

THE ONE HUNDRED AND FIRST DAY

CARSON CITY (Wednesday), May 15, 2019

Assembly called to order at 12:25 p.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Hambrick, who was excused, and one vacant.

Prayer by the Chaplain, Captain Mark Cyr.

My Heavenly Father, we come to You with thankfulness for the blessings You give us. We thank You for our state Assembly members and their faithfulness. We ask You to be with them and guide them. We ask that You fill them with Your courage and strength. Guide them as they lead us and unite them together as one voice for what is best for the people of Nevada. Help them lead in truth. Father we pray these things in the name of Your Son Jesus.

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 was referred Senate Bill No. 126, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

EDGAR FLORES, *Vice Chair*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Senate Bills Nos. 75, 103, 104, 199, 231, 367, 392, 416, 460, 473, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

EDGAR FLORES, *Chair*

Mr. Speaker:

Your Committee on Taxation, to which were referred Senate Bills Nos. 48, 81, 465, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DINA NEAL, *Chair*

MOTIONS, RESOLUTIONS AND NOTICES

NOTICE OF EXEMPTION

May 15, 2019

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the exemption of: Assembly Bill No. 320.

MARK KRMPOTIC
Fiscal Analysis Division

SECOND READING AND AMENDMENT

Assembly Bill No. 498.

Bill read second time.

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

Amendment No. 691.

AN ACT relating to children; requiring, to the extent authorized by federal law, certain assistance to be provided to a person who provides certain care for a child to whom he or she is not related; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Director of the Department of Health and Human Services to adopt state plans required by the Federal Government for the administration of public assistance programs, including the State Plan for Temporary Assistance for Needy Families. (NRS 422A.080, 422A.260) **Section 1** of this bill requires the Director to include, to the extent authorized by federal law, in the State Plan for Temporary Assistance for Needy Families the provision of child-only assistance for a caregiver who is caring for a child in foster care and who is not related by blood to the child but has a significant emotional and positive relationship with the child. **Section 2** of this bill makes a conforming change.

Existing federal law authorizes states to establish a program to provide financial assistance to certain relatives of children in foster care who become the legal guardians of such children. (42 U.S.C. §§ 671 and 673) Under federal law, the Federal Government reimburses states that establish such a program for a portion of the costs of the program. (42 U.S.C. § 674) Existing law requires the Department to: (1) establish and administer the Kinship Guardianship Assistance Program in accordance with the federal law to provide financial assistance to a relative of a child who is appointed as the legal guardian of the child under certain circumstances; and (2) adopt a state plan for the administration of the Program. **Section 8** of this bill requires the Department, to the extent authorized by federal law, to include in the state plan a provision to provide assistance pursuant to the Program to a fictive kin who has been appointed the legal guardian of a child in foster care. **Section 5** of this bill defines "fictive kin" as a person who is not related by blood to a child but who has a significant emotional and positive relationship with the child. If this provision of the state plan is approved by the Federal Government, **section 6** of this bill defines the term "relative" for the purposes of the Program to include a fictive kin of a child so that such a fictive kin is eligible for assistance pursuant to the Program. **Sections 7 and 9** of this bill make conforming changes.

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

Section 1. Chapter 422A of NRS is hereby amended by adding thereto a new section to read as follows:

1. *The Director shall, to the extent authorized by federal law, include in the State Plan for Temporary Assistance for Needy Families, adopted pursuant to NRS 422A.260, provisions for the payment of child-only assistance to a fictive kin on behalf of a child who has been placed with the fictive kin pursuant to chapter 432B of NRS, if all applicable conditions of eligibility are met.*

2. *As used in this section, “fictive kin” means a person who is not related by blood to a child but has a significant emotional and positive relationship with the child.*

Sec. 2. NRS 422A.500 is hereby amended to read as follows:

422A.500 As used in NRS 422A.500 to 422A.600, inclusive, ***and section 1 of this act***, unless the context otherwise requires, the words and terms defined in NRS 422A.505 to 422A.520, inclusive, have the meanings ascribed to them in those sections.

Sec. 3. Chapter 432B of NRS is hereby amended by adding thereto the provisions set forth as sections 4, 5 and 6 of this act.

Sec. 4. *As used in NRS 432B.621 to 432B.626, inclusive, and sections 4, 5 and 6 of this act, unless the context otherwise requires, the words and terms defined in NRS 432B.621 and sections 5 and 6 of this act have the meanings ascribed to them in those sections.*

Sec. 5. *“Fictive kin” means a person who is not related by blood to a child but has a significant emotional and positive relationship with the child.*

Sec. 6. *“Relative” includes, without limitation, a fictive kin, if the Federal Government approves a state plan for the administration of the Program which is adopted pursuant to subsection 2 of NRS 432B.622 and which provides for the provision of assistance to a fictive kin of a child pursuant to the Program.*

Sec. 7. NRS 432B.621 is hereby amended to read as follows:

432B.621 ~~As used in NRS 432B.621 to 432B.626, inclusive, unless the context otherwise requires,~~ “Program” means the Kinship Guardianship Assistance Program established and administered by the Department pursuant to NRS 432B.622.

Sec. 8. NRS 432B.622 is hereby amended to read as follows:

432B.622 1. The Department, through a division of the Department designated by the Director, shall establish and administer the Kinship Guardianship Assistance Program to provide assistance pursuant to the provisions of NRS 432B.621 to 432B.626, inclusive, ***and sections 4, 5 and 6 of this act*** and 42 U.S.C. §§ 671 and 673.

2. The Department shall adopt a state plan for the administration of the Program. ***To the extent authorized by federal law, the Department shall include in the state plan for the administration of the Program a provision to provide assistance to a fictive kin of a child pursuant to the Program.***

3. An agency which provides child welfare services may enter into an agreement to provide assistance to a relative of a child pursuant to the Program. Such an agreement may be entered into with a relative who is located outside the State of Nevada. If a guardianship for the child is established in the other state, the agency which provides child welfare services must comply with any order of the court of the state in which the child resides concerning the guardianship.

Sec. 9. NRS 232.320 is hereby amended to read as follows:

232.320 1. The Director:

(a) Shall appoint, with the consent of the Governor, administrators of the divisions of the Department, who are respectively designated as follows:

(1) The Administrator of the Aging and Disability Services Division;

(2) The Administrator of the Division of Welfare and Supportive Services;

(3) The Administrator of the Division of Child and Family Services;

(4) The Administrator of the Division of Health Care Financing and Policy; and

(5) The Administrator of the Division of Public and Behavioral Health.

(b) Shall administer, through the divisions of the Department, the provisions of chapters 63, 424, 425, 427A, 432A to 442, inclusive, 446 to 450, inclusive, 458A and 656A of NRS, NRS 127.220 to 127.310, inclusive, 422.001 to 422.410, inclusive, 422.580, 432.010 to 432.133, inclusive, 432B.621 to 432B.626, inclusive, **and sections 4, 5 and 6 of this act**, 444.002 to 444.430, inclusive, and 445A.010 to 445A.055, inclusive, and all other provisions of law relating to the functions of the divisions of the Department, but is not responsible for the clinical activities of the Division of Public and Behavioral Health or the professional line activities of the other divisions.

(c) Shall administer any state program for persons with developmental disabilities established pursuant to the Developmental Disabilities Assistance and Bill of Rights Act of 2000, 42 U.S.C. §§ 15001 et seq.

(d) Shall, after considering advice from agencies of local governments and nonprofit organizations which provide social services, adopt a master plan for the provision of human services in this State. The Director shall revise the plan biennially and deliver a copy of the plan to the Governor and the Legislature at the beginning of each regular session. The plan must:

(1) Identify and assess the plans and programs of the Department for the provision of human services, and any duplication of those services by federal, state and local agencies;

(2) Set forth priorities for the provision of those services;

(3) Provide for communication and the coordination of those services among nonprofit organizations, agencies of local government, the State and the Federal Government;

(4) Identify the sources of funding for services provided by the Department and the allocation of that funding;

(5) Set forth sufficient information to assist the Department in providing those services and in the planning and budgeting for the future provision of those services; and

(6) Contain any other information necessary for the Department to communicate effectively with the Federal Government concerning demographic trends, formulas for the distribution of federal money and any need for the modification of programs administered by the Department.

(e) May, by regulation, require nonprofit organizations and state and local governmental agencies to provide information regarding the programs of those organizations and agencies, excluding detailed information relating to their budgets and payrolls, which the Director deems necessary for the performance of the duties imposed upon him or her pursuant to this section.

(f) Has such other powers and duties as are provided by law.

2. Notwithstanding any other provision of law, the Director, or the Director's designee, is responsible for appointing and removing subordinate officers and employees of the Department, other than the State Public Defender of the Office of State Public Defender who is appointed pursuant to NRS 180.010.

Sec. 10. This act becomes effective **upon passage and approval for the purposes of adopting regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act, and** on July 1, ~~2019,~~ **2020, for all other purposes.**

Assemblywoman Cohen moved the adoption of the amendment.

Remarks by Assemblywoman Cohen.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 12.

Bill read second time and ordered to third reading.

Senate Bill No. 20.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 669.

AN ACT relating to guardianships; enacting certain provisions of the Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act; authorizing the filing of a petition for an expedited hearing to transfer a proposed protected person from a health care facility to another health care facility that provides a less restrictive level of care in certain circumstances; revising various provisions relating to guardianships; increasing the additional fee charged by county recorders to allocate additional money for legal representation for protected persons, proposed protected persons, protected minors and proposed protected minors in guardianship proceedings; authorizing a portion of such a fee to be used to pay for certain assistance to

protected minors and proposed protected minors in guardianship proceedings; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Sections 2, 3, 30 and 31 of this bill enact certain provisions of the Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act. **Sections 2 and 30** of this bill authorize a court to appoint a successor guardian for a protected person or protected minor, respectively, at any time to serve immediately or when a designated event occurs. **Sections 3 and 31** of this bill authorize a court to appoint a temporary substitute guardian for a protected person or protected minor, respectively, in certain circumstances for a period of not more than 6 months.

Existing law authorizes certain persons to file a petition for the appointment of a guardian for a proposed protected person. (NRS 159.044) **Section 3.5** of this bill provides that if a person who files such a petition reasonably believes that it is appropriate to discharge the proposed protected person from a health care facility for the purpose of transferring the proposed protected person to a more appropriate health care facility that provides a less restrictive level of care, the person must petition the court for an expedited hearing to determine whether such a transfer is appropriate and must include certain information in such a petition. **Section 3.5** also provides that a person may not petition the court for an expedited hearing if the person believes that a proposed protected person should be transferred to: (1) a health care facility outside this State; (2) with certain exceptions, a health care facility outside the judicial district in which a petition for the appointment of a guardian is filed; or (3) a secured residential long-term care facility.

Existing law authorizes a court to appoint a temporary guardian for certain proposed protected persons and extend the appointment of a temporary guardian in certain circumstances. (NRS 159.0523) **Section 23.3** of this bill requires a court to limit the authority of a temporary guardian to that which is necessary to perform any actions required to ensure the health, safety or care of a proposed protected person, including applying for Medicaid or other appropriate assistance, coverage or support for the protected person. **Section 23.3** also authorizes a court to consider the actions taken by a temporary guardian to carry out any requested activities for the benefit of a proposed protected person during the temporary guardianship when the court is making a determination regarding the extension of a temporary guardianship or the issuance of any ex parte or emergency order.

Existing law requires, with certain exceptions, a proposed protected person who is found in this State to attend the hearing for the appointment of a guardian. (NRS 159.0535) **Section 23.7** of this bill provides an additional exception to such a requirement by authorizing the proposed protected person, through counsel, to waive his or her appearance. Existing law also authorizes a proposed protected person or proposed protected minor who cannot attend the hearing for the appointment of a guardian to appear by videoconference. (NRS 159.0535, 159A.0535) **Sections 23.7 and 31.5** of this bill additionally

authorize a proposed protected person or proposed protected minor, respectively, to appear by any other means that uses audio-video communication or by telephone. Existing law further establishes provisions relating to the duties of certain persons if a proposed protected person cannot attend a hearing for the appointment of a guardian by videoconference. (NRS 159.0535) **Section 23.7** removes such provisions.

Existing law generally requires that before a guardian moves a protected person, the guardian must file a notice with the court of his or her intent to move the protected person and serve notice upon all interested persons. (NRS 159.0807) **Section 25** of this bill revises various provisions relating to such a requirement.

Existing law requires a guardian of the person to make a written report containing certain information, file the report with the court and serve the report on the protected person and any attorney for the protected person. (NRS 159.081) **Section 26** of this bill authorizes the court to waive the requirement that the report must be served on the protected person upon a showing that such service is detrimental to the physical or mental health of the protected person. **Section 26** also revises provisions relating to the information required to be included in the report.

Existing law: (1) authorizes a guardian to sell the personal property of a protected person in certain circumstances; and (2) requires that the family members of the protected person and any interested persons be offered the first right of refusal to acquire such personal property at fair market value. (NRS 159.154) **Section 27** of this bill provides that: (1) claims by family members and interested persons to acquire the property must be considered in a certain order of priority; and (2) if multiple claims are received from the same priority group and an agreement cannot be reached after good faith efforts have been made, the guardian is authorized to sell the property.

Existing law requires a guardian to retain receipts or vouchers for all expenditures and further requires: (1) a public guardian to produce such receipts or vouchers upon the request of the court or certain other persons; and (2) all other guardians to file such receipts or vouchers with the court in certain circumstances. (NRS 159.179) **Section 28** of this bill instead requires all guardians to produce such receipts or vouchers upon the request of the court or certain other persons and file such receipts or vouchers with the court only if the court orders the filing.

Existing law requires a county recorder to charge and collect, in addition to any other fee a county recorder is authorized to collect, a fee of \$5 in certain circumstances and to pay the amount of such fees collected to the county treasurer on a monthly basis. Existing law requires the county treasurer to remit \$3 from each such additional fee received to: (1) the organization operating the program for legal services for the indigent in the judicial district to provide legal services for protected persons or proposed protected persons in guardianship proceedings and, if sufficient funding exists, protected minors or proposed protected minors in guardianship proceedings; or (2) if such an

organization does not exist in the judicial district, to an account for the use of the district court to pay for attorneys to represent protected persons and proposed protected persons who do not have the ability to pay for an attorney. (NRS 247.305) **Section 33** of this bill increases the amount paid to such an organization or account from \$3 to ~~[\$4.]~~ \$5., thereby increasing the additional fee charged by a county recorder from \$5 to ~~[\$6.]~~ \$7. Existing law also requires a county treasurer to remit \$1 from each additional fee received from a county recorder to an account for the use of the district court to pay the compensation of investigators appointed in a guardianship proceeding concerning a proposed protected minor. (NRS 247.305) **Section 33** provides that such money may also be used to pay for attorneys and self-help assistance for protected minors and proposed protected minors in guardianship proceedings.

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

Section 1. Chapter 159 of NRS is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 3.5 of this act.

Sec. 2. 1. *The court at any time may appoint a successor guardian to serve immediately or when a designated event occurs.*

2. *A person entitled under NRS 159.044 to petition the court to appoint a guardian may petition the court to appoint a successor guardian.*

3. *A successor guardian appointed to serve when a designated event occurs may act as guardian when:*

(a) The event occurs; and

(b) The successor has taken the official oath and filed a bond as provided in this chapter, and letters of guardianship have been issued.

4. *A successor guardian has the predecessor's powers unless otherwise provided by the court.*

5. *The revocation of letters of guardianship by the court or any other court action to suspend the authority of a guardian may be considered to be a designated event for the purposes of this section if the revocation or suspension of authority is based on the guardian's noncompliance with his or her duties and responsibilities as provided by law.*

Sec. 3. 1. *The court may appoint a temporary substitute guardian for a protected person for a period not exceeding 6 months if:*

(a) A proceeding to remove a guardian for the protected person is pending; or

(b) The court finds a guardian is not effectively performing the guardian's duties and the welfare of the protected person requires immediate action.

2. *Except as otherwise ordered by the court, a temporary substitute guardian appointed under this section has the powers stated in the order of appointment of the guardian. The authority of the existing guardian is suspended for as long as the temporary substitute guardian has authority.*

3. *The court shall give notice of appointment of a temporary substitute guardian, not later than 5 days after the appointment, to:*

- (a) The protected person; and*
- (b) The affected guardian.*

4. *The court may remove a temporary substitute guardian at any time. The temporary substitute guardian shall make any report the court requires.*

Sec. 3.5. 1. *Except as otherwise provided in subsection 2, if a person who files a petition for the appointment of a guardian pursuant to NRS 159.044 reasonably believes that it is appropriate to discharge the proposed protected person from a health care facility for the purpose of transferring the proposed protected person to a more appropriate health care facility that provides a less restrictive level of care, the person must petition the court for an expedited hearing to determine the appropriateness of such a transfer upon a showing of good cause, as set forth in the petition for an expedited hearing. If a person files a petition for an expedited hearing pursuant to this subsection, he or she shall include, without limitation, the following information in the petition:*

- (a) The name and address of the health care facility to which the proposed protected person will be transferred;*
- (b) The level of care that will be provided by the health care facility to which the proposed protected person will be transferred;*
- (c) The anticipated date of the transfer of the proposed protected person;*
- (d) The source of payment that will be used to pay for the placement of the proposed protected person in the health care facility to which he or she will be transferred; and*
- (e) A statement signed by the attending provider of health care of the proposed protected person and an independent physician that:*

(1) Verifies that the transfer of the proposed protected person is medically appropriate and advisable and is in the best interests of the proposed protected person;

(2) Describes the way in which, given the condition and needs of the proposed protected person, the level of care that will be provided by the new health care facility is more appropriate for the care and treatment of the proposed protected person than the level of care of provided by the health care facility in which the proposed protected person is currently placed; and

(3) States specific facts and circumstances to demonstrate why the transfer of the proposed protected person to the new health care facility must occur in an expedited manner and cannot be delayed.

2. *A person may not petition the court for an expedited hearing pursuant to subsection 1 if he or she believes that a proposed protected person should be transferred to:*

- (a) A health care facility outside this State;*
- (b) Except as otherwise provided in subsection 3, a health care facility outside the judicial district in which the petition for the appointment of a guardian is filed; or*

(c) A secured residential long-term care facility.

3. *If a health care facility that offers the appropriate level of care for a proposed protected person does not exist in the judicial district in which the petition for the appointment of a guardian is filed, or if such a health care facility exists in the judicial district but is not available to accommodate the proposed protected person, the court may approve the placement of the proposed protected person in a health care facility outside the judicial district if the placement is in the health care facility offering the appropriate level of practicable care that is nearest to the place of residence of the proposed protected person.*

Sec. 4. (Deleted by amendment.)

Sec. 5. (Deleted by amendment.)

Sec. 6. (Deleted by amendment.)

Sec. 7. (Deleted by amendment.)

Sec. 8. (Deleted by amendment.)

Sec. 9. (Deleted by amendment.)

Sec. 10. (Deleted by amendment.)

Sec. 11. (Deleted by amendment.)

Sec. 12. (Deleted by amendment.)

Sec. 13. (Deleted by amendment.)

Sec. 14. (Deleted by amendment.)

Sec. 15. (Deleted by amendment.)

Sec. 16. (Deleted by amendment.)

Sec. 17. (Deleted by amendment.)

Sec. 18. (Deleted by amendment.)

Sec. 19. (Deleted by amendment.)

Sec. 20. (Deleted by amendment.)

Sec. 21. (Deleted by amendment.)

Sec. 22. (Deleted by amendment.)

Sec. 23. (Deleted by amendment.)

Sec. 23.3. NRS 159.0523 is hereby amended to read as follows:

159.0523 1. A petitioner may request the court to appoint a temporary guardian for a proposed protected person who is unable to respond to a substantial and immediate risk of physical harm or to a need for immediate medical attention. To support the request, the petitioner must set forth in a petition and present to the court under oath:

(a) Documentation which shows the proposed protected person faces a substantial and immediate risk of physical harm or needs immediate medical attention and lacks capacity to respond to the risk of harm or obtain the necessary medical attention. Such documentation must include, without limitation, a certificate signed by a physician who is licensed to practice medicine in this State or who is employed by the Department of Veterans Affairs, a letter signed by any governmental agency in this State which conducts investigations or a police report indicating:

(1) That the proposed protected person is unable to respond to a substantial and immediate risk of physical harm or to a need for immediate medical attention;

(2) Whether the proposed protected person presents a danger to himself or herself or others; and

(3) Whether the proposed protected person is or has been subjected to abuse, neglect, exploitation, isolation or abandonment; and

(b) Facts which show that:

(1) The petitioner has tried in good faith to notify the persons entitled to notice pursuant to NRS 159.047 by telephone or in writing before the filing of the petition;

(2) The proposed protected person would be exposed to an immediate risk of physical harm if the petitioner were to provide notice to the persons entitled to notice pursuant to NRS 159.047 before the court determines whether to appoint a temporary guardian; or

(3) Giving notice to the persons entitled to notice pursuant to NRS 159.047 is not feasible under the circumstances.

2. The court may appoint a temporary guardian to serve for 10 days if the court:

(a) Finds reasonable cause to believe that the proposed protected person is unable to respond to a substantial and immediate risk of physical harm or to a need for immediate medical attention; and

(b) Is satisfied that the petitioner has tried in good faith to notify the persons entitled to notice pursuant to NRS 159.047 or that giving notice to those persons is not feasible under the circumstances, or determines that such notice is not required pursuant to subparagraph (2) of paragraph (b) of subsection 1.

3. Except as otherwise provided in subsection 4, after the appointment of a temporary guardian, the petitioner shall attempt in good faith to notify the persons entitled to notice pursuant to NRS 159.047, including, without limitation, notice of any hearing to extend the temporary guardianship. If the petitioner fails to make such an effort, the court may terminate the temporary guardianship.

4. If, before the appointment of a temporary guardian, the court determined that advance notice was not required pursuant to subparagraph (2) of paragraph (b) of subsection 1, the petitioner shall notify the persons entitled to notice pursuant to NRS 159.047 without undue delay, but not later than 48 hours after the appointment of the temporary guardian or not later than 48 hours after the petitioner discovers the existence, identity and location of the persons entitled to notice pursuant to that section. If the petitioner fails to provide such notice, the court may terminate the temporary guardianship.

5. Not later than 10 days after the date of the appointment of a temporary guardian pursuant to subsection 2, the court shall hold a hearing to determine the need to extend the temporary guardianship. Except as otherwise provided in subsection 7, the court may extend the temporary guardianship until a general or special guardian is appointed pursuant to subsection 8 if:

(a) The court finds by clear and convincing evidence that the proposed protected person is unable to respond to a substantial and immediate risk of physical harm or to a need for immediate medical attention; and

(b) The extension of the temporary guardianship is necessary and in the best interests of the proposed protected person.

6. If the court appoints a temporary guardian or extends the temporary guardianship pursuant to this section, the court shall limit the ~~powers~~ **authority** of the temporary guardian to ~~those~~ **that which is necessary to respond perform any actions required to ensure the health, safety or care of a proposed protected person, including, without limitation:**

(a) **Responding** to the substantial and immediate risk of physical harm or to a need for immediate medical attention ~~+~~; **and**

(b) **Applying for Medicaid or other appropriate assistance, coverage or support for the proposed protected person for the purpose of providing adequate care for and ensuring the appropriate placement of the proposed protected person.**

7. The court may not extend a temporary guardianship pursuant to subsection 5 beyond the initial period of 10 days unless the petitioner demonstrates that:

(a) The provisions of NRS 159.0475 have been satisfied; or

(b) Notice by publication pursuant to N.R.C.P. 4(e) is currently being undertaken.

8. The court may extend the temporary guardianship, for good cause shown, for not more than two successive 60-day periods, except that the court shall not cause the temporary guardianship to continue longer than 5 months unless extraordinary circumstances are shown.

9. If a court is making a determination regarding the extension of a temporary guardianship or the issuance of any ex parte or emergency order, the court may consider the actions taken by a temporary guardian to carry out any requested activities for the benefit of a proposed protected person during the temporary guardianship.

Sec. 23.7. NRS 159.0535 is hereby amended to read as follows:

159.0535 1. A proposed protected person who is found in this State must attend the hearing for the appointment of a guardian unless:

(a) A certificate signed by a physician or psychiatrist who is licensed to practice in this State or who is employed by the Department of Veterans Affairs specifically states the condition of the proposed protected person, the reasons why the proposed protected person is unable to appear in court and whether the attendance of the proposed protected person at the hearing would be detrimental to the physical or mental health of the proposed protected person; ~~or~~

(b) A certificate signed by any other person the court finds qualified to execute a certificate states the condition of the proposed protected person, the reasons why the proposed protected person is unable to appear in court and whether the attendance of the proposed protected person at the hearing would

be detrimental to the physical or mental health of the proposed protected person ~~†~~; *or*

(c) The proposed protected person, through court-appointed or retained counsel, waives his or her appearance.

2. A proposed protected person found in this State who cannot attend the hearing for the appointment of a *temporary*, general or special guardian as set forth in a certificate pursuant to subsection 1 may appear by *telephone or by* videoconference ~~†. If the proposed protected person cannot attend by videoconference, the person who signs the certificate described in subsection 1 or any other person the court finds qualified shall:~~

~~—(a) Inform the proposed protected person that the petitioner is requesting that the court appoint a guardian for the proposed protected person;~~

~~—(b) Ask the proposed protected person for a response to the guardianship petition; and~~

~~—(c) Ask the preferences of the proposed protected person for the appointment of a particular person as the guardian of the proposed protected person.† *or any other means that uses audio-video communication.*~~

3. ~~†The person who informs the proposed protected person of the rights of the proposed protected person pursuant to subsection 2 shall state in a certificate signed by that person:~~

~~—(a) The responses of the proposed protected person to the questions asked pursuant to subsection 2; and~~

~~—(b) Any conditions that the person believes may have limited the responses by the proposed protected person.~~

~~4. The court may prescribe the form in which a certificate required by this section must be filed. If the certificate consists of separate parts, each part must be signed by the person who is required to sign the certificate.~~

~~5.† If the proposed protected person is not in this State, the proposed protected person must attend the hearing only if the court determines that the attendance of the proposed protected person is necessary in the interests of justice.~~

4. As used in this section, “audio-video communication” means communication by which a person is able to see, hear and communicate with another person in real time using electronic means.

Sec. 24. NRS 159.079 is hereby amended to read as follows:

159.079 1. Except as otherwise ordered by the court, a guardian of the person has the care, custody and control of the person of the protected person, and has the authority and, subject to subsection 2, shall perform the duties necessary for the proper care, maintenance, education and support of the protected person, including, without limitation, the following:

(a) Supplying the protected person with food, clothing, shelter and all incidental necessities, including locating an appropriate residence for the protected person based on the financial situation and needs of the protected person, including, without limitation, any medical needs or needs relating to his or her care.

(b) Taking reasonable care of any clothing, furniture, vehicles and other personal effects of the protected person and commencing a proceeding if any property of the protected person is in need of protection.

(c) Authorizing medical, surgical, dental, psychiatric, psychological, hygienic or other remedial care and treatment for the protected person.

(d) Seeing that the protected person is properly trained and educated and that the protected person has the opportunity to learn a trade, occupation or profession.

2. In the performance of the duties enumerated in subsection 1 by a guardian of the person, due regard must be given to the extent of the estate of the protected person. A guardian of the person is not required to incur expenses on behalf of the protected person except to the extent that the estate of the protected person is sufficient to reimburse the guardian.

3. A guardian of the person is the personal representative of the protected person for purposes of the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, and any applicable regulations. The guardian of the person has authority to obtain information from any government agency, medical provider, business, creditor or third party who may have information pertaining to the health care or health insurance of the protected person.

4. A guardian of the person may, subject to the provisions of subsection 6 and NRS 159.0807, establish and change the residence of the protected person at any place within this State. The guardian shall select the least restrictive appropriate residence which is available and necessary to meet the needs of the protected person and which is financially feasible.

5. A guardian of the person shall petition the court for an order authorizing the guardian to change the residence of the protected person to a location outside of this State. The guardian must show that the placement outside of this State is in the best interest of the protected person or that there is no appropriate residence available for the protected person in this State. The court shall retain jurisdiction over the guardianship unless the guardian files for termination of the guardianship pursuant to NRS 159.1905 or 159.191 or the jurisdiction of the guardianship is transferred to the other state.

6. A guardian of the person must file a notice with the court of his or her intent to move a protected person to or place a protected person in a secured residential long-term care facility pursuant to subsection 4 of NRS 159.0807 unless the secured residential long-term care facility is in this State and:

(a) An emergency condition exists pursuant to *paragraph (a) of* subsection ~~5~~ 4 of NRS 159.0807;

(b) The court has previously granted the guardian authority to move the protected person to or place the protected person in such a facility based on findings made when the court appointed the guardian; or

(c) The move or placement is made pursuant to a written recommendation by a licensed physician, a physician employed by the Department of Veterans Affairs, a licensed social worker or an employee of a county or state office for protective services.

7. This section does not relieve a parent or other person of any duty required by law to provide for the care, support and maintenance of any dependent.

8. As used in this section “protective services” has the meaning ascribed to it in NRS 200.5092.

Sec. 25. NRS 159.0807 is hereby amended to read as follows:

159.0807 1. Every protected person has the right, if possible, to:

(a) Have his or her preferences followed; and
 (b) Age in his or her own surroundings or, if not possible, in the least restrictive environment suitable to his or her unique needs and abilities.

2. Except as otherwise provided in subsection ~~5~~, **4**, a proposed protected person must not be moved until a guardian is appointed.

3. Except as otherwise provided in this section and subsections 5 and 6 of NRS 159.079, the guardian shall notify all interested persons in accordance with subsection 4 ~~before~~ **if** the protected person:

(a) Is admitted to ~~to a secured~~ **any** residential long-term care facility;
 (b) Changes his or her residence, including, without limitation, to or from one ~~secured~~ residential long-term care facility to another; or
 (c) ~~Will reside at a location other than his or her residence for more than 3 days.~~ **Is admitted to a hospital or is temporarily placed in a facility that provides rehabilitative services.**

4. Except as otherwise provided in this section and subsections 5 and 6 of NRS 159.079, a guardian shall file with the court a notice of his or her intent to move the protected person **to a higher level of care** and shall serve notice upon all interested persons not less than 10 days before moving the protected person ~~+~~ **unless:**

(a) **An emergency condition exists, including, without limitation, an emergency condition that presents a risk of imminent harm to the health or safety of the protected person, and the protected person will be unable to return to his or her residence for a period of more than 24 hours;**

(b) **The move or change in placement is made pursuant to a written recommendation by a licensed physician, a physician employed by the Department of Veterans Affairs, a licensed social worker or an employee of a county or state office for protective services; or**

(c) **The move or change in placement is a result of the protected person being admitted to a hospital or facility that provides rehabilitative services.**

5. **If an emergency condition exists pursuant to paragraph (a) of subsection 4, the guardian may take temporary action to mitigate the condition without the permission of the court, and shall file notice with the court and serve such notice upon all interested parties as soon as practicable after the action is taken.**

6. If no objection to the move is received from any interested person within 10 days after receiving ~~the~~ **a notice** ~~+~~ **pursuant to subsection 4 or 5**, the guardian may move the protected person without court permission.

~~{5. If an emergency condition exists, including, without limitation, the health or safety of the protected person is at risk of imminent harm or the protected person has been hospitalized and will be unable to return to his or her residence for a period of more than 24 hours, the guardian may take any temporary action needed without the permission of the court and shall file notice with the court and serve notice upon all interested persons as soon as practicable after taking such action.~~

~~—6.} ***Once a permanent placement for the protected person is established, the guardian shall, as soon as practicable after such placement, file a notice of change of address with the court.***~~

7. Except as otherwise provided in this subsection, any notice provided to a court, an interested person or person of natural affection pursuant to this section or NRS 159.0809 must include the current location of the protected person. The guardian shall not provide any contact information to an interested person or person of natural affection if an order of protection has been issued against the interested person or person of natural affection on behalf of the protected person.

~~{7.} 8. A guardian is not required to provide notice to an interested person or person of natural affection in accordance with this section or NRS 159.0809 if:~~

- (a) The interested person or person of natural affection informs the guardian in writing that the person does not wish to receive such notice; or
- (b) The protected person or a court order has expressly prohibited the guardian from providing notice to the interested person or person of natural affection.

Sec. 26. NRS 159.081 is hereby amended to read as follows:

159.081 1. A guardian of the person shall make and file in the guardianship proceeding for review of the court a written report on the condition of the protected person and the exercise of authority and performance of duties by the guardian:

- (a) Annually, not later than 60 days after the anniversary date of the appointment of the guardian;
- (b) Within 10 days of moving a protected person to a secured residential long-term care facility; and
- (c) At such other times as the court may order.

2. A report filed pursuant to paragraph (b) of subsection 1 must:

- (a) Include a copy of the written recommendation upon which the transfer was made; and
- (b) ~~{Be}~~ ***Except as otherwise provided in subsection 6, be*** served, without limitation, on the protected person and any attorney for the protected person.

3. The court may prescribe the form for filing a report described in subsection 1. Such a report must include, without limitation:

- (a) The physical condition of the protected person;
- (b) The place of residence of the protected person;

(c) The name of all other persons living with the protected person unless the protected person is residing at a secured residential long-term care facility, group home, supportive living facility, **home in which supported living arrangement services are provided**, assisted living facility or other facility for long-term care; and

(d) Any other information required by the court.

4. The guardian of the person shall give to the guardian of the estate, if any, a copy of each report not later than 30 days after the date the report is filed with the court.

5. The court is not required to hold a hearing or enter an order regarding the report.

6. ***The court may waive the requirement set forth in paragraph (b) of subsection 2 that a report filed pursuant to paragraph (b) of subsection 1 must be served on a protected person upon a showing that such service is detrimental to the physical or mental health of the protected person.***

7. As used in this section ~~[-“facility”]~~:

(a) **“Facility for long-term care”** has the meaning ascribed to it in NRS 427A.028.

(b) **“Supported living arrangement services”** has the meaning ascribed to it in NRS 435.3315.

Sec. 27. NRS 159.154 is hereby amended to read as follows:

159.154 1. The guardian may sell the personal property of a protected person at:

(a) The residence of the protected person; or

(b) Any other location designated by the guardian.

2. The guardian may sell the personal property only if the property is made available for inspection at the time of the sale or photographs of the personal property are posted on an appropriate auction website on the Internet.

3. Personal property may be sold for cash or upon credit.

4. Except as otherwise provided in NRS 159.1515, a sale or disposition of any personal property of the protected person must not be commenced until 30 days after an inventory of the property is filed with the court and a copy thereof is sent by regular mail to the persons specified in NRS 159.034. An affidavit of mailing must be filed with the court.

5. The guardian is responsible for the actual value of the personal property unless the guardian makes a report to the court, not later than 90 days after the conclusion of the sale, showing that good cause existed for the sale and that the property was sold for a price that was not disproportionate to the value of the property.

6. ~~[-The]~~ ***Except as otherwise provided in subsection 7, the family members of the protected person and any interested persons must be offered the first right of refusal to acquire the personal property of the protected person at fair market value. Claims to acquire the personal property must be considered in the following order of priority:***

(a) ***The spouse or domestic partner of the protected person;***

- (b) *A child of the protected person;*
- (c) *The parents of the protected person;*
- (d) *A sibling of the protected person;*
- (e) *The nearest living relative of the protected person by blood or adoption; and*
- (f) *Any other interested party.*

7. *If multiple claims are received from the same priority group pursuant to subsection 6 and an agreement cannot be reached after good faith efforts have been made, the guardian may sell the property.*

Sec. 28. NRS 159.179 is hereby amended to read as follows:

159.179 1. An account made and filed by a guardian of the estate or special guardian who is authorized to manage the property of a protected person must include, without limitation, the following information:

- (a) The period covered by the account.
- (b) The assets of the protected person at the beginning and end of the period covered by the account, including the beginning and ending balances of any accounts.
- (c) All cash receipts and disbursements during the period covered by the account, including, without limitation, any disbursements for the support of the protected person or other expenses incurred by the estate during the period covered by the account.
- (d) All claims filed and the action taken regarding the account.
- (e) Any changes in the property of the protected person due to sales, exchanges, investments, acquisitions, gifts, mortgages or other transactions which have increased, decreased or altered the property holdings of the protected person as reported in the original inventory or the preceding account, including, without limitation, any income received during the period covered by the account.
- (f) Any other information the guardian considers necessary to show the condition of the affairs of the protected person.
- (g) Any other information required by the court.

2. All expenditures included in the account must be itemized.

3. If the account is for the estates of two or more protected persons, it must show the interest of each protected person in the receipts, disbursements and property. As used in this subsection, "protected person" includes a protected minor.

4. Receipts or vouchers for all expenditures must be retained by the guardian for examination by the court or an interested person. A ~~public~~ guardian shall produce such receipts or vouchers upon the request of the court, the protected person to whom the receipt or voucher pertains, the attorney of such a protected person or any interested person. ~~All other guardians~~ **The guardian** shall file such receipts or vouchers with the court **only** if ~~:-~~

- ~~(a) The receipt or voucher is for an amount greater than \$250, unless such a requirement is waived by the court; or~~
- ~~(b) The~~ **the** court orders the filing.

5. On the court's own motion or on ex parte application by an interested person which demonstrates good cause, the court may:

- (a) Order production of the receipts or vouchers that support the account; and
- (b) Examine or audit the receipts or vouchers that support the account.

6. If a receipt or voucher is lost or for good reason cannot be produced on settlement of an account, payment may be proved by the oath of at least one competent witness. The guardian must be allowed expenditures if it is proven that:

- (a) The receipt or voucher for any disbursement has been lost or destroyed so that it is impossible to obtain a duplicate of the receipt or voucher; and
- (b) Expenses were paid in good faith and were valid charges against the estate.

Sec. 29. Chapter 159A of NRS is hereby amended by adding thereto the provisions set forth as sections 30 and 31 of this act.

Sec. 30. 1. *The court at any time may appoint a successor guardian to serve immediately or when a designated event occurs.*

2. *A person entitled under NRS 159A.044 to petition the court to appoint a guardian may petition the court to appoint a successor guardian.*

3. *A successor guardian appointed to serve when a designated event occurs may act as guardian when:*

- (a) *The event occurs; and*
- (b) *The successor has taken the official oath and filed a bond as provided in this chapter, and letters of guardianship have been issued.*

4. *A successor guardian has the predecessor's powers unless otherwise provided by the court.*

Sec. 31. 1. *The court may appoint a temporary substitute guardian for a protected minor for a period not exceeding 6 months if:*

(a) *A proceeding to remove a guardian for the protected minor is pending;*

or
(b) *The court finds a guardian is not effectively performing the guardian's duties and the welfare of the protected minor requires immediate action.*

2. *Except as otherwise ordered by the court, a temporary substitute guardian appointed under this section has the powers stated in the order of appointment of the guardian. The authority of the existing guardian is suspended for as long as the temporary substitute guardian has authority.*

3. *The court shall give notice of appointment of a temporary substitute guardian, not later than 5 days after the appointment, to:*

- (a) *The protected minor;*
- (b) *The affected guardian; and*
- (c) *Each parent of the protected minor and any person currently having care or custody of the protected minor.*

4. *The court may remove a temporary substitute guardian at any time. The temporary substitute guardian shall make any report the court requires.*

5. As used in this section, “parent” does not include a person whose parental rights have been terminated.

Sec. 31.5. NRS 159A.0535 is hereby amended to read as follows:

159A.0535 1. A proposed protected minor who is found in this State must attend the hearing for the appointment of a guardian unless:

(a) A certificate signed by a physician or psychiatrist who is licensed to practice in this State specifically states the condition of the proposed protected minor, the reasons why the proposed protected minor is unable to appear in court and whether the proposed protected minor’s attendance at the hearing would be detrimental to the physical or mental health of the proposed protected minor; or

(b) A certificate signed by any other person the court finds qualified to execute a certificate states the condition of the proposed protected minor, the reasons why the proposed protected minor is unable to appear in court and whether the proposed protected minor’s attendance at the hearing would be detrimental to the physical or mental health of the proposed protected minor.

2. A proposed protected minor found in this State who cannot attend the hearing for the appointment of a guardian as set forth in a certificate pursuant to subsection 1 may appear by **telephone or by** videoconference ~~or~~ **or any other means that uses audio-video communication.**

3. The court may prescribe the form in which a certificate required by this section must be filed. If the certificate consists of separate parts, each part must be signed by the person who is required to sign the certificate.

4. If the proposed protected minor is not in this State, the proposed protected minor must attend the hearing only if the court determines that the attendance of the proposed protected minor is necessary in the interests of justice.

5. As used in this section, “audio-video communication” means communication by which a person is able to see, hear and communicate with another person in real time using electronic means.

Sec. 32. (Deleted by amendment.)

Sec. 33. NRS 247.305 is hereby amended to read as follows:

247.305 1. If another statute specifies the fee to be charged for a service, county recorders shall charge and collect only the fee specified. Otherwise, unless prohibited by NRS 375.060, county recorders shall charge and collect the following fees:

- (a) For recording a document \$25
- (b) For copying a record, for each page..... \$1
- (c) For certifying, including certificate and seal..... \$4
- (d) For a certified copy of a certificate of marriage..... \$10
- (e) For a certified abstract of a certificate of marriage \$10
- (f) For a certified copy of a certificate of marriage or for a certified abstract of a certificate of marriage, the additional sum of \$5 for the Account for Aid for Victims of Domestic Violence in the State General Fund. The fees collected for this purpose must be paid over to the county treasurer by the county

recorder on or before the fifth day of each month for the preceding calendar month, and must be credited to that Account. The county treasurer shall, on or before the 15th day of each month, remit those fees deposited by the recorder to the State Controller for credit to that Account.

2. Except as otherwise provided in this subsection and NRS 375.060, a county recorder may charge and collect, in addition to any fee that a county recorder is otherwise authorized to charge and collect, an additional fee not to exceed \$5 for recording a document, instrument, paper, notice, deed, conveyance, map, chart, survey or any other writing. A county recorder may not charge the additional fee authorized in this subsection for recording an originally signed certificate of marriage described in NRS 122.120. On or before the fifth day of each month, the county recorder shall pay the amount of fees collected by him or her pursuant to this subsection to the county treasurer for credit to the account established pursuant to NRS 247.306.

3. Except as otherwise provided in this subsection and NRS 375.060, a county recorder shall charge and collect, in addition to any fee that a county recorder is otherwise authorized to charge and collect, an additional fee of ~~155~~ ~~\$67~~ \$7 for recording a document, instrument, paper, notice, deed, conveyance, map, chart, survey or any other writing. A county recorder shall not charge the additional fee authorized in this subsection for recording an originally signed certificate of marriage described in NRS 122.120. On or before the fifth day of each month, the county recorder shall pay the amount of fees collected by him or her pursuant to this subsection to the county treasurer. On or before the 15th day of each month, the county treasurer shall remit the money received by him or her pursuant to this subsection in the following amounts for each fee received:

(a) ~~Three~~ ~~Four~~ Five dollars:

(1) To the organization operating the program for legal services for the indigent that receives the fees charged pursuant to NRS 19.031 to be used to provide legal services for:

(I) Protected persons or proposed protected persons who are adults in guardianship proceedings; and

(II) If sufficient funding exists, protected persons or proposed protected persons who are minors in guardianship proceedings, including, without limitation, any guardianship proceeding involving an allegation of financial mismanagement of the estate of a minor; or

(2) If the organization described in subparagraph (1) does not exist in the judicial district, to an account maintained by the county for the exclusive use of the district court to pay the reasonable compensation and expenses of attorneys to represent protected persons and proposed protected persons who are adults and do not have the ability to pay such compensation and expenses, in accordance with NRS 159.0485.

(b) One dollar to the State Treasurer for credit to the Account to Assist Persons Formerly in Foster Care established pursuant to NRS 432.017.

(c) One dollar to an account maintained by the county for the exclusive use of the district court to pay ~~the~~ :

(1) ~~The compensation of investigators~~ :

(1) *Investigators* appointed by the court pursuant to NRS 159A.046 ~~+~~ ; and

(II) *Attorneys for protected persons and proposed protected persons who are minors in guardianship proceedings; and*

(2) *For self-help assistance for protected persons and proposed protected persons who are minors in guardianship proceedings.*

4. Except as otherwise provided in this subsection and NRS 375.060, a board of county commissioners may, in addition to any fee that a county recorder is otherwise authorized to charge and collect, impose by ordinance a fee of not more than \$6 for recording a document, instrument, paper, notice, deed, conveyance, map, chart, survey or any other writing. A county recorder shall not charge the additional fee authorized by this subsection for recording an originally signed certificate of marriage described in NRS 122.120. On or before the fifth day of each month, the county recorder shall pay the amount of fees collected by him or her pursuant to this subsection to the county treasurer. On or before the 15th day of each month, the county treasurer shall remit the money received by him or her pursuant to this subsection to the organization operating the program for legal services for the indigent that receives the fees charged pursuant to NRS 19.031 to be used to provide legal services for abused and neglected children, including, without limitation, to compensate attorneys appointed to represent such children pursuant to NRS 128.100 and 432B.420.

5. Except as otherwise provided in subsection 6, a county recorder shall not charge or collect any fees for any of the services specified in this section when rendered by the county recorder to:

(a) The county in which the county recorder's office is located.

(b) The State of Nevada or any city or town within the county in which the county recorder's office is located, if the document being recorded:

(1) Conveys to the State, or to that city or town, an interest in land;

(2) Is a mortgage or deed of trust upon lands within the county which names the State or that city or town as beneficiary;

(3) Imposes a lien in favor of the State or that city or town; or

(4) Is a notice of the pendency of an action by the State or that city or town.

6. A county recorder shall charge and collect the fees specified in this section for copying any document at the request of the State of Nevada, and any city or town within the county. For copying, and for his or her certificate and seal upon the copy, the county recorder shall charge the regular fee.

7. If the amount of money collected by a county recorder for a fee pursuant to this section:

(a) Exceeds by \$5 or less the amount required by law to be paid, the county recorder shall deposit the excess payment with the county treasurer for credit to the county general fund.

(b) Exceeds by more than \$5 the amount required by law to be paid, the county recorder shall refund the entire amount of the excess payment.

8. Except as otherwise provided in subsection 2, 3, 4 or 7 or by an ordinance adopted pursuant to the provisions of NRS 244.207, county recorders shall, on or before the fifth working day of each month, account for and pay to the county treasurer all such fees collected during the preceding month.

9. For the purposes of this section, “State of Nevada,” “county,” “city” and “town” include any department or agency thereof and any officer thereof in his or her official capacity.

Sec. 34. 1. This section and section 3.5 of this act become effective upon passage and approval.

2. Sections 1, 2, 3 and 23.3 to 31.5, inclusive, of this act become effective on July 1, 2019.

3. Section 33 of this act becomes effective on ~~October 1, 2019~~ January 1, 2020.

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. 24.

Bill read second time and ordered to third reading.

Senate Bill No. 25.

Bill read second time and ordered to third reading.

Senate Bill No. 30.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 698.

AN ACT relating to offenders; revising certain requirements for private employers who enter into contracts for the employment of offenders; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Director of the Department of Corrections to establish programs for the employment of offenders who are committed to the custody of the Department including contracting with private employers for the employment of offenders. Before entering into a contract with a private employer for the employment of offenders, existing law requires the Director to obtain from the private employer: (1) a personal guarantee of not less than 100 percent of the prorated annual amount of the contract; (2) a surety bond of

not less than 100 percent of the prorated annual amount of the contract; or (3) a security agreement to secure any debt, obligation or other liability of the private employer under the contract. (NRS 209.461) This bill : **(1)** revises the amount of a personal guarantee or surety bond obtained by the Director to not less than ~~10~~ **25** percent of the prorated annual amount of the contract but not more than 100 percent of the prorated annual amount of the contract ~~;~~ **for a contract that does not relate to construction; and (2) maintains the requirement in existing law of a personal guarantee or surety bond of not less than 100 percent of the prorated annual amount of the contract for a contract that relates to construction.** This bill additionally requires the Director to appear before the Committee on Industrial Programs to explain the amount fixed for any personal guarantee or surety bond.

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

Section 1. NRS 209.461 is hereby amended to read as follows:

209.461 1. The Director shall:

(a) To the greatest extent possible, approximate the normal conditions of training and employment in the community.

(b) Except as otherwise provided in this section, to the extent practicable, require each offender, except those whose behavior is found by the Director to preclude participation, to spend 40 hours each week in vocational training or employment, unless excused for a medical reason or to attend educational classes in accordance with NRS 209.396. The Director shall require as a condition of employment that an offender sign an authorization for the deductions from his or her wages made pursuant to NRS 209.463. Authorization to make the deductions pursuant to NRS 209.463 is implied from the employment of an offender and a signed authorization from the offender is not required for the Director to make the deductions pursuant to NRS 209.463.

(c) Use the earnings from services and manufacturing conducted by the institutions and the money paid by private employers who employ the offenders to offset the costs of operating the prison system and to provide wages for the offenders being trained or employed.

(d) Provide equipment, space and management for services and manufacturing by offenders.

(e) Employ craftsmen and other personnel to supervise and instruct offenders.

(f) Contract with governmental agencies and private employers for the employment of offenders, including their employment on public works projects under contracts with the State and with local governments.

(g) Contract for the use of offenders' services and for the sale of goods manufactured by offenders.

(h) On or before January 1, 2014, and every 5 years thereafter, submit a report to the Director of the Legislative Counsel Bureau for distribution to the

Committee on Industrial Programs. The report must include, without limitation, an analysis of existing contracts with private employers for the employment of offenders and the potential impact of those contracts on private industry in this State.

(i) Submit a report to each meeting of the Interim Finance Committee identifying any accounts receivable related to a program for the employment of offenders.

2. Every program for the employment of offenders established by the Director must:

(a) Employ the maximum number of offenders possible;

(b) Except as otherwise provided in NRS 209.192, provide for the use of money produced by the program to reduce the cost of maintaining the offenders in the institutions;

(c) Have an insignificant effect on the number of jobs available to the residents of this State; and

(d) Provide occupational training for offenders.

3. An offender may not engage in vocational training, employment or a business that requires or permits the offender to:

(a) Telemarket or conduct opinion polls by telephone; or

(b) Acquire, review, use or have control over or access to personal information concerning any person who is not incarcerated.

4. Each fiscal year, the cumulative profits and losses, if any, of the programs for the employment of offenders established by the Director must result in a profit for the Department. The following must not be included in determining whether there is a profit for the Department:

(a) Fees credited to the Fund for Prison Industries pursuant to NRS 482.268, any revenue collected by the Department for the leasing of space, facilities or equipment within the institutions or facilities of the Department, and any interest or income earned on the money in the Fund for Prison Industries.

(b) The selling expenses of the Central Administrative Office of the programs for the employment of offenders. As used in this paragraph, "selling expenses" means delivery expenses, salaries of sales personnel and related payroll taxes and costs, the costs of advertising and the costs of display models.

(c) The general and administrative expenses of the Central Administrative Office of the programs for the employment of offenders. As used in this paragraph, "general and administrative expenses" means the salary of the Deputy Director of Industrial Programs and the salaries of any other personnel of the Central Administrative Office and related payroll taxes and costs, the costs of telephone usage, and the costs of office supplies used and postage used.

5. If any state-sponsored program incurs a net loss for 2 consecutive fiscal years, the Director shall appear before the Committee on Industrial Programs to explain the reasons for the net loss and provide a plan for the generation of a profit in the next fiscal year. If the program does not generate a profit in the third fiscal year, the Director shall take appropriate steps to resolve the issue.

6. Except as otherwise provided in subsection 3, the Director may, with the approval of the Board:

(a) Lease spaces and facilities within any institution of the Department to private employers to be used for the vocational training and employment of offenders.

(b) Grant to reliable offenders the privilege of leaving institutions or facilities of the Department at certain times for the purpose of vocational training or employment.

7. Before entering into any contract with a private employer for the employment of offenders pursuant to subsection 1, the Director shall obtain from the private employer:

(a) A personal guarantee to secure an amount fixed by the Director ~~but~~ of:

(1) For a contract that does not relate to construction, not less than ~~10~~ 25 percent of the prorated annual amount of the contract but not more than 100 percent of the prorated annual amount of the contract, a surety bond made payable to the State of Nevada in an amount fixed by the Director ~~but~~ of not less than ~~10~~ 25 percent of the prorated annual amount of the contract but not more than 100 percent of the prorated annual amount of the contract and conditioned upon the faithful performance of the contract in accordance with the terms and conditions of the contract. ~~;~~ or

(2) For a contract that relates to construction, not less than 100 percent of the prorated annual amount of the contract, a surety bond made payable to the State of Nevada in an amount fixed by the Director of not less than 100 percent of the prorated annual amount of the contract and conditioned upon the faithful performance of the contract in accordance with the terms and conditions of the contract.

~~or~~ or a security agreement to secure any debt, obligation or other liability of the private employer under the contract, including, without limitation, lease payments, wages earned by offenders and compensation earned by personnel of the Department. *The Director shall appear before the Committee on Industrial Programs to explain the reasons for the amount fixed by the Director for any personal guarantee or surety bond.*

(b) A detailed written analysis on the estimated impact of the contract on private industry in this State. The written analysis must include, without limitation:

(1) The number of private companies in this State currently providing the types of products and services offered in the proposed contract.

(2) The number of residents of this State currently employed by such private companies.

(3) The number of offenders that would be employed under the contract.

(4) The skills that the offenders would acquire under the contract.

8. The provisions of this chapter do not create a right on behalf of the offender to employment or to receive the federal or state minimum wage for any employment and do not establish a basis for any cause of action against

the State or its officers or employees for employment of an offender or for payment of the federal or state minimum wage to an offender.

9. As used in this section, “state-sponsored program” means a program for the vocational training or employment of offenders which does not include a contract of employment with a private employer.

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

Assemblyman Yeager moved the adoption of the amendment.

Remarks by Assemblyman Yeager.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

Senate Bill No. 31.

Bill read second time and ordered to third reading.

Senate Bill No. 34.

Bill read second time and ordered to third reading.

Senate Bill No. 39.

Bill read second time and ordered to third reading.

Senate Bill No. 40.

Bill read second time and ordered to third reading.

Senate Bill No. 54.

Bill read second time and ordered to third reading.

Senate Bill No. 56.

Bill read second time and ordered to third reading.

Senate Bill No. 67.

Bill read second time and ordered to third reading.

Senate Bill No. 73.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 671.

AN ACT relating to gaming; revising the definition of “gaming device” to include mobile gaming; removing or repealing certain provisions relating to mobile gaming; revising certain provisions relating to publicly traded corporations registered with the Nevada Gaming Commission; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Nevada Gaming Commission and the Nevada Gaming Control Board to administer state gaming licenses and manufacturer’s, seller’s and distributor’s licenses, and to reform various acts relating to the regulation and control of gaming. (NRS 463.140) Existing law authorizes the Commission, with the advice and assistance of the Board, to adopt regulations governing the operation and licensing of mobile gaming.

(NRS 463.730) Existing law defines “mobile gaming” as the conduct of gambling games through communication devices operated solely within certain establishments holding a nonrestricted gaming license that permits a person to transfer information to a computer in order to place a bet or wager, and respective information related to the display of the game, game outcomes or other comparable information. (NRS 463.0176) Existing law defines “gaming device” as any object used remotely or directly in connection with gaming, or any other game that affects the results of a wager by determining win or loss but which does not qualify as associated equipment. (NRS 463.0155) **Section 2** of this bill revises the definition of “gaming device” to include mobile gaming, thereby making mobile gaming subject to the same regulation and control as a gaming device. **Sections 1.7, 3-10, 11-19 and 20** of this bill remove or repeal all provisions with individual references to mobile gaming. **Section 19.5 of this bill** exempts from the amendatory provisions of **sections 5, 7, 8, 10, 18 and 19 : (1)** certain persons with a nonrestricted license for a mobile gaming system or such a license for the operation of a mobile gaming system; **(2) certain** persons who acquire a financial interest in **such an operator of a mobile gaming system or the operation of** such a system; or **(3)** a successor in interest of such a person who acquired **such** a financial interest. **Section 19.5 also exempts from the amendatory provisions of section 3 of this bill employees of such an operator of a mobile gaming system described in section 19.5. Section 19.5 also provides that the provisions of law repealed by section 20 of this bill still apply to those persons or transactions described in section 19.5. Finally, section 19.5 provides that persons or transactions described in section 19.5 are not exempt from certain provisions of law.**

Existing law requires certain persons to apply for and obtain a finding of suitability from the Nevada Gaming Commission if the person acquires, under certain circumstances: (1) beneficial ownership of any voting security of a publicly traded corporation registered with the Commission; (2) beneficial or record ownership of any nonvoting security of a publicly traded corporation registered with the Commission; or (3) beneficial or record ownership of any debt security of a publicly traded corporation registered with the Commission. (NRS 463.643) **Section 10.8** of this bill requires certain persons to notify the Chair of the Board and apply for a finding of suitability with the Commission if such a person acquires or holds a certain percentage of any class of voting securities of a publicly traded corporation registered with the Commission. **Section 10.8** also requires certain persons to notify the Chair, ~~and~~ apply for a finding of suitability with the Commission **and pay a sum of money to the Board** if such a person obtains beneficial ownership in such a publicly traded corporation and the person has the intent to engage in certain proscribed activities, except that certain persons who acquire less than a 10 percent beneficial ownership in such a corporation through a pension are not subject to ~~the~~ **such** notification, ~~and~~ application **and payment** requirements. **Sections 1.3, 1.5 and 10.2-10.6** make conforming changes.

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

Section 1. Chapter 463 of NRS is hereby amended by adding thereto the provisions set forth as sections 1.3 and 1.5 of this act.

Sec. 1.3. 1. “Pension” means an employee pension or benefit plan subject to the Employee Retirement Income Security Act of 1974 or a state or federal government pension plan.

2. The term does not include an employee pension or benefit plan established by a publicly traded corporation that is registered with the Commission.

Sec. 1.5. “Proscribed activity” means:

1. An activity that necessitates a change or amendment to the corporate charter, bylaws, management, policies or operation of a publicly traded corporation that is registered with the Commission;

2. An activity that materially influences or affects the affairs of a publicly traded corporation that is registered with the Commission; or

3. Any other activity determined by the Commission to be inconsistent with holding voting securities for investment purposes only.

Sec. 1.7. NRS 463.0136 is hereby amended to read as follows:

463.0136 “Associated equipment” means:

1. Any equipment or mechanical, electromechanical or electronic contrivance, component or machine used remotely or directly in connection with gaming, ~~for mobile gaming,~~ any game, race book or sports pool that would not otherwise be classified as a gaming device, including dice, playing cards, links which connect to progressive slot machines, equipment which affects the proper reporting of gross revenue, computerized systems of betting at a race book or sports pool, computerized systems for monitoring slot machines and devices for weighing or counting money; or

2. A computerized system for recordation of sales for use in an area subject to the tax imposed pursuant to NRS 368A.200.

Sec. 2. NRS 463.0155 is hereby amended to read as follows:

463.0155 “Gaming device” means any object used remotely or directly in connection with gaming or any game which affects the result of a wager by determining win or loss and which does not otherwise constitute associated equipment. The term includes, without limitation:

1. A slot machine.

2. **Mobile gaming.**

3. A collection of two or more of the following components:

(a) An assembled electronic circuit which cannot be reasonably demonstrated to have any use other than in a slot machine;

(b) A cabinet with electrical wiring and provisions for mounting a coin, token or currency acceptor and provisions for mounting a dispenser of coins, tokens or anything of value;

(c) An assembled mechanical or electromechanical display unit intended for use in gambling; or

(d) An assembled mechanical or electromechanical unit which cannot be demonstrated to have any use other than in a slot machine.

~~3-1~~ 4. Any object which may be connected to or used with a slot machine to alter the normal criteria of random selection or affect the outcome of a game.

~~4-1~~ 5. A system for the accounting or management of any game in which the result of the wager is determined electronically by using any combination of hardware or software for computers.

~~5-1~~ 6. A control program.

~~6-1~~ 7. Any combination of one of the components set forth in paragraphs (a) to (d), inclusive, of subsection ~~2-1~~ 3 and any other component which the Commission determines by regulation to be a machine used directly or remotely in connection with gaming or any game which affects the results of a wager by determining a win or loss.

~~7-1~~ 8. Any object that has been determined to be a gaming device pursuant to regulations adopted by the Commission.

~~8-1~~

9. As used in this section ~~1-~~“control”:

(a) “**Control** program” means any software, source language or executable code which affects the result of a wager by determining win or loss as determined pursuant to regulations adopted by the Commission.

(b) “**Mobile gaming**” means the conduct of gambling games through communications devices operated solely in an establishment which holds a nonrestricted gaming license and which operates at least 100 slot machines and at least one other game by the use of communications technology that allows a person to transmit information to a computer to assist in the placing of a bet or wager and corresponding information related to the display of the game, game outcomes or other similar information. For the purposes of this paragraph, “communications technology” means any method used and the components employed by an establishment to facilitate the transmission of information, including, without limitation, transmission and reception by systems based on wireless network, wireless fidelity, wire, cable, radio, microwave, light, optics or computer data networks. The term does not include the Internet.

Sec. 3. NRS 463.0157 is hereby amended to read as follows:

463.0157 1. “Gaming employee” means any person connected directly with an operator of a slot route, the operator of a pari-mutuel system, the operator of an inter-casino linked system or a manufacturer, distributor or disseminator, or with the operation of a gaming establishment licensed to conduct any game, 16 or more slot machines, a race book, sports pool or pari-mutuel wagering, including:

(a) Accounting or internal auditing personnel who are directly involved in any recordkeeping or the examination of records associated with revenue from gaming;

- (b) Boxpersons;
- (c) Cashiers;
- (d) Change personnel;
- (e) Counting room personnel;
- (f) Dealers;
- (g) Employees of a person required by NRS 464.010 to be licensed to operate an off-track pari-mutuel system;
- (h) Employees of a person required by NRS 463.430 to be licensed to disseminate information concerning racing and employees of an affiliate of such a person involved in assisting the person in carrying out the duties of the person in this State;
- (i) Employees whose duties are directly involved with the manufacture, repair, sale or distribution of gaming devices, associated equipment when the employer is required by NRS 463.650 to be licensed, cashless wagering systems ~~[- mobile gaming systems, equipment associated with mobile gaming systems]~~ or interactive gaming systems;
- (j) Employees of operators of slot routes who have keys for slot machines or who accept and transport revenue from the slot drop;
- (k) Employees of operators of inter-casino linked systems ~~[- mobile gaming systems]~~ or interactive gaming systems whose duties include the operational or supervisory control of the systems or the games that are part of the systems;
- (l) Employees of operators of call centers who perform, or who supervise the performance of, the function of receiving and transmitting wagering instructions;
- (m) Employees who have access to the Board's system of records for the purpose of processing the registrations of gaming employees that a licensee is required to perform pursuant to the provisions of this chapter and any regulations adopted pursuant thereto;
- (n) Floorpersons;
- (o) Hosts or other persons empowered to extend credit or complimentary services;
- (p) Keno runners;
- (q) Keno writers;
- (r) Machine mechanics;
- (s) Odds makers and line setters;
- (t) Security personnel;
- (u) Shift or pit bosses;
- (v) Shills;
- (w) Supervisors or managers;
- (x) Ticket writers;
- (y) Employees of a person required by NRS 463.160 to be licensed to operate an information service;
- (z) Employees of a licensee who have local access and provide management, support, security or disaster recovery services for any hardware

or software that is regulated pursuant to the provisions of this chapter and any regulations adopted pursuant thereto; and

(aa) Temporary or contract employees hired by a licensee to perform a function related to gaming.

2. "Gaming employee" does not include barbacks or bartenders whose duties do not involve gaming activities, cocktail servers or other persons engaged exclusively in preparing or serving food or beverages.

3. As used in this section, "local access" means access to hardware or software from within a licensed gaming establishment, hosting center or elsewhere within this State.

Sec. 4. NRS 463.01715 is hereby amended to read as follows:

463.01715 1. "Manufacture" means:

(a) To manufacture, produce, program, design, control the design of or make modifications to a gaming device, associated equipment, cashless wagering system ~~[- mobile gaming system]~~ or interactive gaming system for use or play in Nevada;

(b) To direct or control the methods and processes used to design, develop, program, assemble, produce, fabricate, compose and combine the components and other tangible objects of any gaming device, associated equipment, cashless wagering system ~~[- mobile gaming system]~~ or interactive gaming system for use or play in Nevada;

(c) To assemble, or control the assembly of, a gaming device, associated equipment, cashless wagering system ~~[- mobile gaming system]~~ or interactive gaming system for use or play in Nevada; or

(d) To assume responsibility for any action described in paragraph (a), (b) or (c).

2. As used in this section:

(a) "Assume responsibility" means to:

(1) Acquire complete control over, or ownership of, the applicable gaming device, associated equipment, cashless wagering system ~~[- mobile gaming system]~~ or interactive gaming system; and

(2) Accept continuing legal responsibility for the gaming device, associated equipment, cashless wagering system ~~[- mobile gaming system]~~ or interactive gaming system, including, without limitation, any form of manufacture performed by an affiliate or independent contractor.

(b) "Independent contractor" means, with respect to a manufacturer, any person who:

(1) Is not an employee of the manufacturer; and

(2) Pursuant to an agreement with the manufacturer, designs, develops, programs, produces or composes a control program used in the manufacture of a gaming device. As used in this subparagraph, "control program" has the meaning ascribed to it in NRS 463.0155.

Sec. 5. NRS 463.0177 is hereby amended to read as follows:

463.0177 "Nonrestricted license" or "nonrestricted operation" means:

1. A state gaming license for, or an operation consisting of, 16 or more slot machines;
2. A license for, or operation of, any number of slot machines together with any other game, gaming device, race book or sports pool at one establishment;
3. A license for, or the operation of, a slot machine route; *or*
4. A license for, or the operation of, an inter-casino linked system. ~~†-or~~
- ~~5. A license for, or the operation of, a mobile gaming system.†~~

Sec. 6. NRS 463.160 is hereby amended to read as follows:

463.160 1. Except as otherwise provided in subsection 4 and NRS 463.172, it is unlawful for any person, either as owner, lessee or employee, whether for hire or not, either solely or in conjunction with others:

- (a) To deal, operate, carry on, conduct, maintain or expose for play in the State of Nevada any gambling game, gaming device, inter-casino linked system, ~~mobile gaming system,†~~ slot machine, race book or sports pool;
- (b) To provide or maintain any information service;
- (c) To operate a gaming salon;
- (d) To receive, directly or indirectly, any compensation or reward or any percentage or share of the money or property played, for keeping, running or carrying on any gambling game, slot machine, gaming device, ~~mobile gaming system,†~~ race book or sports pool;
- (e) To operate as a cash access and wagering instrument service provider;

or

- (f) To operate, carry on, conduct, maintain or expose for play in or from the State of Nevada any interactive gaming system,
 ↪ without having first procured, and thereafter maintaining in effect, all federal, state, county and municipal gaming licenses as required by statute, regulation or ordinance or by the governing board of any unincorporated town.

2. The licensure of an operator of an inter-casino linked system is not required if:

- (a) A gaming licensee is operating an inter-casino linked system on the premises of an affiliated licensee; or
- (b) An operator of a slot machine route is operating an inter-casino linked system consisting of slot machines only.

3. Except as otherwise provided in subsection 4, it is unlawful for any person knowingly to permit any gambling game, slot machine, gaming device, inter-casino linked system, ~~mobile gaming system,†~~ race book or sports pool to be conducted, operated, dealt or carried on in any house or building or other premises owned by the person, in whole or in part, by a person who is not licensed pursuant to this chapter, or that person's employee.

4. The Commission may, by regulation, authorize a person to own or lease gaming devices for the limited purpose of display or use in the person's private residence without procuring a state gaming license.

5. For the purposes of this section, the operation of a race book or sports pool includes making the premises available for any of the following purposes:

(a) Allowing patrons to establish an account for wagering with the race book or sports pool;

(b) Accepting wagers from patrons;

(c) Allowing patrons to place wagers;

(d) Paying winning wagers to patrons; or

(e) Allowing patrons to withdraw cash from an account for wagering or to be issued a ticket, receipt, representation of value or other credit representing a withdrawal from an account for wagering that can be redeemed for cash, whether by a transaction in person at an establishment or through mechanical means, such as a kiosk or similar device, regardless of whether that device would otherwise be considered associated equipment. A separate license must be obtained for each location at which such an operation is conducted.

6. As used in this section, "affiliated licensee" has the meaning ascribed to it in NRS 463.430.

Sec. 7. NRS 463.1605 is hereby amended to read as follows:

463.1605 1. Except as otherwise provided in subsection 3, the Commission shall not approve a nonrestricted license, other than for the operation of a ~~mobile gaming system,~~ race book or sports pool at an establishment which holds a nonrestricted license to operate both gaming devices and a gambling game, for an establishment in a county whose population is 100,000 or more unless the establishment is a resort hotel.

2. A county, city or town may require resort hotels to meet standards in addition to those required by this chapter as a condition of issuance of a gaming license by the county, city or town.

3. The Commission may approve a nonrestricted license for an establishment which is not a resort hotel at a new location if:

(a) The establishment was acquired or displaced pursuant to a redevelopment project undertaken by an agency created pursuant to chapter 279 of NRS in accordance with a final order of condemnation entered before June 17, 2005; or

(b) The establishment was acquired or displaced pursuant to a redevelopment project undertaken by an agency created pursuant to chapter 279 of NRS in accordance with a final order of condemnation entered on or after June 17, 2005, and the new location of the establishment is within the same redevelopment area as the former location of the establishment.

Sec. 8. NRS 463.245 is hereby amended to read as follows:

463.245 1. Except as otherwise provided in this section:

(a) All licenses issued to the same person, including a wholly owned subsidiary of that person, for the operation of any game, including a sports pool or race book, which authorize gaming at the same establishment must be merged into a single gaming license.

(b) A gaming license may not be issued to any person if the issuance would result in more than one licensed operation at a single establishment, whether

or not the profits or revenue from gaming are shared between the licensed operations.

2. A person who has been issued a nonrestricted gaming license for an operation described in subsection 1 ~~1~~ *or* 2 ~~for 5~~ of NRS 463.0177 may establish a sports pool or race book on the premises of the establishment only after obtaining permission from the Commission.

3. A person who has been issued a license to operate a sports pool or race book at an establishment may be issued a license to operate a sports pool or race book at a second establishment described in subsection 1 or 2 of NRS 463.0177 only if the second establishment is operated by a person who has been issued a nonrestricted license for that establishment. A person who has been issued a license to operate a race book or sports pool at an establishment is prohibited from operating a race book or sports pool at:

- (a) An establishment for which a restricted license has been granted; or
- (b) An establishment at which only a nonrestricted license has been granted for an operation described in subsection 3 or 4 of NRS 463.0177.

4. A person who has been issued a license to operate a race book or sports pool shall not enter into an agreement for the sharing of revenue from the operation of the race book or sports pool with another person in consideration for the offering, placing or maintaining of a kiosk or other similar device not physically located on the licensed premises of the race book or sports pool, except:

- (a) An affiliated licensed race book or sports pool; or
- (b) The licensee of an establishment at which the race book or sports pool holds or obtains a license to operate pursuant to this section.

↪ This subsection does not prohibit an operator of a race book or sports pool from entering into an agreement with another person for the provision of shared services relating to advertising or marketing.

5. Nothing in this section limits or prohibits an operator of an inter-casino linked system from placing and operating such a system on the premises of two or more gaming licensees and receiving, either directly or indirectly, any compensation or any percentage or share of the money or property played from the linked games in accordance with the provisions of this chapter and the regulations adopted by the Commission. An inter-casino linked system must not be used to link games other than slot machines, unless such games are located at an establishment that is licensed for games other than slot machines.

6. For the purposes of this section, the operation of a race book or sports pool includes making the premises available for any of the following purposes:

- (a) Allowing patrons to establish an account for wagering with the race book or sports pool;
- (b) Accepting wagers from patrons;
- (c) Allowing patrons to place wagers;
- (d) Paying winning wagers to patrons; or

(e) Allowing patrons to withdraw cash from an account for wagering or to be issued a ticket, receipt, representation of value or other credit representing a withdrawal from an account for wagering that can be redeemed for cash, whether by a transaction in person at an establishment or through mechanical means such as a kiosk or other similar device, regardless of whether that device would otherwise be considered associated equipment.

7. The provisions of this section do not apply to a license to operate ~~the mobile gaming system or to operate~~ interactive gaming.

Sec. 9. NRS 463.305 is hereby amended to read as follows:

463.305 1. Any person who operates or maintains in this State any gaming device of a specific model, any gaming device which includes a significant modification ~~to any mobile gaming system~~ or any inter-casino linked system which the Board or Commission has not approved for testing or for operation is subject to disciplinary action by the Board or Commission.

2. The Board shall maintain a list of approved gaming devices ~~to mobile gaming systems~~ and inter-casino linked systems.

3. If the Board suspends or revokes approval of a gaming device pursuant to the regulations adopted pursuant to subsection 4, ~~for suspends or revokes approval of a mobile gaming system pursuant to the regulations adopted pursuant to NRS 463.730,~~ the Board may order the removal of the gaming device ~~to mobile gaming system~~ from an establishment.

4. The Commission shall adopt regulations relating to gaming devices and their significant modification and inter-casino linked systems.

Sec. 10. NRS 463.3855 is hereby amended to read as follows:

463.3855 1. In addition to any other state license fees imposed by this chapter, the Commission shall, before issuing a state gaming license to an operator of a slot machine route ~~to an operator of a mobile gaming system~~ or an operator of an inter-casino linked system, charge and collect an annual license fee of \$500.

2. Each such license must be issued for a calendar year beginning January 1 and ending December 31. If the operation of the licensee is continuing, the Commission shall charge and collect the fee on or before December 31 for the ensuing calendar year.

3. Except as otherwise provided in NRS 463.386, the fee to be charged and collected under this section is the full annual fee, without regard to the date of application for or issuance of the license.

Sec. 10.2. NRS 463.482 is hereby amended to read as follows:

463.482 As used in NRS 463.160 to 463.170, inclusive, 463.368, 463.386, 463.482 to 463.645, inclusive, and 463.750, unless the context otherwise requires, the words and terms defined in NRS 463.4825 to 463.488, inclusive, **and sections 1.3 and 1.5 of this act** have the meanings ascribed to them in those sections.

Sec. 10.4. NRS 463.622 is hereby amended to read as follows:

463.622 The policy of the State of Nevada with respect to corporate **affairs, including, without limitation, corporate** acquisitions, repurchases of

securities and corporate recapitalizations affecting corporate licensees and publicly traded corporations that are affiliated companies is to:

1. Assure the financial stability of corporate licensees and affiliated companies;
2. ***Protect the continued integrity of corporate gaming in matters of corporate governance;***
3. Preserve the beneficial aspects of conducting business in the corporate form; and
- ~~3~~ 4. Promote a neutral environment for the orderly governance of corporate affairs that is consistent with the public policy of this state concerning gaming.

Sec. 10.6. NRS 463.623 is hereby amended to read as follows:

463.623 **1.** The Commission ~~may~~ **shall** adopt regulations providing for the review and approval of corporate acquisitions opposed by management, repurchases of securities and corporate defense tactics affecting corporate gaming licensees and publicly traded corporations that are affiliated companies. The regulations must be consistent with:

- ~~1~~ (a) The policy of this state as expressed in this chapter;
- ~~2~~ (b) The provisions of this chapter;
- ~~3~~ (c) The requirements of the Constitution of the United States; and
- ~~4~~ (d) Federal regulation of securities.

2. The regulations must include, without limitation:

(a) ***Procedures by which a person, before engaging in certain proscribed activities, directly or indirectly, to materially influence or affect the affairs of a publicly traded corporation that is registered with the Commission, must file an application for a finding of suitability pursuant to NRS 463.643;***

(b) ***Provisions that determine which corporate activities, in addition to those described in subsection 5 of NRS 463.643, influence or affect the affairs of a corporation in such a way that the Commission would require a person to file an application for a finding of suitability pursuant to NRS 463.643; and***

(c) ***Provisions that ensure that a person is not unduly prohibited from lawfully exercising any of his or her voting rights derived from being a shareholder of a publicly traded corporation.***

Sec. 10.8. NRS 463.643 is hereby amended to read as follows:

463.643 **1.** Each person who acquires, directly or indirectly:

- (a) Beneficial ownership of any voting security; or
- (b) Beneficial or record ownership of any nonvoting security,

↪ in a publicly traded corporation which is registered with the Commission may be required to be found suitable if the Commission has reason to believe that the person's acquisition of that ownership would otherwise be inconsistent with the declared policy of this state.

2. Each person who acquires, directly or indirectly, beneficial or record ownership of any debt security in a publicly traded corporation which is registered with the Commission may be required to be found suitable if the

Commission has reason to believe that the person's acquisition of the debt security would otherwise be inconsistent with the declared policy of this state.

3. Each person who, individually or in association with others, acquires ~~or holds~~ **or holds**, directly or indirectly, beneficial ownership of more than 5 percent of any class of voting securities of a publicly traded corporation registered with the Nevada Gaming Commission, and who is required to report, or voluntarily reports, the acquisition **or holding** to the Securities and Exchange Commission pursuant to section 13(d)(1), 13(g) or 16(a) of the Securities Exchange Act of 1934, as amended, 15 U.S.C. §§ 78m(d)(1), 78m(g) and 78p(a), respectively, shall, ~~within 10 days~~ after filing the report and any amendment thereto with the Securities and Exchange Commission, notify the Nevada Gaming Commission **on the date specified in regulation by the Nevada Gaming Commission and** in the manner prescribed by the Chair of the Board that the report has been filed with the Securities and Exchange Commission.

4. Each person who, individually or in association with others, acquires ~~or holds~~ **or holds**, directly or indirectly, the beneficial ownership of more than 10 percent of any class of voting securities of a publicly traded corporation registered with the Commission, or who is required to report, or voluntarily reports, such acquisition **or holding** pursuant to section 13(d)(1), 13(g) or 16(a) of the Securities Exchange Act of 1934, as amended, 15 U.S.C. §§ 78m(d)(1), 78m(g) and 78p(a), respectively, shall apply to the Commission for a finding of suitability within 30 days after the ~~Chair of the Board mails the written notice~~ **date specified by the Commission by regulation.**

5. A person who acquires, directly or indirectly:

(a) Beneficial ownership of any voting security; or

(b) Beneficial or record ownership of any nonvoting security or debt security,

↪ in a publicly traded corporation created under the laws of a foreign country which is registered with the Commission shall file such reports and is subject to such a finding of suitability as the Commission may prescribe.

6. **Except as otherwise provided in subsection 7, each person who, individually or in association with others, acquires or holds, directly or indirectly, the beneficial ownership of any amount of any class of voting securities of a publicly traded corporation registered with the Commission, and who has the intent to engage in any proscribed activity shall:**

(a) **Within 2 days after possession of such intent, notify the Chair of the Board in the manner prescribed by the Chair; ~~and~~**

(b) **Apply to the Commission for a finding of suitability within 30 days after notifying the Chair pursuant to paragraph (a) ~~and~~; and**

(c) Deposit with the Board the sum of money required by the Board pursuant to subsection 8.

7. **Except as otherwise provided by the Commission, a person who has beneficial ownership of less than 10 percent of each class of voting securities of a publicly traded corporation registered with the Commission, acquired or held by the person through a pension, need not notify the Commission.**

~~for~~ apply for a finding of suitability with the Commission or deposit the required sum of money with the Board pursuant to subsection 6 before engaging in any proscribed activity.

8. Any person required by the Commission or by this section to be found suitable shall:

(a) Except as otherwise required in subsection 4, apply for a finding of suitability within 30 days after the Commission requests that the person do so; and

(b) Together with the application, deposit with the Board a sum of money which, in the opinion of the Board, will be adequate to pay the anticipated costs and charges incurred in the investigation and processing of the application, and deposit such additional sums as are required by the Board to pay final costs and charges.

~~7.9.~~ Any person required by the Commission or this section to be found suitable who is found unsuitable by the Commission shall not hold directly or indirectly the:

(a) Beneficial ownership of any voting security; or

(b) Beneficial or record ownership of any nonvoting security or debt security,

↳ of a publicly traded corporation which is registered with the Commission beyond the time prescribed by the Commission.

~~8.10.~~ The violation of subsection ~~6.8~~ or ~~7.9~~ is a gross misdemeanor.

~~9.11.~~ As used in this section, “debt security” means any instrument generally recognized as a corporate security representing money owed and reflected as debt on the financial statement of a publicly traded corporation, including, but not limited to, bonds, notes and debentures.

Sec. 11. NRS 463.650 is hereby amended to read as follows:

463.650 1. Except as otherwise provided in subsections 2 to 7, inclusive, it is unlawful for any person, either as owner, lessee or employee, whether for hire or not, to operate, carry on, conduct or maintain any form of manufacture, selling or distribution of any gaming device, cashless wagering system ~~mobile gaming system~~ or interactive gaming system for use or play in Nevada without first procuring and maintaining all required federal, state, county and municipal licenses.

2. A lessor who specifically acquires equipment for a capital lease is not required to be licensed under this section.

3. The holder of a state gaming license or the holding company of a corporation, partnership, limited partnership, limited-liability company or other business organization holding a license may, within 2 years after cessation of business or upon specific approval by the Board, dispose of by sale in a manner approved by the Board, any or all of its gaming devices, including slot machines ~~mobile gaming systems~~ and cashless wagering systems, without a distributor’s license. In cases of bankruptcy of a state gaming licensee or foreclosure of a lien by a bank or other person holding a security interest for which gaming devices are security in whole or in part for

the lien, the Board may authorize the disposition of the gaming devices without requiring a distributor's license.

4. The Commission may, by regulation, authorize a person who owns:

- (a) Gaming devices for home use in accordance with NRS 463.160; or
- (b) Antique gaming devices,

↳ to sell such devices without procuring a license therefor to residents of jurisdictions wherein ownership of such devices is legal.

5. Upon approval by the Board, a gaming device owned by:

- (a) A law enforcement agency;
- (b) A court of law; or
- (c) A gaming device repair school licensed by the Commission on Postsecondary Education,

↳ may be disposed of by sale, in a manner approved by the Board, without a distributor's license. An application for approval must be submitted to the Board in the manner prescribed by the Chair.

6. A manufacturer who performs any action described in paragraph (a), (b) or (c) of subsection 1 of NRS 463.01715 is not required to be licensed under the provisions of this section with respect to the performance of that action if another manufacturer who is licensed under the provisions of this section assumes responsibility for the performance of that action.

7. An independent contractor who designs, develops, programs, produces or composes a control program for use in the manufacture of a gaming device that is for use or play in this State is not required to be licensed under the provisions of this section with respect to the design, development, programming, production or composition of a control program if a manufacturer who is licensed under the provisions of this section assumes responsibility for the design, development, programming, production or composition of the control program.

8. Any person who the Commission determines is a suitable person to receive a license under the provisions of this section may be issued a manufacturer's or distributor's license. The burden of proving his or her qualification to receive or hold a license under this section is at all times on the applicant or licensee.

9. Every person who must be licensed pursuant to this section is subject to the provisions of NRS 463.482 to 463.645, inclusive, unless exempted from those provisions by the Commission.

10. The Commission may exempt, for any purpose, a manufacturer, seller or distributor from the provisions of NRS 463.482 to 463.645, inclusive, if the Commission determines that the exemption is consistent with the purposes of this chapter.

11. Any person conducting business in Nevada who is not required to be licensed as a manufacturer, seller or distributor pursuant to subsection 1, but who otherwise must register with the Attorney General of the United States pursuant to Title 15 of U.S.C., must submit to the Board a copy of such

registration within 10 days after submission to the Attorney General of the United States.

12. It is unlawful for any person, either as owner, lessee or employee, whether for hire or not, to knowingly distribute any gaming device, cashless wagering system, ~~mobile gaming system,~~ interactive gaming system or associated equipment from Nevada to any jurisdiction where the possession, ownership or use of any such device, system or equipment is illegal.

13. As used in this section:

(a) “Antique gaming device” means a gaming device that was manufactured before 1961.

(b) “Assume responsibility” has the meaning ascribed to it in NRS 463.01715.

(c) “Control program” has the meaning ascribed to it in NRS 463.0155.

(d) “Holding company” has the meaning ascribed to it in NRS 463.485.

(e) “Independent contractor” has the meaning ascribed to it in NRS 463.01715.

Sec. 12. NRS 463.6505 is hereby amended to read as follows:

463.6505 1. In addition to any other requirements set forth in this chapter, an applicant for the renewal of a license as a manufacturer, distributor or seller of gaming devices ~~for mobile gaming systems~~ must indicate in the application submitted to the Commission whether the applicant has a state business license. If the applicant has a state business license, the applicant must include in the application the business identification number assigned by the Secretary of State upon compliance with the provisions of chapter 76 of NRS.

2. A license as a manufacturer, distributor or seller of gaming devices ~~for mobile gaming systems~~ may not be renewed by the Commission if:

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

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

(1) Satisfied the debt;

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

(3) Demonstrated that the debt is not valid.

3. As used in this section:

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

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

Sec. 13. NRS 463.651 is hereby amended to read as follows:

463.651 1. A natural person who applies for the issuance or renewal of a license as a manufacturer, distributor or seller of gaming devices ~~for mobile gaming systems~~ shall submit to the Commission the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health

and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant.

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

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

(b) A separate form prescribed by the Commission.

3. A license as a manufacturer, distributor or seller of gaming devices ~~for mobile gaming systems~~ may not be issued or renewed by the Commission if the applicant is a natural person who:

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

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

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

Sec. 14. NRS 463.652 is hereby amended to read as follows:

463.652 1. If the Commission receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a license as a manufacturer, distributor or seller of gaming devices, ~~for mobile gaming systems,~~ the Commission shall deem the license issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Commission receives a letter issued to the holder of the license by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the license has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

2. The Commission shall reinstate a license as a manufacturer, distributor or seller of gaming devices ~~for mobile gaming systems~~ that has been suspended by a district court pursuant to NRS 425.540 if the Commission receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose license was suspended stating that the person whose license was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

Sec. 15. NRS 463.653 is hereby amended to read as follows:

463.653 The application of a natural person who applies for the issuance of a license as a manufacturer, distributor or seller of gaming devices ~~for~~

~~mobile gaming systems~~ must include the social security number of the applicant.

Sec. 16. NRS 463.670 is hereby amended to read as follows:

463.670 1. The Legislature finds and declares as facts:

(a) That the inspection of games, gaming devices, associated equipment, cashless wagering systems, inter-casino linked systems ~~[- mobile gaming systems]~~ and interactive gaming systems is essential to carry out the provisions of this chapter.

(b) That the inspection of games, gaming devices, associated equipment, cashless wagering systems, inter-casino linked systems ~~[- mobile gaming systems]~~ and interactive gaming systems is greatly facilitated by the opportunity to inspect components before assembly and to examine the methods of manufacture.

(c) That the interest of this State in the inspection of games, gaming devices, associated equipment, cashless wagering systems, inter-casino linked systems ~~[- mobile gaming systems]~~ and interactive gaming systems must be balanced with the interest of this State in maintaining a competitive gaming industry in which games can be efficiently and expeditiously brought to the market.

2. The Commission may, with the advice and assistance of the Board, adopt and implement procedures that preserve and enhance the necessary balance between the regulatory and economic interests of this State which are critical to the vitality of the gaming industry of this State.

3. The Board may inspect every game or gaming device which is manufactured, sold or distributed:

(a) For use in this State, before the game or gaming device is put into play.

(b) In this State for use outside this State, before the game or gaming device is shipped out of this State.

4. The Board may inspect every game or gaming device which is offered for play within this State by a state gaming licensee.

5. The Board may inspect all associated equipment, every cashless wagering system, every inter-casino linked system ~~[- every mobile gaming system]~~ and every interactive gaming system which is manufactured, sold or distributed for use in this State before the equipment or system is installed or used by a state gaming licensee and at any time while the state gaming licensee is using the equipment or system.

6. In addition to all other fees and charges imposed by this chapter, the Board may determine, charge and collect an inspection fee from each manufacturer, seller, distributor or independent testing laboratory which must not exceed the actual cost of inspection and investigation.

7. The Commission shall adopt regulations which:

(a) Provide for the registration of independent testing laboratories and of each person that owns, operates or has significant involvement with an independent testing laboratory, specify the form of the application required for such registration, set forth the qualifications required for such registration and

establish the fees required for the application, the investigation of the applicant and the registration of the applicant.

(b) Authorize the Board to utilize independent testing laboratories for the inspection and certification of any game, gaming device, associated equipment, cashless wagering system, inter-casino linked system ~~+, mobile gaming system~~ or interactive gaming system, or any components thereof.

(c) Establish uniform protocols and procedures which the Board and independent testing laboratories must follow during an inspection performed pursuant to subsection 3 or 5, and which independent testing laboratories must follow during the certification of any game, gaming device, associated equipment, cashless wagering system, inter-casino linked system ~~+, mobile gaming system~~ or interactive gaming system, or any components thereof, for use in this State or for shipment from this State.

(d) Allow an application for the registration of an independent testing laboratory to be granted upon the independent testing laboratory's completion of an inspection performed in compliance with the uniform protocols and procedures established pursuant to paragraph (c) and satisfaction of such other requirements that the Board may establish.

(e) Provide the standards and procedures for the revocation of the registration of an independent testing laboratory.

(f) Provide the standards and procedures relating to the filing of an application for a finding of suitability pursuant to this section and the remedies should a person be found unsuitable.

(g) Provide any additional provisions which the Commission deems necessary and appropriate to carry out the provisions of this section and which are consistent with the public policy of this State pursuant to NRS 463.0129.

8. The Commission shall retain jurisdiction over any person registered pursuant to this section and any regulation adopted thereto, in all matters relating to a game, gaming device, associated equipment, cashless wagering system, inter-casino linked system ~~+, mobile gaming system~~ or interactive gaming system, or any component thereof or modification thereto, even if the person ceases to be registered.

9. A person registered pursuant to this section is subject to the investigatory and disciplinary proceedings that are set forth in NRS 463.310 to 463.318, inclusive, and shall be punished as provided in those sections.

10. The Commission may, upon recommendation of the Board, require the following persons to file an application for a finding of suitability:

(a) A registered independent testing laboratory.

(b) An employee of a registered independent testing laboratory.

(c) An officer, director, partner, principal, manager, member, trustee or direct or beneficial owner of a registered independent testing laboratory or any person that owns or has significant involvement with the activities of a registered independent testing laboratory.

11. If a person fails to submit an application for a finding of suitability within 30 days after a demand by the Commission pursuant to this section, the

Commission may make a finding of unsuitability. Upon written request, such period may be extended by the Chair of the Commission, at the Chair's sole and absolute discretion.

12. As used in this section, unless the context otherwise requires, "independent testing laboratory" means a private laboratory that is registered by the Board to inspect and certify games, gaming devices, associated equipment, cashless wagering systems, inter-casino linked systems ~~[-mobile gaming systems]~~ or interactive gaming systems, and any components thereof and modifications thereto, and to perform such other services as the Board and Commission may request.

Sec. 17. NRS 463.677 is hereby amended to read as follows:

463.677 1. The Legislature finds that:

(a) Technological advances have evolved which allow licensed gaming establishments to expose games, including, without limitation, system-based and system-supported games, gaming devices, ~~[-mobile gaming systems]~~ interactive gaming, cashless wagering systems or race books and sports pools, and to be assisted by a service provider who provides important services to the public with regard to the conduct and exposure of such games.

(b) To protect and promote the health, safety, morals, good order and general welfare of the inhabitants of this State, and to carry out the public policy declared in NRS 463.0129, it is necessary that the Board and Commission have the ability to license service providers by maintaining strict regulation and control of the operation of such service providers and all persons and locations associated therewith.

2. Except as otherwise provided in subsection 3, the Commission may, with the advice and assistance of the Board, provide by regulation for the licensing and operation of a service provider and all persons, locations and matters associated therewith. Such regulations may include, without limitation:

(a) Provisions requiring the service provider to meet the qualifications for licensing pursuant to NRS 463.170, in addition to any other qualifications established by the Commission, and to be licensed regardless of whether the service provider holds any other license.

(b) Criteria regarding the location from which the service provider conducts its operations, including, without limitation, minimum internal and operational control standards established by the Commission.

(c) Provisions relating to the licensing of persons owning or operating a service provider, and any persons having a significant involvement therewith, as determined by the Commission.

(d) A provision that a person owning, operating or having significant involvement with a service provider, as determined by the Commission, may be required by the Commission to be found suitable to be associated with licensed gaming, including race book or sports pool operations.

(e) Additional matters which the Commission deems necessary and appropriate to carry out the provisions of this section and which are consistent

with the public policy of this State pursuant to NRS 463.0129, including that a service provider must be liable to the licensee on whose behalf the services are provided for the service provider's proportionate share of the fees and taxes paid by the licensee.

3. The Commission may not adopt regulations pursuant to this section until the Commission first determines that service providers are secure and reliable, do not pose a threat to the integrity of gaming and are consistent with the public policy of this State pursuant to NRS 463.0129.

4. Regulations adopted by the Commission pursuant to this section must provide that the premises on which a service provider conducts its operations are subject to the power and authority of the Board and Commission pursuant to NRS 463.140, as though the premises are where gaming is conducted and the service provider is a gaming licensee.

5. As used in this section:

(a) "Interactive gaming service provider" means a person who acts on behalf of an establishment licensed to operate interactive gaming and:

(1) Manages, administers or controls wagers that are initiated, received or made on an interactive gaming system;

(2) Manages, administers or controls the games with which wagers that are initiated, received or made on an interactive gaming system are associated;

(3) Maintains or operates the software or hardware of an interactive gaming system; or

(4) Provides products, services, information or assets to an establishment licensed to operate interactive gaming and receives therefor a percentage of gaming revenue from the establishment's interactive gaming system.

(b) "Service provider" means a person who:

(1) Acts on behalf of another licensed person who conducts nonrestricted gaming operations, and who assists, manages, administers or controls wagers or games, or maintains or operates the software or hardware of games on behalf of such a licensed person, and is authorized to share in the revenue from games without being licensed to conduct gaming at an establishment;

(2) Is an interactive gaming service provider;

(3) Is a cash access and wagering instrument service provider; or

(4) Meets such other or additional criteria as the Commission may establish by regulation.

Sec. 18. NRS 465.070 is hereby amended to read as follows:

465.070 It is unlawful for any person:

1. To alter or misrepresent the outcome of a game or other event on which wagers have been made after the outcome is made sure but before it is revealed to the players.

2. To place, increase or decrease a bet or to determine the course of play after acquiring knowledge, not available to all players, of the outcome of the game or any event that affects the outcome of the game or which is the subject of the bet or to aid anyone in acquiring such knowledge for the purpose of

placing, increasing or decreasing a bet or determining the course of play contingent upon that event or outcome.

3. To claim, collect or take, or attempt to claim, collect or take, money or anything of value in or from a gambling game, with intent to defraud, without having made a wager contingent thereon, or to claim, collect or take an amount greater than the amount won.

4. Knowingly to entice or induce another to go to any place where a gambling game is being conducted or operated in violation of the provisions of this chapter, with the intent that the other person play or participate in that gambling game.

5. To place or increase a bet after acquiring knowledge of the outcome of the game or other event which is the subject of the bet, including past-posting and pressing bets.

6. To reduce the amount wagered or cancel the bet after acquiring knowledge of the outcome of the game or other event which is the subject of the bet, including pinching bets.

7. To manipulate, with the intent to cheat, any component of a gaming device in a manner contrary to the designed and normal operational purpose for the component, including, but not limited to, varying the pull of the handle of a slot machine, with knowledge that the manipulation affects the outcome of the game or with knowledge of any event that affects the outcome of the game.

8. To offer, promise or give anything of value to anyone for the purpose of influencing the outcome of a race, sporting event, contest or game upon which a wager may be made, or to place, increase or decrease a wager after acquiring knowledge, not available to the general public, that anyone has been offered, promised or given anything of value for the purpose of influencing the outcome of the race, sporting event, contest or game upon which the wager is placed, increased or decreased.

9. To change or alter the normal outcome of any game played on an interactive gaming system ~~for a mobile gaming system~~ or the way in which the outcome is reported to any participant in the game.

Sec. 19. NRS 465.094 is hereby amended to read as follows:

465.094 The provisions of NRS 465.092 and 465.093 do not apply to global risk management pursuant to NRS 463.810 and 463.820 or to a wager placed by a person for the person's own benefit or, without compensation, for the benefit of another that is accepted or received by, placed with, or sent, transmitted or relayed to:

1. A race book or sports pool that is licensed pursuant to chapter 463 of NRS, if the wager is accepted or received within this State and otherwise complies with all other applicable laws and regulations concerning wagering;

2. A person who is licensed to engage in off-track pari-mutuel wagering pursuant to chapter 464 of NRS, if the wager is accepted or received within this State and otherwise complies with subsection 3 of NRS 464.020 and all other applicable laws and regulations concerning wagering;

3. ~~1~~ ~~A person who is licensed to operate a mobile gaming system pursuant to chapter 463 of NRS, if the wager is accepted or received within this State and otherwise complies with all other applicable laws and regulations concerning wagering;~~

~~4~~ Any other person or establishment that is licensed to engage in wagering pursuant to title 41 of NRS, if the wager is accepted or received within this State and otherwise complies with all other applicable laws and regulations concerning wagering; or

~~5~~ **4.** Any other person or establishment that is licensed to engage in wagering in another jurisdiction and is permitted to accept or receive a wager from patrons within this State under an agreement entered into by the Governor pursuant to NRS 463.747.

Sec. 19.5. 1. The amendatory provisions of section 3 of this act do not apply to an employee of an operator of a mobile gaming system described in subsection 2 whose duties include the operational or supervisory control of the system or the games that are part of the system.

2. The amendatory provisions of sections 5, 7, 8, 10, 18 and 19 of this act do not apply to:

(a) A person who holds a nonrestricted license for a mobile gaming system or who holds such a license for the operation of a mobile gaming system that was issued on or before June 30, 2019;

(b) A person who ~~acquired~~ **before, on or after July 1, 2019, acquires** a financial interest in ~~an~~ **;**

(1) An operator of a mobile gaming system ~~pursuant to~~ described in paragraph (a); or ~~who acquired a financial interest in the~~

(2) The operation of such a ~~system before, on or after July 1, 2019;~~ mobile gaming system described in paragraph (a); or

(c) A successor in interest to a person who acquires a financial interest ~~pursuant to~~ **described in** paragraph (b).

~~2~~

3. The provisions of statute repealed by section 20 of this act continue to apply on and after July 1, 2019, to any person or transaction described in subsections 1 and 2.

4. The provisions of ~~subsection 1~~ **this section** do not exempt a person or transaction from any provision of law relating to the licensure, registration, finding of suitability, review or approval of such a person or transaction.

Sec. 20. NRS 463.0176, 463.730 and 463.735 are hereby repealed.

Sec. 21. 1. This section and sections 1, 1.3, 1.5 and 10.2 to 10.8, inclusive, of this act become effective upon passage and approval for the purpose of adopting regulations and performing any other preparatory administrative tasks to carry out the amendatory provisions of this act, and on January 1, 2020, for all other purposes.

2. Sections 1.7 to 10, inclusive, and 11 to 20, inclusive, of this act become effective on July 1, 2019.

TEXT OF REPEALED SECTIONS

463.0176 “Mobile gaming” defined. “Mobile gaming” means the conduct of gambling games through communications devices operated solely in an establishment which holds a nonrestricted gaming license and which operates at least 100 slot machines and at least one other game by the use of communications technology that allows a person to transmit information to a computer to assist in the placing of a bet or wager and corresponding information related to the display of the game, game outcomes or other similar information. For the purposes of this section, “communications technology” means any method used and the components employed by an establishment to facilitate the transmission of information, including, without limitation, transmission and reception by systems based on wireless network, wireless fidelity, wire, cable, radio, microwave, light, optics or computer data networks. The term does not include the Internet.

463.730 License required to operate, manufacture, sell or distribute mobile gaming system or to manufacture equipment associated with mobile gaming; powers and duties of Commission; regulations; conditions.

1. Except as otherwise provided in subsection 2, the Commission may, with the advice and assistance of the Board, adopt regulations governing the operation of mobile gaming and the licensing of:

- (a) An operator of a mobile gaming system;
- (b) A manufacturer, seller or distributor of a mobile gaming system; and
- (c) A manufacturer of equipment associated with mobile gaming.

2. The Commission may not adopt regulations pursuant to this section until the Commission first determines that:

(a) Mobile gaming systems are secure and reliable, and provide reasonable assurance that players will be of lawful age and communicating only from areas of licensed gaming establishments that have been approved by the Commission for that purpose; and

(b) Mobile gaming can be operated in a manner which complies with all applicable laws.

3. The regulations adopted by the Commission pursuant to this section must:

(a) Provide that gross revenue received by a licensed gaming establishment or the operator or the manufacturer of a mobile gaming system from the operation of mobile gaming is subject to the same license fee provisions of NRS 463.370 as the other games and gaming devices operated at the licensed gaming establishment.

(b) Provide that a mobile communications device which displays information relating to the game to a participant in the game as part of a mobile gaming system is subject to the same fees and taxes applicable to slot machines as set forth in NRS 463.375 and 463.385.

(c) Set forth standards for the security of the computer system and its location, which may be outside a licensed gaming establishment but must be within this State, and for approval of hardware and software used in connection with mobile gaming.

(d) Define “mobile gaming system,” “operator of a mobile gaming system” and “equipment associated with mobile gaming” as the terms are used in this chapter.

463.735 Enforceability of mobile gaming debts. A debt incurred by a patron in connection with playing a mobile gaming system at a licensed gaming establishment is valid and may be enforced by legal process.

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. 88.

Bill read second time and ordered to third reading.

Senate Bill No. 100.

Bill read second time and ordered to third reading.

Senate Bill No. 119.

Bill read second time and ordered to third reading.

Senate Bill No. 134.

Bill read second time and ordered to third reading.

Senate Bill No. 136.

Bill read second time and ordered to third reading.

Senate Bill No. 147.

Bill read second time and ordered to third reading.

Senate Bill No. 158.

Bill read second time and ordered to third reading.

Senate Bill No. 159.

Bill read second time and ordered to third reading.

Senate Bill No. 177.

Bill read second time and ordered to third reading.

Senate Bill No. 178.

Bill read second time.

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

Amendment No. 688.

SENATORS CANCELA, RATTI, SPEARMAN, KIECKHEFER, PARKS; BROOKS, CANNIZZARO, DENIS, DONDERO LOOP, GOICOECHEA, HAMMOND, HANSEN,

HARDY, D. HARRIS, OHRENSCHALL, PICKARD, SCHEIBLE, SEEVERS GANSERT, SETTELMEYER AND WOODHOUSE

JOINT SPONSORS: ASSEMBLYMEN MCCURDY, WATTS, FRIERSON; ASSEFA, CARRILLO, FUMO, GORELOW, JAUREGUI, KRASNER, MILLER, MONROE-MORENO, NGUYEN, PETERS AND ROBERTS

AN ACT relating to public health; creating the Council on Food Security within the Department of Health and Human Services; prescribing the membership and duties of the Council; creating the Food for People, Not Landfills Program; authorizing the Director of the Department of Health and Human Services to adopt regulations to carry out the Program; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

In 2014, the Governor established by executive order the Council on Food Security. (Executive Order 2014-03 (2-12-2014)) The Council was charged with various responsibilities related to the implementation of the goals of the “2013 Food Security in Nevada: Nevada’s Plan of Action” issued by the Department of Health and Human Services (“the Plan”) and the improvement of the quality of life and health of persons in this State by increasing food security throughout the State. **Section 7** of this bill creates the Council in statute and prescribes its membership, which includes ex officio members and members appointed by the Governor and the Director of the Department of Health and Human Services at the direction of the Governor. **Section 8** of this bill authorizes the Chair of the Council to appoint subcommittees to study issues within the scope of the duties of the Council. **Section 9** of this bill prescribes the duties of the Council, which include: (1) various responsibilities related to implementation of the Plan; (2) advising the Governor on matters related to food security; (3) advising, assisting and making recommendations to the Director for the administration of the Food for People, Not Landfills Program; and (4) submitting an annual report to the Director and the Director of the Legislative Counsel Bureau regarding the accomplishments and recommendations of the Council.

Section 10 of this bill creates the Food for People, Not Landfills Program within the Department of Health and Human Services for the purposes of increasing food security by decreasing food waste, redirecting excess consumable food to a higher and better purpose and recognizing and assisting persons who further those purposes. In administering the program, the Director of the Department is required to: (1) set forth goals and objectives for the ensuing 5 years to increase the amount of food diverted from landfills and utilize such food to increase food security; (2) establish criteria for a food donor to participate in the Program; (3) create an official seal for the Program and allow a participant to use the official seal; (4) take any other action the Director deems necessary to assist a participant in the Program in furthering the goals of the Program; and (5) submit an annual report to the Legislature concerning the Program. **Section 10** authorizes the Director to adopt

regulations based upon the recommendations of the Council to carry out the Program.

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

Section 1. Chapter 232 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 10, inclusive, of this act.

Sec. 2. *As used in sections 2 to 10, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3 to 6, inclusive, of this act have the meanings ascribed to them in those sections.*

Sec. 3. *“Council” means the Council on Food Security created by section 7 of this act.*

Sec. 3.5. *“Food donor” means a person or entity, including, without limitation, a restaurant, grocery store or retail or wholesale business, that gives or otherwise provides food, directly or indirectly, to persons in need of food.*

Sec. 4. *“Food security” means the ability of a person to access enough food for an active and healthy life.*

Sec. 5. *“Plan” means the “2013 Food Security in Nevada: Nevada’s Plan for Action” issued by the Department of Health and Human Services.*

Sec. 6. *“Program” means the Food for People, Not Landfills Program created by section 10 of this act.*

Sec. 7. 1. *The Council on Food Security is hereby created within the Department. The Council consists of:*

- (a) The Governor or his or her designee;*
- (b) The Director or his or her designee from within the Department;*
- (c) The Administrator of the Division of Welfare and Supportive Services of the Department or his or her designee from within the Division;*
- (d) The Regional Administrator for the Western Regional Office of the United States Department of Agriculture, Food and Nutrition Service or his or her designee from within the United States Department of Agriculture;*
- (e) The Executive Director of the Office of Economic Development or his or her designee from within the Office;*
- (f) The Administrator of the Division of Public and Behavioral Health of the Department or his or her designee from within the Division;*
- (g) The Superintendent of Public Instruction or his or her designee from within the Department of Education;*
- (h) The Director of the State Department of Agriculture or his or her designee from within the Department;*
- (i) The Administrator of the Aging and Disability Services Division of the Department or his or her designee from within the Division;*
- (j) Five members appointed by the Governor as follows:*
 - (1) One member who is a representative of retailers of food;*
 - (2) One member who is a representative of manufacturing that is not related to food;*

(3) *One member who is a representative of the gaming industry, hospitality industry or restaurant industry;*

(4) *One member who is a representative of farmers or ranchers engaged in food production; and*

(5) *One member who is a representative of persons engaged in the business of processing or distributing food;*

(k) *At least five members appointed by the Governor or the Director at the direction of the Governor from among the following persons:*

(1) *A person who is a representative of a food bank serving northern Nevada;*

(2) *A person who is a representative of a food bank serving southern Nevada;*

(3) *A person who is a representative of an organization that provides community-based services, including, without limitation, services that focus on the social determinants of health, in northern Nevada;*

(4) *A person who is a representative of an organization that provides community-based services, including, without limitation, services that focus on the social determinants of health, in southern Nevada;*

(5) *A person who is a representative of an organization that provides community-based services, including, without limitation, services that focus on the social determinants of health, in rural Nevada;*

(6) *A person who is a representative of the University of Nevada Cooperative Extension;*

(7) *A person who possesses knowledge, skill and experience in the provision of services to senior citizens and persons with disabilities;*

(8) *A person who is a representative of a local health authority; and*

(9) *A person who possesses knowledge, skill and experience in the provision of services to children and families; and*

(l) *Such other representatives of State Government as may be designated by the Governor.*

2. *The Governor or his or her designee shall serve as the Chair of the Council.*

3. *Each appointed member of the Council serves a term of 2 years. Each appointed member may be reappointed at the pleasure of the appointing authority, except that an appointed member may not serve for more than three consecutive terms or 6 consecutive years.*

4. *If a vacancy occurs in the appointed membership of the Council, the Council shall recommend a person to the appointing authority who appointed that member to fill the vacancy. The appointing authority shall appoint a replacement member after receiving and considering the recommendation of the Council. A member appointed to fill a vacancy shall serve as a member of the Council for the remainder of the original term of appointment and may be reappointed for two additional consecutive terms through the regular appointment process.*

5. *The appointing authority may remove a member for malfeasance in office or neglect of duty. Absences from three consecutive meetings constitutes good and sufficient cause for removal of a member.*

6. *Each member of the Council:*

(a) *Serves without compensation; and*

(b) *While engaged in the business of the Council, is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.*

7. *The Department of Health and Human Services shall provide administrative support to the Council.*

8. *The Council shall meet at least once each calendar quarter and may meet at such further times as deemed necessary by the Chair.*

9. *The Council may apply for and accept gifts, grants, donations and contributions from any source for the purpose of carrying out its duties pursuant to section 9 of this act.*

Sec. 8. 1. *The Chair of the Council on Food Security created by section 7 of this act may appoint subcommittees composed of members of the Council, former members of the Council and members of the public who have relevant experience or knowledge to consider specific problems or other matters that are related to and within the scope of the functions of the Council.*

2. *A subcommittee appointed pursuant to subsection 1 must not contain more than five members. To the extent practicable, the members of such a subcommittee must be representative of the various geographic areas and ethnic groups of this State.*

Sec. 9. *The Council on Food Security created by section 7 of this act shall:*

1. *Develop, coordinate and implement a food system that will:*

(a) *Partner with initiatives in economic development and social determinants of health;*

(b) *Increase access to improved food resource programs;*

(c) *Increase participation in federal nutrition programs by eligible households; and*

(d) *Increase capacity to produce, process, distribute and purchase food in an affordable and sustainable manner.*

2. *Hold public hearings to receive public comment and to discuss issues related to food security in this State.*

3. *Serve as a clearinghouse for the review and approval of any events or projects initiated in the name of the Plan.*

4. *Review and comment on any proposed federal, state or local legislation and regulation that would affect the food policy system of this State.*

5. *Advise and inform the Governor on the food policy of this State.*

6. *Review grant proposals and alternative funding sources as requested by the Director to provide recommendations for funding the Plan.*

7. *Develop new resources related to the Plan.*

8. *Advise, assist and make recommendations to the Director for the creation and administration of the Program.*

9. *On or before January 31 of each year submit an annual report to the Director and the Director of the Legislative Counsel Bureau concerning the accomplishments and recommendations of the Council concerning food security.*

Sec. 10. 1. *The Food for People, Not Landfills Program is hereby established within the Department for the purposes of increasing food security by decreasing food waste, redirecting excess consumable food to a higher and better purpose and recognizing and assisting food donors who further those purposes.*

2. The Director shall administer the Program. In administering the Program, the Director shall:

(a) Set forth goals and objectives for the ensuing 5 years to increase the amount of food diverted from landfills and utilize such food to increase food security;

(b) Establish the criteria for eligibility for a food donor to participate in the Program;

(c) Create an official seal for the Program;

(d) Allow a food donor who participates in the Program to display or otherwise use the official seal of the Program; and

(e) Take any other actions as the Director deems necessary to assist a food donor who participates in the Program to further the goals and objectives set forth pursuant to paragraph (a).

3. A person shall not use, copy or reproduce the official seal of the Program created pursuant to subsection 2 in any way not authorized by this section.

4. The Director may, based upon the recommendations of the Council pursuant to section 9 of this act, adopt regulations to carry out the provisions of this section.

5. On or before January 31 of each year, the Director shall submit to the Director of the Legislative Counsel Bureau for transmittal to the Legislature a report concerning the accomplishments of the Program and the impact of the Program on food security in this State.

Sec. 11. NRS 232.290 is hereby amended to read as follows:

232.290 As used in NRS 232.290 to 232.4858, inclusive, **and sections 2 to 10, inclusive, of this act**, unless the context requires otherwise:

1. “Department” means the Department of Health and Human Services.

2. “Director” means the Director of the Department.

Sec. 12. Notwithstanding the provisions of section 7 of this act, the Council on Food Security created by the Governor by executive order on February 12, 2014, shall be deemed to be the Council on Food Security established pursuant to section 7 of this act until the appointing authorities

appoint the members of the Council on Food Security pursuant to section 7 of this act.

Sec. 12.5. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 13. This act becomes effective on July 1, 2019.

Assemblywoman Cohen moved the adoption of the amendment.

Remarks by Assemblywoman Cohen.

Amendment adopted.

The following amendment was proposed by Assemblywoman Backus:

Amendment No. 725.

SENATORS CANCELA, RATTI, SPEARMAN, KIECKHEFER, PARKS; BROOKS, CANNIZZARO, DENIS, DONDERO LOOP, GOICOECHEA, HAMMOND, HANSEN, HARDY, D. HARRIS, OHRENSCHALL, PICKARD, SCHEIBLE, SEEVERS GANSERT, SETTELMAYER AND WOODHOUSE

ASSEMBLYMEN McCURDY, WATTS, FRIERSON; ASSEFA, BACKUS, BILBRAY-AXELROD, COHEN, DURAN, FLORES, FUMO, GORELOW, JAUREGUI, KRASNER, LEAVITT, MARTINEZ, MILLER, MONROE-MORENO, MUNK, NGUYEN, PETERS, ~~LAND~~ ROBERTS, SMITH, SPIEGEL, SWANK, TORRES AND YEAGER

AN ACT relating to public health; creating the Council on Food Security within the Department of Health and Human Services; prescribing the membership and duties of the Council; creating the Food for People, Not Landfills Program; authorizing the Director of the Department of Health and Human Services to adopt regulations to carry out the Program; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

In 2014, the Governor established by executive order the Council on Food Security. (Executive Order 2014-03 (2-12-2014)) The Council was charged with various responsibilities related to the implementation of the goals of the "2013 Food Security in Nevada: Nevada's Plan of Action" issued by the Department of Health and Human Services ("the Plan") and the improvement of the quality of life and health of persons in this State by increasing food security throughout the State. **Section 7** of this bill creates the Council in statute and prescribes its membership, which includes ex officio members and members appointed by the Governor and the Director of the Department of Health and Human Services at the direction of the Governor. **Section 8** of this bill authorizes the Chair of the Council to appoint subcommittees to study issues within the scope of the duties of the Council. **Section 9** of this bill prescribes the duties of the Council, which include: (1) various responsibilities related to implementation of the Plan; (2) advising the Governor on matters related to food security; (3) advising, assisting and making recommendations to the Director for the administration of the Food for People, Not Landfills Program; and (4) submitting an annual report to the Director and the Director

of the Legislative Counsel Bureau regarding the accomplishments and recommendations of the Council.

Section 10 of this bill creates the Food for People, Not Landfills Program within the Department of Health and Human Services for the purposes of increasing food security by decreasing food waste, redirecting excess consumable food to a higher and better purpose and recognizing and assisting persons who further those purposes. In administering the program, the Director of the Department is required to: (1) set forth goals and objectives for the ensuing 5 years to increase the amount of food diverted from landfills and utilize such food to increase food security; (2) establish criteria for a food donor to participate in the Program; (3) create an official seal for the Program and allow a participant to use the official seal; (4) take any other action the Director deems necessary to assist a participant in the Program in furthering the goals of the Program; and (5) submit an annual report to the Legislature concerning the Program. **Section 10** authorizes the Director to adopt regulations based upon the recommendations of the Council to carry out the Program.

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

Section 1. Chapter 232 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 10, inclusive, of this act.

Sec. 2. *As used in sections 2 to 10, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3 to 6, inclusive, of this act have the meanings ascribed to them in those sections.*

Sec. 3. *“Council” means the Council on Food Security created by section 7 of this act.*

Sec. 3.5. *“Food donor” means a person or entity, including, without limitation, a restaurant, grocery store or retail or wholesale business, that gives or otherwise provides food, directly or indirectly, to persons in need of food.*

Sec. 4. *“Food security” means the ability of a person to access enough food for an active and healthy life.*

Sec. 5. *“Plan” means the “2013 Food Security in Nevada: Nevada’s Plan for Action” issued by the Department of Health and Human Services.*

Sec. 6. *“Program” means the Food for People, Not Landfills Program created by section 10 of this act.*

Sec. 7. 1. *The Council on Food Security is hereby created within the Department. The Council consists of:*

- (a) The Governor or his or her designee;*
- (b) The Director or his or her designee from within the Department;*
- (c) The Administrator of the Division of Welfare and Supportive Services of the Department or his or her designee from within the Division;*

(d) The Regional Administrator for the Western Regional Office of the United States Department of Agriculture, Food and Nutrition Service or his or her designee from within the United States Department of Agriculture;

(e) The Executive Director of the Office of Economic Development or his or her designee from within the Office;

(f) The Administrator of the Division of Public and Behavioral Health of the Department or his or her designee from within the Division;

(g) The Superintendent of Public Instruction or his or her designee from within the Department of Education;

(h) The Director of the State Department of Agriculture or his or her designee from within the Department;

(i) The Administrator of the Aging and Disability Services Division of the Department or his or her designee from within the Division;

(j) Five members appointed by the Governor as follows:

(1) One member who is a representative of retailers of food;

(2) One member who is a representative of manufacturing that is not related to food;

(3) One member who is a representative of the gaming industry, hospitality industry or restaurant industry;

(4) One member who is a representative of farmers or ranchers engaged in food production; and

(5) One member who is a representative of persons engaged in the business of processing or distributing food;

(k) At least five members appointed by the Governor or the Director at the direction of the Governor from among the following persons:

(1) A person who is a representative of a food bank serving northern Nevada;

(2) A person who is a representative of a food bank serving southern Nevada;

(3) A person who is a representative of an organization that provides community-based services, including, without limitation, services that focus on the social determinants of health, in northern Nevada;

(4) A person who is a representative of an organization that provides community-based services, including, without limitation, services that focus on the social determinants of health, in southern Nevada;

(5) A person who is a representative of an organization that provides community-based services, including, without limitation, services that focus on the social determinants of health, in rural Nevada;

(6) A person who is a representative of the University of Nevada Cooperative Extension;

(7) A person who possesses knowledge, skill and experience in the provision of services to senior citizens and persons with disabilities;

(8) A person who is a representative of a local health authority; and

(9) A person who possesses knowledge, skill and experience in the provision of services to children and families; and

(1) Such other representatives of State Government as may be designated by the Governor.

2. The Governor or his or her designee shall serve as the Chair of the Council.

3. Each appointed member of the Council serves a term of 2 years. Each appointed member may be reappointed at the pleasure of the appointing authority, except that an appointed member may not serve for more than three consecutive terms or 6 consecutive years.

4. If a vacancy occurs in the appointed membership of the Council, the Council shall recommend a person to the appointing authority who appointed that member to fill the vacancy. The appointing authority shall appoint a replacement member after receiving and considering the recommendation of the Council. A member appointed to fill a vacancy shall serve as a member of the Council for the remainder of the original term of appointment and may be reappointed for two additional consecutive terms through the regular appointment process.

5. The appointing authority may remove a member for malfeasance in office or neglect of duty. Absences from three consecutive meetings constitutes good and sufficient cause for removal of a member.

6. Each member of the Council:

(a) Serves without compensation; and

(b) While engaged in the business of the Council, is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

7. The Department of Health and Human Services shall provide administrative support to the Council.

8. The Council shall meet at least once each calendar quarter and may meet at such further times as deemed necessary by the Chair.

9. The Council may apply for and accept gifts, grants, donations and contributions from any source for the purpose of carrying out its duties pursuant to section 9 of this act.

Sec. 8. 1. The Chair of the Council on Food Security created by section 7 of this act may appoint subcommittees composed of members of the Council, former members of the Council and members of the public who have relevant experience or knowledge to consider specific problems or other matters that are related to and within the scope of the functions of the Council.

2. A subcommittee appointed pursuant to subsection 1 must not contain more than five members. To the extent practicable, the members of such a subcommittee must be representative of the various geographic areas and ethnic groups of this State.

Sec. 9. The Council on Food Security created by section 7 of this act shall:

1. Develop, coordinate and implement a food system that will:

(a) Partner with initiatives in economic development and social determinants of health;

(b) Increase access to improved food resource programs;

(c) Increase participation in federal nutrition programs by eligible households; and

(d) Increase capacity to produce, process, distribute and purchase food in an affordable and sustainable manner.

2. Hold public hearings to receive public comment and to discuss issues related to food security in this State.

3. Serve as a clearinghouse for the review and approval of any events or projects initiated in the name of the Plan.

4. Review and comment on any proposed federal, state or local legislation and regulation that would affect the food policy system of this State.

5. Advise and inform the Governor on the food policy of this State.

6. Review grant proposals and alternative funding sources as requested by the Director to provide recommendations for funding the Plan.

7. Develop new resources related to the Plan.

8. Advise, assist and make recommendations to the Director for the creation and administration of the Program.

9. On or before January 31 of each year submit an annual report to the Director and the Director of the Legislative Counsel Bureau concerning the accomplishments and recommendations of the Council concerning food security.

Sec. 10. 1. The Food for People, Not Landfills Program is hereby established within the Department for the purposes of increasing food security by decreasing food waste, redirecting excess consumable food to a higher and better purpose and recognizing and assisting food donors who further those purposes.

2. The Director shall administer the Program. In administering the Program, the Director shall:

(a) Set forth goals and objectives for the ensuing 5 years to increase the amount of food diverted from landfills and utilize such food to increase food security;

(b) Establish the criteria for eligibility for a food donor to participate in the Program;

(c) Create an official seal for the Program;

(d) Allow a food donor who participates in the Program to display or otherwise use the official seal of the Program; and

(e) Take any other actions as the Director deems necessary to assist a food donor who participates in the Program to further the goals and objectives set forth pursuant to paragraph (a).

3. A person shall not use, copy or reproduce the official seal of the Program created pursuant to subsection 2 in any way not authorized by this section.

4. The Director may, based upon the recommendations of the Council pursuant to section 9 of this act, adopt regulations to carry out the provisions of this section.

5. On or before January 31 of each year, the Director shall submit to the Director of the Legislative Counsel Bureau for transmittal to the Legislature a report concerning the accomplishments of the Program and the impact of the Program on food security in this State.

Sec. 11. NRS 232.290 is hereby amended to read as follows:

232.290 As used in NRS 232.290 to 232.4858, inclusive, **and sections 2 to 10, inclusive, of this act**, unless the context requires otherwise:

1. "Department" means the Department of Health and Human Services.
2. "Director" means the Director of the Department.

Sec. 12. Notwithstanding the provisions of section 7 of this act, the Council on Food Security created by the Governor by executive order on February 12, 2014, shall be deemed to be the Council on Food Security established pursuant to section 7 of this act until the appointing authorities appoint the members of the Council on Food Security pursuant to section 7 of this act.

Sec. 12.5. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 13. This act becomes effective on July 1, 2019.

Assemblywoman Backus moved the adoption of the amendment.

Remarks by Assembly

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

Senate Bill No. 182.

Bill read second time and ordered to third reading.

Senate Bill No. 192.

Bill read second time and ordered to third reading.

Senate Bill No. 234.

Bill read second time and ordered to third reading.

Senate Bill No. 291.

Bill read second time.

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

Amendment No. 689.

SENATOR RATTI

JOINT SPONSOR: ASSEMBLYWOMAN GORELOW

AN ACT relating to public health; requiring the testing of infants for certain preventable or inheritable disorders; requiring the State Public Health Laboratory to report during a hearing about the reasons for any increased

charges for performing such tests; repealing a provision requiring the Division of Public and Behavioral Health of the Department of Health and Human Services to enter into a contract for the provision of certain services of a laboratory; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the State Board of Health, upon the recommendation of the Chief Medical Officer, to adopt regulations governing examinations and tests required for the discovery in infants of preventable or inheritable disorders. (NRS 442.008) **Section 1** of this bill generally requires testing for each disorder recommended by the Health Resources and Services Administration of the United States Department of Health and Human Services by not later than 4 years after the recommendation is made. **Section 1** authorizes the exclusion of such a disorder from the required testing upon a request by the Chief Medical Officer or the person in charge of the State Public Health Laboratory based on: (1) insufficient funding to conduct testing for the disorder; or (2) insufficient resources to address the results of the examination and test. **Section 1** additionally requires any required examinations and tests that must be performed by a laboratory to be sent to the State Public Health Laboratory. If the State Public Health Laboratory increases the amount charged for such examinations and tests, **section 1** requires the Division of Public and Behavioral Health of the Department of Health and Human Services to hold a hearing during which the State Public Health Laboratory must provide a written and verbal fiscal analysis of the reasons for the increased charges.

Under existing law, if the State Board of Health requires the Division to provide the services of a laboratory for the required testing of infants for preventable and inheritable disorders, the Division is required to contract with the State Public Health Laboratory unless: (1) the State Public Health Laboratory is not capable of performing all of the required tests; or (2) the cost to the Division to contract with the State Public Health Laboratory is not financially reasonable or exceeds the amount of money available for that purpose. (NRS 442.009) **Section 2** of this bill repeals this provision.

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

Section 1. NRS 442.008 is hereby amended to read as follows:

442.008 1. The State Board of Health ~~], upon the recommendation of the Chief Medical Officer;~~

~~—(a) Shall~~ *shall* adopt regulations governing examinations and tests required for the discovery in infants of preventable or inheritable disorders, including tests for the presence of sickle cell anemia . ~~]; and~~

~~—(b) May require the Division to provide for the services of a laboratory in accordance with NRS 442.009 to determine the presence of certain preventable or inheritable disorders in an infant pursuant to this section.]~~

2. *Except as otherwise provided in this subsection, the examinations and tests required pursuant to subsection 1 must include tests and examinations for each disorder recommended to be screened by the Health Resources and Services Administration of the United States Department of Health and Human Services by not later than 4 years after the recommendation is published. The State Board may exclude any such disorder upon request of the Chief Medical Officer or the person in charge of the State Public Health Laboratory based on:*

- (a) *Insufficient funding to conduct testing for the disorder; or*
- (b) *Insufficient resources to address the results of the examination and test.*

3. *Any examination or test required by the regulations adopted pursuant to subsection 1 which must be performed by a laboratory must be sent to the State Public Health Laboratory. If the State Public Health Laboratory increases the amount charged for performing such an, examination or test pursuant to NRS 439.240, the Division shall hold a public hearing during which the State Public Health Laboratory shall provide to the Division a written and verbal fiscal analysis of the reasons for the increased charges.*

4. Any physician, midwife, nurse, obstetric center or hospital of any nature attending or assisting in any way any infant, or the mother of any infant, at childbirth shall ~~make~~:

(a) *Make* or cause to be made an examination of the infant, including standard tests ~~that~~ *that do not require laboratory services*, to the extent required by regulations of the State Board of Health as is necessary for the discovery of conditions indicating such *preventable or inheritable* disorders.

(b) *Collect and send to the State Public Health Laboratory or cause to be collected and sent to the State Public Health Laboratory any specimens needed for the examinations and tests that must be performed by a laboratory and are required by the regulations adopted pursuant to subsection 1.*

~~§~~ 5. If the examination and tests reveal the existence of such conditions in an infant, the physician, midwife, nurse, obstetric center or hospital attending or assisting at the birth of the infant shall immediately:

(a) Report the condition to the Chief Medical Officer or the representative of the Chief Medical Officer, the local health officer of the county or city within which the infant or the mother of the infant resides, and the local health officer of the county or city in which the child is born; and

(b) Discuss the condition with the parent, parents or other persons responsible for the care of the infant and inform them of the treatment necessary for the amelioration of the condition.

~~§~~ 6. An infant is exempt from examination and testing if either parent files a written objection with the person or institution responsible for making the examination or tests.

Sec. 2. NRS 442.009 is hereby repealed.

Sec. 3. This act becomes effective:

1. Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and
2. On January 1, 2020, for all other purposes.

TEXT OF REPEALED SECTION

442.009 Examination of infants: Priority in contracting with laboratory.

1. Except as otherwise provided in this section, if the State Board of Health requires the Division to provide for the services of a laboratory to determine the presence of certain preventable or inheritable disorders in an infant pursuant to NRS 442.008, the Division shall contract with a laboratory in the following order of priority:

- (a) The State Public Health Laboratory;
- (b) Any other qualified laboratory located within this State; or
- (c) Any qualified laboratory located outside of this State.

2. The Division shall not contract with a laboratory in a lower category of priority unless the Division determines that:

- (a) A laboratory in a higher category of priority is not capable of performing all the tests required to determine the presence of certain preventable or inheritable disorders in an infant pursuant to NRS 442.008; or
- (b) The cost to the Division to contract with a laboratory in a higher category of priority is not financially reasonable or exceeds the amount of money available for that purpose.

3. For the purpose of determining the category of priority of a laboratory only, the Division is not required to comply with any requirement of competitive bidding or other restriction imposed on the procedure for awarding a contract.

Assemblywoman Cohen moved the adoption of the amendment.

Remarks by Assemblywoman Cohen.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 323.

Bill read second time and ordered to third reading.

Senate Bill No. 370.

Bill read second time and ordered to third reading.

Senate Bill No. 383.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 672.

SUMMARY—~~[Revises]~~ **Establishes** provisions relating to sexual conduct between a law enforcement officer and ~~[a person in his or her custody]~~ **certain other persons.** (BDR 3-113)

AN ACT relating to sexual conduct; establishing a rebuttable presumption in civil actions concerning unwelcome or nonconsensual sexual conduct between a law enforcement officer and a person in his or her custody; ~~[revising provisions relating to]~~ **prohibiting** sexual conduct between a law enforcement officer and a person ~~[in his or her custody]~~ **who is under arrest or is currently detained by any law enforcement officer; providing a penalty;** and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law prohibits a person from voluntarily engaging in sexual conduct with a prisoner who is in lawful custody or confinement and provides that any person who violates such a prohibition is guilty of a category D felony. (NRS 212.187) ~~[Existing law defines the term “prisoner” for the purposes of such a prohibition as including any person held in custody under process of law or under lawful arrest. (NRS 208.085)]~~ **Section [2] 1.5** of this bill ~~[(1) clarifies that such a prohibition applies to]~~ **provides that if** a law enforcement officer ~~[who]~~ voluntarily engages in sexual conduct with a person who is ~~[in his or her custody; and (2)]~~ **under arrest or is currently detained by the law enforcement officer or any other law enforcement officer, the law enforcement officer is guilty of a category D felony. Section 1.5** also provides that ~~[if a]~~ **the consent of a person who was under arrest or detained by any** law enforcement officer ~~[violates such a prohibition by voluntarily engaging in]~~ **to any** sexual conduct with a ~~[person who is in his or her custody, it]~~ **law enforcement officer** is not a defense ~~[that the person in his or her custody consented to the]~~ **to a prosecution for such unlawful** sexual conduct.

Section 1 of this bill establishes a rebuttable presumption in any civil action concerning any unwelcome or nonconsensual sexual conduct, including sexual harassment, that the sexual conduct was unwelcome or nonconsensual if the alleged perpetrator was a law enforcement officer and the alleged victim was a person in the custody of the law enforcement officer.

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

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

1. In any civil action concerning any unwelcome or nonconsensual sexual conduct, including, without limitation, sexual harassment, there is a rebuttable presumption that the sexual conduct was unwelcome or nonconsensual if the alleged perpetrator was a law enforcement officer and the alleged victim was a person in the custody of the law enforcement officer.

2. As used in this section, “sexual harassment” has the meaning ascribed to it in NRS 176A.280.

Sec. 1.5. Chapter 201 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Unless an act committed in violation of this section constitutes sexual assault pursuant to NRS 200.366, a law enforcement officer who voluntarily engages in sexual conduct with a person who is under arrest or is currently detained by the law enforcement officer or any other law enforcement officer is guilty of a category D felony and shall be punished as provided in NRS 193.130.

2. The consent of a person who was under arrest or detained by any law enforcement officer to any sexual conduct with a law enforcement officer is not a defense to a prosecution for any act prohibited by this section.

3. As used in this section, "sexual conduct":

(a) Includes acts of masturbation, sexual penetration or physical contact with another person's clothed or unclothed genitals or pubic area to arouse, appeal to or gratify the sexual desires of a person.

(b) Does not include acts of a law enforcement officer that are performed to carry out the necessary duties of the law enforcement officer.

Sec. 2. ~~NRS 212.187 is hereby amended to read as follows:~~

~~212.187 1. A prisoner who is in lawful custody or confinement, other than in the custody of the Division of Parole and Probation of the Department of Public Safety pursuant to NRS 209.4886 or 209.4888 or residential confinement, and who voluntarily engages in sexual conduct with another person who is not an employee of or a contractor or volunteer for a prison is guilty of a category D felony and shall be punished as provided in NRS 193.130.~~

~~2. Except as otherwise provided in NRS 212.188, a person who voluntarily engages in sexual conduct with a prisoner who is in lawful custody or confinement, [other than in the custody of the Division of Parole and Probation of the Department of Public Safety pursuant to NRS 209.4886 or 209.4888 or residential confinement,] including, without limitation, a law enforcement officer who voluntarily engages in sexual conduct with a person who is in his or her custody, is guilty of a category D felony and shall be punished as provided in NRS 193.130.~~

~~3. If a law enforcement officer violates this section by voluntarily engaging in sexual conduct with a person who is in his or her custody, it is not a defense that the person in his or her custody consented to the sexual conduct.~~

~~4. As used in this section [,"sexual"] :~~

~~(a) "Lawful custody or confinement" does not include being in the custody of the Division of Parole and Probation of the Department of Public Safety pursuant to NRS 209.4886 or 209.4888 or residential confinement.~~

~~(b) "Sexual conduct":~~

~~[(a)] (1) Includes acts of masturbation, sexual penetration or physical contact with another person's clothed or unclothed genitals or pubic area to arouse, appeal to or gratify the sexual desires of a person.~~

~~[(b)] (2) Does not include acts of a person who has custody of a prisoner or an employee of or a contractor or volunteer for the prison in which the prisoner is confined that are performed to carry out the necessary duties of such a person, employee, contractor or volunteer.] **(Deleted by amendment.)**~~

Assemblyman Yeager moved the adoption of the amendment.

Remarks by Assemblyman Yeager.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 436.

Bill read second time and ordered to third reading.

Senate Bill No. 456.

Bill read second time and ordered to third reading.

Senate Bill No. 479.

Bill read second time and ordered to third reading.

Senate Bill No. 486.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Carlton moved that upon return from the printer, Assembly Bill No. 498 be rereferred to the Committee on Ways and Means.

Motion carried.

Assemblywoman Carlton moved that Senate Bill No. 88 be taken from the General File and rereferred to the Committee on Ways and Means.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 62.

Bill read third time.

Remarks by Assemblyman Edwards.

ASSEMBLYMAN EDWARDS:

Senate Bill 62 makes various changes to Chapter 370 of the *Nevada Revised Statutes* by revising provisions related to brand families of cigarettes to also include “styles of cigarettes” for the purposes of enforcement of the Tobacco Master Settlement Agreement. These changes include revising the definition of contraband tobacco products to include any style of cigarette that is not listed in the Nevada Tobacco Directory; requiring a manufacturer of tobacco products to indicate its styles of cigarettes in the certification submitted to the Department of Taxation and the Attorney General under current law; requiring the Department of Taxation to include styles of cigarettes in the Nevada Tobacco Directory; specifying that the authority of the Attorney General to seek a civil penalty for certain violations under current law also applies to any violations of the regulations adopted pursuant thereto; specifying that certain unlawful acts related to a brand family of cigarettes also applies to a style of cigarettes; and specifying that both participating manufacturers and nonparticipating manufacturers in the Tobacco Master Settlement Agreement are subject to civil penalties for the failure to comply with the provisions of Chapter 370 or 370A of *Nevada Revised Statutes*.

Roll call on Senate Bill No. 62:

YEAS—40.

NAYS—None.

EXCUSED—Hambrick.

VACANT—1.

Senate Bill No. 62 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 299.

Bill read third time.

Remarks by Assemblyman Smith.

ASSEMBLYMAN SMITH:

Senate Bill 299 revises provisions governing the Electric Vehicle Infrastructure Demonstration Program. A public utility may include in its annual plan to the Public Utilities Commission of Nevada an incentive to a public school that installs electric vehicle infrastructure on the school's property or purchases electric vehicles for transporting students. The public school may receive 75 percent of the cost to install electric vehicle infrastructure or a school district may receive 75 percent of the cost to purchase electric vehicles for transporting students.

Roll call on Senate Bill No. 299:

YEAS—39.

NAYS—Titus.

EXCUSED—Hambrick.

VACANT—1.

Senate Bill No. 299 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 329.

Bill read third time.

Remarks by Assemblyman Leavitt.

ASSEMBLYMAN LEAVITT:

Senate Bill 329 requires an electric utility to submit a natural disaster protection plan to the Public Utilities Commission of Nevada on or before June 1 every third year beginning in 2020. The bill prohibits a person from performing work on the electric infrastructure of an electric utility unless that person is a qualified electrical worker or an apprentice electrical lineman. This bill is effective upon passage and approval.

Roll call on Senate Bill No. 329:

YEAS—38.

NAYS—Kramer, Titus—2.

EXCUSED—Hambrick.

VACANT—1.

Senate Bill No. 329 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 the Assembly suspend Assembly Standing Rule 52.5 and subsection 4 of Assembly Standing Rule 57, effective immediately, through Sunday, May 19, 2019.

Remarks by Assemblywoman Benitez-Thompson.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 469.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Assefa, the privilege of the floor of the Assembly Chamber for this day was extended to Erin Snell and Krista Wyman.

On request of Assemblywoman Bilbray-Axelrod, the privilege of the floor of the Assembly Chamber for this day was extended to Kristen Rivas.

On request of Assemblyman Daly, the privilege of the floor of the Assembly Chamber for this day was extended to John Aramini and Wendy Damonte.

On request of Assemblywoman Duran, the privilege of the floor of the Assembly Chamber for this day was extended to Callie McCarthy and Frank Lazarek.

On request of Assemblyman Edwards, the privilege of the floor of the Assembly Chamber for this day was extended to Marc Van Gelder.

On request of Assemblyman Ellison, the privilege of the floor of the Assembly Chamber for this day was extended to Jamison Allen.

On request of Assemblywoman Gorelow, the privilege of the floor of the Assembly Chamber for this day was extended to Elena Aramini.

On request of Assemblyman Hafen, the privilege of the floor of the Assembly Chamber for this day was extended to Jeffrey Arao.

On request of Assemblywoman Hansen, the privilege of the floor of the Assembly Chamber for this day was extended to Malia Ascuaga and Marisol Asacuaga.

On request of Assemblywoman Hardy, the privilege of the floor of the Assembly Chamber for this day was extended to Eva Damonte and Madison Burrows.

On request of Assemblyman Kramer, the privilege of the floor of the Assembly Chamber for this day was extended to Alexis Humphrey and Jaida Hargrove.

On request of Assemblywoman Krasner, the privilege of the floor of the Assembly Chamber for this day was extended to Haley Johnston, Kesche Luna, Marisol Ascuaga, and Madi Burrows.

On request of Assemblyman McCurdy, the privilege of the floor of the Assembly Chamber for this day was extended to Hirsh Jain.

On request of Assemblywoman Peters, the privilege of the floor of the Assembly Chamber for this day was extended to Kamden Rich.

On request of Assemblyman Roberts, the privilege of the floor of the Assembly Chamber for this day was extended to Antonio Rivas and Elissa Simons.

On request of Assemblyman Smith, the privilege of the floor of the Assembly Chamber for this day was extended to Kayla Snell and Reagan Stephens.

On request of Assemblywoman Titus, the privilege of the floor of the Assembly Chamber for this day was extended to Amy Van Gelder.

On request of Assemblywoman Tolles, the privilege of the floor of the Assembly Chamber for this day was extended to Mia Tolles and Christine Sexton.

On request of Assemblywoman Torres, the privilege of the floor of the Assembly Chamber for this day was extended to Amanda Wen and Rylee Wyman.

Assemblywoman Benitez-Thompson moved that the Assembly adjourn until Thursday, May 16, 2019, at 11:30 a.m.

Motion carried.

Assembly adjourned at 1:01 p.m.

Approved:

JASON FRIERSON
Speaker of the Assembly

Attest: SUSAN FURLONG
Chief Clerk of the Assembly