

THE ONE HUNDREDTH DAY

CARSON CITY (Tuesday), May 16, 2017

Assembly called to order at 12:51 p.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Hambrick, who was excused.

Prayer by the Chaplain, Reverend Chad Adamik.

God of justice and mercy, thank You for the gift of life and the opportunity to serve the people of this state. Help us to act with character and conviction; help us to listen with understanding and good will; help us to speak with charity and restraint.

Give us a spirit of service. Remind us that we are stewards of Your authority. Guide us to be the leaders Your people need.

Help us see the humanity and dignity of those who disagree with us and to treat all persons, no matter how weak or poor, with the reverence Your creation deserves.

And finally, Creator God, renew us with the strength of Your presence and the joy of helping to build a community worthy of the human person. We ask this as Your daughters and sons, confident in Your goodness and love.

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 Education, to which were referred Senate Bills Nos. 107, 273, 322, 369, 386, 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 Health and Human Services, to which were referred Senate Bills Nos. 50, 366, 374, 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 Judiciary, to which were referred Senate Bills Nos. 195, 305, 473, 476, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Judiciary, to which was referred Senate Bill No. 33, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

STEVE YEAGER, *Chair*

Mr. Speaker:

Your Committee on Ways and Means, to which was rereferred Assembly Bill No. 110, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MAGGIE CARLTON, *Chair*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 15, 2017

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 12, 247, 279, 452; Senate Bill No. 501.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 246.

SHERRY RODRIGUEZ
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Benitez-Thompson moved that the Assembly suspend Assembly Standing Rule 52.5 and subsection 4 of Assembly Standing Rule 57.

Remarks by Assemblywoman Benitez-Thompson.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 246.

Assemblywoman Benitez-Thompson moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

Senate Bill No. 501.

Assemblywoman Benitez-Thompson moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 31.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 675.

AN ACT relating to motor vehicles; revising the requirements for registering certain commercial motor vehicles; revising procedures for registration, renewal of registration and revocation of registration by the Department of Motor Vehicles relating to certain commercial motor vehicles and motor carriers who are subject to certain out-of-service orders; authorizing a peace officer to impound or seize the license plates from certain commercial motor vehicles operated by a motor carrier who is subject to

certain out-of-service orders; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, most motor vehicles, trailers and semitrailers intended to be operated upon any highway in this State must be registered with the Department of Motor Vehicles. (NRS 482.205) **Section 5** of this bill requires a motor carrier operating in intrastate commerce and registering a commercial motor vehicle, other than a farm vehicle, that weighs in excess of 26,000 pounds to: (1) obtain an identification number from the United States Department of Transportation, known as a "USDOT number"; (2) display the USDOT number on each commercial vehicle weighing in excess of 26,000 pounds that is operated by the motor carrier in intrastate commerce; and (3) notify the Department of Motor Vehicles of the name of the motor carrier who is responsible for the safety of each such vehicle. **Sections 8, 10 and 11** of this bill authorize the Department to refuse to register, refuse to renew the registration of or revoke the registration of any such commercial motor vehicle if the motor carrier does not comply with the requirements of **section 5** or if the motor carrier responsible for the safety of the commercial motor vehicle is subject to an out-of-service order, as that term is defined in certain regulations of the Federal Motor Carrier Safety Administration of the United States Department of Transportation. (49 C.F.R. Parts 385 and 386) The Department of Motor Vehicles may, pursuant to **sections 8, 10 and 11**, refuse to register, refuse to renew the registration of or revoke the registration of all such commercial motor vehicles being operated by the motor carrier in intrastate commerce. **Section 5** also requires a motor carrier operating a motor vehicle registered in this State to transport hazardous material to: (1) obtain a USDOT number from the United States Department of Transportation; (2) display the USDOT number on each commercial motor vehicle that is operated by the motor carrier in intrastate commerce; and (3) notify the Department of Motor Vehicles of the name of the motor carrier who is responsible for the safety of each such vehicle. Existing law makes it a misdemeanor to violate the requirements of **section 5**. (NRS 482.555) **Section 6** of this bill requires the Department of Transportation to adopt regulations setting forth each provision of certain federal regulations which, when a violation of those regulations is the basis for a temporary prohibition, qualifies the temporary prohibition as an out-of-service order. **Section 7** of this bill requires any application for registration or renewal of registration of any commercial motor vehicle that is required to obtain a USDOT number from the United States Department of Transportation to be submitted to the Motor Carrier Division of the Department of Motor Vehicles.

Existing law authorizes the Department of Motor Vehicles to enter into an agreement with a motor carrier or a service provider which authorizes the motor carrier or service provider to register, transfer or renew the registration of certain motor vehicles owned or operated by the motor carrier and to issue registration credentials on behalf of the Motor Carrier Division of the

Department. (NRS 482.217, 706.188) **Sections 10 and 19** of this bill authorize the Department to revoke the registration of a commercial motor vehicle weighing over 26,000 pounds, operating in intrastate commerce and registered by a motor carrier or service provider if the Department determines that the motor carrier responsible for the safety of the commercial motor vehicle is subject to an out-of-service order. The Department may also, pursuant to **sections 10 and 19**: (1) revoke the registration of all the commercial motor vehicles weighing over 26,000 pounds, operating in intrastate commerce and registered by a motor carrier who is subject to an out-of-service order; and (2) revoke the motor carrier or service provider's authority to register motor vehicles. **Section 10 also provides that a motor carrier who has entered into an agreement with the Department which allows the motor carrier to register and transfer or renew the registration of any vehicle of the motor carrier is only obligated to provide a bond if required by the Department.**

Existing law requires, for every motortruck, truck-tractor or bus, the payment of an additional fee for registration that is based on the weight of the vehicle. Such a vehicle which weighs not less than 26,001 pounds and not more than 80,000 pounds must pay a fee of \$17 for each 1,000 pounds, with a maximum fee of \$1,360. (NRS 482.482) **Section 13.5** of this bill increases the weight limit for such a vehicle, to the extent authorized by federal law, from a minimum of not less than 80,001 pounds to a maximum of not more than 83,000 pounds, ~~and increases the~~ **but does not increase the** maximum fee ~~commensurately to \$1,411.1~~ **of \$1,360.**

Existing law provides that under the Interstate Highway User Fee Apportionment Act the Department of Motor Vehicles may enter into agreements with certain departments or agencies of other states or countries to provide for certain exemptions and the proration of certain fees and taxes for certain commercial motor vehicles used in interstate commerce. (NRS 706.801, 706.826) **Section 23** of this bill requires an operator applying to register a commercial motor vehicle to operate in this State under such an apportionment agreement to provide the Department of Motor Vehicles with the operator's USDOT number issued by the United States Department of Transportation and to identify the motor carrier responsible for the safety of each commercial motor vehicle registered. **Section 18** of this bill authorizes the Department of Motor Vehicles to refuse to register or refuse to renew the registration of any such commercial motor vehicle that weighs more than 10,000 pounds if the operator does not comply with the requirements to provide a USDOT number or to identify a motor carrier responsible for the safety of the commercial motor vehicle, or if the motor carrier responsible for the safety of the commercial motor vehicle is subject to an out-of-service order. **Section 18** authorizes the Department to revoke the registration and plates, licenses, emblems, certificates or other devices of any such commercial motor vehicle registered to the motor carrier responsible for the

safety of the commercial motor vehicle that is subject to an out-of-service order.

Section 14 of this bill authorizes a peace officer to seize the license plates from a commercial motor vehicle if the motor carrier responsible for the safety of the commercial motor vehicle is subject to an out-of-service order and the commercial motor vehicle is: (1) registered or operating as an apportioned vehicle in interstate commerce and weighs in excess of 10,000 pounds; (2) registered in this State, operating in intrastate commerce and weighs in excess of 26,000 pounds; or (3) transporting hazardous material. If the motor carrier responsible for the safety of the commercial motor vehicle is not the registered owner of the vehicle, the peace officer may impound the commercial motor vehicle, and must notify the registered owner of the impoundment. Upon seizing any license plates based on an out-of-service order, **section 14** requires the peace officer to send the license plates to the Department of Motor Vehicles, which must follow existing procedures to revoke the registration of the commercial motor vehicle. (NRS 482.465)

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

Section 1. Chapter 482 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 8, inclusive, of this act.

Sec. 2. *“Combined gross vehicle weight” means the actual weight of a commercial motor vehicle, including any load the vehicle is carrying, combined with the actual weight of any trailer or load the vehicle is towing.*

Sec. 3. *“Gross vehicle weight” means the actual weight of a commercial motor vehicle, including any load the vehicle is carrying.*

Sec. 4. *“Out-of-service order” means a temporary prohibition on operation by a motor carrier that is issued:*

1. By a federal or state entity with authority to issue such a temporary prohibition; and

2. Pursuant to a provision of 49 C.F.R. Part 385 or 386 that is specified in regulations adopted pursuant to section 6 of this act.

Sec. 5. 1. *Except as otherwise provided in subsection 4, each motor carrier operating a commercial motor vehicle in intrastate commerce with a gross vehicle weight rating, a combined gross vehicle weight rating, a gross vehicle weight or a combined gross vehicle weight in excess of 26,000 pounds must:*

(a) Register with the Federal Motor Carrier Safety Administration of the United States Department of Transportation and obtain a USDOT number issued by the United States Department of Transportation;

(b) Display the USDOT number as required pursuant to 49 C.F.R. § 390.21 on each commercial motor vehicle with a gross vehicle weight rating, a combined gross vehicle weight rating, a gross vehicle weight or a combined gross vehicle weight in excess of 26,000 pounds operated by the motor carrier in intrastate commerce; and

(c) Notify the Department of Motor Vehicles at the time of registration or renewal of registration of each such commercial motor vehicle of:

(1) The USDOT number of the motor carrier; and

(2) The name of the motor carrier responsible for the safety of the commercial motor vehicle.

2. A motor carrier operating a commercial motor vehicle which is registered in this State and is being used to transport hazardous material must, in addition to the requirements of chapter 459 of NRS:

(a) Register with the Federal Motor Carrier Safety Administration and obtain a USDOT number issued by the United States Department of Transportation;

(b) Display the USDOT number as required pursuant to 49 C.F.R. § 390.21 on each commercial motor vehicle used to transport hazardous material; and

(c) Notify the Department of Motor Vehicles at the time of registration and renewal of registration of each such commercial motor vehicle of:

(1) The USDOT number of the motor carrier; and

(2) The name of the motor carrier responsible for the safety of the commercial motor vehicle.

3. A motor carrier must notify the Department of Motor Vehicles within 10 days after a change in the name of the motor carrier responsible for the safety of a commercial motor vehicle reported to the Department pursuant to subparagraph (2) of paragraph (c) of subsection 1 or subparagraph (2) of paragraph (c) of subsection 2.

4. The provisions of subsection 1 do not apply to a farm vehicle or a covered farm vehicle.

5. As used in this section:

(a) "Covered farm vehicle" has the meaning ascribed to it in 49 C.F.R. § 390.5.

(b) "Hazardous material" has the meaning ascribed to it in NRS 459.7024.

Sec. 6. The Department shall adopt regulations which set forth each provision of 49 C.F.R. Parts 385 and 386 which, when a violation of the provision is the basis for a temporary prohibition against operation by a motor carrier, qualifies that temporary prohibition as an out-of-service order for the purposes of section 4 of this act.

Sec. 7. An applicant for the registration or renewal of registration of any commercial motor vehicle who is required by any provision of NRS to register with the Federal Motor Carrier Administration and obtain a USDOT number from the United States Department of Transportation must submit the application to the Motor Carrier Division of the Department of Motor Vehicles.

Sec. 8. 1. The Department may refuse to renew the registration of a commercial motor vehicle operating in intrastate commerce which is registered pursuant to this chapter and which has a gross vehicle weight

rating, a combined gross vehicle weight rating, a gross vehicle weight or a combined gross vehicle weight in excess of 26,000 pounds if:

(a) The motor carrier applying for renewal has not complied with the requirements of section 5 of this act; or

(b) The motor carrier responsible for the safety of the commercial motor vehicle is subject to an out-of-service order.

2. The Department shall mail a notice to the holder of a certificate of registration for a commercial motor vehicle if the Department refuses to renew the registration pursuant to subsection 1. The notice must be mailed as soon as practicable after the Department refuses to renew the registration and must include, without limitation:

(a) The reason for the refusal to renew the registration;

(b) The name of the federal or state entity which issued the out-of-service order, if applicable; and

(c) The procedure by which the holder of the certificate of registration for the commercial motor vehicle may renew the registration by providing evidence satisfactory to the Department that, as applicable:

(1) The motor carrier operating the commercial motor vehicle has complied with the requirements of section 5 of this act; or

(2) The motor carrier responsible for the safety of the commercial motor vehicle is no longer subject to an out-of-service order.

3. A motor carrier applying for the renewal of the registration of a commercial motor vehicle who receives a notice pursuant to this section is not entitled to operate or permit operation of that commercial motor vehicle upon the highways as provided in subsection 5 of NRS 482.280 until the Department notifies the motor carrier that the registration of the commercial motor vehicle is renewed.

Sec. 9. NRS 482.010 is hereby amended to read as follows:

482.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 482.0105 to 482.137, inclusive, **and sections 2, 3 and 4 of this act** have the meanings ascribed to them in those sections.

Sec. 9.5. NRS 482.206 is hereby amended to read as follows:

482.206 1. Except as otherwise provided in this section and NRS 482.2065, every motor vehicle, except for a motor vehicle that is registered pursuant to the provisions of NRS 706.801 to 706.861, inclusive, **and section 18 of this act**, and except for a full trailer or semitrailer that is registered pursuant to subsection 3 of NRS 482.483 or a moped registered pursuant to NRS 482.2155, must be registered for a period of 12 consecutive months beginning the day after the first registration by the owner in this State.

2. Except as otherwise provided in subsections 7 and 8 and NRS 482.2065, every vehicle registered by an agent of the Department or a registered dealer must be registered for 12 consecutive months beginning the first day of the month after the first registration by the owner in this State.

3. Except as otherwise provided in subsection 7 and NRS 482.2065, a vehicle which must be registered through the Motor Carrier Division of the Department, or a motor vehicle which has a declared gross weight in excess of 26,000 pounds, must be registered for a period of 12 consecutive months beginning on the date established by the Department by regulation.

4. Upon the application of the owner of a fleet of vehicles, the Director may permit the owner to register the fleet on the basis of a calendar year.

5. Except as otherwise provided in subsections 3, 6, 7 and 8, when the registration of any vehicle is transferred pursuant to NRS 482.399, the expiration date of each regular license plate, special license plate or substitute decal must, at the time of the transfer of registration, be advanced for a period of 12 consecutive months beginning:

(a) The first day of the month after the transfer, if the vehicle is transferred by an agent of the Department; or

(b) The day after the transfer in all other cases,

↪ and a credit on the portion of the fee for registration and the governmental services tax attributable to the remainder of the current period of registration must be allowed pursuant to the applicable provisions of NRS 482.399.

6. When the registration of any trailer that is registered for a 3-year period pursuant to NRS 482.2065 is transferred pursuant to NRS 482.399, the expiration date of each license plate or substitute decal must, at the time of the transfer of the registration, be advanced, if applicable pursuant to NRS 482.2065, for a period of 3 consecutive years beginning:

(a) The first day of the month after the transfer, if the trailer is transferred by an agent of the Department; or

(b) The day after the transfer in all other cases,

↪ and a credit on the portion of the fee for registration and the governmental services tax attributable to the remainder of the current period of registration must be allowed pursuant to the applicable provisions of NRS 482.399.

7. A full trailer or semitrailer that is registered pursuant to subsection 3 of NRS 482.483 is registered until the date on which the owner of the full trailer or semitrailer:

(a) Transfers the ownership of the full trailer or semitrailer; or

(b) Cancels the registration of the full trailer or semitrailer and surrenders the license plates to the Department.

8. A moped that is registered pursuant to NRS 482.2155 is registered until the date on which the owner of the moped:

(a) Transfers the ownership of the moped; or

(b) Cancels the registration of the moped and surrenders the license plate to the Department.

Sec. 10. NRS 482.217 is hereby amended to read as follows:

482.217 1. Upon the request of a motor carrier or a service provider, the Department may enter into an agreement with the motor carrier or service provider which authorizes the motor carrier or service provider:

(a) Without applying to the Department, to register or transfer or renew the registration of any vehicle:

(1) Owned solely by the motor carrier or service provider; or

(2) Leased solely by the motor carrier or service provider, if the lease is a long-term lease; and

(b) To issue registration credentials on behalf of the Motor Carrier Division of the Department for any vehicle registered pursuant to paragraph (a) and for any vehicle with a registration that has been renewed or transferred pursuant to paragraph (a).

2. Before registering or transferring or renewing the registration of any vehicle pursuant to subsection 1:

(a) A motor carrier who enters into an agreement with the Department pursuant to this section shall , if required by the Department, file with the Department a bond of a surety company authorized to transact business in this State for the benefit of this State in an amount not less than \$25,000; and

(b) A service provider who enters into an agreement with the Department pursuant to this section shall file with the Department a bond of a surety company authorized to transact business in this State for the benefit of this State in an amount not less than \$50,000.

3. If a motor carrier or service provider provides a savings certificate, certificate of deposit or investment certificate pursuant to NRS 100.065 in lieu of ~~(the) a bond (required)~~ filed pursuant to subsection 2, the certificate must state that the amount is not available for withdrawal except upon the approval of the Director.

4. If at any time a motor carrier or service provider is unable to account for an unissued license plate, ~~for deal,~~ the motor carrier or service provider must immediately pay to the Department an amount established by the Department.

5. *If the Department determines that the motor carrier responsible for the safety of a commercial motor vehicle with a gross vehicle weight rating, a combined gross vehicle weight rating, a gross vehicle weight or a combined gross vehicle weight in excess of 26,000 pounds which is operating in intrastate commerce and which is registered pursuant to this section is subject to an out-of-service order, the Department may:*

(a) Revoke the registration of each commercial motor vehicle with a gross vehicle weight rating, a combined gross vehicle weight rating, a gross vehicle weight or a combined gross vehicle weight in excess of 26,000 pounds which is operating in intrastate commerce and which is registered to the motor carrier responsible for the safety of the commercial motor vehicles who is subject to the out-of-service order; and

(b) Revoke or refuse to grant the authority to register or transfer or renew any registration granted pursuant to this section.

6. *The Department, in revoking a registration pursuant to paragraph (a) of subsection 5, shall comply with the requirements of subsections 4 and 5 of NRS 482.465.*

7. The Director shall adopt such regulations as are necessary to carry out the provisions of this section.

~~6.]~~ 8. As used in this section:

(a) “Long-term lease” means a lease for a fixed period of more than ~~[34]~~ 30 days.

(b) “Motor carrier” means a common, contract or private motor carrier registered through the Motor Carrier Division of the Department.

(c) “Registration credentials” includes, without limitation, license plates, registration cab cards ~~[, decals]~~ and temporary authority permits.

(d) “Service provider” means a business or organization authorized by the Department to register or transfer or renew the registration of vehicles on behalf of motor carriers.

Sec. 11. NRS 482.230 is hereby amended to read as follows:

482.230 The Department or a registered dealer shall not grant an application for the registration of a vehicle in any of the following events:

1. When the applicant therefor is not entitled thereto pursuant to the provisions of this chapter.

2. When the applicant has neglected or refused to furnish the Department or registered dealer with the information required in the appropriate official form or reasonable additional information required by the Department or registered dealer.

3. When the fees required therefor by law have not been paid.

4. *When the applicant for the registration of a commercial motor vehicle with a gross vehicle weight rating, a combined gross vehicle weight rating, a gross vehicle weight or a combined gross vehicle weight in excess of 26,000 pounds and which is intended to operate in intrastate commerce is a motor carrier who:*

(a) Has not complied with section 5 of this act; or

(b) Is subject to an out-of-service order.

Sec. 12. NRS 482.280 is hereby amended to read as follows:

482.280 1. Except as otherwise provided in NRS 482.2155, the registration of every vehicle expires at midnight on the day specified on the receipt of registration, unless the day specified falls on a Saturday, Sunday or legal holiday. If the day specified on the receipt of registration is a Saturday, Sunday or legal holiday, the registration of the vehicle expires at midnight on the next judicial day. The Department shall mail to each holder of a certificate of registration a notification for renewal of registration for the following period of registration. The notifications must be mailed by the Department in sufficient time to allow all applicants to mail the notifications to the Department or to renew the certificate of registration at a kiosk or authorized inspection station or via the Internet or an interactive response system and to receive new certificates of registration and license plates, stickers, tabs or other suitable devices by mail before the expiration of their registrations. An applicant may present or submit the notification to any agent or office of the Department.

2. A notification:

(a) Mailed or presented to the Department or to a county assessor pursuant to the provisions of this section;

(b) Submitted to the Department pursuant to NRS 482.294; or

(c) Presented to an authorized inspection station or authorized station pursuant to the provisions of NRS 482.281,

↪ must include, if required, evidence of compliance with standards for the control of emissions.

3. The Department shall include with each notification mailed pursuant to subsection 1:

(a) The amount of the governmental services tax to be collected pursuant to the provisions of NRS 482.260.

(b) The amount set forth in a notice of nonpayment filed with the Department by a local authority pursuant to NRS 484B.527.

(c) A statement which informs the applicant:

(1) That, pursuant to NRS 485.185, the applicant is legally required to maintain insurance during the period in which the motor vehicle is registered which must be provided by an insurance company licensed by the Division of Insurance of the Department of Business and Industry and approved to do business in this State; and

(2) Of any other applicable requirements set forth in chapter 485 of NRS and any regulations adopted pursuant thereto.

(d) A statement which informs the applicant that, if the applicant renews a certificate of registration at a kiosk or via the Internet, he or she may make a nonrefundable monetary contribution of \$2 for each vehicle registration renewed for the Complete Streets Program, if any, created pursuant to NRS 244.2643, 277A.285 or 403.575, as applicable, based on the declaration made pursuant to paragraph (c) of subsection 3 of NRS 482.215. The notification must state in a clear and conspicuous manner that a contribution for a Complete Streets Program is nonrefundable and voluntary and is in addition to any fees required for registration.

(e) Any amount due for reissuance of a license plate or a plate reissued pursuant to subsection 2 of NRS 482.265, if applicable.

4. An application for renewal of a certificate of registration submitted at a kiosk or via the Internet must include a statement which informs the applicant that he or she may make a nonrefundable monetary contribution of \$2, for each vehicle registration which is renewed at a kiosk or via the Internet, for the Complete Streets Program, if any, created pursuant to NRS 244.2643, 277A.285 or 403.575, as applicable, based on the declaration made pursuant to paragraph (c) of subsection 3 of NRS 482.215. The application must state in a clear and conspicuous manner that a contribution for a Complete Streets Program is nonrefundable and voluntary and is in addition to any fees required for registration, and must include a method by which the applicant must indicate his or her intention to opt in or opt out of making such a contribution.

5. ~~Am~~ *Except as otherwise provided in section 8 of this act, an* owner who has made proper application for renewal of registration before the expiration of the current registration but who has not received the license plate or plates or card of registration for the ensuing period of registration is entitled to operate or permit the operation of that vehicle upon the highways upon displaying thereon the license plate or plates issued for the preceding period of registration for such a time as may be prescribed by the Department as it may find necessary for the issuance of the new plate or plates or card of registration.

Sec. 13. NRS 482.465 is hereby amended to read as follows:

482.465 1. The Department shall rescind and cancel the registration of a vehicle whenever the person to whom the certificate of registration or license plates therefor have been issued makes or permits to be made any unlawful use of the certificate or plates or permits the use thereof by a person not entitled thereto.

2. The Department shall cancel a certificate of title or certificate of registration and license plates which have been issued erroneously or improperly, or obtained illegally.

3. In addition to any other penalty set forth in this chapter and chapters 366 , **459, 484A, 484D** and 706 of NRS, the Department may revoke a certificate of title or a certificate of registration and license plates for a vehicle with a declared gross weight in excess of 26,000 pounds if the Department determines that:

(a) The licensee of the vehicle has violated one or more of the provisions of this chapter or chapter 366 , **459, 484A, 484D** or 706 of NRS ~~[-]~~ and

~~[(b) There]~~ *there* is reasonable cause for the revocation ~~[-]~~ ; *or*

(b) The motor carrier responsible for the safety of the vehicle is subject to an out-of-service order.

4. Before revoking a certificate of title or a certificate of registration and license plates pursuant to subsection 3, **subsection 5 of NRS 482.217 or subsection 5 of NRS 706.188**, the Department must send a written notice by certified mail to the licensee *or motor carrier, as applicable*, at his or her last known address ordering the licensee *or motor carrier* to appear before the Department at a time not less than 10 days after the mailing of the notice to show cause why the certificate of title or the certificate of registration and license plates should not be revoked pursuant to this section.

5. Upon rescission, revocation or cancellation of the certificate of title or of the certificate of registration and license plates, the affected certificate or certificate and plates must be returned to the Department upon receipt of notice of rescission, revocation or cancellation.

Sec. 13.5. NRS 482.482 is hereby amended to read as follows:

482.482 1. In addition to any other applicable fee listed in NRS 482.480, there must be paid to the Department for the registration of every motortruck, truck-tractor or bus which has a declared gross weight of:

- (a) Less than 6,000 pounds, a fee of \$33.
- (b) Not less than 6,000 pounds and not more than 8,499 pounds, a fee of \$38.
- (c) Not less than 8,500 pounds and not more than 10,000 pounds, a fee of \$48.
- (d) Not less than 10,001 pounds and not more than 26,000 pounds, a fee of \$12 for each 1,000 pounds or fraction thereof.
- (e) Not less than 26,001 pounds and not more than 80,000 pounds, a fee of \$17 for each 1,000 pounds or fraction thereof. The maximum fee is \$1,360.
- (f) ***To the extent authorized by federal law, not less than 80,001 pounds and not more than 83,000 pounds, a fee of \$17 for each 1,000 pounds or fraction thereof. ~~The~~, except that the maximum fee is ~~(\$1,411) \$1,360.~~***

2. Except as otherwise provided in subsection 6, the original or renewal registration fees for fleets of vehicles with a declared gross weight in excess of 26,000 pounds and the governmental services tax imposed by the provisions of chapter 371 of NRS for the privilege of operating those vehicles may be paid in installments, the amount of which must be determined by regulation. The Department shall not allow installment payments for a vehicle added to a fleet after the original or renewal registration is issued.

3. If the due date of any installment falls on a Saturday, Sunday or legal holiday, that installment is not due until the next following business day.

4. Any payment required by subsection 2 shall be deemed received by the Department on the date shown by the post office cancellation mark stamped on an envelope containing payment properly addressed to the Department, if that date is earlier than the actual receipt of that payment.

5. A person who fails to pay any fee pursuant to subsection 2 or governmental services tax when due shall pay to the Department a penalty of 10 percent of the amount of the unpaid fee, plus interest on the unpaid fee at the rate of 1 percent per month or fraction of a month from the date the fee and tax were due until the date of payment.

6. If a person fails to pay any fee pursuant to subsection 2 or governmental services tax when due, the Department may, in addition to the penalty provided for in subsection 5, require that person to pay:

(a) The entire amount of the unpaid registration fee and governmental services tax owed by that person for the remainder of the period of registration; and

(b) On an annual basis, any registration fee and governmental services tax set forth in subsection 2 which may be incurred by that person in any subsequent period of registration.

7. A person who is convicted of, or who pleads guilty, guilty but mentally ill or nolo contendere to, a violation of NRS 484D.630 must reregister the vehicle with a declared gross weight equal to:

- (a) The gross vehicle weight rating; or
- (b) The combined gross vehicle weight rating, if the vehicle was operated in combination at the time of the violation.

↪ The registration fee owed pursuant to this subsection is incurred from the date the person was convicted of, or pled guilty, guilty but mentally ill or nolo contendere to, a violation of NRS 484D.630.

Sec. 14. Chapter 484A of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in subsection 4, a peace officer may seize the license plates from a commercial motor vehicle which is:

(a) Registered or operating in this State pursuant to the provisions of NRS 706.801 to 706.861, inclusive, and section 18 of this act and has a gross vehicle weight rating, a combined gross vehicle weight rating, a gross vehicle weight or a combined gross vehicle weight in excess of 10,000 pounds;

(b) Registered in this State pursuant to chapter 482 of NRS, operating in intrastate commerce and has a gross vehicle weight rating, a combined gross vehicle weight rating, a gross vehicle weight or a combined gross vehicle weight in excess of 26,000 pounds; or

(c) Transporting hazardous material,

↪ *if the peace officer determines that the motor carrier responsible for the safety of the commercial motor vehicle is subject to an out-of-service order.*

2. Upon the seizure of any license plates pursuant to subsection 1, a peace officer shall immediately:

(a) Provide the motor carrier responsible for the safety of the commercial motor vehicle, if present, or the driver of the commercial motor vehicle if the motor carrier responsible for the safety of the commercial motor vehicle is not present, a notice which explains the procedures required pursuant to this section and NRS 482.465; and

(b) Transmit the license plates to the Department.

3. The Department, upon the receipt of the license plates pursuant to subsection 2, shall proceed as provided in NRS 482.465.

4. A peace officer may impound a commercial motor vehicle which meets the requirements of paragraph (a), (b) or (c) of subsection 1 if the peace officer determines that:

(a) The motor carrier responsible for the safety of the commercial motor vehicle is subject to an out-of-service order; and

(b) The motor carrier responsible for the safety of the commercial motor vehicle is not the registered owner of the vehicle.

5. Upon the impounding of a commercial motor vehicle pursuant to subsection 4, the peace officer who impounded the vehicle or the law enforcement agency for which he or she is employed shall notify the registered owner of the commercial motor vehicle of the impoundment as soon as practicable.

6. As used in this section:

(a) *“Combined gross vehicle weight” has the meaning ascribed to it in section 2 of this act.*

(b) *“Combined gross vehicle weight rating” has the meaning ascribed to it in NRS 482.0153.*

(c) *“Gross vehicle weight” has the meaning ascribed to it in section 3 of this act.*

(d) *“Gross vehicle weight rating” has the meaning ascribed to it in NRS 482.0445.*

(e) *“Hazardous material” has the meaning ascribed to it in NRS 459.7024.*

(f) *“Out-of-service order” has the meaning ascribed to it in section 4 of this act.*

Sec. 15. NRS 484D.570 is hereby amended to read as follows:

484D.570 1. Except as otherwise provided in subsection 2 and NRS 706.235 ~~[]~~ **and section 14 of this act:**

(a) A person shall not operate any vehicle after notice of an unsafe condition or that the vehicle is not equipped as required by this chapter, unless it is necessary to return the vehicle to the residence or place of business of the owner or driver or to a garage and operation of the vehicle is not further limited by NRS 706.246.

(b) If any peace officer or vehicle safety inspector finds that any vehicle is unsafe to a degree that continued operation would endanger the driver, any other occupant or any person on a public highway, the officer or inspector may require that the driver cease operation of the vehicle or that the vehicle be taken to the nearest garage or other safe place.

2. ~~[]~~ **Except as otherwise provided in section 14 of this act, if** the vehicle is transporting wet concrete or other perishable cargo and does not pose an immediate threat to the life of the driver or any other person upon a public highway, and if the destination of the vehicle is within a distance of not more than 15 miles, the peace officer or vehicle safety inspector shall permit the vehicle to proceed to its destination and unload its cargo. Upon the arrival of the vehicle at its destination, the officer or inspector may order that the vehicle be taken, after the cargo of the vehicle has been unloaded, to the nearest garage or other place where the vehicle may be safely repaired.

Sec. 16. NRS 459.250 is hereby amended to read as follows:

459.250 1. Peace officers of the Nevada Highway Patrol shall enforce those provisions of NRS 459.221 and 459.7052 to 459.728, inclusive, which govern the transport and handling of radioactive waste as they affect the safety of drivers or vehicles, the leakage or spill of radioactive waste from its package or the emission of ionizing radiation in an unsafe amount as established by the regulations of the State Board of Health.

2. The peace officer may:

(a) Impound a vehicle with unsafe equipment; ~~[or]~~

(b) Detain a vehicle, if any waste has leaked or spilled from its package or if the peace officer has detected the emission of ionizing radiation in an

unsafe amount, and order the driver of the vehicle to park it in a safe place, as determined by an officer designated by the Division, pending remedial action by that Division ~~[]~~; *or*

(c) Impound the vehicle or seize the license plates of the vehicle pursuant to the provisions of section 14 of this act.

3. After a vehicle has been so detained, an officer designated by the Division may order:

- (a) The vehicle to be impounded;
- (b) The leaked or spilled waste to be cleaned up;
- (c) The contents of any unsafe or leaking package to be repackaged; or
- (d) Any other appropriate precaution or remedy,

↪ at the expense of the shipper or broker, carrier or other person who is responsible as determined by the Division.

Sec. 17. NRS 459.7052 is hereby amended to read as follows:

459.7052 Except as otherwise *provided in section 5 of this act or* required by federal law, before transporting a hazardous material upon a public highway of this State, a motor carrier shall register with and obtain a permit for the transportation of hazardous materials:

- 1. From the Department; or
- 2. If the motor carrier has designated another participating state as its base state pursuant to the uniform program, from the base state.

Sec. 18. Chapter 706 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Department may refuse to register or renew the registration of a commercial motor vehicle operated by a motor carrier pursuant to the provisions of this section and NRS 706.801 to 706.861, inclusive, and which has a gross vehicle weight rating, a combined gross vehicle weight rating, a gross vehicle weight or a combined gross vehicle weight in excess of 10,000 pounds if:

- (a) The motor carrier applying for registration or renewal has not complied with the requirements of NRS 706.841; or*
- (b) The motor carrier responsible for the safety of the commercial motor vehicle is subject to an out-of-service order.*

2. The Department shall mail a notice to the applicant for registration or the holder of a certificate of registration for a commercial motor vehicle if the Department refuses to register or renew the registration pursuant to subsection 1. The notice must be mailed as soon as practicable after the Department refuses to register or renew the registration and must include, without limitation:

- (a) The reason for the refusal to register or renew registration;*
- (b) The name of the federal or state entity which issued the out-of-service order, if applicable;*
- (c) The procedure by which the applicant may register the commercial motor vehicle or the holder of the certificate of registration for the*

commercial motor vehicle may renew the registration by providing evidence satisfactory to the Department that, as applicable:

(1) The motor carrier operating the commercial motor vehicle has complied with the requirements of NRS 706.841; or

(2) The motor carrier responsible for the safety of the commercial motor vehicle is no longer subject to an out-of-service order.

3. In addition to any other penalty set forth in this chapter and chapter 366 of NRS, the Department may revoke the registration and plates, licenses, emblems, certificates or other devices of the vehicle pursuant to NRS 706.846 for a commercial motor vehicle operated by a motor carrier pursuant to the provisions of this section and NRS 706.801 to 706.861, inclusive, and which has a gross vehicle weight rating, a combined gross vehicle weight rating, a gross vehicle weight or a combined gross vehicle weight in excess of 10,000 pounds if the motor carrier responsible for the safety of the commercial motor vehicle is subject to an out-of-service order.

4. Before revoking the registration and plates, licenses, emblems, certificates or other devices of a vehicle pursuant to subsection 3, the Department must send a written notice by certified mail to the operator of the vehicle at his or her last known address ordering the operator to appear before the Department not less than 10 days after the mailing of the notice to show cause why the registration and plates, licenses, emblems, certificates or other devices should not be revoked pursuant to this section.

5. Upon the revocation of the registration and plates, licenses, emblems, certificates or other devices of a vehicle pursuant to this section, the affected plates, licenses, emblems, certificates or other devices must be returned to the Department upon receipt of the notice of revocation.

6. As used in this section:

(a) "Combined gross vehicle weight" has the meaning ascribed to it in section 2 of this act.

(b) "Combined gross vehicle weight rating" has the meaning ascribed to it in NRS 482.0153.

(c) "Commercial motor vehicle" has the meaning ascribed to it in 49 C.F.R. § 390.5.

(d) "Gross vehicle weight" has the meaning ascribed to it in section 3 of this act.

(e) "Gross vehicle weight rating" has the meaning ascribed to it in NRS 482.0445.

Sec. 19. NRS 706.188 is hereby amended to read as follows:

706.188 1. Upon the request of a motor carrier or a service provider, the Department may enter into an agreement with the motor carrier or service provider which authorizes the motor carrier or service provider:

(a) Without applying to the Department, to register or transfer or renew the registration of any vehicle:

- (1) Owned solely by the motor carrier or service provider; or
- (2) Leased solely by the motor carrier or service provider, if the lease is a long-term lease; and

(b) To issue registration credentials on behalf of the Motor Carrier Division of the Department for any vehicle registered pursuant to paragraph (a) and for any vehicle with a registration that has been renewed or transferred pursuant to paragraph (a).

2. Before registering or transferring or renewing the registration of any vehicle pursuant to subsection 1:

(a) A motor carrier who enters into an agreement with the Department pursuant to this section shall file with the Department a bond of a surety company authorized to transact business in this State for the benefit of this State in an amount not less than \$25,000; and

(b) A service provider who enters into an agreement with the Department pursuant to this section shall file with the Department a bond of a surety company authorized to transact business in this State for the benefit of this State in an amount not less than \$50,000.

3. If a motor carrier or service provider provides a savings certificate, certificate of deposit or investment certificate pursuant to NRS 100.065 in lieu of the bond required pursuant to subsection 2, the certificate must state that the amount is not available for withdrawal except upon the approval of the Director of the Department.

4. If at any time a motor carrier or service provider is unable to account for an unissued license plate, ~~for decal,~~ the motor carrier or service provider must immediately pay to the Department an amount established by the Department.

5. *If the Department determines that the motor carrier responsible for the safety of a commercial motor vehicle with a gross vehicle weight rating, a combined gross vehicle weight rating, a gross vehicle weight or a combined gross vehicle weight in excess of 26,000 pounds which is operating in intrastate commerce and which is registered pursuant to this section is subject to an out-of-service order, the Department may:*

(a) Revoke the registration of each commercial motor vehicle with a gross vehicle weight rating, a combined gross vehicle weight rating, a gross vehicle weight or a combined gross vehicle weight in excess of 26,000 pounds which is operating in intrastate commerce and which is registered to the motor carrier responsible for the safety of the motor vehicles who is subject to the out-of-service order; and

(b) Revoke or refuse to grant the authority to register or transfer or renew any registration granted pursuant to this section.

6. *The Department, in revoking a registration pursuant to paragraph (a) of subsection 5, shall comply with the provisions of subsections 4 and 5 of NRS 482.465.*

7. The Director of the Department shall adopt such regulations as are necessary to carry out the provisions of this section.

~~6.~~ 8. As used in this section:

(a) ***“Commercial motor vehicle” has the meaning ascribed to it in 49 C.F.R. § 390.5.***

(b) “Lease” has the meaning ascribed to it in NRS 482.053.

~~(b)~~ (c) “Long-term lease” means a lease for a fixed period of more than ~~30~~ 30 days.

~~(e)~~ (d) “Motor carrier” means a common, contract or private motor carrier registered through the Motor Carrier Division of the Department.

~~(d)~~ (e) ***“Out-of-service order” has the meaning ascribed to it in section 4 of this act.***

(f) “Registration credentials” includes, without limitation, license plates, registration cab cards ~~[-deals]~~ and temporary authority permits.

~~(e)~~ (g) “Service provider” means a business or organization authorized by the Department to register or transfer or renew the registration of vehicles on behalf of motor carriers.

Sec. 20. NRS 706.235 is hereby amended to read as follows:

706.235 1. ~~Whenever~~ ***Except as otherwise provided in section 14 of this act, whenever*** a peace officer detains the driver of a heavy-duty motor vehicle for a violation of any provision of this chapter or any other specific statute or regulation relating to the equipment, lights, brakes, tires, mechanisms or safety appliances required of such a vehicle, the peace officer shall, in lieu of arresting the driver, prepare manually or electronically and issue a citation, a notice of correction, or both. If a notice of correction is issued, it must set forth the violation with particularity and specify the corrective action which must be taken.

2. ~~If~~ ***Except as otherwise provided in section 14 of this act, if,*** at the time of the issuance of a citation or a notice of correction, the peace officer determines that the vehicle is unsafe and poses an immediate threat to the life of the driver or any other person upon a public highway, the peace officer may require that the vehicle be taken to the nearest garage or other place where the vehicle may be safely repaired. If the vehicle is transporting wet concrete or other perishable cargo and does not pose an immediate threat to life, and if the destination of the vehicle is within a distance of not more than 15 miles, the peace officer shall not delay the vehicle for more than 15 minutes and shall permit the vehicle to proceed to its destination and unload its cargo. Upon the arrival of the vehicle at its destination, the peace officer may order that the vehicle be taken, after the cargo of the vehicle has been unloaded, to the nearest garage or other place where the vehicle may be safely repaired.

3. As used in this section:

(a) “Heavy-duty motor vehicle” means a motor vehicle which:

(1) Has a manufacturer's gross vehicle weight rating of 10,000 pounds or more; and

(2) Is owned or leased by or otherwise used in the regular course of the business of a common, contract or private motor carrier.

(b) "Peace officer" means:

(1) A peace officer or an inspector of the Department of Motor Vehicles or Department of Public Safety; or

(2) A sheriff, peace officer or traffic officer assisting in the enforcement of the provisions of this chapter.

Sec. 21. NRS 706.806 is hereby amended to read as follows:

706.806 As used in NRS 706.801 to 706.861, inclusive, **and section 18 of this act**, unless the context otherwise requires:

1. "Country" includes any political subdivision thereof.

2. "Department" means the Department of Motor Vehicles.

3. "Fee" means each fee for registration and tax imposed by this State, except motor vehicle fuel taxes and motor carrier licensing fees.

4. "Mileage" includes mileage in this State and in all other states and countries.

5. "Motor vehicle" includes every motor vehicle with a declared gross weight in excess of 26,000 pounds required to be registered under the laws of this State.

6. "Operator" includes the owner or operator of any motor vehicle.

7. **"Out-of-service order" has the meaning ascribed to it in section 4 of this act.**

8. "Plan" means a plan adopted by any state or country for the proration of fees on a basis to effectuate the principles set forth in NRS 706.826.

~~8.~~ 9. "State" includes the states of the United States, the District of Columbia and the territories of the United States.

~~9.~~ 10. "Vehicle" includes every vehicle of a type required to be registered under the laws of this State.

Sec. 22. NRS 706.813 is hereby amended to read as follows:

706.813 The provisions of NRS 706.801 to 706.861, inclusive, **and section 18 of this act** do not apply to:

1. Vehicles which are exempt from special fuel tax requirements under NRS 366.221.

2. Vehicles having a gross vehicle weight rating or gross combined vehicle weight rating of 26,000 pounds or less unless the vehicle meets the definition of "commercial motor vehicle" set forth in 49 C.F.R. § 350.105, and except that such vehicles are eligible for apportionment under the provisions of this chapter upon application by the operator.

Sec. 23. NRS 706.841 is hereby amended to read as follows:

706.841 1. Each operator shall qualify to operate pursuant to the provisions of NRS 706.801 to 706.861, inclusive, **and section 18 of this act** by filing an application for that purpose with the Department:

(a) If the application is an initial application for registration, before the time any fee becomes delinquent; and

(b) If the application is for the renewal of a registration, on or before December 1.

2. The application must:

(a) Show the total mileage of motor vehicles operated by the person in this State and all states and countries during the next preceding 12 months ending June 30 and describe and identify each ~~motor~~ vehicle to be operated during the period of registration in such detail as the Department may require ~~it~~, **including, without limitation, the name of the motor carrier responsible for the safety of each vehicle.**

(b) **Include the USDOT number issued to the operator by the United States Department of Transportation.**

(c) Be accompanied by a fee, unless the Department *of Motor Vehicles* is satisfied that the fee is secured, to be computed as follows:

(1) Divide the number of in-state miles by the total number of fleet miles;

(2) Determine the total amount of money necessary to register each motor vehicle in the fleet for which registration is requested; and

(3) Multiply the amount determined under subparagraph (2) by the fraction obtained pursuant to subparagraph (1).

Sec. 24. NRS 706.846 is hereby amended to read as follows:

706.846 ~~Upon~~

1. Except as otherwise provided in section 18 of this act, upon the payment of all fees required pursuant to the provisions of NRS 706.801 to 706.861, inclusive, and section 18 of this act, or upon being satisfied that the fee is secured and upon compliance with the laws of this State in order to register the vehicles, the Department shall register them, and issue plates, licenses, emblems, certificates or other devices for the vehicles in the same manner as otherwise provided by law.

2. A motor carrier operating pursuant to the provisions of NRS 706.801 to 706.861, inclusive, and section 18 of this act must notify the Department within 10 days after a change in the name of the motor carrier responsible for the safety of a vehicle included in an application submitted to the Department pursuant to NRS 706.841.

Sec. 25. As soon as practicable after January 1, 2018, upon determining that sufficient resources are available to enable the Department of Motor Vehicles to carry out the amendatory provisions of this act, the Director of the Department shall notify the Governor and the Director of the Legislative Counsel Bureau of that fact, and shall publish on the Internet website of the Department notice to the public of that fact.

Sec. 26. This act becomes effective:

1. Upon passage and approval for the purpose of adopting regulations and performing any preparatory administrative tasks that are necessary to carry out the provisions of this act; and

2. For all other purposes, on the earlier of:

(a) July 1, 2020; or

(b) The date on which the Director of the Department of Motor Vehicles, pursuant to section 25 of this act, notifies the Governor that sufficient resources are available to enable the Department to carry out the amendatory provisions of this act.

Assemblyman Carrillo moved the adoption of the amendment.

Remarks by Assemblyman Carrillo.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

Senate Bill No. 51.

Bill read second time and ordered to third reading.

Senate Bill No. 53.

Bill read second time and ordered to third reading.

Senate Bill No. 75.

Bill read second time and ordered to third reading.

Senate Bill No. 108.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 659.

AN ACT relating to education; requiring the State Board of Education to create a subcommittee to study the manner in which to include certain instruction in criminal law in the social studies courses required for graduation from a public high school; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires each pupil enrolled in a public high school to enroll in at least three units of credit in social studies. (NRS 389.018) This bill requires the State Board of Education to create a subcommittee to study the manner in which to include certain instruction in criminal law in the required units of credit in social studies and specifies certain crimes which frequently involve persons under the age of 18 years that must be included in the instruction. In addition, this bill requires that such instruction emphasize personal responsibility for understanding and complying with the law and lists specific topics to be included as part of this instruction. In addition, the instruction must include information to assist victims and witnesses of such crimes and lists specific topics for this instruction. This bill requires: (1) the State Board of Education to report the findings of the subcommittee to the Legislative Committee on Education, including any actions it has taken or intends to take to include the instruction in the social studies courses; and (2) the Legislative Committee on Education to consider the report and transmit any recommendations for legislation to ensure the instruction is included in

the curriculum for social studies to the 80th Session of the Nevada Legislature.

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

Section 1. (Deleted by amendment.)

Sec. 1.5. 1. The State Board of Education shall create a subcommittee to study the manner in which to include, in one of the three units of credit in social

studies required pursuant to NRS 389.018 instruction concerning crimes that frequently involve persons under the age of 18 years. Such instruction must include, without limitation, crimes involving:

(a) Sexual conduct, including, without limitation, sexual assault, statutory sexual seduction, sex trafficking and sexting;

(b) Alcohol and controlled substances, including, without limitation, driving under the influence and the possession, use and distribution of alcohol and controlled substances;

(c) Domestic violence;

(d) Stalking; and

(e) Destruction of property.

2. The instruction described in subsection 1 must emphasize personal responsibility for understanding and complying with the law and must include, without limitation, instruction on:

(a) The elements of the various crimes;

(b) Appropriate conduct necessary to avoid being accused of such crimes, including, without limitation, specific instruction concerning the legal requirements for finding consent with respect to sexual conduct;

(c) The consequences of engaging in such crimes;

(d) The rights of a person alleged to have committed any such crime; and

(e) The criminal justice system.

3. The instruction described in subsection 1 must provide information to assist victims and witnesses of such crimes, including, without limitation:

(a) The rights of victims;

(b) Resources available to victims;

(c) The rights and responsibilities of a person who witnesses any such crime; and

(d) Information concerning how to report such a crime and where to seek assistance.

4. The study conducted by the subcommittee created pursuant to subsection 1 must include, without limitation:

(a) The manner in which to modify the curriculum of the relevant course in social studies to include the instruction described in subsections 1, 2 and 3;

(b) Any appropriate revision to the requirements for licensure or endorsement that may be necessary or appropriate for a teacher who provides the instruction described in subsections 1, 2 and 3;

(c) The professional development that may be necessary or appropriate for a teacher who provides the instruction described in subsections 1, 2 and 3; and

(d) Consideration of any similar instruction provided in another state or school district.

5. The subcommittee created pursuant to subsection 1 shall report its findings to the State Board of Education on or before April 1, 2018. The State Board of Education shall, on or before July 1, 2018, submit a report to the Legislative Committee on Education which includes its recommendations to carry out the instruction described in subsections 1, 2 and 3, as well as any actions the State Board has taken or intends to take to include the instruction in the relevant social studies course.

6. The Legislative Committee on Education shall consider the report submitted by the State Board of Education and, on or before September 1, 2018, prepare and submit a written report to the Director of the Legislative Counsel Bureau, for transmittal to the 80th Session of the Nevada Legislature, concerning the Committee's consideration of the matters described in this section and any recommendations for legislation to ensure the instruction described in subsections 1, 2 and 3 are included in the curriculum for social studies that is required to be taken in high school.

Sec. 2. 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, reengrossed and to third reading.

Senate Bill No. 116.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 661.

AN ACT relating to trespassing; revising provisions governing warning against trespassing; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law makes it a misdemeanor for a person to go upon the land or into any building of another in certain circumstances, including willfully going or remaining on land or in a building after being warned by the owner or occupant thereof not to trespass. For the purposes of determining whether a person has been given sufficient warning not to trespass, the owner or occupant of land may: (1) paint the area in a certain manner depending on the use of the land; (2) fence the area; or (3) make an oral or written demand to vacate the land or building. (NRS 207.200)

This bill: (1) revises provisions governing the requirements for painting certain posts, structures or natural objects to remove the distinction based on the use of the land; (2) **provides that posting "no trespassing" signs in**

certain areas provides sufficient warning against trespass; (3) provides that using an area as cultivated land provides sufficient warning against trespass; and ~~(3)~~ **(4)** defines “cultivated land” for such purposes.

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

Section 1. NRS 207.200 is hereby amended to read as follows:

207.200 1. Unless a greater penalty is provided pursuant to NRS 200.603, any person who, under circumstances not amounting to a burglary:

(a) Goes upon the land or into any building of another with intent to vex or annoy the owner or occupant thereof, or to commit any unlawful act; or

(b) Willfully goes or remains upon any land or in any building after having been warned by the owner or occupant thereof not to trespass,

↪ is guilty of a misdemeanor. The meaning of this subsection is not limited by subsections 2 and 4.

2. A sufficient warning against trespassing, within the meaning of this section, is given by any of the following methods:

(a) ~~If the land is used for agricultural purposes or for herding or grazing livestock, by painting~~ **Painting** with fluorescent orange paint:

(1) Not less than 50 square inches ~~[of the exterior portion]~~ of a structure or natural object or the top 12 inches ~~[of the exterior portion]~~ of a post, whether made of wood, metal or other material, at:

(I) Intervals of such a distance as is necessary to ensure that at least one such structure, natural object or post would be within the direct line of sight of a person standing next to another such structure, natural object or post, but at intervals of not more than 1,000 feet; and

(II) Each corner of the land, upon or near the boundary; and

(2) Each side of all gates, cattle guards and openings that are designed to allow human ingress to the area;

(b) ~~If the land is not used in the manner specified in paragraph (a), by painting with fluorescent orange paint not less than 50 square inches of the exterior portion of a structure or natural object or the top 12 inches of the exterior portion of a post, whether made of wood, metal or other material, at:~~

~~—(1) Intervals of such a distance as is necessary to ensure that at least one such structure, natural object or post would be within the direct line of sight of a person standing next to another such structure, natural object or post, but at intervals of not more than 200 feet; and~~

~~—(2) Each corner of the land, upon or near the boundary;~~

~~—(c) Fencing the area; ~~or~~~~

~~—(d) (c) **Posting “no trespassing” signs or other notice of like meaning at:**~~

(1) Intervals of such a distance as is necessary to ensure that at least one such sign would be within the direct line of sight of a person standing next to another such sign, but at intervals of not more than 1,000 feet; and

(2) Each corner of the land, upon or near the boundary;

(d) Using the area as cultivated land; or

~~[(d)]~~ (e) By the owner or occupant of the land or building making an oral or written demand to any guest to vacate the land or building.

3. It is prima facie evidence of trespass for any person to be found on private or public property which is posted or fenced as provided in subsection 2 without lawful business with the owner or occupant of the property.

4. An entryman on land under the laws of the United States is an owner within the meaning of this section.

5. As used in this section:

(a) ***“Cultivated land” means land that has been cleared of its natural vegetation and is presently planted with a crop, orchard, grove, pasture or trees or is fallow land as part of a crop rotation.***

(b) “Fence” means a barrier sufficient to indicate an intent to restrict the area to human ingress, including, but not limited to, a wall, hedge or chain link or wire mesh fence. The term does not include a barrier made of barbed wire.

~~[(b)]~~ (c) “Guest” means any person entertained or to whom hospitality is extended, including, but not limited to, any person who stays overnight. The term does not include a tenant as defined in NRS 118A.170.

Sec. 2. This act becomes effective on July 1, 2017.

Assemblyman Yeager moved the adoption of the amendment.

Remarks by Assemblyman Yeager.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

Senate Bill No. 117.

Bill read second time and ordered to third reading.

Senate Bill No. 122.

Bill read second time.

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

Amendment No. 649.

AN ACT relating to family planning; establishing a program to award grants to local governmental entities and nonprofit organizations for the purpose of providing certain services relating to family planning; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the Division of Health Care Financing and Policy of the Department of Health and Human Services to: (1) conduct a family planning service in any county of this State; and (2) establish a policy of referral of certain persons for family planning services. (NRS 422.308)

Section 5 of this bill establishes the Account for Family Planning in the State General Fund and requires the Administrator of the Division of Public and Behavioral Health of the Department of Health and Human Services to

administer the Account. **Section 5** requires the money in the Account to be expended to award grants of money to local governmental entities and nonprofit organizations to be used to provide certain services relating to family planning to persons who would otherwise have difficulty obtaining those services. **Section 5** authorizes a local government that is awarded a grant to provide such family planning services through a contract with another person or entity. **Section 6** of this bill authorizes the Administrator to accept gifts, grants and donations for the purpose of awarding such grants. **Section 7** of this bill requires the recipient of a grant to provide certain information to a person to whom the recipient provides ~~counseling~~ **education** that is funded by a grant. **Sections 7 and 9** of this bill provide that any personally identifiable information concerning a person to whom a grant recipient provides services is confidential. **Section 8** of this bill requires the State Board of Health to adopt regulations concerning the award of grants.

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

Section 1. Chapter 442 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. *“Account” means the Account for Family Planning created by section 5 of this act.*

Sec. 4. *“Administrator” means the Administrator of the Division.*

Sec. 5. 1. *The Account for Family Planning is hereby created in the State General Fund. The Administrator shall administer the Account.*

2. *Except as otherwise provided in subsection 5, the money in the Account must be expended to award grants of money to local governmental entities and nonprofit organizations to provide the family planning services described in this section to persons who would otherwise have difficulty obtaining such services because of poverty, lack of insurance or transportation or any other reason. Grants of money awarded pursuant to this section may only be used to fund:*

*(a) The provision of ~~counseling~~ **education** by trained personnel concerning family planning;*

(b) The distribution of information concerning family planning;

(c) The referral of persons to appropriate agencies, organizations and providers of health care for consultation, examination, treatment, genetic counseling and prescriptions for the purpose of family planning;

(d) The distribution of contraceptives, the installation of contraceptive devices and the performance of contraceptive procedures approved by the United States Food and Drug Administration, which must be limited to:

(1) Sterilization surgery for women;

(2) Surgical sterilization implants for women;

- (3) *Implantable rods;*
- (4) *Copper intrauterine devices and intrauterine devices with progestin;*
- (5) *Contraceptive injections and patches;*
- (6) *Combined oral contraceptive pills, progestin only oral contraceptives and oral contraceptives for extended or continuous use;*
- (7) *Vaginal contraceptive rings;*
- (8) *Diaphragms;*
- (9) *Contraceptive sponges;*
- (10) *Cervical caps;*
- (11) *Female condoms;*
- (12) *Spermicide; and*
- (13) *Levonorgestrel and ulipristal acetate;*
- (e) *The provision of or referral of persons for preconception health services and assistance to achieve pregnancy; and*
- (f) *The provision of or referral of persons for testing for and treatment of sexually transmitted infections.*

3. *Family planning services funded by a local governmental entity using a grant awarded pursuant to this section may be provided wholly or partially through a contract between the local governmental entity and another local governmental entity, an agency of the State, a community health nurse, a consultant or any other person or entity.*

4. *Family planning services funded using a grant awarded pursuant to this section must be ~~provided~~ made available to persons requesting such services:*

- (a) *In a manner that protects the dignity of the recipient;*
- (b) *Without regard to religion, race, color, national origin, physical or mental disability, age, sex, gender identity or expression, sexual orientation, number of previous pregnancies or marital status;*
- (c) *In accordance with ~~f~~ written clinical protocols that are in accordance with nationally recognized standards of care;*
- ~~(2) The provisions of 42 U.S.C. § 300(a) requiring a grantee to encourage family participation, to the extent practical, in family planning projects; and~~
- ~~(3) The provisions of Program Policy Notice 2014-01 issued by the Office of Population Affairs of the United States Department of Health and Human Services on June 5, 2014, prohibiting a grantee from requiring the consent of parents or guardians for the provision of services to a minor or notifying the parent or guardian of a minor before or after the minor has requested or received family planning services, regardless of whether that Program Policy Notice is superseded or revoked;~~ and
- (d) *By persons who are required by NRS 432B.220 to report the abuse or neglect of a child.*

5. *The Administrator may not use more than 10 percent of the money in the Account to administer the Account.*

6. *The Administrator shall award grants of money from the Account based entirely on the need for family planning services in the community served by the local governmental entity or the nonprofit organization and the ability of the local governmental entity or nonprofit organization to effectively deliver family planning services.*

7. *The existence of the Account does not create a right in any local government or nonprofit organization to receive money from the Account.*

8. *As used in this section, "preconception health services" means the promotion of proper health practices, screenings and interventions conducted before pregnancy to identify and modify biomedical, behavioral and social risks to a woman's health or pregnancy outcome through prevention and management.*

Sec. 6. 1. *The Administrator may apply for and accept any gift, donation, bequest, grant or other source of money for the purpose of awarding grants pursuant to section 5 of this act. Any money so received must be deposited in the Account.*

2. *The interest and income earned on money in the Account from any gift, donation or bequest, after deducting any applicable charges, must be credited to the Account.*

3. *Money from any gift, donation or bequest that remains in the Account at the end of the fiscal year does not revert to the State General Fund, and the balance in the Account must be carried forward to the next fiscal year.*

Sec. 7. 1. *A local governmental entity or nonprofit organization that receives a grant pursuant to section 5 of this act shall:*

(a) Inform a person to whom the entity or organization provides ~~[counseling]~~ education concerning family planning which is funded by a grant of any methods or procedures that may be used to assist the person to achieve his or her goals concerning family planning. The information must include:

(1) A clear explanation of family planning services, procedures, prescriptions and devices available directly from the entity or organization and those for which referral is required;

(2) A description of any risks of the method or procedure, including possible negative outcomes and discomfort or pain that may result from using the method or procedure;

(3) A description of the likely outcome and benefits of using the method or procedure;

(4) A description of any alternative methods or procedures designed to accomplish the same goal; and

(5) Answers to any questions the person has concerning the method or procedure.

(b) Notify a person to whom the entity or organization provides ~~counseling~~ education concerning family planning which is funded by a grant that the person is free to refuse any method or procedure about which the entity or organization informs the person pursuant to paragraph (a).

2. Any personally identifiable information concerning a person to whom services funded by a grant pursuant to section 5 of this act are provided is confidential. A local governmental entity or nonprofit organization that receives such a grant shall comply with all laws concerning the privacy of information, including, without limitation, the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, as amended, and applicable regulations.

Sec. 8. 1. *The State Board of Health shall adopt any regulations necessary to carry out the provisions of sections 2 to 8, inclusive, of this act. The regulations must establish, without limitation:*

(a) The manner in which a local governmental entity or nonprofit organization may apply for a grant pursuant to section 5 of this act; and

(b) A requirement that the recipient of a grant pursuant to section 5 of this act must submit any information that the State Board of Health determines is necessary for the Administrator to determine the purposes for which such a grant was used and evaluate the outcomes of services provided using such grants.

2. The regulations adopted pursuant to this section must not require a local governmental entity or nonprofit organization to apply for a grant pursuant to section 5 of this act.

Sec. 9. NRS 239.010 is hereby amended to read as follows:

239.010 1. Except as otherwise provided in this section and NRS 1.4683, 1.4687, 1A.110, 41.071, 49.095, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653, 119B.370, 119B.382, 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817, 130.312, 130.712, 136.050, 159.044, 172.075, 172.245, 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.165, 179A.450, 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3925, 209.419, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 228.270, 228.450, 228.495, 228.570, 231.069, 231.1473, 233.190, 237.300, 239.0105, 239.0113, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335, 250.087, 250.130, 250.140, 250.150, 268.095,

268.490, 268.910, 271A.105, 281.195, 281A.350, 281A.440, 281A.550, 284.4068, 286.110, 287.0438, 289.025, 289.080, 289.387, 289.830, 293.5002, 293.503, 293.558, 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.16925, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.610, 365.138, 366.160, 368A.180, 372A.080, 378.290, 378.300, 379.008, 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503, 388.513, 388.750, 391.035, 392.029, 392.147, 392.264, 392.271, 392.850, 394.167, 394.1698, 394.447, 394.460, 394.465, 396.3295, 396.405, 396.525, 396.535, 398.403, 408.3885, 408.3886, 408.3888, 408.5484, 412.153, 416.070, 422.2749, 422.305, 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.205, 432B.175, 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 433.534, 433A.360, 439.840, 439B.420, 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395, 445A.665, 445B.570, 449.209, 449.245, 449.720, 450.140, 453.164, 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050, 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403, 463.3407, 463.790, 467.1005, 480.365, 481.063, 482.170, 482.5536, 483.340, 483.363, 483.575, 483.659, 483.800, 484E.070, 485.316, 503.452, 522.040, 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098, 598A.110, 599B.090, 603.070, 603A.210, 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350, 618.341, 618.425, 622.310, 623.131, 623A.137, 624.110, 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230, 628B.760, 629.047, 629.069, 630.133, 630.30665, 630.336, 630A.555, 631.368, 632.121, 632.125, 632.405, 633.283, 633.301, 633.524, 634.055, 634.214, 634A.185, 635.158, 636.107, 637.085, 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075, 640A.220, 640B.730, 640C.400, 640C.745, 640C.760, 640D.190, 640E.340, 641.090, 641A.191, 641B.170, 641C.760, 642.524, 643.189, 644.446, 645.180, 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135, 645E.300, 645E.375, 645G.510, 645H.320, 645H.330, 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228, 654.110, 656.105, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310, 671.170, 673.430, 675.380, 676A.340, 676A.370, 677.243, 679B.122, 679B.152, 679B.159, 679B.190, 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306, 687A.110, 687A.115, 687C.010, 688C.230, 688C.480, 688C.490, 692A.117, 692C.190, 692C.3536, 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550, 703.196, 704B.320, 704B.325, 706.1725, 706A.230, 710.159, 711.600, *and section 7 of this act*, sections 35, 38 and 41 of chapter 478, Statutes of Nevada 2011 and section 2 of chapter 391, Statutes of Nevada 2013 and unless otherwise declared by law to be confidential, all public books and public records of a governmental entity must be open at all times during office hours to inspection by any person, and may be fully copied or

an abstract or memorandum may be prepared from those public books and public records. Any such copies, abstracts or memoranda may be used to supply the general public with copies, abstracts or memoranda of the records or may be used in any other way to the advantage of the governmental entity or of the general public. This section does not supersede or in any manner affect the federal laws governing copyrights or enlarge, diminish or affect in any other manner the rights of a person in any written book or record which is copyrighted pursuant to federal law.

2. A governmental entity may not reject a book or record which is copyrighted solely because it is copyrighted.

3. A governmental entity that has legal custody or control of a public book or record shall not deny a request made pursuant to subsection 1 to inspect or copy or receive a copy of a public book or record on the basis that the requested public book or record contains information that is confidential if the governmental entity can redact, delete, conceal or separate the confidential information from the information included in the public book or record that is not otherwise confidential.

4. A person may request a copy of a public record in any medium in which the public record is readily available. An officer, employee or agent of a governmental entity who has legal custody or control of a public record:

(a) Shall not refuse to provide a copy of that public record in a readily available medium because the officer, employee or agent has already prepared or would prefer to provide the copy in a different medium.

(b) Except as otherwise provided in NRS 239.030, shall, upon request, prepare the copy of the public record and shall not require the person who has requested the copy to prepare the copy himself or herself.

Sec. 10. This act becomes effective upon passage and approval for the purpose of adopting regulations and performing any other administrative tasks that are necessary to carry out the provisions of this act and on January 1, 2018, for all other purposes.

Assemblyman Sprinkle moved the adoption of the amendment.

Remarks by Assemblyman Sprinkle.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

Senate Bill No. 123.

Bill read second time.

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

Amendment No. 650.

AN ACT relating to long-term care; **revising provisions governing the State Long-Term Care Ombudsman**; revising the authority of the ~~State Long-Term Care~~ Ombudsman to review and recommend changes to certain governmental policies relating to facilities for long-term care; revising provisions governing the appointment of advocates and the creation of a

volunteer advocacy program; revising provisions relating to certain inspections of long-term care facilities by the Ombudsman; revising provisions concerning the reporting of the abuse, neglect, exploitation, isolation or abandonment of an older person; repealing certain provisions governing the investigation of certain complaints; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Administrator of the Aging and Disability Services Division of the Department of Health and Human Services to appoint the State Long-Term Care Ombudsman to advocate for the protection of the health, safety, welfare and rights of residents of facilities for long-term care. (NRS 427A.125) **Existing law defines "resident" as a person who is 60 years of age or older. (NRS 427A.0295) Section 1 of this bill revises the definition of "resident" to mean any resident of a facility for long-term care and thus enables the Ombudsman to advocate for any resident of a long-term care facility.**

~~Existing law~~ requires the Ombudsman, under the direction of the Administrator, to review, recommend and provide advice concerning governmental policies which affect long-term care facilities. (NRS 427A.145) **Section 1.5** of this bill revises this provision to authorize the Ombudsman to independently analyze, monitor and provide recommendations for changes to federal, state and local governmental actions and policies relating to facilities for long-term care.

Existing law authorizes the Administrator to appoint one or more advocates to assist the Ombudsman. Existing law further authorizes the Administrator to: (1) create a volunteer advocacy program within the Division to be administered by the Ombudsman under the direction of the Administrator; and (2) appoint volunteer advocates. (NRS 427A.127) Existing federal regulations require the Ombudsman to determine the designation of representatives of the Office of the Ombudsman. (45 C.F.R. § 1324.13(c)) **Section 2** of this bill transfers to the Ombudsman the authority to: (1) appoint advocates; and (2) create and administer a volunteer advocacy program.

Existing law authorizes the Ombudsman and his or her advocates to inspect the records of a facility for long-term care. Under certain circumstances, the Ombudsman is required to obtain the informed consent of the resident or his or her guardian or representative before inspecting certain records relating to the resident. (NRS 427A.145) **Section 3** of this bill requires the Ombudsman and his or her advocates to comply with certain federal regulations relating to consent before inspecting the medical and personal financial records of the resident. **Section 3** further provides that, in accordance with federal regulations, informed consent may be obtained orally, visually, in writing or through the use of auxiliary aids.

Existing law requires certain professionals, including any employee of the Department of Health and Human Services, who know or have reasonable

cause to believe that an older person has been abused, neglected, exploited, isolated or abandoned to report, in certain circumstances, such abuse, neglect, exploitation, isolation or abandonment to: (1) the local office of the Aging and Disability Services Division of the Department; (2) a police department or sheriff's office; or (3) a toll-free telephone service designated by the Aging and Disability Services Division. (NRS 200.5093) Existing federal regulations require the Ombudsman and certain representatives of the Ombudsman to be exempted from this reporting requirement. (45 C.F.R. § 1324.11(e)(3)(iv)) **Section 4** of this bill exempts the Ombudsman and his or her advocates and volunteers from the requirement to report the abuse, neglect, exploitation, isolation or abandonment of an older person when federal regulations require the Ombudsman and his or her advocates and volunteers to be exempted from that requirement.

Existing law authorizes the Administrator of the Division to direct the Ombudsman or his or her advocate to investigate a complaint involving a person who is less than 60 years of age. **Section 5** of this bill repeals this provision ~~and~~ **as section 1 revises the definition of "resident" to include any person who resides in a facility for long-term care.**

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

Section 1. NRS 427A.0295 is hereby amended to read as follows:

427A.0295 "Resident" means a person who ~~is 60 years of age or older.~~
resides in a facility for long-term care.

~~Section 1.~~ **Sec. 1.5.** NRS 427A.125 is hereby amended to read as follows:

427A.125 1. The Office of the State Long-Term Care Ombudsman is hereby created within the Division.

2. The Administrator shall appoint the State Long-Term Care Ombudsman to advocate for the protection of the health, safety, welfare and rights of residents of facilities for long-term care. The Ombudsman is in the classified service of the State. The Ombudsman shall, under direction of the Administrator:

(a) Train advocates to:

(1) Receive, investigate and attempt to resolve complaints made by or on behalf of residents of facilities for long-term care.

(2) Investigate acts, practices, policies or procedures of any facility for long-term care or any governmental agency which relates to such care and may adversely affect the health, safety, welfare or civil rights of residents of such facilities, and report the results of the investigations to the Ombudsman and the Administrator.

(3) Record and analyze information and complaints about facilities for long-term care to identify problems affecting their residents.

(4) Provide for the support and development of resident and family councils to protect the well-being and rights of residents of facilities for long-term care.

(5) Assist facilities for long-term care to provide services to residents in the manner set forth in paragraph (b).

(b) Develop a course of training to be made available to officers, directors and employees of a facility for long-term care to encourage such facilities to provide services to their residents in a manner that allows the residents to follow their own routine and make their own decisions concerning the daily activities in which to participate. The course must also provide information concerning how to provide services in that manner.

(c) Coordinate services within the Department which may affect residents and prospective residents of facilities for long-term care to ensure that such services are made available to eligible persons.

~~(d) Recommend and review policies, legislation and regulations, both in effect and proposed, which affect facilities for long-term care.~~

~~(e) Upon request, advise and assist the Governor, the Legislature and public and private groups in formulating and putting into effect policies which affect facilities for long-term care and their residents.~~

~~(f) Provide information to interested persons and to the general public concerning the functions and activities of the Ombudsman.~~

~~(g)~~ (e) Report annually to the Administrator.

3. *The Ombudsman may:*

(a) Analyze, provide comment on and monitor the development and implementation of any federal, state or local governmental action, activity or program that relate to the protection of the health, safety, welfare and rights of residents of facilities for long-term care; and

(b) Recommend changes to any federal, state or local governmental action, activity or program described in paragraph (a) without the prior approval of the Administrator.

Sec. 2. NRS 427A.127 is hereby amended to read as follows:

427A.127 1. The ~~Administrator~~ **Ombudsman** may appoint one or more advocates to assist the Ombudsman who are within the Division and in the classified service of the State. Each advocate shall perform his or her duties at the direction of the Ombudsman.

2. The ~~Administrator~~ **Ombudsman** may:

(a) Create a volunteer advocacy program within the ~~Division~~ **Office of the Ombudsman** to be administered by the Ombudsman ; ~~under the direction of the Administrator;~~ and

(b) Appoint volunteer advocates who may act as representatives of the Ombudsman.

Sec. 3. NRS 427A.145 is hereby amended to read as follows:

427A.145 In conducting an investigation, the Ombudsman or an advocate may:

1. Inspect any facility for long-term care and any records maintained by the facility. Except as otherwise provided in this subsection, the medical and personal financial records may be inspected only with the informed consent of the resident, the legal guardian of the resident or the person or persons designated as responsible for decisions regarding the resident. *Such consent must be obtained in accordance with the provisions of 45 C.F.R. § 1324.11(e)(2) and may be obtained orally, visually, in writing or through the use of auxiliary aids and services, as long as such consent is documented by the Ombudsman or the advocate.* ~~If [the resident is unable to consent to the inspection and has no legal guardian,] the provisions of 45 C.F.R. § 1324.11(e)(2) authorize records to be inspected without the consent of the resident, the legal guardian of the resident or the person or persons designated as responsible for decisions regarding the resident,~~ the inspection may be conducted without consent.

2. Interview:

(a) Officers, directors and employees of any facility for long-term care, including any licensed provider of health care as defined in NRS 629.031, who renders services to the facility or its residents.

(b) Any resident of the facility and the legal guardian of the resident, if any, and the family of the resident or the person or persons designated as responsible for decisions regarding his or her care if the resident consents to the interview.

3. Obtain such assistance and information from any agency of the State or its political subdivisions as is necessary properly to perform the investigation.

Sec. 4. NRS 200.5093 is hereby amended to read as follows:

200.5093 1. Any person who is described in subsection 4 and who, in a professional or occupational capacity, knows or has reasonable cause to believe that an older person has been abused, neglected, exploited, isolated or abandoned shall:

(a) Except as otherwise provided in subsection 2, report the abuse, neglect, exploitation, isolation or abandonment of the older person to:

(1) The local office of the Aging and Disability Services Division of the Department of Health and Human Services;

(2) A police department or sheriff's office; or

(3) A toll-free telephone service designated by the Aging and Disability Services Division of the Department of Health and Human Services; and

(b) Make such a report as soon as reasonably practicable but not later than 24 hours after the person knows or has reasonable cause to believe that the older person has been abused, neglected, exploited, isolated or abandoned.

2. If a person who is required to make a report pursuant to subsection 1 knows or has reasonable cause to believe that the abuse, neglect, exploitation, isolation or abandonment of the older person involves an act or omission of the Aging and Disability Services Division, another division of the Department of Health and Human Services or a law enforcement agency, the

person shall make the report to an agency other than the one alleged to have committed the act or omission.

3. Each agency, after reducing a report to writing, shall forward a copy of the report to the Aging and Disability Services Division of the Department of Health and Human Services and the Unit for the Investigation and Prosecution of Crimes.

4. A report must be made pursuant to subsection 1 by the following persons:

(a) Every physician, dentist, dental hygienist, chiropractor, optometrist, podiatric physician, medical examiner, resident, intern, professional or practical nurse, physician assistant licensed pursuant to chapter 630 or 633 of NRS, perfusionist, psychiatrist, psychologist, marriage and family therapist, clinical professional counselor, clinical alcohol and drug abuse counselor, alcohol and drug abuse counselor, music therapist, athletic trainer, driver of an ambulance, paramedic, licensed dietitian or other person providing medical services licensed or certified to practice in this State, who examines, attends or treats an older person who appears to have been abused, neglected, exploited, isolated or abandoned.

(b) Any personnel of a hospital or similar institution engaged in the admission, examination, care or treatment of persons or an administrator, manager or other person in charge of a hospital or similar institution upon notification of the suspected abuse, neglect, exploitation, isolation or abandonment of an older person by a member of the staff of the hospital.

(c) A coroner.

(d) Every person who maintains or is employed by an agency to provide personal care services in the home.

(e) Every person who maintains or is employed by an agency to provide nursing in the home.

(f) Every person who operates, who is employed by or who contracts to provide services for an intermediary service organization as defined in NRS 449.4304.

(g) Any employee of the Department of Health and Human Services ~~§~~, ***except the State Long-Term Care Ombudsman appointed pursuant to NRS 427A.125 and any of his or her advocates or volunteers where prohibited from making such a report pursuant to 45 C.F.R. § 1321.11.***

(h) Any employee of a law enforcement agency or a county's office for protective services or an adult or juvenile probation officer.

(i) Any person who maintains or is employed by a facility or establishment that provides care for older persons.

(j) Any person who maintains, is employed by or serves as a volunteer for an agency or service which advises persons regarding the abuse, neglect, exploitation, isolation or abandonment of an older person and refers them to persons and agencies where their requests and needs can be met.

(k) Every social worker.

(l) Any person who owns or is employed by a funeral home or mortuary.

(m) Every person who operates or is employed by a peer support recovery organization, as defined in NRS 449.01563.

(n) Every person who operates or is employed by a community health worker pool, as defined in NRS 449.0028, or with whom a community health worker pool contracts to provide the services of a community health worker, as defined in NRS 449.0027.

5. A report may be made by any other person.

6. If a person who is required to make a report pursuant to subsection 1 knows or has reasonable cause to believe that an older person has died as a result of abuse, neglect, isolation or abandonment, the person shall, as soon as reasonably practicable, report this belief to the appropriate medical examiner or coroner, who shall investigate the cause of death of the older person and submit to the appropriate local law enforcement agencies, the appropriate prosecuting attorney, the Aging and Disability Services Division of the Department of Health and Human Services and the Unit for the Investigation and Prosecution of Crimes his or her written findings. The written findings must include the information required pursuant to the provisions of NRS 200.5094, when possible.

7. A division, office or department which receives a report pursuant to this section shall cause the investigation of the report to commence within 3 working days. A copy of the final report of the investigation conducted by a division, office or department, other than the Aging and Disability Services Division of the Department of Health and Human Services, must be forwarded within 30 days after the completion of the report to the:

(a) Aging and Disability Services Division;

(b) Repository for Information Concerning Crimes Against Older Persons created by NRS 179A.450; and

(c) Unit for the Investigation and Prosecution of Crimes.

8. If the investigation of a report results in the belief that an older person is abused, neglected, exploited, isolated or abandoned, the Aging and Disability Services Division of the Department of Health and Human Services or the county's office for protective services may provide protective services to the older person if the older person is able and willing to accept them.

9. A person who knowingly and willfully violates any of the provisions of this section is guilty of a misdemeanor.

10. As used in this section, "Unit for the Investigation and Prosecution of Crimes" means the Unit for the Investigation and Prosecution of Crimes Against Older Persons in the Office of the Attorney General created pursuant to NRS 228.265.

Sec. 5. NRS 427A.136 is hereby repealed.

Sec. 6. This act becomes effective on July 1, 2017.

TEXT OF REPEALED SECTION

427A.136 Investigation of complaint involving person who is less than 60 years of age. The Administrator may direct the Ombudsman or an advocate to investigate a complaint involving a person who is less than 60 years of age.

Assemblyman Sprinkle moved the adoption of the amendment.

Remarks by Assemblyman Sprinkle.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 141.

Bill read second time and ordered to third reading.

Senate Bill No. 176.

Bill read second time and ordered to third reading.

Senate Bill No. 188.

Bill read second time and ordered to third reading.

Senate Bill No. 255.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 683.

AN ACT relating to common-interest communities; ~~revises~~ **revising the manner in which an association is required to provide notice of a change in the governing documents of the association; revising** provisions governing the cancellation of a resale of a home or unit in a common-interest community; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law prescribes the manner in which a unit-owners' association must generally provide certain notices to a unit's owner when the manner of notice is not otherwise specified by another particular statutory provision. (NRS 116.31068) Existing law further sets forth specific methods which are required for delivery of a copy of a change to the governing documents of an association. (NRS 116.12065) Section 1 of this bill eliminates the specific methods of delivery in this provision, thus providing for the delivery of a copy of a change to the governing documents of an association in the manner generally required under other provisions of law. (NRS 116.31068)

Existing law requires an owner of a home or unit in a common-interest community or his or her authorized agent to furnish a purchaser of the home or unit in a resale transaction with certain information, included in a resale package. Existing law also requires a purchaser of a home or unit in a common-interest community to hand-deliver or mail to the unit's owner or his or her authorized agent a notice of cancellation of the contract of

purchase. (NRS 116.4109) ~~Section 1.5~~ Section 1.5 of this bill authorizes the purchaser to deliver a notice of cancellation by electronic transmission.

Section 2 of this bill amends existing law to add to the information statement provided as part of a purchase of a unit in a common-interest community a statement relating to a purchaser's option to deliver a notice of cancellation of a contract of purchase by electronic transmission. (NRS 116.41095)

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

Section 1. NRS 116.12065 is hereby amended to read as follows:

116.12065 If any change is made to the governing documents of an association, the secretary or other officer specified in the bylaws of the association shall, within 30 days after the change is made, prepare and cause to be ~~hand delivered or sent prepaid by United States mail to the mailing address of each unit or to any other mailing address designated in writing by the unit's owner,~~ delivered a copy of the change that was made.

~~Section 1.5~~ **Sec. 1.5.** NRS 116.4109 is hereby amended to read as follows:

116.4109 1. Except in the case of a sale in which delivery of a public offering statement is required, or unless exempt under subsection 2 of NRS 116.4101, a unit's owner or his or her authorized agent shall, at the expense of the unit's owner, furnish to a purchaser a resale package containing all of the following:

(a) A copy of the declaration, other than any plats, the bylaws, the rules or regulations of the association and the information statement required by NRS 116.41095.

(b) A statement from the association setting forth the amount of the monthly assessment for common expenses and any unpaid obligation of any kind, including, without limitation, management fees, transfer fees, fines, penalties, interest, collection costs, foreclosure fees and attorney's fees currently due from the selling unit's owner.

(c) A copy of the current operating budget of the association and current year-to-date financial statement for the association, which must include a summary of the reserves of the association required by NRS 116.31152 and which must include, without limitation, a summary of the information described in paragraphs (a) to (e), inclusive, of subsection 3 of NRS 116.31152.

(d) A statement of any unsatisfied judgments or pending legal actions against the association and the status of any pending legal actions relating to the common-interest community of which the unit's owner has actual knowledge.

(e) A statement of any transfer fees, transaction fees or any other fees associated with the resale of a unit.

(f) In addition to any other document, a statement describing all current and expected fees or charges for each unit, including, without limitation, association fees, fines, assessments, late charges or penalties, interest rates on delinquent assessments, additional costs for collecting past due fines and charges for opening or closing any file for each unit.

2. The purchaser may, by written notice, cancel the contract of purchase until midnight of the fifth calendar day following the date of receipt of the resale package described in subsection 1, and the contract for purchase must contain a provision to that effect. If the purchaser elects to cancel a contract pursuant to this subsection, the purchaser must hand deliver the notice of cancellation to the unit's owner or his or her authorized agent, ~~for~~ mail the notice of cancellation by prepaid United States mail to the unit's owner or his or her authorized agent ~~[-]~~ ***or deliver the notice of cancellation by electronic transmission to the unit's owner or his or her authorized agent.*** Cancellation is without penalty, and all payments made by the purchaser before cancellation must be refunded promptly. If the purchaser has accepted a conveyance of the unit, the purchaser is not entitled to:

(a) Cancel the contract pursuant to this subsection; or

(b) Damages, rescission or other relief based solely on the ground that the unit's owner or his or her authorized agent failed to furnish the resale package, or any portion thereof, as required by this section.

3. Within 10 days after receipt of a written request by a unit's owner or his or her authorized agent, the association shall furnish all of the following to the unit's owner or his or her authorized agent for inclusion in the resale package:

(a) Copies of the documents required pursuant to paragraphs (a) and (c) of subsection 1; and

(b) A certificate containing the information necessary to enable the unit's owner to comply with paragraphs (b), (d), (e) and (f) of subsection 1.

4. If the association furnishes the documents and certificate pursuant to subsection 3:

(a) The unit's owner or his or her authorized agent shall include the documents and certificate in the resale package provided to the purchaser, and neither the unit's owner nor his or her authorized agent is liable to the purchaser for any erroneous information provided by the association and included in the documents and certificate.

(b) The association may charge the unit's owner a reasonable fee to cover the cost of preparing the certificate furnished pursuant to subsection 3. Such a fee must be based on the actual cost the association incurs to fulfill the requirements of this section in preparing the certificate. The Commission shall adopt regulations establishing the maximum amount of the fee that an association may charge for preparing the certificate.

(c) The other documents furnished pursuant to subsection 3 must be provided in electronic format to the unit's owner. The association may charge the unit's owner a fee, not to exceed \$20, to provide such documents in

electronic format. If the association is unable to provide such documents in electronic format, the association may charge the unit's owner a reasonable fee, not to exceed 25 cents per page for the first 10 pages, and 10 cents per page thereafter, to cover the cost of copying.

(d) Except for the fees allowed pursuant to paragraphs (b) and (c), the association may not charge the unit's owner any other fees for preparing or furnishing the documents and certificate pursuant to subsection 3.

5. Neither a purchaser nor the purchaser's interest in a unit is liable for any unpaid assessment or fee greater than the amount set forth in the documents and certificate prepared by the association. If the association fails to furnish the documents and certificate within the 10 days allowed by this section, the purchaser is not liable for the delinquent assessment.

6. Upon the request of a unit's owner or his or her authorized agent, or upon the request of a purchaser to whom the unit's owner has provided a resale package pursuant to this section or his or her authorized agent, the association shall make the entire study of the reserves of the association which is required by NRS 116.31152 reasonably available for the unit's owner, purchaser or authorized agent to inspect, examine, photocopy and audit. The study must be made available at the business office of the association or some other suitable location within the county where the common-interest community is situated or, if it is situated in more than one county, within one of those counties.

7. A unit's owner, the authorized agent of the unit's owner or the holder of a security interest on the unit may request a statement of demand from the association. Not later than 10 days after receipt of a written request from the unit's owner, the authorized agent of the unit's owner or the holder of a security interest on the unit for a statement of demand, the association shall furnish a statement of demand to the person who requested the statement. The association may charge a fee of not more than \$150 to prepare and furnish a statement of demand pursuant to this subsection and an additional fee of not more than \$100 to furnish a statement of demand within 3 days after receipt of a written request for a statement of demand. The statement of demand:

(a) Must set forth the amount of the monthly assessment for common expenses and any unpaid obligation of any kind, including, without limitation, management fees, transfer fees, fines, penalties, interest, collection costs, foreclosure fees and attorney's fees currently due from the selling unit's owner; and

(b) Remains effective for the period specified in the statement of demand, which must not be less than 15 business days after the date of delivery by the association to the unit's owner, the authorized agent of the unit's owner or the holder of a security interest on the unit, whichever is applicable.

8. If the association becomes aware of an error in a statement of demand furnished pursuant to subsection 7 during the period in which the statement of demand is effective but before the consummation of a resale for which a

resale package was furnished pursuant to subsection 1, the association must deliver a replacement statement of demand to the person who requested the statement of demand. Unless the person who requested the statement of demand receives a replacement statement of demand, the person may rely upon the accuracy of the information set forth in the statement of demand provided by the association for the resale. Payment of the amount set forth in the statement of demand constitutes full payment of the amount due from the selling unit's owner.

Sec. 2. NRS 116.41095 is hereby amended to read as follows:

116.41095 The information statement required by NRS 116.4103 and 116.4109 must be in substantially the following form:

BEFORE YOU PURCHASE PROPERTY IN A
COMMON-INTEREST COMMUNITY
DID YOU KNOW . . .

1. YOU GENERALLY HAVE 5 DAYS TO CANCEL THE
PURCHASE AGREEMENT?

When you enter into a purchase agreement to buy a home or unit in a common-interest community, in most cases you should receive either a public offering statement, if you are the original purchaser of the home or unit, or a resale package, if you are not the original purchaser. The law generally provides for a 5-day period in which you have the right to cancel the purchase agreement. The 5-day period begins on different starting dates, depending on whether you receive a public offering statement or a resale package. Upon receiving a public offering statement or a resale package, you should make sure you are informed of the deadline for exercising your right to cancel. In order to exercise your right to cancel, the law generally requires that you hand deliver the notice of cancellation to the seller within the 5-day period, or mail the notice of cancellation to the seller by prepaid United States mail within the 5-day period. *Alternatively, if you are not the original purchaser and received a resale package, you may deliver the notice of cancellation by electronic transmission to the seller within the 5-day period in order to exercise your right to cancel.* For more information regarding your right to cancel, see Nevada Revised Statutes 116.4108, if you received a public offering statement, or Nevada Revised Statutes 116.4109, if you received a resale package.

2. YOU ARE AGREEING TO RESTRICTIONS ON HOW YOU
CAN USE YOUR PROPERTY?

These restrictions are contained in a document known as the Declaration of Covenants, Conditions and Restrictions. The CC&Rs become a part of the title to your property. They bind you and every future owner of the property whether or not you have read them or had them explained to you. The CC&Rs, together with other "governing documents" (such as association bylaws and rules and regulations), are intended to

preserve the character and value of properties in the community, but may also restrict what you can do to improve or change your property and limit how you use and enjoy your property. By purchasing a property encumbered by CC&Rs, you are agreeing to limitations that could affect your lifestyle and freedom of choice. You should review the CC&Rs, and other governing documents before purchasing to make sure that these limitations and controls are acceptable to you. Certain provisions in the CC&Rs and other governing documents may be superseded by contrary provisions of chapter 116 of the Nevada Revised Statutes. The Nevada Revised Statutes are available at the Internet address <http://www.leg.state.nv.us/nrs/>.

3. YOU WILL HAVE TO PAY OWNERS' ASSESSMENTS FOR AS LONG AS YOU OWN YOUR PROPERTY?

As an owner in a common-interest community, you are responsible for paying your share of expenses relating to the common elements, such as landscaping, shared amenities and the operation of any homeowners' association. The obligation to pay these assessments binds you and every future owner of the property. Owners' fees are usually assessed by the homeowners' association and due monthly. You have to pay dues whether or not you agree with the way the association is managing the property or spending the assessments. The executive board of the association may have the power to change and increase the amount of the assessment and to levy special assessments against your property to meet extraordinary expenses. In some communities, major components of the common elements of the community such as roofs and private roads must be maintained and replaced by the association. If the association is not well managed or fails to provide adequate funding for reserves to repair, replace and restore common elements, you may be required to pay large, special assessments to accomplish these tasks.

4. IF YOU FAIL TO PAY OWNERS' ASSESSMENTS, YOU COULD LOSE YOUR HOME?

If you do not pay these assessments when due, the association usually has the power to collect them by selling your property in a nonjudicial foreclosure sale. If fees become delinquent, you may also be required to pay penalties and the association's costs and attorney's fees to become current. If you dispute the obligation or its amount, your only remedy to avoid the loss of your home may be to file a lawsuit and ask a court to intervene in the dispute.

5. YOU MAY BECOME A MEMBER OF A HOMEOWNERS' ASSOCIATION THAT HAS THE POWER TO AFFECT HOW YOU USE AND ENJOY YOUR PROPERTY?

Many common-interest communities have a homeowners' association. In a new development, the association will usually be controlled by the developer until a certain number of units have been sold. After the period of developer control, the association may be controlled by

property owners like yourself who are elected by homeowners to sit on an executive board and other boards and committees formed by the association. The association, and its executive board, are responsible for assessing homeowners for the cost of operating the association and the common or shared elements of the community and for the day to day operation and management of the community. Because homeowners sitting on the executive board and other boards and committees of the association may not have the experience or professional background required to understand and carry out the responsibilities of the association properly, the association may hire professional community managers to carry out these responsibilities.

Homeowners' associations operate on democratic principles. Some decisions require all homeowners to vote, some decisions are made by the executive board or other boards or committees established by the association or governing documents. Although the actions of the association and its executive board are governed by state laws, the CC&Rs and other documents that govern the common-interest community, decisions made by these persons will affect your use and enjoyment of your property, your lifestyle and freedom of choice, and your cost of living in the community. You may not agree with decisions made by the association or its governing bodies even though the decisions are ones which the association is authorized to make. Decisions may be made by a few persons on the executive board or governing bodies that do not necessarily reflect the view of the majority of homeowners in the community. If you do not agree with decisions made by the association, its executive board or other governing bodies, your remedy is typically to attempt to use the democratic processes of the association to seek the election of members of the executive board or other governing bodies that are more responsive to your needs. If you have a dispute with the association, its executive board or other governing bodies, you may be able to resolve the dispute through the complaint, investigation and intervention process administered by the Office of the Ombudsman for Owners in Common-Interest Communities and Condominium Hotels, the Nevada Real Estate Division and the Commission for Common-Interest Communities and Condominium Hotels. However, to resolve some disputes, you may have to mediate or arbitrate the dispute and, if mediation or arbitration is unsuccessful, you may have to file a lawsuit and ask a court to resolve the dispute. In addition to your personal cost in mediation or arbitration, or to prosecute a lawsuit, you may be responsible for paying your share of the association's cost in defending against your claim.

6. YOU ARE REQUIRED TO PROVIDE PROSPECTIVE PURCHASERS OF YOUR PROPERTY WITH INFORMATION ABOUT LIVING IN YOUR COMMON-INTEREST COMMUNITY?

The law requires you to provide a prospective purchaser of your property with a copy of the community's governing documents, including the CC&Rs, association bylaws, and rules and regulations, as well as a copy of this document. You are also required to provide a copy of the association's current year-to-date financial statement, including, without limitation, the most recent audited or reviewed financial statement, a copy of the association's operating budget and information regarding the amount of the monthly assessment for common expenses, including the amount set aside as reserves for the repair, replacement and restoration of common elements. You are also required to inform prospective purchasers of any outstanding judgments or lawsuits pending against the association of which you are aware. For more information regarding these requirements, see Nevada Revised Statutes 116.4109.

7. YOU HAVE CERTAIN RIGHTS REGARDING OWNERSHIP IN A COMMON-INTEREST COMMUNITY THAT ARE GUARANTEED YOU BY THE STATE?

Pursuant to provisions of chapter 116 of Nevada Revised Statutes, you have the right:

- (a) To be notified of all meetings of the association and its executive board, except in cases of emergency.
- (b) To attend and speak at all meetings of the association and its executive board, except in some cases where the executive board is authorized to meet in closed, executive session.
- (c) To request a special meeting of the association upon petition of at least 10 percent of the homeowners.
- (d) To inspect, examine, photocopy and audit financial and other records of the association.
- (e) To be notified of all changes in the community's rules and regulations and other actions by the association or board that affect you.

8. QUESTIONS?

Although they may be voluminous, you should take the time to read and understand the documents that will control your ownership of a property in a common-interest community. You may wish to ask your real estate professional, lawyer or other person with experience to explain anything you do not understand. You may also request assistance from the Office of the Ombudsman for Owners in Common-Interest Communities and Condominium Hotels, Nevada Real Estate Division, at (telephone number).

Buyer or prospective buyer's initials: _____

Date: _____

Sec. 3. This act becomes effective on July 1, 2017.

Assemblyman Yeager moved the adoption of the amendment.

Remarks by Assemblyman Yeager.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

Senate Bill No. 268.

Bill read second time.

The following amendment was proposed by the Committee on Corrections, Parole, and Probation:

Amendment No. 663.

AN ACT relating to corrections; requiring the Director of the Department of Corrections to verify the full legal name and age of an offender who is to be released by obtaining certain documents before providing a photo identification card to the offender; authorizing a sheriff, chief of police, ~~or~~ or town marshal, ~~for director of a facility for the detention of children,~~ upon request, to provide certain information and assistance to a person who is to be released from a jail or detention facility; revising provisions governing the allowance of credits to a prisoner of a local detention facility who successfully completes a program of education, a program of vocational education and training, a program of treatment for alcohol or drug abuse or another approved program; revising the documents which may be furnished to the Department of Motor Vehicles as proof of the full legal name and age of the offender to apply for a driver's license or identification card; providing for the waiver of certain fees relating to driver's licenses and identification cards for certain persons who are released from a jail or detention facility; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Director of the Department of Corrections to provide to an offender upon the offender's release from prison and if the offender requests it: (1) a photo identification card containing the name, the date of birth and a color picture of the offender; and (2) information and reasonable assistance relating to acquiring a valid driver's license or identification card to enable the offender to obtain employment if the offender is eligible to acquire a driver's license or identification card from the Department of Motor Vehicles. (NRS 209.511) **Section 1** of this bill requires the Director to verify the full legal name and age of the offender by obtaining certain documents to prove the name and age of the offender before providing the photo identification card. **Section 2** of this bill authorizes the sheriff of a county, the chief of police of a city, ~~or~~ or a town marshal, ~~for a director of a facility for the detention of children,~~ if requested, to provide a prisoner ~~for child, as applicable,~~ with certain information and assistance upon the person's release from the county, city or town jail or detention facility because of the expiration of the person's sentence or term of detention. ~~for commitment.~~

Existing law requires the deduction of 5 days from a prisoner's term of imprisonment in a county or municipal detention facility if the prisoner earns a general educational development certificate or an equivalent document for successfully completing an educational program for adults that is conducted jointly by the local detention facility and the school district in which the facility is located. (NRS 211.330) **Section 3** of this bill provides that, under certain circumstances, a prisoner of a county, city or town jail or detention facility must be allowed a deduction of not more than 5 days from his or her term of imprisonment for: (1) earning a general educational development certificate or an equivalent document for successfully completing an educational program for adults; or (2) successfully completing a program of vocational education and training or another approved program.

Existing law authorizes the deduction of not more than 5 days from a prisoner's term of imprisonment in a county or municipal detention facility if the prisoner is awarded a certificate for successfully completing a program of treatment for the abuse of alcohol or drugs which is conducted jointly by the local detention facility and a person who holds a license or certificate as an alcohol and drug abuse counselor or counselor intern. (NRS 211.340) **Section 4** of this bill provides that, under certain circumstances, a prisoner of a county, city or town jail or detention facility must be allowed a deduction of 5 days from his or her term of imprisonment for receiving a certificate for successfully completing a program of treatment for the abuse of alcohol or drugs.

Sections 3 and 4 also provide that if the prisoner completes the applicable program with meritorious or exceptional achievement, the prisoner may be allowed up to an additional 5 days of credit.

~~[Existing law sets forth the documents that an applicant is required to present to the Department of Motor Vehicles as proof of his or her full legal name and age to apply for an instruction permit, driver's license or identification card. (NRS 483.290, 483.860) Sections 5 and 8 of this bill revise these provisions to authorize as such proof the presentation of the photo identification card issued to a person by a county, city or town jail or facility for the detention of children in this State upon the person's release from a county, city or town jail or detention facility as set forth in section 2.]~~

Existing law provides for the waiver of: (1) certain fees for furnishing a duplicate driver's license for a person who was released from prison within the 90 days immediately preceding the person's application for the driver's license or identification card; and (2) the cost of producing a photograph for a driver's license or identification card. (NRS 483.417, 483.825) **Sections 6 and 7** of this bill authorize the waiver of the fees for a person who was released from a county, city or town jail or a detention facility within the immediately preceding 90 days.

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

Section 1. NRS 209.511 is hereby amended to read as follows:

209.511 1. ~~When~~ *Except as otherwise provided in subsection 2, when* an offender is released from prison by expiration of his or her term of sentence, by pardon or by parole, the Director:

(a) May furnish the offender with a sum of money not to exceed \$100, the amount to be based upon the offender's economic need as determined by the Director;

(b) Shall give the offender notice of the provisions of chapter 179C of NRS and NRS 202.357 and 202.360;

(c) Shall require the offender to sign an acknowledgment of the notice required in paragraph (b);

(d) Shall give the offender notice of the provisions of NRS 179.245 and the provisions of NRS 213.090, 213.155 or 213.157, as applicable;

(e) Shall provide the offender with information relating to obtaining employment, including, without limitation, any programs which may provide bonding for an offender entering the workplace and any organizations which may provide employment or bonding assistance to such a person;

(f) Shall provide the offender with a photo identification card issued by the Department and information and reasonable assistance relating to acquiring a valid driver's license or identification card to enable the offender to obtain employment, if the offender:

(1) Requests a photo identification card; or

(2) Requests such information and assistance and is eligible to acquire a valid driver's license or identification card from the Department of Motor Vehicles;

(g) May provide the offender with clothing suitable for reentering society;

(h) May provide the offender with the cost of transportation to his or her place of residence anywhere within the continental United States, or to the place of his or her conviction;

(i) May, but is not required to, release the offender to a facility for transitional living for released offenders that is licensed pursuant to chapter 449 of NRS; and

(j) Shall require the offender to submit to at least one test for exposure to the human immunodeficiency virus.

2. *The Director shall not provide an offender with a photo identification card pursuant to paragraph (f) of subsection 1 unless the Director has verified the full legal name and age of the offender by obtaining an original or certified copy of the documents required by the Department of Motor Vehicles pursuant to NRS 483.290 or 483.860, as applicable, furnished as proof of the full legal name and age of an applicant for a driver's license or identification card.*

3. The costs authorized in paragraphs (a), (f), (g), (h) and (j) of subsection 1 must be paid out of the appropriate account within the State General Fund for the use of the Department as other claims against the State are paid to the extent that the costs have not been paid in accordance with subsection 5 of NRS 209.221 and NRS 209.246.

~~3.~~ 4. As used in this section:

(a) “Facility for transitional living for released offenders” has the meaning ascribed to it in NRS 449.0055.

(b) “Photo identification card” means a document which includes the name, date of birth and a color picture of the offender.

Sec. 2. Chapter 211 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *Except as otherwise provided in subsection 2, when a prisoner is released from a county, city or town jail or detention facility ~~for when a child is released from a juvenile detention facility~~ by expiration of his or her term of imprisonment, ~~detention or commitment, as applicable,~~ the sheriff, chief of police ~~or~~ or town marshal, ~~for director of the juvenile detention facility,~~ as applicable, may provide the prisoner ~~for child, as applicable,~~ with information and reasonable assistance relating to acquiring a valid driver’s license or identification card to enable the prisoner ~~for child~~ to obtain employment or participate in transitional programming, if the prisoner ~~for child~~ requests such information and assistance and ~~if applicable,~~ is eligible to acquire a valid driver’s license or identification card from the Department of Motor Vehicles.*

2. *The sheriff, chief of police ~~or~~ or town marshal, ~~for director of a juvenile detention facility,~~ as applicable, shall not provide a prisoner ~~for child~~ with information or assistance relating to acquiring a driver’s license or a photo identification card pursuant to subsection 1 unless he or she has verified the full legal name and age of the prisoner ~~for child~~ by obtaining an original or certified copy of the documents required by the Department of Motor Vehicles pursuant to NRS 483.290 or 483.860, as applicable, furnished as proof of the full legal name and age of an applicant for a driver’s license or identification card.*

3. As used in this section ~~is~~

~~(a) “Juvenile detention facility” means:~~

~~(1) A local facility for the detention of children as defined in NRS 62A.190; or~~

~~(2) A regional facility for the detention of children as defined in NRS 62A.280.~~

~~(b) “Photo” , “photo identification card” means a document which includes the name, the date of birth and a color picture of the prisoner . ~~for child.~~~~

Sec. 3. NRS 211.330 is hereby amended to read as follows:

211.330 1. ~~1.~~ ~~A prisoner who has no serious infraction of the regulations of the county, city or town jail or detention facility in which the~~

prisoner is incarcerated or detained, the terms and conditions of his or her residential confinement or the laws of this State recorded against the prisoner must be allowed, in addition to the credits on a term of imprisonment provided for in NRS 211.310, 211.320 and 211.340, ~~the sheriff of the county or the chief of police of the municipality in which a prisoner is incarcerated shall deduct~~ a deduction of not more than 5 days from the prisoner's term of imprisonment for ~~earning~~:

(a) Earning a general educational development certificate or an equivalent document by successfully completing an educational program for adults ~~conducted jointly by the local detention facility in which the prisoner is incarcerated and the school district in which the facility is located~~; or

(b) Successfully completing:

(1) A program of vocational education and training; or

(2) Any other program approved by the sheriff of the county, the chief of police of the municipality or the director, as applicable, for the county, city or town jail or detention facility, as applicable, in which the prisoner is incarcerated or detained.

2. ~~The provisions of this section apply to any prisoner who is sentenced on or after October 1, 1991, to a term of imprisonment of 90 days or more.~~ *If the prisoner completes such a program with meritorious or exceptional achievement, the prisoner may be allowed not more than 5 days of credit for each such program in addition to the days allowed for the successful completion of the program pursuant to subsection 1.*

Sec. 4. NRS 211.340 is hereby amended to read as follows:

211.340 1. ~~He~~ *A prisoner who has no serious infraction of the regulations of the county, city or town jail or detention facility in which the prisoner is incarcerated or detained, the terms and conditions of his or her residential confinement or the laws of this State recorded against the prisoner must be allowed, in addition to the credits on a term of imprisonment provided for in NRS 211.310, 211.320 and 211.330, ~~the sheriff of the county or the chief of police of the municipality in which a prisoner is incarcerated may deduct~~ not more than 5 days from the prisoner's term of imprisonment if the prisoner:*

(a) Successfully completes a program of treatment for the abuse of alcohol or drugs; ~~which is conducted jointly by the local detention facility in which the prisoner is incarcerated and a person who is licensed as a clinical alcohol and drug abuse counselor, licensed or certified as an alcohol and drug abuse counselor or certified as an alcohol and drug abuse counselor intern or a clinical alcohol and drug abuse counselor intern, pursuant to chapter 641C of NRS;~~ and

(b) Is awarded a certificate evidencing the prisoner's successful completion of the program.

2. ~~The provisions of this section apply to any prisoner who is sentenced on or after October 1, 1991, to a term of imprisonment of 90 days or more.~~

If the prisoner completes such a program with meritorious or exceptional achievement, the prisoner may be allowed not more than 5 days of credit in addition to the days allowed for the successful completion of the program pursuant to subsection 1.

~~Sec. 5. [NRS 483.290 is hereby amended to read as follows:~~

~~483.290 1. An application for an instruction permit or for a driver's license must:~~

~~(a) Be made upon a form furnished by the Department.~~

~~(b) Be verified by the applicant before a person authorized to administer oaths. Officers and employees of the Department may administer those oaths without charge.~~

~~(c) Be accompanied by the required fee.~~

~~(d) State the full legal name, date of birth, sex, address of principal residence and mailing address, if different from the address of principal residence, of the applicant and briefly describe the applicant.~~

~~(e) State whether the applicant has theretofore been licensed as a driver, and, if so, when and by what state or country, and whether any such license has ever been suspended or revoked, or whether an application has ever been refused, and, if so, the date of and reason for the suspension, revocation or refusal.~~

~~(f) Include such other information as the Department may require to determine the competency and eligibility of the applicant.~~

~~2. Every applicant must furnish proof of his or her full legal name and age by displaying:~~

~~(a) An original or certified copy of the required documents as prescribed by regulation; or~~

~~(b) A photo identification card issued by [the]:~~

~~(1) The Department of Corrections pursuant to NRS 209.511 [.] ; or~~

~~(2) A county, city or town jail or detention facility or a juvenile detention facility in this State pursuant to section 2 of this act.~~

~~3. The Department shall adopt regulations prescribing the documents an applicant may use to furnish proof of his or her full legal name and age to the Department pursuant to paragraph (a) of subsection 2.~~

~~4. At the time of applying for a driver's license, an applicant may, if eligible, register to vote pursuant to NRS 293.524.~~

~~5. Every applicant who has been assigned a social security number must furnish proof of his or her social security number by displaying:~~

~~(a) An original card issued to the applicant by the Social Security Administration bearing the social security number of the applicant; or~~

~~(b) Other proof acceptable to the Department, including, without limitation, records of employment or federal income tax returns.~~

~~6. The Department may refuse to accept a driver's license issued by another state, the District of Columbia or any territory of the United States if the Department determines that the other state, the District of Columbia or~~

~~the territory of the United States has less stringent standards than the State of Nevada for the issuance of a driver's license.~~

~~7. With respect to any document presented by a person who was born outside of the United States to prove his or her full legal name and age, the Department:~~

~~(a) May, if the document has expired, refuse to accept the document or refuse to issue a driver's license to the person presenting the document, or both; and~~

~~(b) Shall issue to the person presenting the document a driver's license that is valid only during the time the applicant is authorized to stay in the United States, or if there is no definite end to the time the applicant is authorized to stay, the driver's license is valid for 1 year beginning on the date of issuance.~~

~~8. The Administrator shall adopt regulations setting forth criteria pursuant to which the Department will issue or refuse to issue a driver's license in accordance with this section to a person who is a citizen of any state, the District of Columbia, any territory of the United States or a foreign country. The criteria pursuant to which the Department shall issue or refuse to issue a driver's license to a citizen of a foreign country must be based upon the purpose for which that person is present within the United States.~~

~~9. Notwithstanding any other provision of this section, the Department shall not accept a consular identification card as proof of the age or identity of an applicant for an instruction permit or for a driver's license. As used in this subsection, "consular identification card" has the meaning ascribed to it in NRS 232.006.] (Deleted by amendment.)~~

Sec. 6. NRS 483.417 is hereby amended to read as follows:

483.417 1. The Department shall waive the fee prescribed by NRS 483.410 and the increase in the fee required by NRS 483.347 not more than one time for furnishing a duplicate driver's license to:

(a) A homeless person who submits a signed affidavit on a form prescribed by the Department stating that the person is homeless.

(b) A person who submits documentation from the Department of Corrections verifying that the person was released from prison within the immediately preceding 90 days.

(c) *A person who submits documentation from a county, city or town jail or detention facility ~~for a juvenile detention facility~~ verifying that the person was released from the county, city or town jail or detention facility, ~~for the juvenile detention facility,~~ as applicable, within the immediately preceding 90 days.*

2. A vendor that has entered into an agreement with the Department to produce photographs for drivers' licenses pursuant to NRS 483.347 may waive the cost it charges the Department to produce the photograph of a homeless person or person released from prison *or a county, city or town jail or detention facility ~~for a juvenile detention facility~~* for a duplicate driver's license.

3. If the vendor does not waive pursuant to subsection 2 the cost it charges the Department and the Department has waived the increase in the fee required by NRS 483.347 for a duplicate driver's license furnished to a person pursuant to subsection 1, the person shall reimburse the Department in an amount equal to the increase in the fee required by NRS 483.347 if the person:

(a) Applies to the Department for the renewal of his or her driver's license; and

(b) Is employed at the time of such application.

4. The Department may accept gifts, grants and donations of money to fund the provision of duplicate drivers' licenses without a fee to persons pursuant to subsection 1.

~~5. As used in this section, "juvenile detention facility" means:~~

~~(a) A local facility for the detention of children as defined in NRS 62A.190; or~~

~~(b) A regional facility for the detention of children as defined in NRS 62A.280.]~~

Sec. 7. NRS 483.825 is hereby amended to read as follows:

483.825 1. The Department shall waive the fee prescribed by NRS 483.820 and the increase in the fee required by NRS 483.347 not more than one time for furnishing a duplicate identification card to:

(a) A homeless person who submits a signed affidavit on a form prescribed by the Department stating that the person is homeless.

(b) A person who submits documentation from the Department of Corrections verifying that the person was released from prison within the immediately preceding 90 days.

(c) A person who submits documentation from a county, city or town jail or detention facility ~~for a juvenile detention facility~~ verifying that the person was released from the county, city or town jail, ~~for the juvenile detention facility,~~ as applicable, within the immediately preceding 90 days.

2. A vendor that has entered into an agreement with the Department to produce photographs for identification cards pursuant to NRS 483.347 may waive the cost it charges the Department to produce the photograph of a homeless person or person released from prison, *a county, city or town jail or detention facility* ~~for a juvenile detention facility~~ for a duplicate identification card.

3. If the vendor does not waive pursuant to subsection 2 the cost it charges the Department and the Department has waived the increase in the fee required by NRS 483.347 for a duplicate identification card furnished to a person pursuant to subsection 1, the person shall reimburse the Department in an amount equal to the increase in the fee required by NRS 483.347 if the person:

(a) Applies to the Department for the renewal of his or her identification card; and

(b) Is employed at the time of such application.

4. The Department may accept gifts, grants and donations of money to fund the provision of duplicate identification cards without a fee to persons pursuant to subsection 1.

5. As used in this section, ~~“photograph”~~

~~(a) “Juvenile detention facility” means:~~

~~(1) A local facility for the detention of children as defined in NRS 62A.190; or~~

~~(2) A regional facility for the detention of children as defined in NRS 62A.280.~~

~~(b) “Photograph”~~ has the meaning ascribed to it in NRS 483.125.

Sec. 8. ~~[NRS 483.860 is hereby amended to read as follows:~~

~~483.860 1. Every applicant for an identification card must furnish proof of his or her full legal name and age by presenting:~~

~~(a) An original or certified copy of the required documents as prescribed by regulation; or~~

~~(b) A photo identification card issued by [the]:~~

~~(1) The Department of Corrections pursuant to NRS 209.511 [.] ; or~~

~~(2) A county, city or town jail or detention facility or juvenile detention facility in this State pursuant to section 2 of this act.~~

~~2. The Director shall adopt regulations:~~

~~(a) Prescribing the documents an applicant may use to furnish proof of his or her full legal name and age to the Department pursuant to paragraph (a) of subsection 1; and~~

~~(b) Setting forth criteria pursuant to which the Department will issue or refuse to issue an identification card in accordance with this section to a person who is a citizen of a state, the District of Columbia, any territory of the United States or a foreign country. The criteria pursuant to which the Department shall issue or refuse to issue an identification card to a citizen of a foreign country must be based upon the purpose for which that person is present within the United States.~~

~~3. Notwithstanding any other provision of this section, the Department shall not accept a consular identification card as proof of the age or identity of an applicant for an identification card. As used in this subsection, “consular identification card” has the meaning ascribed to it in NRS 232.006.] (Deleted by amendment.)~~

Sec. 9. (Deleted by amendment.)

Sec. 10. This act becomes effective:

1. Upon passage and approval for the purpose of performing any preparatory administrative tasks that are necessary to carry out the provisions of this act; and

2. On October 1, 2017, for all other purposes.

Assemblyman Ohrenschall moved the adoption of the amendment.

Remarks by Assemblyman Ohrenschall.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

Senate Bill No. 376.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 682.

AN ACT relating to estates; revising provisions relating to certain agreements between heir finders and apparent heirs; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides that an agreement between an heir finder and an apparent heir, the primary purpose of which is to locate, recover or assist in the recovery of an estate for which the public administrator has petitioned for letters of administration, is void and unenforceable if it is entered into during the period beginning with the death of the person whose estate is in probate until 90 days thereafter. (NRS 139.135) This bill ~~extends~~ **authorizes a court, upon a showing of good cause, to extend** the period of unenforceability ~~to 1 year~~ **until 180 days** after the death of such a person.

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

Section 1. NRS 139.135 is hereby amended to read as follows:

139.135 1. An agreement between an heir finder and an apparent heir, the primary purpose of which is to locate, recover or assist in the recovery of an estate for which the public administrator has petitioned for letters of administration, is void and unenforceable if the agreement is entered into during the period beginning with the death of the person whose estate is in probate until 90 days ~~1 year~~ thereafter. **Upon a showing of good cause, the court may extend such a period until 180 days after the death of the person.**

2. As used in this section, "heir finder" means a person who, for payment of a fee, assignment of a portion of any interest in a decedent's estate or other consideration, provides information, assistance, forensic genealogy research or other efforts related to another person's right to or interest in a decedent's estate. The term does not include:

- (a) A person acting in the capacity of a personal representative or guardian ad litem;
- (b) A person appointed to perform services by a probate court in which a proceeding in connection with a decedent's estate is pending; or
- (c) An attorney providing legal services to a decedent's family member if the attorney has not agreed to pay to any other person a portion of the fees received from the family member or the family member's interest in the decedent's estate.

Sec. 2. The amendatory provisions of this act apply to agreements described in this act that are entered into on or after October 1, 2017.

Assemblyman Yeager moved the adoption of the amendment.

Remarks by Assemblyman Yeager.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 384.

Bill read second time and ordered to third reading.

Senate Bill No. 411.

Bill read second time and ordered to third reading.

Senate Bill No. 422.

Bill read second time and ordered to third reading.

Senate Bill No. 447.

Bill read second time and ordered to third reading.

Senate Bill No. 491.

Bill read second time and ordered to third reading.

Senate Bill No. 493.

Bill read second time and ordered to third reading.

Senate Bill No. 513.

Bill read second time and ordered to third reading.

Senate Joint Resolution No. 5.

Resolution read second time and ordered to third reading.

Senate Joint Resolution No. 8.

Resolution read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Benitez-Thompson moved that Senate Bills Nos. 13, 15, 19, 20, 27, 29, 32, 35, 40, 42, 110, 112, 131, 177, 202, 241, 256, 267, 277, 301, 313, 326, 362, and 412 be taken from their positions on the General File and placed after Assembly Bill No. 496 on the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 41.

Bill read third time.

Remarks by Assemblywoman Carlton.

ASSEMBLYWOMAN CARLTON:

Assembly Bill 41 had an extensive amendment adopted yesterday and I read all the different changes of positions in the amendment on Assembly Bill 41. I would be happy to stand for any questions. I am sure you do not want to hear that two-page description again. I urge the passage of Assembly Bill 41.

Roll call on Assembly Bill No. 41:

YEAS—36.

NAYS—Edwards, Ellison, Marchant, Wheeler—4.

EXCUSED—Paul Anderson, Hambrick—2.

Assembly Bill No. 41 having received a constitutional majority,
Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 495.

Bill read third time.

Remarks by Assemblywoman Carlton.

ASSEMBLYWOMAN CARLTON:

Assembly Bill 495 makes an appropriation of \$70,387 not included in the Executive Budget to the Division of Emergency Management for the cost associated with setting up a joint field office with the Federal Emergency Management Agency on flood reimbursements related to the 2017 floods. I urge its passage.

Roll call on Assembly Bill No. 495:

YEAS—40.

NAYS—None.

EXCUSED—Paul Anderson, Hambrick—2.

Assembly Bill No. 495 having received a constitutional majority,
Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 496.

Bill read third time.

Remarks by Assemblywoman Carlton.

ASSEMBLYWOMAN CARLTON:

Assembly Bill 496 makes a supplemental appropriation from the General Fund to the Office of the Secretary of State for a projected shortfall related to credit card processing fees. The supplemental appropriation is for \$598,200. In the future they may need another supplement, and they will be coming to the IFC [Interim Finance Committee] for the balance of the money due.

Roll call on Assembly Bill No. 496:

YEAS—40.

NAYS—None.

EXCUSED—Paul Anderson, Hambrick—2.

Assembly Bill No. 496 having received a constitutional majority,
Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 13.

Bill read third time.

Remarks by Assemblywoman Spiegel.

ASSEMBLYWOMAN SPIEGEL:

Senate Bill 13 abolishes the Advisory Board on Motorcycle Safety. This measure is effective on July 1, 2017.

Roll call on Senate Bill No. 13:

YEAS—40.

NAYS—None.

EXCUSED—Paul Anderson, Hambrick—2.

Senate Bill No. 13 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

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

Assembly in recess at 1:28 p.m.

ASSEMBLY IN SESSION

At 1:30 p.m.

Mr. Speaker presiding.

Quorum present.

Senate Bill No. 15.

Bill read third time.

Remarks by Assemblyman Wheeler.

ASSEMBLYMAN WHEELER:

Senate Bill 15 clarifies the difference between duplicate license plates and replacement license plates by defining “replacement number plate” to mean a license plate that previously was issued but has been expired for a continuous period of more than 18 months. The bill also provides that certain plates which are substantially in the same color and form as plates commonly referred to as old-style blue license plates, which were manufactured between January 1, 1982, and June 30, 2015, are not subject to the requirement that the Department of Motor Vehicles reissue the plates every eight years.

The measure further provides that the 125th and 150th commemorative license plates also are exempt from that reissuance requirement. Finally, the bill revises the citation for a “hunter’s permit” to conform to the newly amended version of the International Registration Plan.

Roll call on Senate Bill No. 15:

YEAS—41.

NAYS—None.

EXCUSED—Hambrick.

Senate Bill No. 15 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 19.

Bill read third time.

Remarks by Assemblyman McCurdy.

ASSEMBLYMAN MCCURDY:

Senate Bill 19 establishes certain requirements for students who wish to enroll in dual credit courses. This bill requires each school district and charter school to enter into a cooperative agreement with at least one community college, state college, or university to offer dual credit courses to students. A student who successfully completes a workforce development program from an authorized post-secondary institution must be allowed to apply the credit received toward a related credential, certificate, or degree.

The bill requires a school district board of trustees to prepare a written notice identifying dual credit courses available to students enrolled within the district, including charter schools. It also requires each academic plan for a student enrolled in a dual credit course to address how the course will enable the student to achieve post-graduation goals.

Finally, Senate Bill 19 prohibits the State Board of Education from unreasonably limiting the number of dual credit courses in which a student may enroll.

The effective date will be January 1, 2018.

Roll call on Senate Bill No. 19:

YEAS—41.

NAYS—None.

EXCUSED—Hambrick.

Senate Bill No. 19 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 20.

Bill read third time.

Remarks by Assemblyman Fumo.

ASSEMBLYMAN FUMO:

Senate Bill 20 repeals provisions requiring teachers and other educational personnel to demonstrate knowledge of the *Constitution of the United States* and the *Constitution of the State of Nevada* for initial licensure. Instead, the bill requires teachers new to Nevada or the profession to be trained and demonstrate proficiency in certain aspects of the *Constitution of the State of Nevada* and Nevada's school laws as prescribed through regulations to be adopted by the Commission on Professional Standards in Education. Substitute teachers are excluded from this training requirement.

This bill is effective upon passage and approval.

Roll call on Senate Bill No. 20:

YEAS—35.

NAYS—Hansen, Krasner, Marchant, McArthur, Oscarson, Wheeler—6.

EXCUSED—Hambrick.

Senate Bill No. 20 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 27.

Bill read third time.

Remarks by Assemblywoman Titus.

ASSEMBLYWOMAN TITUS:

Senate Bill 27 revises the definition of “mental illness” to mean a clinically significant disorder of thought, mood, perception, orientation, memory, or behavior that seriously limits the capacity of a person to function in the primary aspects of daily living, including, without limitation, personal relations, living arrangements, employment, and recreation. The term does not include other mental disorders that result in diminished capacity, including, without limitation, epilepsy, intellectual disability, dementia, delirium, brief periods of intoxication caused by alcohol or drugs, or dependence upon or addiction to alcohol or drugs. This measure is effective on July 1, 2017.

Roll call on Senate Bill No. 27:

YEAS—41.

NAYS—None.

EXCUSED—Hambrick.

Senate Bill No. 27 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 29.

Bill read third time.

Remarks by Assemblyman Thompson.

ASSEMBLYMAN THOMPSON:

Senate Bill 29 authorizes a justice or municipal court, upon its own motion, to transfer a criminal case to another justice or municipal court or to a district court if the transfer is necessary to achieve justice for the defendant, a plea deal or final disposition has been reached in the case, and the court enters its findings regarding the necessity for the transfer into the record.

If a district court declines to accept a case on transfer, the case must be returned to the court of original jurisdiction.

Roll call on Senate Bill No. 29:

YEAS—41.

NAYS—None.

EXCUSED—Hambrick.

Senate Bill No. 29 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 32.

Bill read third time.

Remarks by Assemblywoman Tolles.

ASSEMBLYWOMAN TOLLES:

Senate Bill 32 revises in two ways provisions governing securities transactions that may be exempted from registration requirements. First, this exemption provision is revised to apply to a sale of securities if certain other conditions are met, not just an offer to sell securities. Second, the transaction must be part of an issue in which there are not more than 35 purchasers in this state during any 12 consecutive months, instead of just 25 purchasers. This bill is effective on October 1, 2017.

Roll call on Senate Bill No. 32:

YEAS—41.

NAYS—None.

EXCUSED—Hambrick.

Senate Bill No. 32 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 35.

Bill read third time.

Remarks by Assemblywoman Miller.

ASSEMBLYWOMAN MILLER:

Senate Bill 35 creates the Subcommittee on Criminal Justice Information Sharing of the Advisory Commission on the Administration of Justice for the purpose of reviewing issues related to the Nevada Criminal Justice Information System.

The bill requires the Advisory Commission to make recommendations regarding the sharing of criminal justice information in this state and provide those recommendations to the Legislature and the Director of the Department of Public Safety. The bill adds to the Advisory Commission a representative of the Central Repository for Nevada Records of Criminal History. Statutory provisions pertaining to the current Advisory Committee on Nevada Criminal Justice Information Sharing are repealed.

Roll call on Senate Bill No. 35:

YEAS—41.

NAYS—None.

EXCUSED—Hambrick.

Senate Bill No. 35 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 40.

Bill read third time.

Remarks by Assemblywoman Cohen.

ASSEMBLYWOMAN COHEN:

Senate Bill 40 amends the Uniform Child Custody Jurisdiction and Enforcement Act to provide that a person seeking registration of an out-of-state custody determination in this state is required to serve notice via registered or certified mail upon any parent or other person who has custody or visitation rights.

Roll call on Senate Bill No. 40:

YEAS—41.

NAYS—None.

EXCUSED—Hambrick.

Senate Bill No. 40 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 42.

Bill read third time.

Remarks by Assemblyman Fumo.

ASSEMBLYMAN FUMO:

Senate Bill 42 revises the date for a board of county commissioners to fix the compensation for justices of the peace from July to December in any year in which a justice of the peace election is held. This bill is effective upon passage and approval.

Roll call on Senate Bill No. 42:

YEAS—41.

NAYS—None.

EXCUSED—Hambrick.

Senate Bill No. 42 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 110.

Bill read third time.

Remarks by Assemblyman Thompson.

ASSEMBLYMAN THOMPSON:

Senate Bill 110 waives the requirement for a person to publish personal information in a newspaper for several weeks concerning a petition to change the person's name if the stated reason for the change is to conform the person's name to their gender identity.

Roll call on Senate Bill No. 110:

YEAS—41.

NAYS—None.

EXCUSED—Hambrick.

Senate Bill No. 110 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 112.

Bill read third time.

Remarks by Assemblywoman Tolles.

ASSEMBLYWOMAN TOLLES:

Senate Bill 112 requires a course of study in health for students enrolled in middle school, junior high school, or high school to incorporate instruction on organ and tissue donation, including how to register as a donor and the rules governing donor gifts in Nevada, the societal and individual benefits of organ and tissue donation, and facts about organ and tissue donation. This bill is effective on July 1, 2017.

I have had several students over the years in my classes give speeches about how they were the recipients of donated organs and they were standing before our class alive because of those who donated. I believe this will help save lives and I am proud to support it.

Roll call on Senate Bill No. 112:

YEAS—41.

NAYS—None.

EXCUSED—Hambrick.

Senate Bill No. 112 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 131.

Bill read third time.

Remarks by Assemblyman Thompson.

ASSEMBLYMAN THOMPSON:

Senate Bill 131 requires a retail community pharmacy that dispenses a drug to notify the person to whom the drug is dispensed of the availability of a prescription reader, and upon request, provide to that person a prescription reader or directions or advice on obtaining a prescription reader.

Roll call on Senate Bill No. 131:

YEAS—41.

NAYS—None.

EXCUSED—Hambrick.

Senate Bill No. 131 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 177.

Bill read third time.

Remarks by Assemblywoman Tolles.

ASSEMBLYWOMAN TOLLES:

Senate Bill 177 amends the definition of “mental illness” to include hoarding disorder, as described in the fifth edition of the *Diagnostic and Statistical Manual of Mental Disorders*, for the purpose of assigning certain offenders to programs for the treatment of mental illness.

This bill is effective on October 1, 2017.

Roll call on Senate Bill No. 177:

YEAS—41.

NAYS—None.

EXCUSED—Hambrick.

Senate Bill No. 177 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 202.

Bill read third time.

Remarks by Assemblymen Daly and Hansen.

ASSEMBLYMAN DALY:

Senate Bill 202 amends the Charter of the City of Sparks to require ward-only voting in a general election for each member of the Council; it requires that regardless of the number of candidates for an office at the primary election. If one candidate receives a majority of the votes at the primary election, he or she must be declared elected to the office, and no general election for the office need be held.

It requires that newly elected municipal judges be licensed members of the State Bar of Nevada. This measure is effective on October 1, 2017.

ASSEMBLYMAN HANSEN:

I rise in opposition to Senate Bill 202. I was born and raised in Sparks and represent a section of it still. I am very concerned about two sections of the bill. First, municipal court judges only deal with misdemeanors and things under that. There is no reason they have to be the highly trained lawyers that we need. I do not think the citizens of Sparks are improperly served by allowing people who are not necessarily judges to run for that office.

The other thing that really disturbs me is section 3 of the bill which says that if a candidate receives a majority in the primary election, they are automatically the winner of the election cycle. The problem with that is primaries are done in tandem with the other primaries where there are, in fact, partisan races. What happens is that people in Nevada, one-third of which are nonpartisan registered—we are down to 33 percent Republican and 39 percent Democrat. The rest of them will essentially be eliminated from selecting their own people. We had a bill last session, which I am sad to say I voted for, that I am trying to correct. We are slowly but surely eliminating the ability of people who are nonpartisan or a member of a small third party to be able to make certain selections. I think we have to be very careful. I think both parties are very anxious to try to court the vote of people who are not registered with either of the two major parties, and this bill actually disenfranchises them to a certain extent. I strongly urge my colleagues, especially those who believe so strongly that everybody in this state should have the right to vote, to say no to this bill.

ASSEMBLYMAN DALY:

I would like to clarify for the record that the election for city council members are nonpartisan. Every voter in the City of Sparks is allowed to vote for those nonpartisan races in the primary, and you have to get over 50 percent in that race in order to be declared the winner. No one is disenfranchised; everyone has the right to vote in every party, because it is a nonpartisan race.

Roll call on Senate Bill No. 202:

YEAS—29.

NAYS—Edwards, Ellison, Hansen, Kramer, Krasner, Marchant, McArthur, Oscarson, Titus, Tolles, Wheeler, Woodbury—12.

EXCUSED—Hambrick.

Senate Bill No. 202 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 241.

Bill read third time.

Remarks by Assemblywoman Miller.

ASSEMBLYWOMAN MILLER:

Senate Bill 241 establishes the State Seal of Science, Technology, Engineering, and Mathematics [STEM] Program and the State Seal of Science, Technology, Engineering, Arts, and Mathematics [STEAM] Program. The programs provide that a special seal be affixed to the high school diploma and noted on the transcript of a student who has achieved it.

School districts, charter schools, and university schools for profoundly gifted students may choose to participate in the programs. Further, the measure specifies the academic performance criteria required for a student to qualify for the programs.

Roll call on Senate Bill No. 241:

YEAS—41.

NAYS—None.

EXCUSED—Hambrick.

Senate Bill No. 241 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 256.

Bill read third time.

Remarks by Assemblywoman Bustamante Adams.

ASSEMBLYWOMAN BUSTAMANTE ADAMS:

Senate Bill 256 requires the Board of Dental Examiners of Nevada to appoint a three-person panel to review investigations and informal hearings conducted by an investigator of the Board. The panel must consist of one member of the Board who is licensed to practice dentistry, one member of the Board who is licensed to practice dental hygiene, and one person who is not a member of the Board who is licensed to practice in the same profession as the subject of the investigation or informal hearing.

Roll call on Senate Bill No. 256:

YEAS—41.

NAYS—None.

EXCUSED—Hambrick.

Senate Bill No. 256 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 267.

Bill read third time.

Remarks by Assemblywoman Jauregui.

ASSEMBLYWOMAN JAUREGUI:

Senate Bill 267 removes an existing population cap so that a foreclosure sale in a county with a population of less than 100,000 people can be held at a location designated by the governing body of the county rather than at the county courthouse. A mortgagee or beneficiary of a deed of trust under a residential mortgage loan is required to provide the Division of Financial Institutions with certain contact information. The bill also extends to June 30, 2021, the expiration date of provisions governing the expedited process for the foreclosure of abandoned residential property.

Roll call on Senate Bill No. 267:

YEAS—41.

NAYS—None.

EXCUSED—Hambrick.

Senate Bill No. 267 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 277.

Bill read third time.

Remarks by Assemblyman Fumo.

ASSEMBLYMAN FUMO:

Senate Bill 277 creates the Subcommittee on Criminal Justice Information Sharing of the Advisory Commission on the Administration of Justice, prescribes the duties thereof, and authorizes the Subcommittee to appoint working groups that are not subject to the Open Meeting Law for reasons of confidentiality. Additionally, the membership of the Advisory Commission on the Administration of Justice is revised to include a representative of the Central Repository for Nevada Records of Criminal History.

The bill authorizes the Division of Public and Behavioral Health to release the name and other identifying information of a person who has applied for a medical marijuana registry identification card to the Division of Parole and Probation if the Division of Public and Behavioral Health has been notified that the applicant is on parole or probation.

Finally, the bill repeals the Advisory Committee on Nevada Criminal Justice Information Sharing. This bill is effective on October 1, 2017.

Roll call on Senate Bill No. 277:

YEAS—41.

NAYS—None.

EXCUSED—Hambrick.

Senate Bill No. 277 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 301.

Bill read third time.

Remarks by Assemblywoman Krasner.

ASSEMBLYWOMAN KRASNER:

Senate Bill 301 abolishes the State Board for Career and Technical Education and transfers its duties to the State Board of Education and the Superintendent of Public Instruction. It requires that the Department of Education include in its annual report of the state of public education certain information related to career and technical education and repeals a duplicate report. It changes the name of the Advisory Council on Parental Involvement and Family Engagement to the Advisory Council for Family Engagement and modifies its annual reporting requirements, and it abolishes the Interagency Panel responsible for making recommendations concerning certain students with disabilities.

This bill is effective on July 1, 2017.

Roll call on Senate Bill No. 301:

YEAS—41.

NAYS—None.

EXCUSED—Hambrick.

Senate Bill No. 301 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 313.

Bill read third time.

Remarks by Assemblywoman Bilbray-Axelrod.

ASSEMBLYWOMAN BILBRAY-AXELROD:

Senate Bill 313 authorizes trustees or the governing authority of a public library to establish a gift fund with a financial institution and to transfer money from the gift fund to a tax-exempt library foundation operated for the support of the library. Trustees are authorized to enter into a lease or lease-purchase agreement for real or personal property for a library and to convey property for that purpose.

Roll call on Senate Bill No. 313:

YEAS—31.

NAYS—Paul Anderson, Ellison, Hansen, Krasner, Marchant, McArthur, Oscarson, Pickard, Titus, Wheeler—10.

EXCUSED—Hambrick.

Senate Bill No. 313 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 326.

Bill read third time.

Remarks by Assemblyman Carrillo.

ASSEMBLYMAN CARRILLO:

Senate Bill 326 requires a child care facility, to the extent authorized by federal law, to give priority admission to a child whose parent or guardian is serving on active duty in the Armed Forces, whose parent was killed or died as a direct result of injuries received while serving honorably on active duty, or whose parent is currently or was recently missing in action or a prisoner of war.

This measure is effective on July 1, 2017.

Roll call on Senate Bill No. 326:

YEAS—41.

NAYS—None.

EXCUSED—Hambrick.

Senate Bill No. 326 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 362.

Bill read third time.

Remarks by Assemblyman Yeager.

ASSEMBLYMAN YEAGER:

Senate Bill 362 provides that a crime related to racketeering includes the three following new crimes to be added: forgery of a credit card or debit card, obtaining and using the personal information of another person, and establishing or possessing a financial forgery laboratory.

Roll call on Senate Bill No. 362:

YEAS—40.

NAYS—Fumo.

EXCUSED—Hambrick.

Senate Bill No. 362 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 412.

Bill read third time.

Remarks by Assemblyman Araujo.

ASSEMBLYMAN ARAUJO:

Senate Bill 412 revises provisions related to the certification of eligibility of certain customers of telecommunications companies for discounted lifeline service rates. Specifically, the bill authorizes the Public Utilities Commission of Nevada to terminate the certification service of an independent administrator when the National Lifeline Eligibility Verifier established by the Federal Communications Commission is able to provide such certification or recertification service to telecommunications companies in Nevada. The measure provides the National Lifeline Eligibility Verifier access to the database created and maintained by the Department of Health and Human Services for the exclusive purpose of determining or verifying the status of an eligible customer.

Roll call on Senate Bill No. 412:

YEAS—41.

NAYS—None.

EXCUSED—Hambrick.

Senate Bill No. 412 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Benitez-Thompson moved that Senate Bills Nos. 2, 43, 91, 133, 140, 160, 173, 182, 206, 230, 237, 240, 247, 252, 279, 295, 311, 318, 324, 338, 454, 464, 466, 483, and 515; Senate Joint Resolution No. 13

be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

By the Committee on Legislative Operations and Elections:

Assembly Resolution No. 7—Designating certain members of the Assembly as regular and alternate members of the Legislative Commission for the 2017-2019 biennium.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That, pursuant to the provisions of NRS 218E.150 and the Joint Standing Rules of the Legislature, the following members of the Assembly are designated regular and alternate members of the Legislative Commission to serve until their successors are designated: Mr. Jason Frierson, Ms. Teresa Benitez-Thompson, Ms. Maggie Carlton, Mr. Paul Anderson, Mr. Jim Wheeler and Mr. Keith Pickard are designated as the regular Assembly members; Mr. Nelson Araujo and Ms. Daniele Monroe-Moreno are designated as the first and second alternate members, respectively, for Mr. Jason Frierson; Mr. Mike Sprinkle and Mr. Skip Daly are designated as the first and second alternate members, respectively, for Ms. Teresa Benitez-Thompson; Ms. Olivia Diaz and Mr. Steve Yeager are designated as the first and second alternate members, respectively, for Ms. Maggie Carlton; Mr. James Oscarson and Mr. Chris Edwards are designated as the first and second alternate members, respectively, for Mr. Paul Anderson; Mr. John Hambrick and Ms. Jill Tolles are designated as the first and second alternate members, respectively, for Mr. Jim Wheeler; and Mr. Al Kramer and Ms. Robin Titus are designated as the first and second alternate members, respectively, for Mr. Keith Pickard.

Assemblywoman Benitez-Thompson moved adoption of the resolution.

Motion carried.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Brooks, the privilege of the floor of the Assembly Chamber for this day was extended to Elsa Roe and Bernice Borak.

On request of Assemblyman Daly, the privilege of the floor of the Assembly Chamber for this day was extended to the following students, teachers, and chaperones from Esther Bennett Elementary School: Sassha Andrade, Fatima Bernal, Cody Bests, John Brandt, Aubreigh Brown, Johnney Carlos Martinez, Hannah Cooley, Gissell Cortez, Caleb Dewald, Jonathon Flores, John Carlo Gregorio, Marcos Hilliard-Heredia, Esmeralda Jaramillo Martinez, Steven Lopez, Juan Martinez Rodriguez, Annamaria Olivas, Rubi Ramos Villalvazo, Alan Reyes, Deanna Sirotek, Emely Solano Montes, Kyle Thornhill, Lindsey Turner, Nancy Velasquez Quezada, Yajaira Zarate Rios, Gwen Schmierer, Adam Abed, Rylan Beeler, Megan Burdette, Abraham Chavez Guzman, Natalie Corona-Ayala, Zakariah Crosson, Genesis Cummins, Erika De La Torre, Lukas Green, Cesar Gudino Landeros, Wan Lee, Jayde Medeiros, Rosalyn Murillo, Quintin Neal, Mia Nunez, Nicholas Orozco, Noly Orozco, Guizlow Partida, Jesus Piedra-Flores, Elisett Pinedo, Ivelyn Reyes Lopez, Cali Surtees, Lilly Zelaya Perez, Jonathan Aguilar Varela, Brayden Arny, Sasha Bayless, Bilder Carias Meza, Skylar Dillon, Dayana Garcia Navarro, Nathan Garcia-Johnson, Haloh Glosen Quinones,

Sakura Heath, Hailey Kennedy, Dennis Heemer, Tryston Keeney, Luke Lipkowitz, Diana Maldonado Lemus, Emely Perez Aguilar, Ricardo Ramirez Pineda, Noe Rios-Rodrogiez, Noe Salazar Romero, Rosa Salinas Lemus, Jaime Santiago Rangel, Jennifer Tavares Diaz, Haleigh Thompson, and Gael Virgen Morelos.

On request of Assemblyman Hansen, the privilege of the floor of the Assembly Chamber for this day was extended to Mallory Reed and Evelyn Trevino.

On request of Assemblywoman Joiner, the privilege of the floor of the Assembly Chamber for this day was extended to the following students, teachers, and chaperones from Bailey Charter Elementary School: Sage Blacketer, Lilly Buddin, Carlos Burgos Gil, David Chinas, Shayla Cook, Miguel Diaz Solis, Steven Duron, Elisabet Garrido, Yasmin Gomez Diaz, Alexis Hernandez Marquez, America Hidalgo, Kylie Kingsley, Jordyn Lujan, Armando Martinez, Tucker Moore, Juan Munoz Sanchez, Marvin Negrete, Anayeli Ochoa-Sanchez, Jezmeirr Rash, Brandon Rodriguez, Juan Salas, Adolfo Saucedo, Melissa Tapia Neri, Isaiah Villatore, Brenda Benitez Pacheco, Faith Bordenaro, Eduardo Campos Del La Cruz, Jackie Chamberlain, Noelia Cisneros Villa, Cody Cloud, Darren Crisostomo, Leslie De La Trinidad, Marco Horta Valdivia, Gabriel Ibarra, Alijah Kane, Janvi Kaur, Samuel Machado-Inocence, Juan Marquez, Isaiah Moreno, Ashley Ochoa Carmona, Neveah Offret, Victor Preciado, Rachel Preciado Hernandez, Chelsea Rodriguez Carrillo, Iseigha Smith, and Ezekiel Valdez.

On request of Assemblyman Kramer, the privilege of the floor of the Assembly Chamber for this day was extended to Bryan Avila.

On request of Assemblyman Yeager, the privilege of the floor of the Assembly Chamber for this day was extended to Abbi Silver, Maggie Christiansen, and Sydney Murdock.

Assemblywoman Benitez-Thompson moved that the Assembly adjourn until Wednesday, May 17, 2017, at 11:30 a.m.

Motion carried.

Assembly adjourned at 2:09 p.m.

Approved:

JASON FRIERSON
Speaker of the Assembly

Attest: SUSAN FURLONG

Chief Clerk of the Assembly