of age to be eligible for a permit to carry a concealed firearm. (NRS 202.3657) This bill authorizes a person who is at least 18 years of age but less than 21 years of age to be eligible for a permit to carry a concealed firearm if the person provides **certain** proof that he or she: (1) is a member of the Armed Forces of the United States, a reserve component thereof or the National Guard; or (2) was discharged or released from service therein under honorable conditions. This bill also requires a sheriff to deny an application for a permit or revoke an existing permit if the sheriff determines that the applicant or permittee has been discharged or released from service in the Armed Forces of the United States, a reserve component thereof or the National Guard under conditions other than honorable conditions and is less than 21 years of age.

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

**Section 1.** NRS 202.3657 is hereby amended to read as follows:

202.3657 1. Any person who is a resident of this State may apply to the sheriff of the county in which he or she resides for a permit on a form prescribed by regulation of the Department. Any person who is not a resident of this State may apply to the sheriff of any county in this State for a permit on a form prescribed by regulation of the Department. Application forms for permits must be furnished by the sheriff of each county upon request.

2. A person applying for a permit may submit one application and obtain one permit to carry all handguns owned by the person. The person must not be required to list and identify on the application each handgun owned by the person. A permit is valid for any handgun which is owned or thereafter obtained by the person to whom the permit is issued.

3. Except as otherwise provided in this section, the sheriff shall issue a permit to any person who is qualified to possess a handgun under state and

federal law, who submits an application in accordance with the provisions of this section and who:

(a) Is ~~[21]~~:

(1) *Twenty-one* years of age or older; *or*

(2) *At least 18 years of age but less than 21 years of age if the person:*

*(I) Is a member of the Armed Forces of the United States, a reserve component thereof or the National Guard; or*

*(II) Was discharged or released from service in the Armed Forces of the United States, a reserve component thereof or the National Guard under honorable conditions;*

(b) Is not prohibited from possessing a firearm pursuant to NRS 202.360; and

(c) Demonstrates competence with handguns by presenting a certificate or other documentation to the sheriff which shows that the applicant:

(1) Successfully completed a course in firearm safety approved by a sheriff in this State; or

(2) Successfully completed a course in firearm safety offered by a federal, state or local law enforcement agency, community college, university or national organization that certifies instructors in firearm safety.

↳ Such a course must include instruction in the use of handguns and in the laws of this State relating to the use of a firearm. A sheriff may not approve a course in firearm safety pursuant to subparagraph (1) unless the sheriff determines that the course meets any standards that are established by the Nevada Sheriffs' and Chiefs' Association or, if the Nevada Sheriffs' and Chiefs' Association ceases to exist, its legal successor.

4. The sheriff shall deny an application or revoke a permit if the sheriff determines that the applicant or permittee:

(a) Has an outstanding warrant for his or her arrest.

(b) Has been judicially declared incompetent or insane.

(c) Has been voluntarily or involuntarily admitted to a mental health facility during the immediately preceding 5 years.

(d) Has habitually used intoxicating liquor or a controlled substance to the extent that his or her normal faculties are impaired. For the purposes of this paragraph, it is presumed that a person has so used intoxicating liquor or a controlled substance if, during the immediately preceding 5 years, the person has been:

(1) Convicted of violating the provisions of NRS 484C.110; or

(2) Committed for treatment pursuant to NRS 458.290 to 458.350, inclusive.

(e) Has been convicted of a crime involving the use or threatened use of force or violence punishable as a misdemeanor under the laws of this or any other state, or a territory or possession of the United States at any time during the immediately preceding 3 years.

(f) Has been convicted of a felony in this State or under the laws of any state, territory or possession of the United States.

(g) Has been convicted of a crime involving domestic violence or stalking, or is currently subject to a restraining order, injunction or other order for protection against domestic violence.

(h) Is currently on parole or probation from a conviction obtained in this State or in any other state or territory or possession of the United States.

(i) Has, within the immediately preceding 5 years, been subject to any requirements imposed by a court of this State or of any other state or territory or possession of the United States, as a condition to the court's:

- (1) Withholding of the entry of judgment for a conviction of a felony; or
- (2) Suspension of sentence for the conviction of a felony.

(j) Has made a false statement on any application for a permit or for the renewal of a permit.

***(k) Has been discharged or released from service in the Armed Forces of the United States, a reserve component thereof or the National Guard under conditions other than honorable conditions and is less than 21 years of age.***

5. The sheriff may deny an application or revoke a permit if the sheriff receives a sworn affidavit stating articulable facts based upon personal knowledge from any natural person who is 18 years of age or older that the applicant or permittee has or may have committed an offense or engaged in any other activity specified in subsection 4 which would preclude the issuance of a permit to the applicant or require the revocation of a permit pursuant to this section.

6. If the sheriff receives notification submitted by a court or law enforcement agency of this or any other state, the United States or a territory or possession of the United States that a permittee or an applicant for a permit has been charged with a crime involving the use or threatened use of force or violence, the conviction for which would require the revocation of a permit or preclude the issuance of a permit to the applicant pursuant to this section, the sheriff shall suspend the person's permit or the processing of the person's application until the final disposition of the charges against the person. If a permittee is acquitted of the charges, or if the charges are dropped, the sheriff shall restore his or her permit without imposing a fee.

7. An application submitted pursuant to this section must be completed and signed under oath by the applicant. The applicant's signature must be witnessed by an employee of the sheriff or notarized by a notary public. The application must include:

(a) The name, address, place and date of birth, social security number, occupation and employer of the applicant and any other names used by the applicant;

(b) A complete set of the applicant's fingerprints taken by the sheriff or his or her agent;

(c) A front-view colored photograph of the applicant taken by the sheriff or his or her agent;



(d) If the applicant is a resident of this State, the driver's license number or identification card number of the applicant issued by the Department of Motor Vehicles;

(e) If the applicant is not a resident of this State, the driver's license number or identification card number of the applicant issued by another state or jurisdiction;

(f) *If the applicant is a person described in subparagraph (2) of paragraph (a) of subsection 3, proof that the applicant ~~is~~:*

(1) Is a member of the Armed Forces of the United States, a reserve component thereof or the National Guard, as evidenced by his or her current military identification card; or ~~was~~

(2) Was discharged or released from service ~~therein~~ in the Armed Forces of the United States, a reserve component thereof or the National Guard under honorable conditions ~~is~~, as evidenced by his or her DD Form 214, "Certificate of Release or Discharge from Active Duty," or other document of honorable separation issued by the United States Department of Defense;

(g) A nonrefundable fee equal to the nonvolunteer rate charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation to obtain the reports required pursuant to subsection 1 of NRS 202.366; and

~~(g)~~ (h) A nonrefundable fee set by the sheriff not to exceed \$60.

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

Assemblyman Yeager moved the adoption of the amendment.

Remarks by Assemblyman Yeager.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 127.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 151.

AN ACT relating to education; requiring school districts in certain counties to appoint an emergency manager; requiring boards of trustees of school districts and governing bodies of charter schools to consult with certain persons and entities before constructing, expanding or remodeling buildings for schools or related facilities or acquiring sites for those purposes; requiring the Department of Education to conduct an annual conference regarding safety in public schools; requiring the Department, to the extent that money is available, to make block grants to provide certain mental health workers in public schools; revising provisions governing the development and contents of a plan to respond to a crisis or an emergency in a school; revising provisions governing emergency drills in schools; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law provides for crisis and emergency response in public schools. (NRS 388.229-388.261) **Section 4** of this bill requires each school district in a county whose population is 100,000 or more (currently Clark and Washoe Counties) to designate an employee to serve as an emergency manager, whose duties are defined in that section. **Section 5** of this bill requires the board of trustees of each school district and the governing body of each charter school to consult with the emergency manager, the chief of school police or his or her designee, or the Division of Emergency Management of the Department of Public Safety, as applicable, before: (1) designing, constructing or purchasing new school buildings or related facilities; (2) enlarging, remodeling or renovating existing school buildings or related facilities; or (3) acquiring sites for building schools or related facilities.

**Section 6** of this bill requires the Department of Education to coordinate with the Division of Emergency Management, any emergency manager, any chief of police of a school district that has police officers and any school resource officer to conduct an annual conference regarding safety in public schools. **Section 6** additionally requires the board of trustees of each school district and the governing body of each charter school to designate certain persons to attend this conference.

**Section 7** of this bill requires the Department of Education, to the extent that money is available for the purpose, to: (1) develop and carry into effect a program of block grants; and (2) make and administer block grants to school districts and charter schools to ~~provide for~~ **employ or contract with** social workers and other mental health workers in schools with identified needs.

Existing law requires the Department of Education to develop a model plan for the management of a crisis or emergency in a public school, including a charter school, and a private school. Among other requirements, the model plan must include a procedure for carrying out a lockdown at a school. (NRS 388.253) **Section 2** of this bill defines “lockdown” for these purposes. Existing law also requires the board of trustees of a school district and the governing body of a charter school to establish a development committee to develop a plan to be used by each public school of the school district or the charter school, as applicable, in responding to a crisis or an emergency and requires the development committee to consult with certain persons and entities when developing the plan. (NRS 388.241, 388.243) **Section 9** of this bill requires each development committee, when developing the plan, to also consult with an emergency manager, a school resource officer or the chief of school police of the school district, if such a person exists in the school district.

Existing law requires each school district, each charter school and each private school to provide drills for pupils at least once each month during the school year to instruct those pupils in the procedures to be followed in the event of a fire or other emergency. (NRS 392.450, 394.170) **Sections 13 and 14** of this bill require at least one-half of these drills to include instruction in

appropriate procedures to be followed in the event of a lockdown, as defined in **section 2** of this bill. ~~Section~~ **Sections 13 and 14** also ~~revises~~ **revise** provisions governing the emergency drills conducted at a ~~public~~ school located in a city or town to require the drills to be ~~conducted under the supervision of~~ **approved by** the chief of the fire department of the city or town or voluntary fire department, as applicable. Finally, **section 13** requires: (1) any public school located in a county whose population is less than 100,000 (currently all counties other than Clark and Washoe Counties) to conduct the drills under the supervision of the person designated for that purpose by the board of trustees of the school district or the governing body of the charter school, as applicable; and (2) a public school located in a county whose population is 100,000 or more (currently Clark and Washoe Counties) to conduct such drills under the supervision of the emergency manager.

WHEREAS, The Legislature recognizes that it is of utmost importance that the public schools in this State are built and maintained in a manner which provides the greatest protection for pupils and staff against harm; and

WHEREAS, Each school must be built and maintained to meet or exceed recommended safety standards and be designed to anticipate and protect against modern threats; and

WHEREAS, Academic achievement of pupils is adversely affected when the pupils do not feel safe from harm; and

WHEREAS, Acts of violence which occur at schools have devastating effects on pupils which may include depression, fear and inappropriate behavior; and

WHEREAS, Efforts must be taken to mitigate acts of violence at schools; and

WHEREAS, Social workers and other licensed mental health workers who are employed by schools help ensure the safety of pupils, prevent violent and other inappropriate actions by pupils and address the overall well-being of pupils by assessing the needs of pupils and providing pupils with necessary mental health services, counseling and other assistance; and

WHEREAS, The Legislature hereby finds and declares that it is optimal to have a ratio of at least 1 social worker or licensed health worker per 250 pupils; and

WHEREAS, Each school district must ensure that administrators, teachers and other staff are properly trained regarding the appropriate response to a crisis and crisis management, prevention of violence and emergency response planning so that all schools are prepared to respond appropriately to a crisis or emergency and to quickly mitigate any effects of such a crisis or emergency; now, therefore,

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

**Section 1.** Chapter 388 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 7, inclusive, of this act.

**Sec. 2.** *“Lockdown” means a circumstance in which the persons on school property are restricted to the interior of a school building and isolated from threats until the school property and surrounding vicinity are deemed to be secure by:*

*1. If the school district has school police officers, the chief of school police of the school district or a person designated by him or her; or*

*2. If the school district does not have school police officers, the school resource officer or a person designated by him or her or, if the school district does not have school resource officers, a local law enforcement agency.*

**Sec. 3.** *“School resource officer” means a deputy sheriff or other peace officer employed by a local law enforcement agency who is assigned to duty at one or more schools, interacts directly with pupils and whose responsibilities include, without limitation, providing guidance and information to pupils, families and educational personnel concerning the avoidance and prevention of crime.*

**Sec. 4.** *Each school district in a county whose population is 100,000 or more shall designate a full-time employee to serve as an emergency manager whose job responsibilities are focused solely on the planning and coordination of available resources for the mitigation of, preparation and training for, response to and recovery from emergencies or crises.*

**Sec. 5. 1.** *The board of trustees of each school district and the governing body of each charter school shall consult with the person described in subsection 2 or 3, as applicable, regarding safety in schools before:*

*(a) Designing, constructing or purchasing new buildings for schools or related facilities;*

*(b) Enlarging, remodeling or renovating existing buildings for schools or related facilities; or*

*(c) Acquiring sites for building schools or related facilities.*

*2. In a county whose population is 100,000 or more, the board of trustees of a school district or the governing body of a charter school that plans to take an action described in subsection 1 shall consult with the emergency manager designated pursuant to section 4 of this act or, if the school district has school police officers, the chief of school police of the school district or a person designated by him or her.*

*3. In a county whose population is less than 100,000, the board of trustees of a school district or the governing body of a charter school that plans to take an action described in subsection 1 shall consult with:*

*(a) If the school district has school police officers, the chief of school police of the school district or a person designated by him or her or, if the school district has designated a full-time employee to serve as an emergency manager, the emergency manager; or*

*(b) If the county has not designated a full-time employee to serve as an emergency manager and does not have school police officers, the Division of Emergency Management of the Department of Public Safety.*

**Sec. 6. 1.** *The Department of Education shall, at least once each year, coordinate with the Division of Emergency Management of the Department of Public Safety, any emergency manager designated pursuant to section 4 of this act, any chief of police of a school district that has police officers and any school resource officer to conduct a conference regarding safety in public schools.*

**2.** *The board of trustees of each school district and the governing body of each charter school shall designate persons to attend the conference held pursuant to subsection 1. The persons so designated must include, without limitation:*

*(a) An administrator from the school district or charter school, as applicable;*

*(b) If the school district has school resource officers, a school resource officer or a person designated by him or her;*

*(c) If the school district has school police officers, the chief of school police of the school district or a person designated by him or her; and*

*(d) If the school district has an emergency manager designated pursuant to section 4 of this act, the emergency manager.*

**3.** *The conference conducted pursuant to subsection 1 may be attended by:*

*(a) A licensed teacher of a school or charter school;*

*(b) Educational support personnel employed by a school district or charter school;*

*(c) The parent or legal guardian of a pupil who is enrolled in a public school; and*

*(d) An employee of a local law enforcement agency.*

**Sec. 7.** *To the extent that money is available for the purpose, the Department shall:*

**1.** *Develop and carry into effect a program of block grants for the purposes described in subsection 2; and*

**2.** *Make and administer block grants to school districts and charter schools to ~~provide for contract~~ employ or contract with social workers and other mental health workers in schools with identified needs.*

**Sec. 8.** NRS 388.229 is hereby amended to read as follows:

388.229 As used in NRS 388.229 to 388.261, inclusive, *and sections 2 to 7, inclusive, of this act*, unless the context otherwise requires, the words and terms defined in NRS 388.231 to 388.235, inclusive, *and sections 2 and 3 of this act* have the meanings ascribed to them in those sections.

**Sec. 9.** NRS 388.243 is hereby amended to read as follows:

388.243 1. Each development committee established by the board of trustees of a school district shall develop one plan to be used by all the public schools other than the charter schools in the school district in responding to a crisis or an emergency. Each development committee established by the governing body of a charter school shall develop a plan to be used by the charter school in responding to a crisis or an emergency. Each development committee shall, when developing the plan, consult with:

(a) The local social service agencies and local public safety agencies in the county in which its school district or charter school is located.

(b) *If the school district has an emergency manager designated pursuant to section 4 of this act, the emergency manager.*

(c) *If the school district has school resource officers, a school resource officer or a person designated by him or her.*

(d) *If the school district has school police officers, the chief of school police of the school district or a person designated by him or her.*

(e) The director of the local organization for emergency management or, if there is no local organization for emergency management, with the Chief of the Division of Emergency Management of the Department of Public Safety or his or her designee.

2. The plan developed pursuant to subsection 1 must include, without limitation:

(a) The plans, procedures and information included in the model plan developed by the Department pursuant to NRS 388.253;

(b) A procedure for responding to a crisis or an emergency and for responding during the period after a crisis or an emergency has concluded, including, without limitation, a crisis or an emergency that results in immediate physical harm to a pupil or employee of a school in the school district or the charter school; and

(c) A procedure for enforcing discipline within a school in the school district or the charter school and for obtaining and maintaining a safe and orderly environment during a crisis or an emergency.

3. Each development committee shall provide a copy of the plan that it develops pursuant to this section to the board of trustees of the school district that established the committee or the governing body of the charter school that established the committee.

4. Except as otherwise provided in NRS 388.249 and 388.251, each public school, including, without limitation, each charter school, must comply with the plan developed for it pursuant to this section.

**Sec. 10.** NRS 388.245 is hereby amended to read as follows:

388.245 1. Each development committee shall, at least once each year, review and update as appropriate the plan that it developed pursuant to NRS 388.243. In reviewing and updating the plan, the development committee shall consult with the director of the local organization for emergency management or, if there is no local organization for emergency management,

with the Chief of the Division of Emergency Management of the Department of Public Safety or his or her designee.

2. Each development committee shall provide an updated copy of the plan to the board of trustees of the school district that established the committee or the governing body of the charter school that established the committee.

3. The board of trustees of each school district and the governing body of each charter school shall:

(a) Post a notice of the completion of each review and update that its development committee performs pursuant to subsection 1 at each school in its school district or at its charter school;

(b) File with the Department a copy of the notice provided pursuant to paragraph (a);

(c) Post a copy of NRS 388.229 to 388.261, inclusive, *and sections 2 to 7, inclusive, of this act* at each school in its school district or at its charter school;

(d) Retain a copy of each plan developed pursuant to NRS 388.243, each plan updated pursuant to subsection 1 and each deviation approved pursuant to NRS 388.251;

(e) Provide a copy of each plan developed pursuant to NRS 388.243 and each plan updated pursuant to subsection 1 to:

(1) Each local public safety agency in the county in which the school district or charter school is located;

(2) The Division of Emergency Management of the Department of Public Safety; and

(3) The local organization for emergency management, if any;

(f) Upon request, provide a copy of each plan developed pursuant to NRS 388.243 and each plan updated pursuant to subsection 1 to a local agency that is included in the plan and to an employee of a school who is included in the plan;

(g) Provide a copy of each deviation approved pursuant to NRS 388.251 as soon as practicable to:

(1) The Department;

(2) A local public safety agency in the county in which the school district or charter school is located;

(3) The Division of Emergency Management of the Department of Public Safety;

(4) The local organization for emergency management, if any;

(5) A local agency that is included in the plan; and

(6) An employee of a school who is included in the plan; and

(h) At least once each year, provide training in responding to a crisis and training in responding to an emergency to each employee of the school district or of the charter school, including, without limitation, training concerning drills for evacuating and securing schools.

4. The board of trustees of each school district and the governing body of each charter school may apply for and accept gifts, grants and contributions from any public or private source to carry out the provisions of NRS 388.229 to 388.261, inclusive ~~[-]~~, **and sections 2 to 7, inclusive, of this act.**

**Sec. 11.** NRS 388.253 is hereby amended to read as follows:

388.253 1. The Department shall, with assistance from other state agencies, including, without limitation, the Division of Emergency Management, the Investigation Division, and the Nevada Highway Patrol Division of the Department of Public Safety, develop a model plan for the management of a crisis or an emergency that involves a public school, including, without limitation, a charter school, or a private school and that requires immediate action. The model plan must include, without limitation, a procedure for:

- (a) Coordinating the resources of local, state and federal agencies, officers and employees, as appropriate;
- (b) Accounting for all persons within a school;
- (c) Assisting persons within a school in a school district, a charter school or a private school to communicate with each other;
- (d) Assisting persons within a school in a school district, a charter school or a private school to communicate with persons located outside the school, including, without limitation, relatives of pupils and relatives of employees of such a school, the news media and persons from local, state or federal agencies that are responding to a crisis or an emergency;
- (e) Assisting pupils of a school in the school district, a charter school or a private school, employees of such a school and relatives of such pupils and employees to move safely within and away from the school, including, without limitation, a procedure for evacuating the school and a procedure for securing the school;
- (f) Reunifying a pupil with his or her parent or legal guardian;
- (g) Providing any necessary medical assistance;
- (h) Recovering from a crisis or an emergency;
- (i) Carrying out a lockdown at a school ; ~~in which persons are not allowed to enter or exit the school;~~
- (j) Providing shelter in specific areas of a school; and
- (k) Providing specific information relating to managing a crisis or an emergency that is a result of:
  - (1) An incident involving hazardous materials;
  - (2) An incident involving mass casualties;
  - (3) An incident involving an active shooter;
  - (4) An outbreak of disease;
  - (5) Any threat or hazard identified in the hazard mitigation plan of the county in which the school district is located, if such a plan exists; or
  - (6) Any other situation, threat or hazard deemed appropriate.



2. In developing the model plan, the Department shall consider the plans developed pursuant to NRS 388.243 and 394.1687 and updated pursuant to NRS 388.245 and 394.1688.

3. The Department may disseminate to any appropriate local, state or federal agency, officer or employee, as the Department determines is necessary:

- (a) The model plan developed by the Department pursuant to subsection 1;
- (b) A plan developed pursuant to NRS 388.243 or updated pursuant to NRS 388.245;
- (c) A plan developed pursuant to NRS 394.1687 or updated pursuant to NRS 394.1688; and
- (d) A deviation approved pursuant to NRS 388.251 or 394.1692.

4. The Department shall, at least once each year, review and update as appropriate the model plan developed pursuant to subsection 1.

**Sec. 12.** NRS 388.259 is hereby amended to read as follows:

388.259 A plan developed pursuant to NRS 388.243 or updated pursuant to NRS 388.245, a deviation and any information submitted to a development committee pursuant to NRS 388.249, a deviation approved pursuant to NRS 388.251 and the model plan developed pursuant to NRS 388.253 are confidential and, except as otherwise provided in NRS 239.0115 and NRS 388.229 to 388.261, inclusive, **and sections 2 to 7, inclusive, of this act**, must not be disclosed to any person or government, governmental agency or political subdivision of a government.

**Sec. 13.** NRS 392.450 is hereby amended to read as follows:

392.450 1. The board of trustees of each school district and the governing body of each charter school shall provide drills for the pupils in the schools in the school district or the charter schools at least once each month during the school year to instruct those pupils in the appropriate procedures to be followed in the event of a **lockdown**, fire or other emergency . ~~[, except a crisis governed by NRS 388.229 to 388.261, inclusive.]~~ Not more than three of ~~[those]~~ **the drills provided pursuant to this subsection** may include instruction in the appropriate procedures to be followed in the event of a chemical explosion, related emergencies and other natural disasters. **At least one-half of the drills provided pursuant to this subsection must include instruction in appropriate procedures to be followed in the event of a lockdown.**

2. In all cities or towns , ~~[which have regularly organized, paid fire departments or voluntary fire departments,]~~ the drills required by subsection 1 must be ~~[conducted under the supervision of]~~ **approved by** the ~~[:]~~ **chief of the fire department of the city or town, if the city or town has a regularly organized, paid fire department or voluntary fire department. In addition, the drills in each school must be conducted under the supervision of the:**

- (a) Person designated for this purpose by the board of trustees of the school district or the governing body of a charter school ~~[; and]~~ **in a county whose population is less than 100,000; or**

(b) ~~[Chief of the fire department of the city or town.]~~ **Emergency manager designated pursuant to section 4 of this act in a county whose population is 100,000 or more.**

3. A diagram of the approved escape route and any other information related to the drills required by subsection 1 which is approved by the chief of the fire department or, if there is no fire department, the State Fire Marshal must be kept posted in every classroom of every public school by the principal or teacher in charge thereof.

4. The principal, teacher or other person in charge of each school building shall cause the provisions of this section to be enforced.

5. Any violation of the provisions of this section is a misdemeanor.

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

**Sec. 14.** NRS 394.170 is hereby amended to read as follows:

394.170 1. The authorities in charge of every private school within this State shall provide drills for the pupils in the schools at least once in each month during the school year to instruct those pupils in the appropriate procedures to be followed in the event of a **lockdown**, fire or other emergency . ~~[, except a crisis governed by NRS 394.168 to 394.1699, inclusive.]~~ Not more than two of ~~[those]~~ **the drills provided pursuant to this subsection** may include instruction in the appropriate procedures to be followed in the event of a chemical explosion, related emergencies and other natural disasters. **At least one-half of the drills provided pursuant to this subsection must include instruction in the appropriate procedures to be followed in the event of a lockdown.**

2. In all cities or towns , ~~[which have regularly organized, paid fire departments or voluntary fire departments,]~~ the drills required by subsection 1 must be ~~[conducted under the supervision of]~~ **approved by** the chief of the fire department of the city or town ~~[,]~~ **if the city or town has a regularly organized, paid fire department or voluntary fire department.**

3. The State Fire Marshal shall prescribe general regulations governing the drills required by subsection 1 and shall, with the cooperation of the Superintendent of Public Instruction, arrange for the supervision of drills in schools ~~[, where the drills are not supervised pursuant to subsection 2.]~~

4. A copy of this section must be kept posted in every classroom of every private school by the principal or teacher in charge thereof.

5. The principal, teacher or other person in charge of each school building shall cause the provisions of this section to be enforced.

6. Any violation of the provisions of this section is a misdemeanor.

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

**Sec. 15.** NRS 414.135 is hereby amended to read as follows:

414.135 1. There is hereby created in the State General Fund the Emergency Assistance Account. Beginning with the fiscal year that begins on July 1, 1999, the State Controller shall, at the end of each fiscal year,

transfer the interest earned during the previous fiscal year on the money in the Disaster Relief Account created pursuant to NRS 353.2735 to the Emergency Assistance Account in an amount not to exceed \$500,000.

2. The Division of Emergency Management of the Department of Public Safety shall administer the Emergency Assistance Account. The Division may adopt regulations authorized by this section before, on or after July 1, 1999.

3. Except as otherwise provided in paragraph (c), all expenditures from the Emergency Assistance Account must be approved in advance by the Division. Except as otherwise provided in subsection 4, all money in the Emergency Assistance Account must be expended:

(a) To provide supplemental emergency assistance to this state or to local governments in this state that are severely and adversely affected by a natural, technological or man-made emergency or disaster for which available resources of this state or the local government are inadequate to provide a satisfactory remedy;

(b) To pay any actual expenses incurred by the Division for administration during a natural, technological or man-made emergency or disaster; and

(c) For any other purpose authorized by the Legislature.

4. Beginning with the fiscal year that begins on July 1, 1999, if any balance remains in the Emergency Assistance Account at the end of a fiscal year and the balance has not otherwise been committed for expenditure, the Division may, with the approval of the Interim Finance Committee, allocate all or any portion of the remaining balance, not to exceed \$250,000, to this state or to a local government to:

(a) Purchase equipment or supplies required for emergency management;

(b) Provide training to personnel related to emergency management; and

(c) Carry out the provisions of NRS 388.229 to 388.261, inclusive ~~§~~ ,

*and sections 2 to 7, inclusive, of this act.*

5. Beginning with the fiscal year that begins on July 1, 1999, the Division shall, at the end of each quarter of a fiscal year, submit to the Interim Finance Committee a report of the expenditures made from the Emergency Assistance Account for the previous quarter.

6. The Division shall adopt such regulations as are necessary to administer the Emergency Assistance Account.

7. The Division may adopt regulations to provide for reimbursement of expenditures made from the Emergency Assistance Account. If the Division requires such reimbursement, the Attorney General shall take such action as is necessary to recover the amount of any unpaid reimbursement plus interest at a rate determined pursuant to NRS 17.130, computed from the date on which the money was removed from the Disaster Relief Account, upon request by the Division.

**Sec. 16.** The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

**Sec. 17.** This act becomes effective on July 1, 2017.

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 138.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture, and Mining:

Amendment No. 135.

AN ACT relating to water; authorizing the de minimus collection of precipitation for ~~domestic~~ **nonpotable** use and **, under certain circumstances,** to provide water to wildlife; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires that, subject to existing rights, the appropriation of any water in this State is subject to the provisions of chapter 533 of NRS, which, among other things, require any person seeking to appropriate water to obtain a permit to do so. (NRS 533.030, 533.325) **Section 1** of this bill provides that the de minimus collection of precipitation from the rooftop of a single-family dwelling for ~~domestic~~ **nonpotable** use or **, under certain circumstances,** in a guzzler to provide water to wildlife is exempted from the requirements of chapter 533 of NRS and thus may be collected without a water right or permit to appropriate water. **Sections 2-5** of this bill make conforming changes.

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

**Section 1.** Chapter 533 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. The provisions of this chapter do not apply to the de minimus collection of precipitation:*

*(a) From the rooftop of a single-family dwelling for ~~domestic~~ nonpotable use; or*

*(b) ~~It~~ If the collection does not conflict with any existing water rights as determined by the State Engineer, in a guzzler to provide water for use by wildlife. Such a guzzler must:*

*(1) Have a capacity of 20,000 gallons or less; and*

*(2) Be developed in consultation with the Department of Wildlife.*

*2. As used in this section ~~it~~*

~~*(a) "Domestic use" has the meaning ascribed to it in NRS 534.013; and*~~

~~*(b) "Guzzler"*~~ *, "guzzler" has the meaning ascribed to it in NRS 501.121.*

**Sec. 2.** NRS 533.030 is hereby amended to read as follows:

533.030 1. Subject to existing rights, and except as otherwise provided in this section ~~[ ]~~ **and section 1 of this act**, all water may be appropriated for beneficial use as provided in this chapter and not otherwise.

2. The use of water, from any stream system as provided in this chapter and from underground water as provided in NRS 534.080, for any recreational purpose, or the use of water from the Muddy River or the Virgin River to create any developed shortage supply or intentionally created surplus, is hereby declared to be a beneficial use. As used in this subsection:

(a) "Developed shortage supply" has the meaning ascribed to it in Volume 73 of the Federal Register at page 19884, April 11, 2008, and any subsequent amendment thereto.

(b) "Intentionally created surplus" has the meaning ascribed to it in Volume 73 of the Federal Register at page 19884, April 11, 2008, and any subsequent amendment thereto.

3. Except as otherwise provided in subsection 4, in any county whose population is 700,000 or more:

(a) The board of county commissioners may prohibit or restrict by ordinance the use of water and effluent for recreational purposes in any artificially created lake or stream located within the unincorporated areas of the county.

(b) The governing body of a city may prohibit or restrict by ordinance the use of water and effluent for recreational purposes in any artificially created lake or stream located within the boundaries of the city.

4. In any county whose population is 700,000 or more, the provisions of subsection 1 and of any ordinance adopted pursuant to subsection 3 do not apply to:

(a) Water stored in an artificially created reservoir for use in flood control, in meeting peak water demands or for purposes relating to the treatment of sewage;

(b) Water used in a mining reclamation project; or

(c) A body of water located in a recreational facility that is open to the public and owned or operated by the United States or the State of Nevada.

**Sec. 3.** NRS 533.325 is hereby amended to read as follows:

533.325 ~~[Any]~~ **Except as otherwise provided in section 1 of this act**, any person who wishes to appropriate any of the public waters, or to change the place of diversion, manner of use or place of use of water already appropriated, shall, before performing any work in connection with such appropriation, change in place of diversion or change in manner or place of use, apply to the State Engineer for a permit to do so.

**Sec. 4.** NRS 533.475 is hereby amended to read as follows:

533.475 The State Engineer and the assistants of the State Engineer shall have power to arrest any person violating any of the provisions of NRS 533.005 to 533.470, inclusive, **and section 1 of this act**, and to turn that person over to the sheriff or other competent police officer within the county.

Immediately on delivering any such person so arrested into the custody of the sheriff, the State Engineer or assistant making such arrest shall immediately, in writing, and upon oath, make a complaint before the justice of the peace against the person so arrested.

**Sec. 5.** NRS 533.480 is hereby amended to read as follows:

533.480 Any person violating any of the provisions of NRS 533.005 to 533.475, inclusive, *and section 1 of this act*, shall be guilty of a misdemeanor.

**Sec. 6.** This act becomes effective on July 1, 2017.

Assemblywoman Swank moved the adoption of the amendment.

Remarks by Assemblywoman Swank.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 143.

Bill read second time.

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

Amendment No. 51.

AN ACT relating to legislative affairs; creating the Legislative Committee on Tax Expenditures and Incentives for Economic Development; setting forth the composition and administration of the Committee; prescribing the powers and duties of the Committee; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

**Section 5** of this bill creates the Legislative Committee on Tax Expenditures and Incentives for Economic Development and prescribes the appointment of its membership. **Section 6** of this bill sets forth requirements for meetings of the Committee and the compensation of its members.

Existing law requires the Board of Economic Development to review and evaluate all programs of economic development in Nevada and to make recommendations to the Legislature for legislation to improve the effectiveness of those programs in implementing the State Plan for Economic Development. (NRS 231.037) **Section 7** of this bill requires the Legislative Committee on Tax Expenditures and Incentives for Economic Development to identify and evaluate all incentives for economic development in this State and provide the Legislature with a report concerning its activities. **Section 8** of this bill authorizes the Committee to evaluate, review and comment on tax expenditures and to make recommendations for the addition, modification or elimination of a tax expenditure or incentive for economic development.

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

**Section 1.** Chapter 218E of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 8, inclusive, of this act.

**Sec. 2.** *As used in sections 2 to 8, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3 and 4 of this act have the meanings ascribed to them in those sections.*

**Sec. 3.** *“Committee” means the Legislative Committee on Tax Expenditures and Incentives for Economic Development.*

**Sec. 4.** *“Tax expenditure” has the meaning ascribed to it in NRS 360.137.*

**Sec. 5. 1.** *The Legislative Committee on Tax Expenditures and Incentives for Economic Development, consisting of six legislative members, is hereby created. The membership of the Committee consists of:*

*(a) Two members of the Senate appointed by the Majority Leader of the Senate;*

*(b) One member of the Senate appointed by the Minority Leader of the Senate;*

*(c) Two members of the Assembly appointed by the Speaker of the Assembly; and*

*(d) One member of the Assembly appointed by the Minority Leader of the Assembly.*

*↪ In making appointments pursuant to this subsection, first preference must be given to members of the standing committees of the Legislature with primary jurisdiction over matters relating to taxation and second preference to members of the standing committees of the Legislature with primary jurisdiction over matters relating to budgets and finances.*

**2.** *The Majority Leader of the Senate and the Speaker of the Assembly shall jointly select the Chair and Vice Chair of the Committee from among the members of the Committee, with first preference given to members who are members of the standing committees of the Legislature with primary jurisdiction over matters relating to taxation, if any, and second preference to members who are members of the standing committees of the Legislature with primary jurisdiction over matters relating to budgets and finances, if any. After the initial selection, each Chair and Vice Chair holds office for a term of 2 years commencing on July 1 of each odd-numbered year. The office of Chair of the Committee must alternate each biennium between the Houses. If a vacancy occurs in the office of Chair or Vice Chair, the vacancy must be filled in the same manner as the original selection for the remainder of the unexpired term.*

**3.** *The Legislative Commission shall review and approve the budget and work program for the Committee and any changes to the budget or work program.*

4. Any member of the Committee who is not a candidate for reelection or who is defeated for reelection continues to serve after the general election until the next regular or special session convenes.

5. A vacancy on the Committee must be filled in the same manner as the original appointment for the remainder of the unexpired term.

Sec. 6. 1. Except as otherwise ordered by the Legislative Commission, the members of the Committee shall meet not earlier than November 1 of each odd-numbered year and not later than August 31 of the following even-numbered year at the times and places specified by a call of the Chair or a majority of the Committee.

2. The Director or his or her designee shall act as the nonvoting recording Secretary of the Committee.

3. Four members of the Committee constitute a quorum, and a quorum may exercise all the power and authority conferred upon the Committee.

4. Except during a regular or special session, for each day or portion of a day during which a member of the Committee attends a meeting of the Committee or is otherwise engaged in the business of the Committee, the member is entitled to receive the:

(a) Compensation provided for a majority of the Legislators during the first 60 days of the preceding regular session;

(b) Per diem allowance provided for state officers and employees generally; and

(c) Travel expenses provided pursuant to NRS 218A.655.

5. All such compensation, per diem allowances and travel expenses must be paid from the Legislative Fund.

Sec. 7. The Committee shall:

1. Meet at least once each biennium to review the most recent tax expenditure report submitted by the Executive Director of the Department of Taxation pursuant to NRS 360.137.

2. Review any other reports submitted to the Legislature relating to tax expenditures and incentives for economic development.

3. Identify all incentives for economic development provided for by law in this State, including, without limitation, tax incentives, grants, loans and initiatives for workforce development.

4. Evaluate and review each incentive for economic development identified pursuant to subsection 3 at least once every 6 years. The Committee shall examine, review and comment on, without limitation:

(a) The purpose, intent or goal of the incentive for economic development.

(b) Whether the incentive for economic development is accomplishing its purpose, intent or goal.

(c) Whether there is a more effective method to achieve the goal of the incentive for economic development.



(d) *The cost of the incentive for economic development to the State, including, without limitation, administrative costs and lost revenue.*

(e) *The impact of the incentive for economic development on the revenues of and services provided by local governments.*

(f) *The economic and fiscal impact of the incentive ~~f~~ for economic development, including, without limitation:*

(1) *The extent to which the incentive changes business behavior;*

(2) *The results of the incentive for the state ~~economy~~ and local economies, including, without limitation, both positive direct and indirect impacts and any negative impacts on businesses in this State; and*

(3) *A comparison to the results of other incentives or programs for economic development with similar goals.*

~~(f)~~ (g) *Any other matters that, in the determination of the Committee, concern incentives for economic development in this State.*

5. *On or before January 15 of each odd-numbered year, submit to the Director ~~of the Legislative Counsel Bureau~~ for transmittal to the Legislature a report concerning the activities of the Committee during the applicable legislative interim. The Committee shall present its findings to the standing committees of the Legislature with primary jurisdiction over matters relating to taxation during the next regular session of the Legislature.*

Sec. 8. *The Committee may:*

1. *Evaluate, review and comment upon any tax expenditure within the State, including, without limitation:*

(a) *The purpose, intent or goal of the tax expenditure.*

(b) *The intended beneficiaries of the tax expenditure.*

(c) *Whether the tax expenditure is accomplishing its purpose, intent or goal.*

(d) *The manner in which the tax expenditure compares to similar tax expenditures in other states.*

(e) *Whether there are other tax expenditures in this State that have the same or a similar purpose, intent or goal as the tax expenditure being reviewed and the manner in which the two tax expenditures are coordinated, including, without limitation, whether the coordination between the two tax expenditures could be improved or if there are any redundancies that could be eliminated.*

(f) *Whether the evaluation of the tax expenditure is hindered by the unavailability of certain data.*

(g) *The cost of the tax expenditure, including, without limitation, administrative costs and lost revenue ~~f~~ of the State and local governments, and an evaluation of the extent to which the tax expenditure is a cost-effective use of resources compared to other methods of accomplishing the same purpose or goal.*

(h) *Opportunities to improve the effectiveness of the tax expenditure.*

2. *Contract with private consultants or academic institutions to complete the reviews provided for by this section and section 7 of this act.*

3. *Request that the Legislative Counsel Bureau assist in the research, investigations, hearings and reviews of the Committee.*

4. *Request that a representative of the Office of Economic Development within the Office of the Governor or a representative of the Office of Energy within the Office of the Governor appear before the Committee and provide information on programs for economic development, including, without limitation:*

(a) *The number of entities applying or approved for a particular program for economic development;*

(b) *The number of entities approved for a particular incentive for economic development;*

(c) *The number of entities who have used a particular incentive for economic development; and*

(d) *The projected and actual benefits of the programs for economic development in this State.*

5. *Request books, papers, records and other information from state or local governmental agencies, including, without limitation, the Nevada System of Higher Education.*

6. *Apply for any available grants and accept any gifts, grants or donations to assist the Committee in carrying out its duties.*

7. *Conduct investigations and hold hearings in connection with its duties pursuant to this section and section 7 of this act, and exercise any of the investigative powers set forth in NRS 218E.105 to 218E.140, inclusive.*

8. *Make recommendations to the Legislature concerning the addition, elimination or modification of tax expenditures and incentives for economic development.*

**Sec. 9.** The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

**Sec. 10.** This act becomes effective upon passage and approval.

Assemblywoman Diaz moved the adoption of the amendment.

Remarks by Assemblywoman Diaz.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

#### MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Carlton moved that upon return from the printer, Assembly Bills Nos. 127 and 143 be rereferred to the Committee on Ways and Means.

Motion carried.

Assemblywoman Benitez-Thompson moved that Assembly Bills Nos. 145, 155, 176, 177, 192, 204, 205, 214, 221, 227, 247, 385, and 387 be taken from the Second Reading File and placed on the Second Reading File for the next legislative day.

Motion carried.

Assemblywoman Benitez-Thompson moved that Assembly Bills Nos. 14, 20, 28, 33, 50, 57, 65, 74, 76, 147, 160, and 229 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

Mr. Speaker appointed Assemblymen Flores and Pickard as a committee to invite the Senate to meet in Joint Session with the Assembly to hear an address by United States Representative Ruben Kihuen.

The President pro Tempore of the Senate and members of the Senate appeared before the bar of the Assembly.

Mr. Speaker invited the President pro Tempore of the Senate to the Speaker's rostrum.

Mr. Speaker invited the members of the Senate to chairs in the Assembly.

#### IN JOINT SESSION

At 5:08 p.m.

President pro Tempore of the Senate presiding.

The Secretary of the Senate called the Senate roll.

All present.

The Chief Clerk of the Assembly called the Assembly roll.

All present except Assemblyman Daly, who was excused.

The President pro Tempore of the Senate appointed a Committee on Escort consisting of Senator Goicoechea and Assemblyman Fumo to wait upon United States Representative Ruben Kihuen and escort him to the Assembly Chamber.

The Committee on Escort, in company with The Honorable Ruben Kihuen, United States Representative from Nevada, appeared before the bar of the Assembly.

The Committee on Escort escorted the Representative to the rostrum.

The Speaker of the Assembly welcomed Representative Kihuen and invited him to deliver his message.

Representative Kihuen delivered his message as follows:

MESSAGE TO THE LEGISLATURE OF NEVADA  
SEVENTY-NINTH SESSION, 2017

Friends, it is great to be home.

Thank you, Governor Sandoval, for being here and for your leadership. I know this is your final legislative session, and I would be remiss if I did not thank you for your service to the state of Nevada and to the rest of our country. It has always been a pleasure working with you, and I look forward to continuing the rest of the year and a half working with you to make Nevada better. Thank you, Mr. Governor.

Thank you Senate President pro Tem Denis, constitutional officers, Speaker Frierson, Majority Leaders Benitez-Thompson and Ford, Minority Leaders Roberson and Anderson, and members of the Senate and Assembly, and the entire LCB [Legislative Counsel Bureau] staff, thank you so much. And to all the freshmen, congratulations.

As I look around this Chamber, I see friends, I see former colleagues, and I see many great Nevadans. But I also see the diversity of America—people of all colors, ages, gender, sexual orientation, political ideology, and from all walks of life. I am proud of Nevada for having one of the most diverse—if not the most diverse—legislatures in the entire country. Leadership in both houses are people of color. The first African-American Speaker of the Nevada Assembly, Jason Frierson, we are proud of you. Forty percent of the members of the Legislature are women. All this in a state with a Latino Governor, a Latina U.S. Senator, two Congresswomen, and myself in the House of Representatives. It is this diversity that makes Nevada and America strong. I ask you to join me in continuing to celebrate and preserve such diversity.

It feels like just yesterday that I was sitting right here in this Chamber, right there where my friend Assemblywoman Woodbury is sitting, as a freshman member of the Nevada Legislature almost ten years ago. I remember having Senator Atkinson look at me every day and say Hey freshman, get to work. I had Assemblyman Carpenter to the left of me talking to me about his Suzi-Q boat and about rural Nevada. I had the opportunity, in my time here, to serve with and learn from several true Nevada statesmen and women, people who never hesitated to put their state before their party, including the legendary Senator Bill Raggio, who taught us all a thing or two about compromise, negotiating, and how to master the rules to pass legislation; Speaker Barbara Buckley, whom I had the honor to vote for as the first female Speaker in our state's history; Assemblyman Bernie Anderson, who taught me to never lose my integrity and credibility, because sometimes that is all we have, and he took me to the Woodshed a few times; Assemblyman John Carpenter, a champion for rural Nevada and the person responsible for my induction into the Assembly's Cowboy Hall of Fame; and many others. I also made lifelong friends, many of you who are here today, including my brother from another mother and former roommate Senator Mo Denis, whom I had the honor to cofound the Nevada Hispanic Legislative Caucus with.

As many of you know, I am the proud son of a housekeeper and a former farmworker. My family came to America when I was eight years old. We came here in pursuit of the American Dream. We came to this country because we knew that in America, if you worked hard, sacrificed, and played by the rules, you could become anything and achieve anything you want. Today, that eight-year-old kid who came here with no money, with no connections, no friends, no job, is a member of the United States House of Representatives. That is the American Dream. Growing up in a working-class neighborhood in North Las Vegas, I never imagined serving in this body, in the State Legislature, let alone stand here as a United States Congressman. It is truly the greatest honor of my life to serve the people of Nevada.

After three months in Congress, I have a much greater appreciation of the time that I spent here in the Legislature, not just because I miss the wings or bread pudding at Firkin & Fox or karaoke nights at Jimmy G's with Senator Ford—and if you all have not seen him sing, you all have to see him sing—but because we got things done here in the Legislature.

Rarely a day goes by where I do not tell folks in Washington about the work done here in Carson; Washington could take some lessons from you all. The idea of Democrats and Republicans coming together to make as large an investment in education as we did last session is foreign in Washington, D.C. But here, we came together to do what is best for Nevada's children. We put our parties aside and put our children first.

I often talk about working with my friend Senator Kieckhefer to pass the first ever need-based grants for Nevada's college students. I am proud to see that this program has been a big success and that the Governor has requested more funding to grow the program, because making college more affordable is critical to the future of our state. We all know that we will not have a diversified economy without a well-trained and well-educated workforce.

The steps this body has taken to diversify our state's economy should serve as a model for the country. Working together, you all are paving the way forward for Nevada. I am excited in my new role in Congress to share our state's success with the rest of the nation.

Before I was elected, I promised that I would be available and accessible to all of my constituents, urban, rural, suburban. I kept that promise, setting off on a district-wide tour and listening to Nevada residents from Las Vegas to Yerington and Pahrump to Mesquite. Next week, I will embark on the second part of that district tour and visit Ely, Caliente, and other eastern Nevada cities. Giving constituents in the 4th Congressional District a voice and protecting their rights is my number one priority in Congress.

Since arriving in Congress, I have been committed to working on solutions to the challenges that our nation and the District are facing. As you can imagine, Washington, D.C. is an interesting place to be right now.

Last month, when the American Health Care Act was introduced in Congress, I fought to protect health care for millions of Americans. The Affordable Care Act [ACA] may not be perfect, but we should not cast aside all the progress we have made these last eight years just to score political points. The American people are tired of political brinkmanship; they are tired of hyperpartisanship. What we need to do is look for ways to improve access and get health care while bringing down the rising costs of premiums. That is how you tackle this issue.

I thank Governor Sandoval, once again, for being a strong voice for protecting the expansion of Medicaid, which is so critical here in Nevada, to ensure low-income families and rural Nevadans have access to health care. Right here in Nevada, the uninsured rate went down from 22 percent to 12 percent since the ACA implementation. I introduced an amendment aimed at protecting funding for vulnerable Nevadans, particularly low-income children, who rely on Medicaid for critical health care needs. My amendment would have prevented cuts for providers like pediatricians that help keep our kids healthy.

My work in Washington has not only focused on protecting our most vulnerable, but also working to pay back what we owe our veterans for the countless contributions they made to our country. They have made tremendous sacrifices so that we can enjoy the safety and tranquility here at home. Working to ensure our military and veteran families have the support they need must be a top priority for Congress.

That is why earlier this year I introduced my first bill, the STEP [Service, Training, Education, and Preparation] for Veterans Act, which would help community colleges train veterans to fill desperately needed jobs in our local economy. Community colleges should have the tools they need to best serve those who risked their lives for our country. I cannot think of a better prepared group of people to help us fill the jobs of the future than our own veterans.

I am also fighting to keep the Ely Community Clinic for veterans in my district open. It is a shame that our veterans fought for our country and now have to fight to keep their clinic open. Veterans should not be forced to travel hundreds of miles to get the care they rely on and deserve. We should not be putting our veterans' health care at risk just to save a few bucks. Our American heroes deserve better.

I am proud of the work I have done alongside my colleagues in the Nevada Delegation to protect our beautiful public lands for future generations. Protecting monuments such as Gold Butte can create jobs, increase property values, and improve quality of life for local residents. Federal and state governments should work together to protect this for the benefit of Nevadans and tourists alike.

The Nevada Delegation was also united in sponsoring the Nuclear Waste Informed Consent Act earlier this year, demanding that states be consulted before nuclear waste repositories can be built by the federal government anywhere in the country. Let me be clear: I will fight every single day tirelessly, with all the energy I have, to ensure this Administration cannot and will not revive Yucca Mountain as storage for the country's nuclear waste. Nevada is not a waste dump.

I came to Congress to get things done and to continue fighting to defend Social Security and Medicare. We want to strengthen our economy and get Nevadans back to work, continue the fight to make higher education more affordable and accessible, and to fight for comprehensive immigration reform. We should not be building walls; we should be building bridges, roads, and schools. I look forward to working with both Democrats and Republicans on a bill that will invest in our infrastructure and put people back to work.

While I am here, I want to voice my support for a few of the bills you all are working on. First of all, congratulations to my friend and now my state Senator, Pat Spearman, who has been fighting tirelessly for this for years, on the ratification of the Equal Rights Amendment. This is an important step forward for Nevada in the fight for women's rights. This is not a victory for Senator Spearman or the Democrats; this is a victory for every girl and every woman in Nevada and our country. Thank you, Senator Spearman, for your leadership.

I will continue to fight efforts to cut Medicaid funding, but I urge you to push forward and expand the program that helps 600,000 Nevadans obtain the health care they need.

I support proposals ensuring paid sick leave to give economic security for families as they deal with illness and health care problems. No one—and I mean no one—should have to choose between a paycheck and their health.

I support legislation that will make it easier for small businesses to gain access to capital to grow and expand. Small businesses are the backbone of our economy, and we must continue to do everything possible to make it easier for people to start and expand their business.

I urge you to continue growing Nevada's green energy economy and create thousands of good paying jobs by passing several of the renewable energy bills being proposed this session. With so much land, wind, and sun, Nevada can be the leader in the world in clean and renewable energy. This will help with our state's economic diversification efforts as well.

On education, I strongly urge you not to send desperately needed public money to private schools. Vouchers are bad policy, and our children deserve the best. Let us keep public money in our public schools. Let us instead invest in programs that have produced positive results for all our children, such as full-day kindergarten, ZOOM schools, Victory schools, and expand teacher training and STEM education.

Finally, I strongly support your efforts to pass a living wage in the state of Nevada. Our workers deserve a pay raise and an opportunity to provide for their families. We live in the greatest, most powerful, and richest country on the planet; no one who works full-time should live in poverty in America. America is better than that.

As you all continue your public service and taking care of our state's legislative matters, I want to give you a word of advice that somebody once gave me: Remember that being in elected office is not about you; it is about the people who elected you to represent them. Remember that public service is always about the people, because at the end of the day, we are not Democrats or Republicans; we are not liberals or conservatives. We are Nevadans and Americans first.

Thank you everybody. God bless you and good luck with the rest of the session. Thank you so much.

Senator Gustavson moved that the Senate and Assembly in Joint Session extend a vote of thanks to Representative Kihuen for his timely, able, and constructive message.

Seconded by Assemblyman Kramer.

Motion carried.

The Committee on Escort escorted Representative Kihuen to the bar of the Assembly.

Assemblywoman Bilbray-Axelrod moved that the Joint Session be dissolved.

Seconded by Senator Parks.

Motion carried.

Joint Session dissolved at 5:31 p.m.

#### ASSEMBLY IN SESSION

At 5:33 p.m.

Mr. Speaker presiding.

Quorum present.

#### GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Paul Anderson, the privilege of the floor of the Assembly Chamber for this day was extended to Tomas Hammond and Joe Anderson.

On request of Assemblyman Araujo, the privilege of the floor of the Assembly Chamber for this day was extended to Paul Catha.

On request of Assemblywoman Benitez-Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Silke Rudolf-Andre.

On request of Assemblywoman Bustamante Adams, the privilege of the floor of the Assembly Chamber for this day was extended to Samantha Ostrovsky.

On request of Assemblywoman Carlton, the privilege of the floor of the Assembly Chamber for this day was extended to Colleen McCarty, Makena McCarty, and Samantha McCarty.

On request of Assemblyman Carrillo, the privilege of the floor of the Assembly Chamber for this day was extended to Carmen Andrews.

On request of Assemblywoman Cohen, the privilege of the floor of the Assembly Chamber for this day was extended to Brooklyn Darmody, Sarah Sunnasy, and Lisa Muntean.

On request of Assemblyman Daly, the privilege of the floor of the Assembly Chamber for this day was extended to Emily Espinosa.

On request of Assemblyman Flores, the privilege of the floor of the Assembly Chamber for this day was extended to Joana Peraza.

On request of Assemblyman Fumo, the privilege of the floor of the Assembly Chamber for this day was extended to Ellen Fumo.

On request of Assemblywoman Joiner, the privilege of the floor of the Assembly Chamber for this day was extended to Hoa Dao, Gabriella Ho,

Izabella Ho, Kailey Sakawski, Katherine Namchek, Kayla Sadler, and Tina Cordero.

On request of Assemblyman Kramer, the privilege of the floor of the Assembly Chamber for this day was extended to Spencer Lang.

On request of Assemblyman Marchant, the privilege of the floor of the Assembly Chamber for this day was extended to Nadia-Christiane Ozone.

On request of Assemblywoman Miller, the privilege of the floor of the Assembly Chamber for this day was extended to Jennifer Webb Cook and Karlana Kulseth.

On request of Assemblywoman Monroe-Moreno, the privilege of the floor of the Assembly Chamber for this day was extended to Na' Onche Osborne.

On request of Assemblyman Ohrenschall, the privilege of the floor of the Assembly Chamber for this day was extended to Dave Thomas, Kermitt Waters, Riana Durret, Loretta Harper, Patricia Stevens, and Sakina Turner.

On request of Assemblyman Oscarson, the privilege of the floor of the Assembly Chamber for this day was extended to Josie Merritt and Ross Hemminger.

On request of Assemblyman Pickard, the privilege of the floor of the Assembly Chamber for this day was extended to Olivia Yamamoto.

On request of Assemblywoman Swank, the privilege of the floor of the Assembly Chamber for this day was extended to Skyler Bradley.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Divya Narala and Asha Jones.

On request of Assemblywoman Tolles, the privilege of the floor of the Assembly Chamber for this day was extended to Katie Hardung.

On request of Assemblyman Wheeler, the privilege of the floor of the Assembly Chamber for this day was extended to Mikayla Tea, Oliver Gibbins, Yovanni Buendia, Seth Carson, William Chan, Justin Gardner, Gorje Hernandez, Jaylin Jackson, Askarie Johnson, Jason Marquez, Justin Martin, Fabian Quezadas, Eduardo Sandoval, Tyreece Sherrill, Daniel Trevino, Nate Trujillo, Fernando Urena, Jesus Villa, Johnny Villalovos, Damontai Winzer, and Scott Harrison.

On request of Assemblywoman Woodbury, the privilege of the floor of the Assembly Chamber for this day was extended to Sofia Hammond, Olivia Hammond, and Celssie Hardy.



Assemblywoman Benitez-Thompson moved that the Assembly adjourn until Wednesday, April 12, 2017, at 4 p.m.

Motion carried.

Assembly adjourned at 5:38 p.m.

Approved:

JASON FRIERSON  
*Speaker of the Assembly*

Attest: SUSAN FURLONG  
*Chief Clerk of the Assembly*