

**THE ONE HUNDRED AND FIRST DAY**

---

CARSON CITY (Wednesday), May 15, 2019

Senate called to order at 12:13 p.m.

President pro Tempore Denis presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Don Baumann.

Gracious God, You are so patient and full of mercy toward us. As the Session moves toward its conclusion, with workloads and deadlines increasing, please grant each Senator and staff person perseverance. As Your Word says, may each be quick to listen, slow to speak and slow to get angry. May they disagree on the issues that matter without becoming disagreeable toward each other. May they continue to work together in every area they can for the good of this State, knowing their service has great significance to You and to the people of Nevada.

We ask for Your guidance on this Body and a willingness to listen in the Name of Jesus Christ, the Lord.

AMEN.

Pledge of Allegiance to the Flag.

By previous order of the Senate, the reading of the Journal is dispensed with, and the President pro Tempore and Secretary are authorized to make the necessary corrections and additions.

**REPORTS OF COMMITTEE**

*Mr. President pro Tempore:*

Your Committee on Education, to which were referred Assembly Bills Nos. 78, 219, 261, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MOISES DENIS, *Chair*

*Mr. President pro Tempore:*

Your Committee on Growth and Infrastructure, to which was referred Assembly Bill No. 23, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Growth and Infrastructure, to which was referred Assembly Bill No. 485, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

YVANNA D. CANCELA, *Chair*

*Mr. President pro Tempore:*

Your Committee on Health and Human Services, to which was referred Assembly Bill No. 129, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JULIA RATTI, *Chair*

*Mr. President pro Tempore:*

Your Committee on Natural Resources, to which was referred Assembly Bill No. 152, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MELANIE SCHEIBLE, *Chair*

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, May 14, 2019

*To the Honorable the Senate:*

I have the honor to inform your honorable body that the Assembly on this day passed, as amended, Assembly Bill No. 500.

Also, I have the honor to inform your honorable body that the Assembly on this day concurred in the Senate Amendment No. 694 to Assembly Bill No. 469.

CAROL AIELLO-SALA

*Assistant Chief Clerk of the Assembly*

## MOTIONS, RESOLUTIONS AND NOTICES

Senator Cannizzaro moved that Assembly Bills Nos. 25, 28, 34, 39, 52, 54, 58, 59, 93, 95, 114, 117, 122, 126, 140, 163, 164, 175, 201, 204, 206, 230, 239, 258, 270, 272, 280, 299, 304, 316, 333, 334, 347, 353, 361, 363, 365, 367, 387, 398, 403, 406, 410, 427, 430, 432, 457, 462, 478, 490, 499; Assembly Joint Resolution Nos. 3, 4, 7, 8 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

## INTRODUCTION, FIRST READING AND REFERENCE

Assembly Bill No. 500.

Senator Ratti moved that the bill be referred to the Committee on Finance.

Motion carried.

## SECOND READING AND AMENDMENT

Assembly Bill No. 404.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources:

Amendment No. 699.

SUMMARY—Authorizes the Board of Wildlife Commissioners to establish a program authorizing certain persons to transfer, defer or return certain lawfully obtained tags if certain extenuating circumstances exist. (BDR 45-1029)

AN ACT relating to hunting; authorizing the Board of Wildlife Commissioners to establish a program authorizing a person to transfer, defer or return certain lawfully obtained tags if certain extenuating circumstances exist; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires a person who hunts any wildlife to obtain a license or permit to do so in this State. (NRS 502.010) In addition to a regular hunting license, existing law requires a person to obtain an additional license, known as a tag, to hunt any deer, elk, antelope, bighorn sheep, bear, moose, mountain lion or mountain goat. (NRS 502.130) Any license issued pursuant to title 45 of NRS relating to wildlife is: (1) not transferable to a person other than the person to whom the license was issued; and (2) subject to forfeiture if the license is transferred to another person. (NRS 502.100)

Section 1 of this bill authorizes the Board of Wildlife Commissioners to adopt regulations establishing: (1) conditions or events which are extenuating circumstances; (2) a process through which a person who holds a tag to hunt a big game mammal in this State and who claims an extenuating circumstance may provide documentation which shows that his or her condition or event qualifies as an extenuating circumstance; and (3) a program through which such a person who has proven that he or she qualifies for an extenuating circumstance may transfer, defer use of or return to the Department of Wildlife his or her tag to hunt a big game mammal in this State. Section 1 further prohibits a person who transfers his or her tag to hunt big game mammals in this State from charging a fee or receiving any compensation for such a transfer. Section 1 additionally provides that an extenuating circumstance is any illness, injury or other condition or event, as determined by the Commission, of a person who holds a tag to hunt a big game mammal in this State or a family member of such a person that causes the person who holds such a tag to be unable to use his or her tag to hunt a big game mammal in this State. Section 6 of this bill makes a conforming change.

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

Section 1. Chapter 502 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *The Commission may adopt regulations establishing:*

(a) *Conditions or events which are extenuating circumstances;*

(b) *A process through which a big game hunter who claims an extenuating circumstance may provide documentation to the Department which shows that his or her condition or event qualifies as an extenuating circumstance; and*

(c) *A program through which a big game hunter who has proven that he or she qualifies for an extenuating circumstance pursuant to paragraph (b) may:*

(1) *Transfer his or her tag to another person who is otherwise eligible to hunt a big game mammal in this State;*

(2) *Defer his or her use of the tag to the next applicable open season; or*

(3) *Return his or her tag to the Department for restoration by the Department of any bonus points that he or she used to obtain the tag that is being returned.*

2. *If a big game hunter transfers his or her tag to another person pursuant to subparagraph (1) of paragraph (c) of subsection 1, the big game hunter may not charge a fee or receive any compensation for such a transfer.*

3. *As used in this section:*

(a) *"Big game hunter" means a person who holds a tag.*

(b) *"Extenuating circumstance" means any injury, illness or other condition or event, as determined by the Commission, of a big game hunter or a family member of a big game hunter that causes the big game hunter to be unable to use his or her tag.*

(c) *"Family member" means:*

(1) *A spouse of the big game hunter; ~~for~~*

(2) *A person who is related to the big game hunter within the first degree of consanguinity ~~+~~; or*

(3) *A stepchild of the big game hunter.*

(d) *"Tag" means a tag to hunt a big game mammal in this State.*

Sec. 2. (Deleted by amendment.)

Sec. 3. (Deleted by amendment.)

Sec. 4. (Deleted by amendment.)

Sec. 5. (Deleted by amendment.)

Sec. 6. NRS 502.100 is hereby amended to read as follows:

502.100 *Except as otherwise provided in section 1 of this act:*

1. No license provided by this title shall be transferable or used by any person other than the person to whom it was issued.

2. Every person lawfully having such licenses who transfers or disposes of the same to another person to be used as a hunting, trapping or fishing license shall forfeit the same.

Sec. 7. This act becomes effective:

1. Upon passage and approval for purposes of adopting regulations and 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.

Senator Scheible moved the adoption of the amendment.

Remarks by Senator Scheible.

Amendment No. 699 to Assembly Bill No. 404 adds "a stepchild of the big game hunter" to those included as a "family member" for purposes of the bill.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 312.

Bill read third time.

Remarks by Senator Woodhouse.

Senate Bill No. 312 requires an employer who has 50 or more employees in this State, at a minimum, to provide employees 0.01923 hours of paid leave for each hour of work performed that may be used by an employee beginning on the 90th calendar day of employment.

Senate Bill No. 312 also provides that an employee may use paid leave available for use by that employee without providing a reason to his or her employer for such use but also requires an employee to, as soon as practicable, give notice to his or her employer to use the paid leave available for use by that employee.

This bill also provides that an employer may limit the use of the paid leave to 40 hours per benefit year; limit the amount of paid leave that an employee may carry over to another benefit year to a maximum of 40 hours per benefit year, and set a minimum increment that an employee may use the accrued sick leave at any one time, not to exceed 4 hours.

Senate Bill No. 312 does not apply to an employer during the first two years of business operation; an employer who, pursuant to a contract, policy, collective bargaining agreement or other agreement, provides employees with a policy for paid leave or a policy for paid time off to all scheduled employees at a rate of at least 0.01923 hours of paid leave per hour of work performed that may be used under the same conditions as specified in this bill are temporary, seasonal employees or on-call employees.

Senate Bill No. 312 additionally requires an employer to maintain records of the receipt or accrual and use of paid leave for each employee for a one-year period and to make those records available for inspection by the Labor Commissioner; requires the Labor Commissioner to prepare a bulletin setting forth these benefits, and requires employers to post the bulletin in the workplace as well as establishes enforcement provisions. I urge your support.

Roll call on Senate Bill No. 312:

YEAS—21.

NAYS—None.

Senate Bill No. 312 having received a constitutional majority, Mr. President pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 447.

Bill read third time.

Remarks by Senator Woodhouse.

Senate Bill No. 447 implements the Initiative Petition approved by voters a second time at the 2018 General Election, which proposed to amend the Nevada Constitution to require the Legislature to provide, by law, for an exemption from sales and use taxes for certain durable medical equipment, oxygen delivery equipment and mobility enhancing equipment.

This bill enacts the exemption for the sales and use taxes that are deposited into the State General Fund and amends the Local School Support Tax Law to provide an identical exemption.

The amendment to the Local School Support Tax Law also applies to other sales and use taxes imposed under existing law and various special and local acts. Senate Bill No. 447 becomes effective on July 1, 2019, and provides that all exemptions also become effective on July 1, 2019.

Roll call on Senate Bill No. 447:

YEAS—21.

NAYS—None.

Senate Bill No. 447 having received a constitutional majority, Mr. President pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 502.

Bill read third time.

Remarks by Senators Woodhouse and Hansen.

SENATOR WOODHOUSE:

Senate Bill No. 502 revises the maximum fees that can be charged by the Board of Examiners for Social Workers. I urge your support.

SENATOR HANSEN:

Some social workers were concerned the fees would be raised rapidly. They told me they were trying to get a 25 percent a year cap. Is that a possibility?

SENATOR WOODHOUSE:

I saw that amendment; it came very late. We have a commitment from the Board that there is no intent for a quick movement. This is a ceiling. Last time there were changes, it took 19 years for the maximum to be reached. This is a gradual move up.

SENATOR HANSEN:

That answers my question, thank you.

Roll call on Senate Bill No. 502:

YEAS—21.

NAYS—None.

Senate Bill No. 502 having received a two-thirds majority, Mr. President pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 520.

Bill read third time.

Remarks by Senator Woodhouse.

Senate Bill No. 520 appropriates \$8.2 million from the General Fund to the Distributive School Account due to an unanticipated increase in K-12 enrollment for the 2017-2018 and 2018-2019 school years as well as unanticipated shortfall in revenue over the 2017-2019 Biennium.

Roll call on Senate Bill No. 520:

YEAS—21.

NAYS—None.

Senate Bill No. 520 having received a constitutional majority, Mr. President pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Assembly.

WAIVERS AND EXEMPTIONS  
NOTICE OF EXEMPTION

May 15, 2019

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

MARK KRMPOTIC  
*Fiscal Analysis Division*

SECOND READING AND AMENDMENT

Assembly Bill No. 23.

Bill read second time and ordered to third reading.

Assembly Bill No. 78.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 706.

SUMMARY—Revises provisions governing charter schools.  
(BDR 34-339)

AN ACT relating to education; revising provisions governing the operations of the State Public Charter School Authority; abolishing the Achievement School District; requiring an existing achievement charter school to convert to a charter school under the sponsorship of the State Public Charter School Authority or cease operations; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the State Public Charter School Authority or a school district or college or university within the Nevada System of Higher Education that is approved by the Department of Education to sponsor a

charter school. (NRS 388A.220) Existing law requires the Department to adopt regulations, including: (1) the process for the Department to conduct a comprehensive review of sponsors of charter schools every 3 years; and (2) the process for the Department to determine whether to continue or to revoke the authorization of a sponsor to sponsor charter schools. (NRS 388A.105) Existing regulations provide that in conducting a comprehensive review of each sponsor of a charter school to determine whether to continue or revoke the authorization of a sponsor to sponsor charter schools, the Department will: (1) review the annual reports required to be submitted; (2) determine whether the sponsor has complied with applicable state laws; and (3) determine whether the sponsor is authorized to sponsor charter schools. (NAC 388A.205) Section 25 of this bill: (1) codifies into statute these requirements from regulation; and (2) requires the Department to adopt regulations prescribing the criteria to be used in determining whether to continue or revoke the authorization of the sponsor to sponsor charter schools. Section 33.6 of this bill makes a conforming change.

Existing law creates the State Public Charter School Authority and prescribes the membership of the Authority. (NRS 388A.150, 388A.153) Section 34 of this bill revises the membership of the Authority to include two members appointed by the State Board of Education. Section 34.5 of this bill makes a conforming change, and section 80.73 of this bill provides for the appointment and initial terms of the new members. Existing law deems the State Public Charter School Authority a local educational agency for limited purposes. (NRS 388A.159) Section 35 of this bill deems the Authority to be a local educational agency for all purposes. ~~Section 39 of this bill requires the Authority to adopt any regulations to carry out provisions relating to charter schools.~~

Existing law governs the manner in which applications for enrollment are submitted to the governing body of a charter school and requires a charter school to enroll pupils under certain circumstances. Existing law also authorizes a charter school to transfer a pupil to an appropriate school if the charter school determines it is unable to provide an appropriate special education program and services to such a pupil. (NRS 388A.453) Section 60 of this bill requires a charter school to immediately enroll certain pupils. Additionally, section 60 removes the authorization for a charter school to transfer a pupil if the charter school determines it is unable to provide an appropriate special education program and services to a pupil, as section 35 requires the State Public Charter School Authority, as the local educational agency, to provide such a program and services.

Existing law requires each sponsor of a charter school to submit a written report to the Department on or before October 1 of each year. (NRS 388A.351) Section 59.5 of this bill revises that date to on or before February 15 of each year. Additionally, section 59.5 requires the report to: (1) be submitted on a form created by the Department; (2) be submitted to the State Board of

Education on or before April 1 of each year; and (3) be reviewed by the State Board.

Assembly Bill No. 448 of the 2015 Legislative Session established the Achievement School District within the Department of Education, authorized the conversion of certain public schools to achievement charter schools and made various other changes relating to such schools. (Chapter 539, Statutes of Nevada 2015, p. 3775; NRS 388B.010-388B.450) Sections 1-24.9, 32-33.4, 47 and 80.1-80.65 of this bill repeal the statutory provisions added by that bill and make other conforming changes. Section 80.75 of this bill ~~requires~~ deems any achievement charter school and any application to operate an achievement charter school to be approved by the State Public Charter School Authority ~~(to administer each existing contract)~~ to operate ~~(an achievement)~~ a charter school ~~, beginning on the effective date of this bill.~~

Section 80.75 also requires ~~(the governing body of an achievement charter school to enter into)~~ a charter contract to be entered into with the State Public Charter School Authority ~~(and)~~ to operate under existing law governing charter schools by July 1, 2020. If ~~(an achievement charter school does not enter into)~~ such a charter contract ~~(,)~~ is not entered into by that date, section 80.75 provides that ~~(the)~~ any contract to operate the achievement charter school becomes void ~~, (on that date,~~) thereby requiring the achievement charter school to cease operations.

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

Section 1. NRS 385.005 is hereby amended to read as follows:

385.005 1. The Legislature reaffirms its intent that public education in the State of Nevada is essentially a matter for local control by local school districts. The provisions of this title are intended to reserve to the boards of trustees of local school districts within this state such rights and powers as are necessary to maintain control of the education of the children within their respective districts. These rights and powers may only be limited by other specific provisions of law.

2. The responsibility of establishing a statewide policy of integration or desegregation of public schools is reserved to the Legislature. The responsibility for establishing a local policy of integration or desegregation of public schools consistent with the statewide policy established by the Legislature is delegated to the respective boards of trustees of local school districts and to the governing body of each charter school.

3. The State Board shall, and the State Public Charter School Authority, ~~(the Achievement School District,~~) each board of trustees of a local school district, the governing body of each charter school and any other school officer may, advise the Legislature at each regular session of any recommended legislative action to ensure high standards of equality of educational opportunity for all children in the State of Nevada.

Sec. 1.2. NRS 385.007 is hereby amended to read as follows:

385.007 As used in this title, unless the context otherwise requires:

1. ~~["Achievement charter school" means a public school operated by a charter management organization, as defined in NRS 388B.020, an educational management organization, as defined in NRS 388B.030, or other person pursuant to a contract with the Achievement School District pursuant to NRS 388B.210 and subject to the provisions of chapter 388B of NRS.]~~

*"Charter school" means a public school that is formed pursuant to the provisions of chapter 388A of NRS.*

2. "Department" means the Department of Education.

3. "English learner" has the meaning ascribed to it in 20 U.S.C. § 7801(20).

4. "Homeschooled child" means a child who receives instruction at home and who is exempt from compulsory attendance pursuant to NRS 392.070, but does not include an opt-in child.

5. "Local school precinct" has the meaning ascribed to it in NRS 388G.535.

6. "Opt-in child" means a child for whom an education savings account has been established pursuant to NRS 353B.850, who is not enrolled full-time in a public or private school and who receives all or a portion of his or her instruction from a participating entity, as defined in NRS 353B.750.

7. "Public schools" means all kindergartens and elementary schools, junior high schools and middle schools, high schools, charter schools and any other schools, classes and educational programs which receive their support through public taxation and, except for charter schools, whose textbooks and courses of study are under the control of the State Board.

8. "School bus" has the meaning ascribed to it in NRS 484A.230.

9. "State Board" means the State Board of Education.

10. "University school for profoundly gifted pupils" has the meaning ascribed to it in NRS 388C.040.

Sec. 1.4. NRS 385.111 is hereby amended to read as follows:

385.111 1. The State Board shall prepare a plan to improve the achievement of pupils enrolled in the public schools in this State. The plan:

(a) Must be prepared in consultation with:

(1) Employees of the Department;

(2) At least one employee of a school district in a county whose population is 100,000 or more, appointed by the Nevada Association of School Boards;

(3) At least one employee of a school district in a county whose population is less than 100,000, appointed by the Nevada Association of School Boards; and

(4) At least one representative of the Statewide Council for the Coordination of the Regional Training Programs created by NRS 391A.130, appointed by the Council; and

(b) May be prepared in consultation with:

(1) Representatives of institutions of higher education;

(2) Representatives of regional educational laboratories;

- (3) Representatives of outside consultant groups;
  - (4) Representatives of the regional training programs for the professional development of teachers and administrators created by NRS 391A.120;
  - (5) The Legislative Bureau of Educational Accountability and Program Evaluation; and
  - (6) Other persons who the State Board determines are appropriate.
2. On or before March 31 of each year, the State Board shall submit the plan or the revised plan, as applicable, to the:
- (a) Governor;
  - (b) Legislative Committee on Education;
  - (c) Legislative Bureau of Educational Accountability and Program Evaluation;
  - (d) Board of Regents of the University of Nevada;
  - (e) Board of trustees of each school district; *and*
  - (f) Governing body of each charter school . ~~}; and~~
  - ~~[(g) Executive Director of the Achievement School District.]~~

Sec. 1.6. NRS 385.620 is hereby amended to read as follows:

385.620 The Advisory Council shall:

- 1. Review the policy of parental involvement adopted by the State Board and the policy of parental involvement and family engagement adopted by the board of trustees of each school district pursuant to NRS 392.457;
- 2. Review the information relating to communication with and participation, involvement and engagement of parents and families that is included in the annual report of accountability for each school district pursuant to NRS 385A.320 and similar information in the annual report of accountability prepared by the State Public Charter School Authority ~~}; the Achievement School District~~ and a college or university within the Nevada System of Higher Education that sponsors a charter school pursuant to subsection 3 of NRS 385A.070;
- 3. Review any effective practices carried out in individual school districts to increase parental involvement and family engagement and determine the feasibility of carrying out those practices on a statewide basis;
- 4. Review any effective practices carried out in other states to increase parental involvement and family engagement and determine the feasibility of carrying out those practices in this State;
- 5. Identify methods to communicate effectively and provide outreach to parents, legal guardians and families of pupils who have limited time to become involved in the education of their children for various reasons, including, without limitation, work schedules, single-parent homes and other family obligations;
- 6. Identify the manner in which the level of parental involvement and family engagement affects the performance, attendance and discipline of pupils;
- 7. Identify methods to communicate effectively with and provide outreach to parents, legal guardians and families of pupils who are English learners;

8. Determine the necessity for the appointment of a statewide parental involvement and family engagement coordinator or a parental involvement and family engagement coordinator in each school district, or both;

9. Work in collaboration with the Office of Parental Involvement and Family Engagement created by NRS 385.630 to carry out the duties prescribed in NRS 385.635; and

10. On or before February 1 of each year, submit a report to the Director of the Legislative Counsel Bureau for transmission to the Legislature in odd-numbered years and to the Legislative Commission in even-numbered years, describing the activities of the Advisory Council and any recommendations for legislation.

Sec. 2. NRS 385A.070 is hereby amended to read as follows:

385A.070 1. The board of trustees of each school district in this State, in cooperation with associations recognized by the State Board as representing licensed educational personnel in the district, shall adopt a program providing for the accountability of the school district to the residents of the district and to the State Board for the quality of the schools and the educational achievement of the pupils in the district, including, without limitation, pupils enrolled in charter schools sponsored by the school district. The board of trustees of each school district shall report the information required by NRS 385A.070 to 385A.320, inclusive, for each charter school sponsored by the school district. The information for charter schools must be reported separately.

2. The board of trustees of each school district shall, on or before December 31 of each year, prepare for the immediately preceding school year a single annual report of accountability concerning the educational goals and objectives of the school district, the information prescribed by NRS 385A.070 to 385A.320, inclusive, and such other information as is directed by the Superintendent of Public Instruction. A separate reporting for a group of pupils must not be made pursuant to NRS 385A.070 to 385A.320, inclusive, if the number of pupils in that group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual pupil. The Department shall use the mechanism approved by the United States Department of Education for the statewide system of accountability for public schools for determining the minimum number of pupils that must be in a group for that group to yield statistically reliable information.

3. The State Public Charter School Authority [~~the Achievement School District~~] and each college or university within the Nevada System of Higher Education that sponsors a charter school shall, on or before December 31 of each year, prepare for the immediately preceding school year an annual report of accountability of the charter schools sponsored by the State Public Charter School Authority [~~Achievement School District~~] or institution, as applicable, concerning the accountability information prescribed by the Department pursuant to this section. The Department, in consultation with the State Public

Charter School Authority ~~[, the Achievement School District]~~ and each college or university within the Nevada System of Higher Education that sponsors a charter school, shall prescribe by regulation the information that must be prepared by the State Public Charter School Authority ~~[, Achievement School District]~~ and institution, as applicable, which must include, without limitation, the information contained in subsection 2 and NRS 385A.070 to 385A.320, inclusive, as applicable to charter schools. The Department shall provide for public dissemination of the annual report of accountability prepared pursuant to this section by posting a copy of the report on the Internet website maintained by the Department.

4. The annual report of accountability prepared pursuant to this section must be presented in an understandable and uniform format and, to the extent practicable, provided in a language that parents can understand.

Sec. 3. (Deleted by amendment.)

Sec. 3.2. NRS 385A.080 is hereby amended to read as follows:

385A.080 1. The Superintendent of Public Instruction shall:

(a) Prescribe forms for the reports required pursuant to NRS 385A.070 and provide the forms to the respective school districts, the State Public Charter School Authority ~~[, the Achievement School District]~~ and each college or university within the Nevada System of Higher Education that sponsors a charter school.

(b) Provide statistical information and technical assistance to the school districts, the State Public Charter School Authority ~~[, the Achievement School District]~~ and each college or university within the Nevada System of Higher Education that sponsors a charter school to ensure that the reports provide comparable information with respect to each school in each district, each charter school and among the districts and charter schools throughout this State.

(c) Consult with a representative of the:

- (1) Nevada State Education Association;
- (2) Nevada Association of School Boards;
- (3) Nevada Association of School Administrators;
- (4) Nevada Parent Teacher Association;
- (5) Budget Division of the Office of Finance;
- (6) Legislative Counsel Bureau; and
- (7) Charter School Association of Nevada,

↪ concerning the program adopted pursuant to subsection 1 of NRS 385A.070 and consider any advice or recommendations submitted by the representatives with respect to the program.

2. The Superintendent of Public Instruction may consult with representatives of parent groups other than the Nevada Parent Teacher Association concerning the program adopted pursuant to subsection 1 of NRS 385A.070 and consider any advice or recommendations submitted by the representatives with respect to the program.

Sec. 3.4. NRS 385A.090 is hereby amended to read as follows:

385A.090 1. On or before September 30 of each year:

(a) The board of trustees of each school district, the State Public Charter School Authority ~~{, the Achievement School District}~~ and each college or university within the Nevada System of Higher Education that sponsors a charter school shall provide written notice that the report required pursuant to NRS 385A.070 is available on the Internet website maintained by the school district, State Public Charter School Authority ~~{, Achievement School District}~~ or institution, if any, or otherwise provide written notice of the availability of the report. The written notice must be provided to the:

- (1) Governor;
- (2) State Board;
- (3) Department;
- (4) Committee;
- (5) Bureau; and

(6) The Attorney General, with a specific reference to the information that is reported pursuant to paragraph (e) of subsection 1 of NRS 385A.250.

(b) The board of trustees of each school district, the State Public Charter School Authority ~~{, the Achievement School District}~~ and each college or university within the Nevada System of Higher Education that sponsors a charter school shall provide for public dissemination of the annual report of accountability prepared pursuant to NRS 385A.070 by posting a copy of the report on the Internet website maintained by the school district, the State Public Charter School Authority ~~{, the Achievement School District}~~ or the institution, if any. If a school district does not maintain a website, the district shall otherwise provide for public dissemination of the annual report by providing a copy of the report to the schools in the school district, including, without limitation, each charter school sponsored by the district, the residents of the district, and the parents and guardians of pupils enrolled in schools in the district, including, without limitation, each charter school sponsored by the district. If the State Public Charter School Authority ~~{, the Achievement School District}~~ or the institution does not maintain a website, the State Public Charter School Authority ~~{, the Achievement School District}~~ or the institution, as applicable, shall otherwise provide for public dissemination of the annual report by providing a copy of the report to each charter school it sponsors and the parents and guardians of pupils enrolled in each charter school it sponsors.

2. Upon the request of the Governor, the Attorney General, an entity described in paragraph (a) of subsection 1 or a member of the general public, the board of trustees of a school district, the State Public Charter School Authority ~~{, the Achievement School District}~~ or a college or university within the Nevada System of Higher Education that sponsors a charter school, as applicable, shall provide a portion or portions of the report required pursuant to NRS 385A.070.

Sec. 3.6. NRS 385A.240 is hereby amended to read as follows:

385A.240 1. The annual report of accountability prepared pursuant to NRS 385A.070 must include information on the attendance, truancy and transiency of pupils, including, without limitation:

(a) Records of the attendance and truancy of pupils in all grades, including, without limitation:

(1) The average daily attendance of pupils, for each school in the district and the district as a whole, including, without limitation, each charter school sponsored by the district.

(2) For each elementary school, middle school and junior high school in the district, including, without limitation, each charter school sponsored by the district that provides instruction to pupils enrolled in a grade level other than high school, information that compares the attendance of the pupils enrolled in the school with the attendance of pupils throughout the district and throughout this State. The information required by this subparagraph must be provided in consultation with the Department to ensure the accuracy of the comparison.

(b) The number of pupils in each grade who are retained in the same grade pursuant to NRS 392.033, 392.125 or 392.760, for each school in the district and the district as a whole, including, without limitation, each charter school sponsored by the district.

(c) The transiency rate of pupils for each school in the district and the district as a whole, including, without limitation, each charter school sponsored by the district. For the purpose of this paragraph, a pupil is not transient if the pupil is transferred to a different school within the school district as a result of a change in the zone of attendance by the board of trustees of the school district pursuant to NRS 388.040.

(d) The number of habitual truants reported for each school in the district and for the district as a whole, including, without limitation, the number who are:

(1) Reported to an attendance officer, a school police officer or a local law enforcement agency pursuant to paragraph (a) of subsection 2 of NRS 392.144;

(2) Referred to an advisory board to review school attendance pursuant to paragraph (b) of subsection 2 of NRS 392.144; and

(3) Referred for the imposition of administrative sanctions pursuant to paragraph (c) of subsection 2 of NRS 392.144.

2. On or before September 30 of each year:

(a) The board of trustees of each school district shall submit to each advisory board to review school attendance created in the county pursuant to NRS 392.126 the information required by paragraph (a) of subsection 1.

(b) The State Public Charter School Authority [~~the Achievement School District~~] and each college or university within the Nevada System of Higher Education that sponsors a charter school shall submit to each advisory board to review school attendance created in a county pursuant to NRS 392.126 the

information regarding the records of the attendance and truancy of pupils enrolled in the charter school located in that county, if any, in accordance with the regulations prescribed by the Department pursuant to subsection 3 of NRS 385A.070.

Sec. 4. NRS 385A.400 is hereby amended to read as follows:

385A.400 1. The State Board shall, on or before January 15 of each year, prepare for the immediately preceding school year a single annual report of accountability that includes, without limitation, the information prescribed by NRS 385A.400 to 385A.520, inclusive.

2. A separate reporting for a group of pupils must not be made pursuant to NRS 385A.400 to 385A.520, inclusive, if the number of pupils in that group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual pupil. The Department shall use the mechanism approved by the United States Department of Education for the statewide system of accountability for public schools for determining the minimum number of pupils that must be in a group for that group to yield statistically reliable information.

3. The annual report of accountability must:

- (a) Be prepared in a concise manner; and
- (b) Be presented in an understandable and uniform format and, to the extent practicable, provided in a language that parents can understand.

4. On or before January 15 of each year, the State Board shall provide for public dissemination of the annual report of accountability by posting a copy of the report on the Internet website maintained by the Department.

5. Upon the request of the Governor, the Attorney General, the Committee, the Bureau, the Board of Regents of the University of Nevada, the board of trustees of a school district, *the State Public Charter School Authority*, *a college or university within the Nevada System of Higher Education*, the governing body of a charter school, ~~the Executive Director of the Achievement School District~~ or a member of the general public, the State Board shall provide a portion or portions of the annual report of accountability.

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. 24. (Deleted by amendment.)

Sec. 24.1. NRS 385A.670 is hereby amended to read as follows:

385A.670 1. On or before July 31 of each year, the Department shall determine whether each public school is meeting the school achievement targets and performance targets established pursuant to the statewide system of accountability for public schools.

2. The determination pursuant to subsection 1 for a public school, including, without limitation, a charter school sponsored by the board of trustees of the school district, must be made in consultation with the board of trustees of the school district in which the public school is located. If a charter school is sponsored by the State Public Charter School Authority ~~[- the Achievement School District]~~ or a college or university within the Nevada System of Higher Education, the Department shall make a determination for the charter school in consultation with the State Public Charter School Authority ~~[- the Achievement School District]~~ or the institution within the Nevada System of Higher Education that sponsors the charter school, as applicable. The determination made for each school must be based only upon the information and data for those pupils who are enrolled in the school for a full academic year. On or before July 31 of each year, the Department shall transmit:

(a) Except as otherwise provided in paragraph (b) ~~[-]~~ or (c) , ~~[- or (d),]~~ the determination made for each public school to the board of trustees of the school district in which the public school is located.

(b) To the State Public Charter School Authority the determination made for each charter school that is sponsored by the State Public Charter School Authority.

(c) ~~[- The determination made for the charter school to the Achievement School District if the charter school is sponsored by the Achievement School District.~~

~~[-(d)]~~ The determination made for the charter school to the institution that sponsors the charter school if a charter school is sponsored by a college or university within the Nevada System of Higher Education.

3. If the number of pupils in a particular group who are enrolled in a public school is insufficient to yield statistically reliable information:

(a) The Department shall not determine that the school has failed to meet the performance targets established pursuant to the statewide system of accountability for public schools based solely upon that particular group.

(b) The pupils in such a group must be included in the overall count of pupils enrolled in the school who took the examinations.

↪ The Department shall use the mechanism approved by the United States Department of Education for the statewide system of accountability for public schools for determining the number of pupils that must be in a group for that group to yield statistically reliable information.

4. If an irregularity in testing administration or an irregularity in testing security occurs at a school and the irregularity invalidates the test scores of pupils, those test scores must be included in the scores of pupils reported for the school, the attendance of those pupils must be counted towards the total number of pupils who took the examinations and the pupils must be included in the total number of pupils who were required to take the examinations.

5. As used in this section:

(a) "Irregularity in testing administration" has the meaning ascribed to it in NRS 390.255.

(b) "Irregularity in testing security" has the meaning ascribed to it in NRS 390.260.

Sec. 24.2. NRS 385A.720 is hereby amended to read as follows:

385A.720 1. Based upon the information received from the Department pursuant to NRS 385A.670, the board of trustees of each school district shall, on or before August 15 of each year, issue a preliminary rating for each public school in the school district in accordance with the statewide system of accountability for public schools, excluding charter schools sponsored by the State Public Charter School Authority ~~[, the Achievement School District]~~ or a college or university within the Nevada System of Higher Education. The board of trustees shall make preliminary ratings for all charter schools that are sponsored by the board of trustees. The Department shall make preliminary ratings for all charter schools sponsored by the State Public Charter School Authority ~~[, all charter schools sponsored by the Achievement School District]~~ and all charter schools sponsored by a college or university within the Nevada System of Higher Education.

2. Before making a final rating for a school, the board of trustees of the school district or the Department, as applicable, shall provide the school an opportunity to review the data upon which the preliminary rating is based and to present evidence. If the school is a public school of the school district or a charter school sponsored by the board of trustees, the board of trustees of the school district shall, in consultation with the Department, make a final determination concerning the rating for the school on September 15. If the school is a charter school sponsored by the State Public Charter School Authority ~~[, the Achievement School District]~~ or a college or university within the Nevada System of Higher Education, the Department shall make a final determination concerning the rating for the school on September 15.

3. On or before September 15 of each year, the Department shall post on the Internet website maintained by the Department the determinations and final ratings made for all schools in this State.

Sec. 24.3. NRS 387.067 is hereby amended to read as follows:

387.067 1. The State Board may accept and adopt regulations or

establish policies for the disbursement of money appropriated and apportioned to the State of Nevada, the school districts or the charter schools of the State of Nevada by the Congress of the United States for purposes of elementary and secondary education.

2. The Superintendent of Public Instruction shall deposit the money with the State Treasurer, who shall make disbursements therefrom on warrants of the State Controller issued upon the order of the Superintendent of Public Instruction.

3. The State Board, any school district within this State ~~[, the Achievement School District]~~ and any governing body of any charter school in this State may, within the limits provided in this section, make such applications, agreements and assurances to the Federal Government, and conduct such programs as may be required as a condition precedent to the receipt of money appropriated by any Act of Congress for purposes of elementary and secondary education. Such an agreement or assurance must not require this State, or a school district or governing body to provide money above the amount appropriated or otherwise lawfully available for that purpose.

Sec. 24.4. NRS 387.080 is hereby amended to read as follows:

387.080 1. The Director may enter into agreements with any agency of the Federal Government, the Department, the State Board, ~~[the Achievement School District,]~~ any board of trustees of a school district, any governing body of a charter school or any other entity or person. The Director may establish policies and prescribe regulations, authorize the employment of such personnel and take such other action as it considers necessary to provide for the establishment, maintenance, operation and expansion of any program of nutrition operated by a school district or of any other such program for which state or federal assistance is provided.

2. The State Treasurer shall disburse federal, state and other money designated for a program of nutrition on warrants of the State Controller issued upon the order of the Director pursuant to regulations or policies of the State Department of Agriculture.

3. The Director may:

(a) Give technical advice and assistance to any person or entity in connection with the establishment and operation of any program of nutrition.

(b) Assist in training personnel engaged in the operation of any program of nutrition.

Sec. 24.5. NRS 387.090 is hereby amended to read as follows:

387.090 Except as otherwise provided in NRS 387.114 to 387.1175, inclusive, the board of trustees of each school district ~~[, the Executive Director of the Achievement School District]~~ and the governing body of each charter school may:

1. Operate or provide for the operation of programs of nutrition in the public schools under their jurisdiction.

2. Use therefor money disbursed to them pursuant to the provisions of NRS 387.068 to 387.1175, inclusive, gifts, donations and other money received from the sale of food under those programs.

3. Deposit the money in one or more accounts in one or more banks or credit unions within the State.

4. Contract with respect to food, services, supplies, equipment and facilities for the operation of the programs.

Sec. 24.6. NRS 387.1223 is hereby amended to read as follows:

387.1223 1. On or before October 1, January 1, April 1 and July 1, each school district shall report to the Department, in the form prescribed by the Department, the average daily enrollment of pupils pursuant to this section for the immediately preceding quarter of the school year.

2. Except as otherwise provided in subsection 3, basic support of each school district must be computed by:

(a) Multiplying the basic support guarantee per pupil established for that school district for that school year by the sum of:

(1) The count of pupils enrolled in kindergarten and grades 1 to 12, inclusive, based on the average daily enrollment of those pupils during the quarter, including, without limitation, the count of pupils who reside in the county and are enrolled in any charter school and the count of pupils who are enrolled in a university school for profoundly gifted pupils located in the county.

(2) The count of pupils not included under subparagraph (1) who are enrolled full-time in a program of distance education provided by that school district, a charter school located within that school district or a university school for profoundly gifted pupils, based on the average daily enrollment of those pupils during the quarter.

(3) The count of pupils who reside in the county and are enrolled:

(I) In a public school of the school district and are concurrently enrolled part-time in a program of distance education provided by another school district or a charter school or receiving a portion of his or her instruction from a participating entity, as defined in NRS 353B.750, based on the average daily enrollment of those pupils during the quarter.

(II) In a charter school and are concurrently enrolled part-time in a program of distance education provided by a school district or another charter school or receiving a portion of his or her instruction from a participating entity, as defined in NRS 353B.750, based on the average daily enrollment of those pupils during the quarter.

(4) The count of pupils not included under subparagraph (1), (2) or (3), who are receiving special education pursuant to the provisions of NRS 388.417 to 388.469, inclusive, and 388.5251 to 388.5267, inclusive, based on the average daily enrollment of those pupils during the quarter and excluding the count of pupils who have not attained the age of 5 years and who are receiving special education pursuant to NRS 388.435.

(5) Six-tenths the count of pupils who have not attained the age of 5 years and who are receiving special education pursuant to NRS 388.435, based on the average daily enrollment of those pupils during the quarter.

(6) The count of children detained in facilities for the detention of children, alternative programs and juvenile forestry camps receiving instruction pursuant to the provisions of NRS 388.550, 388.560 and 388.570, based on the average daily enrollment of those pupils during the quarter.

(7) The count of pupils who are enrolled in classes for at least one semester pursuant to subsection 1 of NRS 388A.471, subsection 1 of NRS 388A.474 ~~or~~ subsection 1 of NRS 392.074 ~~or subsection 1 of NRS 388B.280 or any regulations adopted pursuant to NRS 388B.060 that authorize a child who is enrolled at a public school of a school district or a private school or a homeschooled child to participate in a class at an achievement charter school,~~ based on the average daily enrollment of pupils during the quarter and expressed as a percentage of the total time services are provided to those pupils per school day in proportion to the total time services are provided during a school day to pupils who are counted pursuant to subparagraph (1).

(b) Adding the amounts computed in paragraph (a).

3. Except as otherwise provided in subsection 4, if the enrollment of pupils in a school district or a charter school that is located within the school district based on the average daily enrollment of pupils during the quarter of the school year is less than or equal to 95 percent of the enrollment of pupils in the same school district or charter school based on the average daily enrollment of pupils during the same quarter of the immediately preceding school year, the enrollment of pupils during the same quarter of the immediately preceding school year must be used for purposes of making the quarterly apportionments from the State Distributive School Account to that school district or charter school pursuant to NRS 387.124.

4. If the Department determines that a school district or charter school deliberately causes a decline in the enrollment of pupils in the school district or charter school to receive a higher apportionment pursuant to subsection 3, including, without limitation, by eliminating grades or moving into smaller facilities, the enrollment number from the current school year must be used for purposes of apportioning money from the State Distributive School Account to that school district or charter school pursuant to NRS 387.124.

5. The Department shall prescribe a process for reconciling the quarterly reports submitted pursuant to subsection 1 to account for pupils who leave the school district or a public school during the school year.

6. Pupils who are excused from attendance at examinations or have completed their work in accordance with the rules of the board of trustees must be credited with attendance during that period.

7. Pupils who are incarcerated in a facility or institution operated by the Department of Corrections must not be counted for the purpose of computing

basic support pursuant to this section. The average daily attendance for such pupils must be reported to the Department of Education.

8. Pupils who are enrolled in courses which are approved by the Department as meeting the requirements for an adult to earn a high school diploma must not be counted for the purpose of computing basic support pursuant to this section.

Sec. 24.7. NRS 387.123 is hereby amended to read as follows:

387.123 1. The count of pupils for apportionment purposes includes all pupils who are enrolled in programs of instruction of the school district, including, without limitation, a program of distance education provided by the school district, pupils who reside in the county in which the school district is located and are enrolled in any charter school, including, without limitation, a program of distance education provided by a charter school, and pupils who are enrolled in a university school for profoundly gifted pupils located in the county, for:

- (a) Pupils in the kindergarten department.
- (b) Pupils in grades 1 to 12, inclusive.
- (c) Pupils not included under paragraph (a) or (b) who are receiving special education pursuant to the provisions of NRS 388.417 to 388.469, inclusive, and 388.5251 to 388.5267, inclusive.
- (d) Pupils who reside in the county and are enrolled part-time in a program of distance education provided pursuant to NRS 388.820 to 388.874, inclusive.
- (e) Children detained in facilities for the detention of children, alternative programs and juvenile forestry camps receiving instruction pursuant to the provisions of NRS 388.550, 388.560 and 388.570.
- (f) Pupils who are enrolled in classes pursuant to subsection 1 of NRS 388A.471 ~~and~~ and pupils who are enrolled in classes pursuant to subsection 1 of NRS 388A.474 . ~~[and pupils who are enrolled in classes pursuant to subsection 1 of NRS 388B.280 or any regulations adopted pursuant to NRS 388B.060 that authorize a child who is enrolled at a public school of a school district or a private school or a homeschooled child to participate in a class at an achievement charter school.]~~
- (g) Pupils who are enrolled in classes pursuant to subsection 1 of NRS 392.074.

(h) Pupils who are enrolled in classes and taking courses necessary to receive a high school diploma, excluding those pupils who are included in paragraphs (d), (f) and (g).

2. The State Board shall establish uniform regulations for counting enrollment and calculating the average daily attendance of pupils. Except as otherwise provided in this subsection, in establishing such regulations for the public schools, the State Board:

- (a) May divide the pupils in grades 1 to 12, inclusive, into categories composed respectively of those enrolled in elementary schools and those enrolled in secondary schools.

(b) Shall prohibit the counting of any pupil specified in subsection 1 more than once.

(c) Except as otherwise provided in this paragraph, shall prohibit the counting of a pupil enrolled in grade 12 as a full-time pupil if the pupil is not prepared for college and career success, as defined by the Department. Such a pupil may be counted as a full-time pupil if he or she is enrolled in a minimum of six courses or the equivalent of six periods per day or the superintendent of the school district has approved enrollment in fewer courses for good cause.

Sec. 24.75. NRS 388.020 is hereby amended to read as follows:

388.020 1. An elementary school is a public school in which grade work is not given above that included in the eighth grade, according to the regularly adopted state course of study.

2. A junior high or middle school is a public school in which the sixth, seventh, eighth and ninth grades are taught under a course of study prescribed and approved by the State Board. The school is an elementary or secondary school for the purpose of the licensure of teachers.

3. A high school is a public school in which subjects above the eighth grade, according to the state course of study, may be taught. The school is a secondary school for the purpose of the licensure of teachers.

4. A special school is an organized unit of instruction operating with approval of the State Board.

5. A charter school is a public school that is formed pursuant to the provisions of chapter 388A of NRS. ~~for an achievement charter school that is formed pursuant to chapter 388B of NRS.~~

6. A university school for profoundly gifted pupils is a public school established pursuant to chapter 388C of NRS.

Sec. 24.8. NRS 388.795 is hereby amended to read as follows:

388.795 1. The Commission shall establish a plan for the use of educational technology in the public schools of this State. In preparing the plan, the Commission shall consider:

(a) Plans that have been adopted by the Department and the school districts and charter schools in this State;

(b) Plans that have been adopted in other states;

(c) The information reported pursuant to NRS 385A.310 and similar information included in the annual report of accountability information prepared by the State Public Charter School Authority ~~[- the Achievement School District]~~ and a college or university within the Nevada System of Higher Education that sponsors a charter school pursuant to subsection 3 of NRS 385A.070;

(d) The results of the assessment of needs conducted pursuant to subsection 6; and

(e) Any other information that the Commission or the Committee deems relevant to the preparation of the plan.

2. The plan established by the Commission must include recommendations for methods to:

- (a) Incorporate educational technology into the public schools of this State;
- (b) Increase the number of pupils in the public schools of this State who have access to educational technology;
- (c) Increase the availability of educational technology to assist licensed teachers and other educational personnel in complying with the requirements of continuing education, including, without limitation, the receipt of credit for college courses completed through the use of educational technology;
- (d) Facilitate the exchange of ideas to improve the achievement of pupils who are enrolled in the public schools of this State; and
- (e) Address the needs of teachers in incorporating the use of educational technology in the classroom, including, without limitation, the completion of training that is sufficient to enable the teachers to instruct pupils in the use of educational technology.

3. The Department shall provide:

- (a) Administrative support;
- (b) Equipment; and
- (c) Office space,

↪ as is necessary for the Commission to carry out the provisions of this section.

4. The following entities shall cooperate with the Commission in carrying out the provisions of this section:

- (a) The State Board.
- (b) The board of trustees of each school district.
- (c) The superintendent of schools of each school district.
- (d) The Department.

5. The Commission shall:

(a) Develop technical standards for educational technology and any electrical or structural appurtenances necessary thereto, including, without limitation, uniform specifications for computer hardware and wiring, to ensure that such technology is compatible, uniform and can be interconnected throughout the public schools of this State.

(b) Allocate money to the school districts from the Trust Fund for Educational Technology created pursuant to NRS 388.800 and any money appropriated by the Legislature for educational technology, subject to any priorities for such allocation established by the Legislature.

(c) Establish criteria for the board of trustees of a school district that receives an allocation of money from the Commission to:

- (1) Repair, replace and maintain computer systems.
- (2) Upgrade and improve computer hardware and software and other educational technology.

(3) Provide training, installation and technical support related to the use of educational technology within the district.

(d) Submit to the Governor, the Committee and the Department its plan for the use of educational technology in the public schools of this State and any recommendations for legislation.

(e) Review the plan annually and make revisions as it deems necessary or as directed by the Committee or the Department.

(f) In addition to the recommendations set forth in the plan pursuant to subsection 2, make further recommendations to the Committee and the Department as the Commission deems necessary.

6. During the spring semester of each even-numbered school year, the Commission shall conduct an assessment of the needs of each school district relating to educational technology. In conducting the assessment, the Commission shall consider:

(a) The recommendations set forth in the plan pursuant to subsection 2;

(b) The plan for educational technology of each school district, if applicable;

(c) Evaluations of educational technology conducted for the State or for a school district, if applicable; and

(d) Any other information deemed relevant by the Commission.

↪ The Commission shall submit a final written report of the assessment to the Superintendent of Public Instruction on or before April 1 of each even-numbered year.

7. The Superintendent of Public Instruction shall prepare a written compilation of the results of the assessment conducted by the Commission and transmit the written compilation on or before June 1 of each even-numbered year to the Legislative Committee on Education and to the Director of the Legislative Counsel Bureau for transmission to the next regular session of the Legislature.

8. The Commission may appoint an advisory committee composed of members of the Commission or other qualified persons to provide recommendations to the Commission regarding standards for the establishment, coordination and use of a telecommunications network in the public schools throughout the various school districts in this State. The advisory committee serves at the pleasure of the Commission and without compensation unless an appropriation or other money for that purpose is provided by the Legislature.

9. As used in this section, "public school" includes the Caliente Youth Center, the Nevada Youth Training Center and any other state facility for the detention of children that is operated pursuant to title 5 of NRS.

Sec. 24.9. NRS 388.880 is hereby amended to read as follows:

388.880 1. Except as otherwise provided in subsection 2, if any person who knows or has reasonable cause to believe that another person has made a threat of violence against a school official, school employee or pupil reports in good faith that threat of violence to a school official, teacher, school police officer, local law enforcement agency or potential victim of the violence that is threatened, the person who makes the report is immune from civil liability for any act or omission relating to that report. Such a person is not immune from civil liability for any other act or omission committed by the person as a

part of, in connection with or as a principal, accessory or conspirator to the violence, regardless of the nature of the other act or omission.

2. The provisions of this section do not apply to a person who:

(a) Is acting in his or her professional or occupational capacity and is required to make a report pursuant to NRS 200.5093, 200.50935, 392.303 or 432B.220.

(b) Is required to make a report concerning the commission of a violent or sexual offense against a child pursuant to NRS 202.882.

3. As used in this section:

(a) "Reasonable cause to believe" means, in light of all the surrounding facts and circumstances which are known, a reasonable person would believe, under those facts and circumstances, that an act, transaction, event, situation or condition exists, is occurring or has occurred.

(b) "School employee" means a licensed or unlicensed person who is employed by:

(1) A board of trustees of a school district pursuant to NRS 391.100 or 391.281; *or*

(2) The governing body of a charter school. ~~;~~

~~—(3) The Achievement School District.]~~

(c) "School official" means:

(1) A member of the board of trustees of a school district.

(2) A member of the governing body of a charter school.

(3) An administrator employed by the board of trustees of a school district or the governing body of a charter school.

~~[(4) The Executive Director of the Achievement School District.]~~

(d) "Teacher" means a person employed by the:

(1) Board of trustees of a school district to provide instruction or other educational services to pupils enrolled in public schools of the school district.

(2) Governing body of a charter school to provide instruction or other educational services to pupils enrolled in the charter school.

Sec. 25. Chapter 388A of NRS is hereby amended by adding thereto a new section to read as follows:

1. *At least once every 3 years, the Department shall conduct a comprehensive review of each sponsor of a charter school that the Department has approved for sponsorship pursuant to NRS 388A.220.*

2. *In conducting a comprehensive review of a sponsor, the Department shall:*

*(a) Review the annual reports submitted to the Department by the sponsor pursuant to NRS 388A.351;*

*(b) Determine whether the sponsor has complied with all applicable statutes and regulations; and*

*(c) Determine whether the sponsor applies nationally recognized best practices, as described in regulation by the Department, in carrying out its duties as a sponsor.*

3. *The Department may obtain the assistance of any entity or person the Department deems necessary or appropriate to carry out the review.*

4. *After completing the comprehensive review, the Department shall determine whether to continue or revoke the authorization of a sponsor to sponsor charter schools.*

5. *The Department shall adopt by regulation the criteria to apply when determining whether to continue or revoke the authorization of a sponsor to charter schools pursuant to subsection 4.*

Sec. 26. (Deleted by amendment.)

Sec. 27. (Deleted by amendment.)

Sec. 28. (Deleted by amendment.)

Sec. 29. (Deleted by amendment.)

Sec. 30. (Deleted by amendment.)

Sec. 31. (Deleted by amendment.)

Sec. 32. NRS 388A.030 is hereby amended to read as follows:

388A.030 "Educational management organization" means a for-profit corporation, business, organization or other entity that provides services relating to the operation and management of charter schools . ~~and achievement charter schools.~~

Sec. 33. (Deleted by amendment.)

Sec. 33.2. NRS 388A.075 is hereby amended to read as follows:

388A.075 The Legislature declares that by authorizing the formation of charter schools it is not authorizing:

1. ~~{Except as otherwise provided in NRS 388B.290, the}~~ *The conversion of an existing public school, homeschool or other program of home study to a charter school.*

2. A means for providing financial assistance for private schools or programs of home study. The provisions of this subsection do not preclude:

(a) A private school from ceasing to operate as a private school and reopening as a charter school in compliance with the provisions of this chapter.

(b) The payment of money to a charter school for the enrollment of children in classes at the charter school pursuant to subsection 1 of NRS 388A.471 who are enrolled in a public school of a school district or a private school or who are homeschooled.

3. The formation of charter schools on the basis of a single race, religion or ethnicity.

Sec. 33.4. NRS 388A.080 is hereby amended to read as follows:

388A.080 The provisions of this chapter do not authorize an existing public school, homeschool or other program of home study to convert to a charter school . ~~{except as otherwise provided in NRS 388B.290.}~~

Sec. 33.6. NRS 388A.105 is hereby amended to read as follows:

388A.105 The Department shall adopt regulations that prescribe:

1. The process for submission of an application pursuant to NRS 388A.220 by the board of trustees of a school district or a college or university within the Nevada System of Higher Education to the Department

for authorization to sponsor charter schools, the contents of the application, the process for the Department to review the application and the timeline for review;

~~2. The process for the Department to conduct a comprehensive review of the sponsors of charter schools that it has approved for sponsorship pursuant to NRS 388A.220 at least once every 3 years;~~

~~3. The process for the Department to determine whether to continue or to revoke the authorization of a board of trustees of a school district or a college or university within the Nevada System of Higher Education to sponsor charter schools;~~

~~4.] The process for submission of an application to form a charter school to the board of trustees of a school district and a college or university within the Nevada System of Higher Education, and the contents of the application;~~

~~5.] 3. The process for submission of an application to renew a charter contract to the board of trustees of a school district and a college or university within the Nevada System of Higher Education, and the contents of the application;~~

~~6.] 4. The criteria and type of investigation that must be applied by the board of trustees of a school district and a college or university within the Nevada System of Higher Education in determining whether to approve an application to form a charter school, an application to renew a charter contract or a request for an amendment of a written charter or a charter contract;~~

~~7.] 5. The process for submission of an amendment of a written charter or a charter contract to the board of trustees of a school district and a college or university within the Nevada System of Higher Education pursuant to NRS 388A.276 and the contents of the application; and~~

~~8.] 6. In consultation with the State Public Charter School Authority, other sponsors of charter schools, governing bodies of charter schools and persons who may be affected:~~

~~(a) Requirements for the annual independent audits of charter schools, including, without limitation, required training for prospective auditors on the expectations and scope of the audits; and~~

~~(b) Ethics requirements for the governing bodies of charter schools.~~

Sec. 34. NRS 388A.153 is hereby amended to read as follows:

388A.153 1. The State Public Charter School Authority consists of ~~seven] nine~~ members. The membership of the State Public Charter School Authority consists of:

(a) Two members appointed by the Governor in accordance with subsection 2;

(b) Two members, who must not be Legislators, appointed by the Majority Leader of the Senate in accordance with subsection 2;

(c) Two members, who must not be Legislators, appointed by the Speaker of the Assembly in accordance with subsection 2; ~~and]~~

(d) *Two members appointed by the State Board of Education; and*

(e) One member appointed by the Charter School Association of Nevada or its successor organization.

2. The Governor, the Majority Leader of the Senate, ~~and~~ the Speaker of the Assembly *and the State Board of Education* shall ensure that the membership of the State Public Charter School Authority:

(a) Includes persons with a demonstrated understanding of charter schools and a commitment to using charter schools as a way to strengthen public education in this State;

(b) Includes a parent or legal guardian of a pupil enrolled in a charter school in this State;

(c) Includes persons with specific knowledge of:

(1) Issues relating to elementary and secondary education;

(2) School finance or accounting, or both;

(3) Management practices;

(4) Assessments required in elementary and secondary education;

(5) Educational technology; and

(6) The laws and regulations applicable to charter schools;

(d) Insofar as practicable, reflects the ethnic and geographical diversity of this State; and

(e) Insofar as practicable, consists of persons who are experts on best practices for authorizing charter schools and developing and operating high-quality charter schools and charter management organizations.

3. Each member of the State Public Charter School Authority must be a resident of this State.

4. Except as otherwise provided in subsection 5, a member of the State Public Charter School Authority must not be actively engaged in business with or hold a direct pecuniary interest relating to charter schools, including, without limitation, serving as a vendor, contractor, employee, officer, director or member of the governing body of a charter school, educational management organization or charter management organization.

5. Not more than two members of the State Public Charter School Authority may be teachers or administrators who are employed by a charter school or charter management organization in this State. For a teacher or administrator employed by a charter school or charter management organization to be eligible to serve as a member of the State Public Charter School Authority, the charter school or charter management organization which employs the teacher or administrator must not have ever received an annual rating established as one of the three lowest ratings of performance pursuant to the statewide system of accountability for public schools.

6. After the initial terms, the term of each member of the State Public Charter School Authority is 3 years, commencing on July 1 of the year in which he or she is appointed. A vacancy in the membership of the State Public Charter School Authority must be filled for the remainder of the unexpired term in the same manner as the original appointment. A member shall continue

to serve on the State Public Charter School Authority until his or her successor is appointed.

7. The members of the State Public Charter School Authority shall select a Chair and Vice Chair from among its members. After the initial selection of those officers, each of those officers holds the position for a term of 2 years commencing on July 1 of each odd-numbered year. If a vacancy occurs in the Chair or Vice Chair, the vacancy must be filled in the same manner as the original selection for the remainder of the unexpired term.

8. Each member of the State Public Charter School Authority is entitled to receive:

(a) For each day or portion of a day during which he or she attends a meeting of the State Public Charter School Authority a salary of not more than \$80, as fixed by the State Public Charter School Authority; and

(b) For each day or portion of a day during which he or she attends a meeting of the State Public Charter School Authority or is otherwise engaged in the business of the State Public Charter School Authority the per diem allowance and travel expenses provided for state officers and employees generally.

Sec. 34.5. NRS 388A.156 is hereby amended to read as follows:

388A.156 1. The members of the State Public Charter School Authority shall meet throughout the year at the times and places specified by a call of the Chair or a majority of the members.

2. ~~Four~~ Five members of the State Public Charter School Authority constitute a quorum, and a quorum may exercise all the power and authority conferred on the State Public Charter School Authority.

Sec. 35. NRS 388A.159 is hereby amended to read as follows:

388A.159 1. Except as otherwise provided in NRS 388A.161, the State Public Charter School Authority is hereby deemed a local educational agency for ~~the purpose of directing~~ all purposes, including, without limitation:

(a) *The provision of a free and appropriate public education to each pupil enrolled in a charter school sponsored by the State Public Charter School Authority;*

(b) *The provision of special education and related services provided by a charter school sponsored by the State Public Charter School Authority; and*

(c) *Directing the proportionate share of any money available from federal and state categorical grant programs to charter schools which are sponsored by the State Public Charter School Authority or a college or university within the Nevada System of Higher Education that are eligible to receive such money.*

2. A college or university within the Nevada System of Higher Education that sponsors a charter school shall enter into an agreement with the State Public Charter School Authority for the provision of any necessary functions of a local educational agency. A charter school that receives money pursuant to such a grant program shall comply with any applicable reporting requirements to receive the grant.

~~{2-}~~ 3. As used in this section, "local educational agency" has the meaning ascribed to it in 20 U.S.C. § 7801(30)(A).

Sec. 36. (Deleted by amendment.)

Sec. 37. (Deleted by amendment.)

Sec. 38. (Deleted by amendment.)

Sec. 39. ~~NRS 388A.168 is hereby amended to read as follows:~~

~~388A.168 The State Public Charter School Authority shall adopt such regulations [that prescribe:~~

~~1. The process for submission to the State Public Charter School Authority of an application to form a charter school, and the contents of such an application;~~

~~2. The process for submission to the State Public Charter School Authority of an application to renew a charter contract, and the contents of such an application;~~

~~3. The process for submission to the State Public Charter School Authority of an amendment to a written charter or charter contract pursuant to NRS 388A.276 and the contents of the application;~~

~~4. The procedure for the investigation that the State Public Charter School Authority will conduct of an application to form a charter school, an application to renew a charter contract or an application to request an amendment of a written charter or charter contract, and the criteria that the State Public Charter School Authority will use to evaluate such applications;~~

~~5. The process for evaluating the overall performance of a teacher, which must include, without limitation, the criteria for determining whether the overall performance of a teacher is ineffective, developing, effective or highly effective; and~~

~~6. The qualifications for employment as a paraprofessional by a charter school.] as it deems necessary to carry out the provisions of this chapter.]~~  
(Deleted by amendment.)

Sec. 40. (Deleted by amendment.)

Sec. 41. (Deleted by amendment.)

Sec. 42. (Deleted by amendment.)

Sec. 43. (Deleted by amendment.)

Sec. 44. (Deleted by amendment.)

Sec. 45. (Deleted by amendment.)

Sec. 46. (Deleted by amendment.)

Sec. 47. NRS 388A.249 is hereby amended to read as follows:

388A.249 1. A committee to form a charter school or charter management organization may submit the application to the proposed sponsor of the charter school. ~~[Except as otherwise provided in NRS 388B.290, if]~~ *If* an application proposes to convert an existing public school, homeschool or other program of home study into a charter school, the proposed sponsor shall deny the application.

2. The proposed sponsor of a charter school shall, in reviewing an application to form a charter school:

(a) Assemble a team of reviewers, which may include, without limitation, natural persons from different geographic areas of the United States who possess the appropriate knowledge and expertise with regard to the academic, financial and organizational experience of charter schools, to review and evaluate the application;

(b) Conduct a thorough evaluation of the application, which includes an in-person interview with the applicant designed to elicit any necessary clarifications or additional information about the proposed charter school and determine the ability of the applicants to establish a high-quality charter school;

(c) Base its determination on documented evidence collected through the process of reviewing the application; and

(d) Adhere to the policies and practices developed by the proposed sponsor pursuant to subsection 2 of NRS 388A.223.

3. The proposed sponsor of a charter school may approve an application to form a charter school only if the proposed sponsor determines that:

(a) The application:

(1) Complies with this chapter and the regulations applicable to charter schools; and

(2) Is complete in accordance with the regulations of the Department and the policies and practices of the sponsor; and

(b) The applicant has demonstrated competence in accordance with the criteria for approval prescribed by the sponsor pursuant to subsection 2 of NRS 388A.223 that will likely result in a successful opening and operation of the charter school.

4. On or before January 1 of each odd-numbered year, the Superintendent of Public Instruction shall submit a written report to the Director of the Legislative Counsel Bureau for transmission to the next regular session of the Legislature. The report must include:

(a) A list of each application to form a charter school that was submitted to the board of trustees of a school district, the State Public Charter School Authority, a college or a university during the immediately preceding biennium;

(b) The educational focus of each charter school for which an application was submitted;

(c) The current status of the application; and

(d) If the application was denied, the reasons for the denial.

Sec. 48. (Deleted by amendment.)

Sec. 49. (Deleted by amendment.)

Sec. 50. (Deleted by amendment.)

Sec. 51. (Deleted by amendment.)

Sec. 52. (Deleted by amendment.)

Sec. 53. (Deleted by amendment.)

Sec. 54. (Deleted by amendment.)

Sec. 55. (Deleted by amendment.)

Sec. 56. (Deleted by amendment.)

Sec. 57. (Deleted by amendment.)

Sec. 58. (Deleted by amendment.)

Sec. 59. (Deleted by amendment.)

Sec. 59.5. NRS 388A.351 is hereby amended to read as follows:

388A.351 1. On or before ~~October 1~~ *February 15* of each year, the sponsor of a charter school shall submit a written report to the Department ~~on a form prescribed by the Department.~~ The written report must include:

~~1~~ (a) For each charter school that it sponsors with a written charter, an evaluation of the progress of each such charter school in achieving the educational goals and objectives of the written charter.

~~2~~ (b) For each charter school that it sponsors with a charter contract, a summary evaluating the academic, financial and organizational performance of the charter school, as measured by the performance indicators, measures and metrics set forth in the performance framework for the charter school.

~~3~~ (c) An identification of each charter school approved by the sponsor:

~~(a)~~ (1) Which has not opened and the scheduled time for opening, if any;

~~(b)~~ (2) Which is open and in operation;

~~(c)~~ (3) Which has transferred sponsorship;

~~(d)~~ (4) Whose written charter has been revoked or whose charter contract has been terminated by the sponsor;

~~(e)~~ (5) Whose charter contract has not been renewed by the sponsor; and

~~(f)~~ (6) Which has voluntarily ceased operation.

~~4~~ (d) A description of the strategic vision of the sponsor for the charter schools that it sponsors and the progress of the sponsor in achieving that vision.

~~5~~ (e) A description of the services provided by the sponsor pursuant to a service agreement entered into with the governing body of the charter school pursuant to NRS 388A.381, including an itemized accounting of the actual costs of those services.

~~6~~ (f) The amount of any money from the Federal Government that was distributed to the charter school, any concerns regarding the equity of such distributions and any recommendations on how to improve access to and distribution of money from the Federal Government.

2. *On or before April 1 of each year, the Department shall submit to the State Board the report required pursuant to this section, to be reviewed by the State Board.*

Sec. 60. NRS 388A.453 is hereby amended to read as follows:

388A.453 1. An application for enrollment in a charter school may be submitted annually to the governing body of the charter school by the parent or legal guardian of any child who resides in this State.

2. Except as otherwise provided in subsections 1 to 5, inclusive, NRS 388A.336 , ~~and~~ subsections 1 and 2 of NRS 388A.456, *and any applicable federal law, including, without limitation, 42 U.S.C. §§ 11301 et seq.*, a charter school shall enroll pupils who are eligible for enrollment in the order in which the applications are received.

3. If the board of trustees of the school district in which the charter school is located has established zones of attendance pursuant to NRS 388.040, the charter school shall, if practicable, ensure that the racial composition of pupils enrolled in the charter school does not differ by more than 10 percent from the racial composition of pupils who attend public schools in the zone in which the charter school is located.

4. If a charter school is sponsored by the board of trustees of a school district located in a county whose population is 100,000 or more, except for a program of distance education provided by the charter school, the charter school shall enroll pupils who are eligible for enrollment who reside in the school district in which the charter school is located before enrolling pupils who reside outside the school district.

5. Except as otherwise provided in subsections 1 and 2 of NRS 388A.456, if more pupils who are eligible for enrollment apply for enrollment in the charter school than the number of spaces which are available, the charter school shall determine which applicants to enroll pursuant to subsections 1 to 4, inclusive, on the basis of a lottery system.

6. Except as otherwise provided in subsection ~~{9.}~~ 8, a charter school shall not accept applications for enrollment in the charter school or otherwise discriminate based on the:

- (a) Race;
- (b) Gender;
- (c) Religion;
- (d) Ethnicity;
- (e) Disability;
- (f) Sexual orientation; or
- (g) Gender identity or expression,

↳ of a pupil.

7. A lottery held pursuant to subsection 5 must be held not sooner than 45 days after the date on which a charter school begins accepting applications for enrollment unless the sponsor of the charter school determines there is good cause to hold it sooner.

8. ~~{If the governing body of a charter school determines that the charter school is unable to provide an appropriate special education program and related services for a particular disability of a pupil who is enrolled in the charter school, the governing body may request that the board of trustees of the school district of the county in which the pupil resides transfer that pupil to an appropriate school.~~

~~—9.}~~ This section does not preclude the formation of a charter school that is dedicated to provide educational services exclusively to pupils:

- (a) With disabilities;
- (b) Who pose such severe disciplinary problems that they warrant a specific educational program, including, without limitation, a charter school specifically designed to serve a single gender that emphasizes personal responsibility and rehabilitation; or

(c) Who are at risk or, for a charter school that is eligible to be rated using the alternative performance framework pursuant to subsection 4 of NRS 385A.740, who are described in subparagraphs (1) to (6), inclusive, of paragraph (a) of subsection 3 of NRS 385A.740.

↪ If more eligible pupils apply for enrollment in such a charter school than the number of spaces which are available, the charter school shall determine which applicants to enroll pursuant to this subsection on the basis of a lottery system.

Sec. 61. (Deleted by amendment.)

Sec. 62. (Deleted by amendment.)

Sec. 63. (Deleted by amendment.)

Sec. 64. (Deleted by amendment.)

Sec. 65. (Deleted by amendment.)

Sec. 66. (Deleted by amendment.)

Sec. 67. (Deleted by amendment.)

Sec. 68. (Deleted by amendment.)

Sec. 69. (Deleted by amendment.)

Sec. 70. (Deleted by amendment.)

Sec. 71. (Deleted by amendment.)

Sec. 72. (Deleted by amendment.)

Sec. 73. (Deleted by amendment.)

Sec. 74. (Deleted by amendment.)

Sec. 75. (Deleted by amendment.)

Sec. 76. (Deleted by amendment.)

Sec. 77. (Deleted by amendment.)

Sec. 78. (Deleted by amendment.)

Sec. 79. (Deleted by amendment.)

Sec. 80. (Deleted by amendment.)

Sec. 80.1. NRS 388G.050 is hereby amended to read as follows:

388G.050 1. There is hereby established a Program of Empowerment Schools for public schools within this State. The Program does not include a university school for profoundly gifted pupils . ~~for an achievement charter school.~~

2. The board of trustees of a school district which is located:

(a) In a county whose population is less than 100,000 may approve public schools located within the school district to operate as empowerment schools.

(b) In a county whose population is 100,000 or more but less than 700,000 shall approve not less than 5 percent of the schools located within the school district to operate as empowerment schools.

3. The board of trustees of a school district which participates in the Program of Empowerment Schools shall, on or before September 1 of each year, provide notice to the Department of the number of schools within the school district that are approved to operate as empowerment schools for that school year.

4. The board of trustees of a school district that participates in the Program of Empowerment Schools may create a design team for the school district. If such a design team is created, the membership of the design team must consist of the following persons appointed by the board of trustees:

- (a) At least one representative of the board of trustees;
- (b) The superintendent of the school district, or the superintendent's designee;
- (c) Parents and legal guardians of pupils enrolled in public schools in the school district;
- (d) Teachers and other educational personnel employed by the school district, including, without limitation, school administrators;
- (e) Representatives of organizations that represent teachers and other educational personnel;
- (f) Representatives of the community in which the school district is located and representatives of businesses within the community; and
- (g) Such other members as the board of trustees determines are necessary.

5. If a design team is created for a school district, the design team shall:

- (a) Recommend policies and procedures relating to empowerment schools to the board of trustees of the school district; and
- (b) Advise the board of trustees on issues relating to empowerment schools.

6. The board of trustees of a school district may accept gifts, grants and donations from any source for the support of the empowerment schools within the school district.

Sec. 80.15. NRS 390.265 is hereby amended to read as follows:

390.265 "School official" means:

- 1. A member of a board of trustees of a school district;
- 2. A member of a governing body of a charter school; or
- 3. A licensed or unlicensed person employed by the board of trustees of a school district ~~[-] or the governing body of a charter school . [-] or the Achievement School District.~~

Sec. 80.2. NRS 390.270 is hereby amended to read as follows:

390.270 1. The Department shall, by regulation or otherwise, adopt and enforce a plan setting forth procedures to ensure the security of examinations that are administered to pupils pursuant to NRS 390.105 and the college and career readiness assessment administered pursuant to NRS 390.610.

2. A plan adopted pursuant to subsection 1 must include, without limitation:

(a) Procedures pursuant to which pupils, school officials and other persons may, and are encouraged to, report irregularities in testing administration and testing security.

(b) Procedures necessary to ensure the security of test materials and the consistency of testing administration.

(c) Procedures that specifically set forth the action that must be taken in response to a report of an irregularity in testing administration or testing

security and the actions that must be taken during an investigation of such an irregularity. For each action that is required, the procedures must identify:

(1) By category, the employees of the school district, ~~[Achievement School District,]~~ charter school or Department, or any combination thereof, who are responsible for taking the action; and

(2) Whether the school district, ~~[Achievement School District,]~~ charter school or Department, or any combination thereof, is responsible for ensuring that the action is carried out successfully.

(d) Objective criteria that set forth the conditions under which a school, including, without limitation, a charter school or a school district, or both, is required to file a plan for corrective action in response to an irregularity in testing administration or testing security for the purposes of NRS 390.295.

3. The Department shall post a copy of the plan adopted pursuant to this section and the procedures set forth therein on the Internet website maintained by the Department.

Sec. 80.25. NRS 390.380 is hereby amended to read as follows:

390.380 "School official" means:

1. A member of a board of trustees of a school district;
2. A member of a governing body of a charter school; or
3. A licensed or unlicensed person employed by the board of trustees of a school district ~~[ ]~~ or the governing body of a charter school . ~~[or the Achievement School District.]~~

Sec. 80.3. NRS 391.180 is hereby amended to read as follows:

391.180 1. As used in this section, "employee" means any employee of a school district or charter school in this State.

2. A school month in any public school in this State consists of 4 weeks of 5 days each.

3. Nothing contained in this section prohibits the payment of employees' compensation in 12 equal monthly payments for 9 or more months' work.

4. The per diem deduction from the salary of an employee because of absence from service for reasons other than those specified in this section is that proportion of the yearly salary which is determined by the ratio between the duration of the absence and the total number of contracted workdays in the year.

5. Boards of trustees shall either prescribe by regulation or negotiate pursuant to chapter 288 of NRS, with respect to sick leave, accumulation of sick leave, payment for unused sick leave, sabbatical leave, personal leave, professional leave, military leave and such other leave as they determine to be necessary or desirable for employees. In addition, boards of trustees may either prescribe by regulation or negotiate pursuant to chapter 288 of NRS with respect to the payment of unused sick leave to licensed teachers in the form of purchase of service pursuant to subsection 4 of NRS 286.300. The amount of service so purchased must not exceed the number of hours of unused sick leave or 1 year, whichever is less.

6. The salary of any employee unavoidably absent because of personal illness, accident or motor vehicle crash, or because of serious illness, accident, motor vehicle crash or death in the family, may be paid up to the number of days of sick leave accumulated by the employee. An employee may not be credited with more than 15 days of sick leave in any 1 school year. Except as otherwise provided in this subsection, if an employee takes a position with another school district or charter school, all sick leave that the employee has accumulated must be transferred from the employee's former school district or charter school to his or her new school district or charter school. The amount of sick leave so transferred may not exceed the maximum amount of sick leave which may be carried forward from one year to the next according to the applicable negotiated agreement or the policy of the district or charter school into which the employee transferred. Unless the applicable negotiated agreement or policy of the employing district or charter school provides otherwise, such an employee:

(a) Shall first use the sick leave credited to the employee from the district or charter school into which the employee transferred before using any of the transferred leave; and

(b) Is not entitled to compensation for any sick leave transferred pursuant to this subsection.

7. Subject to the provisions of subsection 8:

(a) If an intermission of less than 6 days is ordered by the board of trustees of a school district or the governing body of a charter school for any good reason, no deduction of salary may be made therefor.

(b) If, on account of sickness, epidemic or other emergency in the community, a longer intermission is ordered by the board of trustees of a school district, the governing body of a charter school or a board of health and the intermission or closing does not exceed 30 days at any one time, there may be no deduction or discontinuance of salaries.

8. If the board of trustees of a school district or the governing body of a charter school orders an extension of the number of days of school to compensate for the days lost as the result of an intermission because of those reasons contained in paragraph (b) of subsection 7, an employee may be required to render his or her services to the school district or charter school during that extended period. If the salary of the employee was continued during the period of intermission as provided in subsection 7, the employee is not entitled to additional compensation for services rendered during the extended period.

9. If any subject referred to in this section is included in an agreement or contract negotiated by:

(a) The board of trustees of a school district pursuant to chapter 288 of NRS; or

(b) The governing body of a charter school pursuant to NRS 388A.533, ~~for 388B.400 to 388B.450, inclusive,~~

↳ the provisions of the agreement or contract regarding that subject supersede any conflicting provisions of this section or of a regulation of the board of trustees.

Sec. 80.35. NRS 392.128 is hereby amended to read as follows:

392.128 1. Each advisory board to review school attendance created pursuant to NRS 392.126 shall:

(a) Review the records of the attendance and truancy of pupils submitted to the advisory board to review school attendance by the board of trustees of the school district or the State Public Charter School Authority [~~the Achievement School District~~] or a college or university within the Nevada System of Higher Education that sponsors a charter school pursuant to subsection 2 of NRS 385A.240;

(b) Identify factors that contribute to the truancy of pupils in the school district;

(c) Establish programs to reduce the truancy of pupils in the school district, including, without limitation, the coordination of services available in the community to assist with the intervention, diversion and discipline of pupils who are truant;

(d) At least annually, evaluate the effectiveness of those programs;

(e) Establish a procedure for schools and school districts for the reporting of the status of pupils as habitual truants; and

(f) Inform the parents and legal guardians of the pupils who are enrolled in the schools within the district of the policies and procedures adopted pursuant to the provisions of this section.

2. The chair of an advisory board may divide the advisory board into subcommittees. The advisory board may delegate one or more of the duties of the advisory board to a subcommittee of the advisory board, including, without limitation, holding hearings pursuant to NRS 392.147. If the chair of an advisory board divides the advisory board into subcommittees, the chair shall notify the board of trustees of the school district of this action. Upon receipt of such a notice, the board of trustees shall establish rules and procedures for each such subcommittee. A subcommittee shall abide by the applicable rules and procedures when it takes action or makes decisions.

3. An advisory board to review school attendance may work with a family resource center or other provider of community services to provide assistance to pupils who are truant. The advisory board shall identify areas within the school district in which community services are not available to assist pupils who are truant. As used in this subsection, "family resource center" has the meaning ascribed to it in NRS 430A.040.

4. An advisory board to review school attendance created in a county pursuant to NRS 392.126 may use money appropriated by the Legislature and any other money made available to the advisory board for the use of programs to reduce the truancy of pupils in the school district. The advisory board to review school attendance shall, on a quarterly basis, provide to the board of trustees of the school district an accounting of the money used by the advisory

board to review school attendance to reduce the truancy of pupils in the school district.

Sec. 80.4. NRS 41.0305 is hereby amended to read as follows:

41.0305 As used in NRS 41.0305 to 41.039, inclusive, the term "political subdivision" includes an organization that was officially designated as a community action agency pursuant to 42 U.S.C. § 2790 before that section was repealed and is included in the definition of an "eligible entity" pursuant to 42 U.S.C. § 9902, the Nevada Rural Housing Authority, an airport authority created by special act of the Legislature, a regional transportation commission and a fire protection district, an irrigation district, a school district, ~~the Achievement School District,~~ the governing body of a charter school, any other special district that performs a governmental function, even though it does not exercise general governmental powers, and the governing body of a university school for profoundly gifted pupils.

Sec. 80.45. NRS 288.150 is hereby amended to read as follows:

288.150 1. Except as otherwise provided in subsection 4 and NRS 354.6241, every local government employer shall negotiate in good faith through one or more representatives of its own choosing concerning the mandatory subjects of bargaining set forth in subsection 2 with the designated representatives of the recognized employee organization, if any, for each appropriate bargaining unit among its employees. If either party so requests, agreements reached must be reduced to writing.

2. The scope of mandatory bargaining is limited to:

- (a) Salary or wage rates or other forms of direct monetary compensation.
- (b) Sick leave.
- (c) Vacation leave.
- (d) Holidays.
- (e) Other paid or nonpaid leaves of absence consistent with the provisions of this chapter.
- (f) Insurance benefits.
- (g) Total hours of work required of an employee on each workday or workweek.
- (h) Total number of days' work required of an employee in a work year.
- (i) Except as otherwise provided in subsections 6 and ~~10,~~ 9, discharge and disciplinary procedures.
- (j) Recognition clause.
- (k) The method used to classify employees in the bargaining unit.
- (l) Deduction of dues for the recognized employee organization.
- (m) Protection of employees in the bargaining unit from discrimination because of participation in recognized employee organizations consistent with the provisions of this chapter.
- (n) No-strike provisions consistent with the provisions of this chapter.
- (o) Grievance and arbitration procedures for resolution of disputes relating to interpretation or application of collective bargaining agreements.
- (p) General savings clauses.

- (q) Duration of collective bargaining agreements.
- (r) Safety of the employee.
- (s) Teacher preparation time.
- (t) Materials and supplies for classrooms.
- (u) Except as otherwise provided in subsections 7 ~~[ ]~~ and 9 , ~~[and 10,]~~ the policies for the transfer and reassignment of teachers.
- (v) Procedures for reduction in workforce consistent with the provisions of this chapter.
- (w) Procedures consistent with the provisions of subsection 4 for the reopening of collective bargaining agreements for additional, further, new or supplementary negotiations during periods of fiscal emergency.

3. Those subject matters which are not within the scope of mandatory bargaining and which are reserved to the local government employer without negotiation include:

- (a) Except as otherwise provided in paragraph (u) of subsection 2, the right to hire, direct, assign or transfer an employee, but excluding the right to assign or transfer an employee as a form of discipline.
- (b) The right to reduce in force or lay off any employee because of lack of work or lack of money, subject to paragraph (v) of subsection 2.
- (c) The right to determine:
  - (1) Appropriate staffing levels and work performance standards, except for safety considerations;
  - (2) The content of the workday, including without limitation workload factors, except for safety considerations;
  - (3) The quality and quantity of services to be offered to the public; and
  - (4) The means and methods of offering those services.
- (d) Safety of the public.

4. Notwithstanding the provisions of any collective bargaining agreement negotiated pursuant to this chapter, a local government employer is entitled to:

(a) Reopen a collective bargaining agreement for additional, further, new or supplementary negotiations relating to compensation or monetary benefits during a period of fiscal emergency. Negotiations must begin not later than 21 days after the local government employer notifies the employee organization that a fiscal emergency exists. For the purposes of this section, a fiscal emergency shall be deemed to exist:

(1) If the amount of revenue received by the general fund of the local government employer during the last preceding fiscal year from all sources, except any nonrecurring source, declined by 5 percent or more from the amount of revenue received by the general fund from all sources, except any nonrecurring source, during the next preceding fiscal year, as reflected in the reports of the annual audits conducted for those fiscal years for the local government employer pursuant to NRS 354.624; or

(2) If the local government employer has budgeted an unreserved ending fund balance in its general fund for the current fiscal year in an amount equal to 4 percent or less of the actual expenditures from the general fund for the last

preceding fiscal year, and the local government employer has provided a written explanation of the budgeted ending fund balance to the Department of Taxation that includes the reason for the ending fund balance and the manner in which the local government employer plans to increase the ending fund balance.

(b) Take whatever actions may be necessary to carry out its responsibilities in situations of emergency such as a riot, military action, natural disaster or civil disorder. Those actions may include the suspension of any collective bargaining agreement for the duration of the emergency.

↪ Any action taken under the provisions of this subsection must not be construed as a failure to negotiate in good faith.

5. The provisions of this chapter, including without limitation the provisions of this section, recognize and declare the ultimate right and responsibility of the local government employer to manage its operation in the most efficient manner consistent with the best interests of all its citizens, its taxpayers and its employees.

6. If the sponsor of a charter school reconstitutes the governing body of a charter school pursuant to NRS 388A.330, the new governing body may terminate the employment of any teachers or other employees of the charter school, and any provision of any agreement negotiated pursuant to this chapter that provides otherwise is unenforceable and void.

7. The board of trustees of a school district in which a school is designated as a turnaround school pursuant to NRS 388G.400 or the principal of such a school, as applicable, may take any action authorized pursuant to NRS 388G.400, including, without limitation:

(a) Reassigning any member of the staff of such a school; or

(b) If the staff member of another public school consents, reassigning that member of the staff of the other public school to such a school.

8. Any provision of an agreement negotiated pursuant to this chapter which differs from or conflicts in any way with the provisions of subsection 7 or imposes consequences on the board of trustees of a school district or the principal of a school for taking any action authorized pursuant to subsection 7 is unenforceable and void.

9. ~~{The board of trustees of a school district may reassign any member of the staff of a school that is converted to an achievement charter school pursuant to NRS 388B.200 to 388B.230, inclusive, and any provision of any agreement negotiated pursuant to this chapter which provides otherwise is unenforceable and void.~~

—10.— The board of trustees of a school district or the governing body of a charter school or university school for profoundly gifted pupils may use a substantiated report of the abuse or neglect of a child or a violation of NRS 201.540, 201.560, 392.4633 or 394.366 obtained from the Statewide Central Registry for the Collection of Information Concerning the Abuse or Neglect of a Child established by NRS 432.100 or an equivalent registry maintained by a governmental agency in another jurisdiction for the purposes

authorized by NRS 388A.515, 388C.200, 391.033, 391.104 or 391.281, as applicable. Such purposes may include, without limitation, making a determination concerning the assignment, discipline or termination of an employee. Any provision of any agreement negotiated pursuant to this chapter which conflicts with the provisions of this subsection is unenforceable and void.

~~{11}~~ 10. This section does not preclude, but this chapter does not require, the local government employer to negotiate subject matters enumerated in subsection 3 which are outside the scope of mandatory bargaining. The local government employer shall discuss subject matters outside the scope of mandatory bargaining but it is not required to negotiate those matters.

~~{12}~~ 11. Contract provisions presently existing in signed and ratified agreements as of May 15, 1975, at 12 p.m. remain negotiable.

~~{13}~~ 12. As used in this section ~~{-~~  
~~(a) "Abuse", "abuse or neglect of a child" has the meaning ascribed to it in NRS 392.281.~~

~~{(b) "Achievement charter school" has the meaning ascribed to it in NRS 385.007.}~~

Sec. 80.5. NRS 332.185 is hereby amended to read as follows:

332.185 1. Except as otherwise provided in subsection 2 and NRS 244.1505 and 334.070, all sales of personal property of the local government must be made, as nearly as possible, under the same conditions and limitations as required by this chapter in the purchase of personal property. The governing body or its authorized representative may dispose of personal property of the local government by any manner, including, without limitation, at public auction, if the governing body or its authorized representative determines that the property is no longer required for public use and deems such action desirable and in the best interests of the local government.

2. The board of trustees of a school district may donate surplus personal property of the school district to any other school district in this State ~~{, to the Achievement School District}~~ or to a charter school that is located within the school district without regard to:

- (a) The provisions of this chapter; or
- (b) Any statute, regulation, ordinance or resolution that requires:
  - (1) The posting of notice or public advertising.
  - (2) The inviting or receiving of competitive bids.
  - (3) The selling or leasing of personal property by contract or at a public auction.

3. The provisions of this chapter do not apply to the purchase, sale, lease or transfer of real property by the governing body.

Sec. 80.55. NRS 361.065 is hereby amended to read as follows:

361.065 All lots, buildings and other school property owned by any legally created school district ~~{, the Achievement School District}~~ or a charter school within the State and devoted to public school purposes are exempt from taxation.

Sec. 80.6. Chapter 656A of NRS is hereby amended by adding thereto a new section to read as follows:

*"Charter school" has the meaning ascribed to it in NRS 385.007.*

Sec. 80.65. NRS 656A.020 is hereby amended to read as follows:

656A.020 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 656A.025 to 656A.065, inclusive, *and section 80.6 of this act* have the meanings ascribed to them in those sections.

Sec. 80.7. 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. 80.73. As soon as practicable after the effective date of this act but not later than ~~July~~ October 1, 2019, the State Board of Education shall appoint to the State Public Charter School Authority pursuant to NRS 388A.153, as amended by section 34 of this act:

1. One member to a term that expires June 30, 2021; and
2. One member to a term that expires June 30, 2022.

Sec. 80.75. 1. On the effective date of this act, ~~the governing body of any~~ any achievement charter school and any application to operate an achievement charter school pursuant to NRS 388B.200 that has been approved shall be deemed to be approved by the State Public Charter School Authority to operate as a charter school sponsored by the State Public Charter School Authority.

2. As soon as possible after the effective date of this act, ~~the governing body of an achievement charter school shall enter into~~ a charter contract pursuant to NRS 388A.270 must be entered into with the State Public Charter School Authority, ~~for~~ for each school described in subsection 1 to operate as a charter school. Upon the execution of such a charter contract, the school shall be deemed a charter school for all purposes and is subject to the provisions of chapter 388A of NRS. A contract to operate ~~the~~ an achievement charter school entered into pursuant to paragraph (d) of subsection 1 of NRS 388B.210 before the effective date of this act is void on the date on which the charter contract is executed or on July 1, 2020, whichever occurs sooner.

3. Until a charter contract is entered into pursuant to subsection 2 or the contract to operate an achievement charter school is void pursuant to subsection 2, the State Public Charter Authority shall be deemed the sponsor of the achievement charter school and shall assume the duties prescribed for the Executive Director of the Achievement School District in any contract to operate the achievement charter school entered into pursuant to paragraph (d) of subsection 1 of NRS 388B.210, as that section existed before the effective date of this act.

4. As used in this section:

(a) "Achievement charter school" has the meaning ascribed to it in NRS 385.007, as that section existed before the effective date of this act.

(b) "Charter school" has the meaning ascribed to it in NRS 385.007, as amended by section 1.2 of this act.

Sec. 80.8. Notwithstanding the selection of any school before the effective date of this act for conversion to an achievement charter school pursuant to NRS 388B.200 beginning with the 2020-2021 school year, no action may be taken on or after the effective date of this act to complete the conversion or operate the school as an achievement charter school and any contract entered into to operate the school as an achievement charter school is void.

Sec. 80.85. 1. Any regulations adopted by the Department of Education pursuant to NRS 388B.060 are void. The Legislative Counsel shall remove those regulations from the Nevada Administrative Code as soon as practicable after the effective date of this act.

2. The Legislative Counsel shall, in preparing supplements to the Nevada Administrative Code, appropriately change any references to an officer, agency or other entity whose name is changed or whose responsibilities are transferred pursuant to the provisions of this act to refer to the appropriate officer, agency or other entity.

Sec. 80.9. NRS 0.0302, 0.0307, 388A.025, 388B.010, 388B.020, 388B.030, 388B.040, 388B.050, 388B.060, 388B.100, 388B.110, 388B.120, 388B.200, 388B.210, 388B.220, 388B.230, 388B.240, 388B.250, 388B.260, 388B.270, 388B.280, 388B.290, 388B.400, 388B.410, 388B.420, 388B.430, 388B.440 and 388B.450 are hereby repealed.

Sec. 81. This act becomes effective upon passage and approval.

#### LEADLINES OF REPEALED SECTIONS

0.0302 "Achievement School District" defined.

0.0307 "Charter school" defined.

388A.025 "Charter school" defined.

388B.010 Definitions.

388B.020 "Charter management organization" defined.

388B.030 "Educational management organization" defined.

388B.040 "Executive Director" defined.

388B.050 "Public school" defined.

388B.060 Regulations.

388B.100 Creation; employees.

388B.110 Executive Director: Appointment; powers and duties.

388B.120 Account for the Achievement School District: Creation; administration; use; deposit of gifts, grants and bequests; claims.

388B.200 Conversion to achievement charter school: Eligibility; approval by State Board; selection of school; notification to school.

388B.210 Duties of Executive Director concerning conversion of school to achievement charter school; regulations that prescribe process to apply to operate achievement charter school; approval of application to operate more than one achievement charter school.

388B.220 Sponsor; appointment of governing body; Executive Director authorized to terminate contract to operate achievement charter school before expiration of contract.

388B.230 Selection and duties of principal; retention and reassignment of employees; requirement to operate in same building; building costs and expenses; capital projects; enrollment requirement; limitation on loans, advances and other monetary charges.

388B.240 Achievement charter school deemed local educational agency; Department to pay special education program units to eligible achievement charter school.

388B.250 Applicability of charter school provisions to achievement charter schools; waiver of certain requirements concerning operation.

388B.260 Board of trustees to provide services and facilities upon request of Executive Director; donation of surplus property of school district; authorization to acquire or purchase buildings, structures or property and engage in certain financial transactions.

388B.270 Application for money for facilities; certain achievement charter schools required to submit quarterly report of financial status.

388B.280 Participation by pupils in class or activity of school district in which pupil resides; revocation of approval to participate.

388B.290 Evaluation of achievement charter school during sixth year of operation; actions taken based upon results of evaluation; actions required if school that has not made adequate progress continues to operate as achievement school district; conversion to public school or charter school.

388B.400 Leave of absence from school district to accept or continue employment with achievement charter school; return of licensed employee to school district.

388B.410 Employees deemed to be public employees; terms and conditions of employment; transfer of employment records with school district to governing body.

388B.420 Reassignment of licensed employees upon termination of contract or cessation of operation as achievement charter school.

388B.430 Governing body to transmit employment record to school district upon request of board of trustees; investigation into misconduct during leave of absence.

388B.440 Eligibility for benefits of licensed employee on leave of absence; effect of leave of absence; eligibility of employee of achievement charter school for benefits.

388B.450 Determination of appropriate level of contribution toward retirement benefits; participation in plan of group insurance offered to employees of school district.

Senator Woodhouse moved the adoption of the amendment.

Remarks by Senator Woodhouse.

Amendment No. 706 makes the following changes to Assembly Bill No. 78. It revises the date required for initial appointments by the State Board of Education from July 1, 2019, to October 1, 2019. It removes section 39 from the bill leaving the regulatory authority unchanged and clarifies section 80.75 to ensure that the section applies to any achievement charter school that is approved before the effective date of the bill.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 129.

Bill read second time.

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

Amendment No. 710.

SUMMARY—Requires certain first responders to receive certain training concerning persons with developmental disabilities. (BDR 40-157)

AN ACT relating to emergency response; requiring certain first responders to receive training concerning identifying and interacting with persons with developmental disabilities; providing ~~for certain immunity from civil liability to a person who is required to complete such training and the State or any political subdivision of the State that employs such a person;~~ that receiving such training does not change the standard of care for which such first responders are responsible; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides for the licensure of ambulance attendants and firefighters and the certification of emergency medical technicians, advanced emergency medical technicians, paramedics and peace officers. (NRS 289.550, 450B.160, 450B.180) Sections 2, 4 and 11 of this bill require each applicant for such licensure or certification to complete training concerning persons with developmental disabilities before initial licensure or certification, as applicable. Sections 1, 3, 5-10 and 12 of this bill make conforming changes. Section 13 of this bill requires a person who, on October 1, 2019, is licensed as an ambulance attendant or firefighter or certified as an emergency medical technician, advanced emergency medical technician, paramedic or peace officer to submit proof on or before October 1, 2020, that he or she has completed the additional training concerning persons with developmental disabilities required by section 2, 4 or 11.

Section 10.5 of this bill provides ~~[immunity from civil liability to]~~ that a person who is required to complete training concerning persons with developmental disabilities [for any death, bodily injury or damage to property that occurs as a result of his or her failure to receive such training or act in a manner consistent with the training, unless the failure results from willful misconduct or bad faith. Section 10.5 also provides that the State or any political subdivision of the State that employs such a person is immune from civil liability for any death, bodily injury or damage to property that occurs as a result of the failure of the person to receive the required training or act in a manner consistent with the training.] shall not be held to a higher standard of care and does not have a duty greater than had he or she not received the training with respect to the identification, diagnosis or treatment of a developmental disability.

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

Section 1. NRS 450B.064 is hereby amended to read as follows:

450B.064 "Emergency medical services registered nurse" means a registered nurse who is issued a certificate to serve as an attendant by the State Board of Nursing pursuant to subsection ~~{8}~~ 9 of NRS 450B.160.

Sec. 2. NRS 450B.160 is hereby amended to read as follows:

450B.160 1. The health authority may issue licenses to attendants and to firefighters employed by or serving as volunteers with a fire-fighting agency.

2. Each license must be evidenced by a card issued to the holder of the license, is valid for a period not to exceed 2 years and is renewable.

3. An applicant for a license must file with the health authority:

(a) A current, valid certificate evidencing the applicant's successful completion of a program of training as an emergency medical technician, advanced emergency medical technician or paramedic, if the applicant is applying for a license as an attendant, or, if a volunteer attendant, at a level of skill determined by the board.

(b) A current valid certificate evidencing the applicant's successful completion of a program of training as an emergency medical technician, advanced emergency medical technician or paramedic, if the applicant is applying for a license as a firefighter with a fire-fighting agency.

(c) A signed statement showing:

- (1) The name and address of the applicant;
- (2) The name and address of the employer of the applicant; and
- (3) A description of the applicant's duties.

(d) *Proof that the applicant has completed the training required by subsection 4.*

(e) Such other certificates for training and such other items as the board may specify.

4. *In addition to the training required by subsection 3, each applicant for a license must complete training concerning identifying and interacting with persons with developmental disabilities.*

5. The board shall adopt such regulations as it determines are necessary for the issuance, suspension, revocation and renewal of licenses.

~~{5}~~ 6. Each operator of an ambulance or air ambulance and each fire-fighting agency shall annually file with the health authority a complete list of the licensed persons in its service.

~~{6}~~ 7. Licensed physicians, registered nurses and licensed physician assistants may serve as attendants without being licensed under the provisions of this section. A registered nurse who performs emergency care in an ambulance or air ambulance shall perform the care in accordance with the regulations of the State Board of Nursing. A licensed physician assistant who performs emergency care in an ambulance or air ambulance shall perform the care in accordance with the regulations of the Board of Medical Examiners.

~~{7}~~ 8. Each licensed physician, registered nurse and licensed physician assistant who serves as an attendant must have current certification of completion of training in:

- (a) Advanced life-support procedures for patients who require cardiac care;
  - (b) Life-support procedures for pediatric patients who require cardiac care;
- and
- (c) Life-support procedures for patients with trauma that are administered before the arrival of those patients at a hospital.

↪ The certification must be issued by the Board of Medical Examiners for a physician or licensed physician assistant or by the State Board of Nursing for a registered nurse.

~~{8}~~ 9. The Board of Medical Examiners and the State Board of Nursing shall issue a certificate pursuant to subsection ~~{7}~~ 8 if the licensed physician, licensed physician assistant or registered nurse attends:

- (a) A course offered by a national organization which is nationally recognized for issuing such certification;
  - (b) Training conducted by the operator of an ambulance or air ambulance;
- or
- (c) Any other course or training,

↪ approved by the Board of Medical Examiners or the State Board of Nursing, whichever is issuing the certification.

10. *As used in this section, "developmental disability" has the meaning ascribed to it in NRS 435.007.*

Sec. 3. NRS 450B.171 is hereby amended to read as follows:

450B.171 Except as otherwise provided in this chapter, unlicensed relatives of a sick or injured patient and other persons may ride in an ambulance if there are two attendants in the ambulance, each of whom is licensed pursuant to this chapter or exempt from licensing pursuant to subsection ~~{6}~~ 7 of NRS 450B.160.

Sec. 4. NRS 450B.180 is hereby amended to read as follows:

450B.180 1. Any person desiring certification as an emergency medical technician, advanced emergency medical technician or paramedic must apply to the health authority using forms prescribed by the health authority.

2. The health authority, pursuant to regulations and procedures adopted by the board, shall make a determination of the applicant's qualifications to be certified as an emergency medical technician, advanced emergency medical technician or paramedic and shall issue the appropriate certificate to each qualified applicant.

3. A certificate is valid for a period not exceeding 2 years and may be renewed if the holder of the certificate complies with the provisions of this chapter and meets the qualifications set forth in the regulations and standards established by the board pursuant to this chapter. The regulations and standards established by the board must provide for the completion of ~~{a}~~ :

(a) A course of instruction, within 2 years after initial ~~{licensure,}~~ certification, relating to the medical consequences of an act of terrorism that

involves the use of a weapon of mass destruction. The course must provide at least 4 hours of instruction that includes instruction in the following subjects:

- ~~[(a)]~~ (1) An overview of acts of terrorism and weapons of mass destruction;
- ~~[(b)]~~ (2) Personal protective equipment required for acts of terrorism;
- ~~[(c)]~~ (3) Common symptoms and methods of treatment associated with exposure to, or injuries caused by, chemical, biological, radioactive and nuclear agents;
- ~~[(d)]~~ (4) Syndromic surveillance and reporting procedures for acts of terrorism that involve biological agents; and
- ~~[(e)]~~ (5) An overview of the information available on, and the use of, the Health Alert Network.

↪ The board may thereafter determine whether to establish regulations and standards requiring additional courses of instruction relating to the medical consequences of an act of terrorism that involves the use of a weapon of mass destruction.

*(b) Training before initial certification concerning identifying and interacting with persons with developmental disabilities. Training completed pursuant to this paragraph also satisfies the requirement for such training prescribed by NRS 450B.160 or section 11 of this act, if applicable.*

4. The health authority may suspend or revoke a certificate if it finds that the holder of the certificate no longer meets the prescribed qualifications. Unless the certificate is suspended by the district court pursuant to NRS 425.540, the holder of the certificate may appeal the suspension or revocation of his or her certificate pursuant to regulations adopted by the board.

5. The board shall determine the procedures and techniques which may be performed by an emergency medical technician, advanced emergency medical technician or paramedic.

6. A certificate issued pursuant to this section is valid throughout the State, whether issued by the Division or a district board of health.

7. The Division shall maintain a central registry of all certificates issued pursuant to this section, whether issued by the Division or a district board of health.

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

9. As used in this section:

- (a) "Act of terrorism" has the meaning ascribed to it in NRS 202.4415.
- (b) "Biological agent" has the meaning ascribed to it in NRS 202.442.
- (c) "Chemical agent" has the meaning ascribed to it in NRS 202.4425.
- (d) "*Developmental disability*" has the meaning ascribed to it in NRS 435.007.
- (e) "Radioactive agent" has the meaning ascribed to it in NRS 202.4437.
- ~~[(e)]~~ (f) "Weapon of mass destruction" has the meaning ascribed to it in NRS 202.4445.

Sec. 5. NRS 450B.1905 is hereby amended to read as follows:

450B.1905 1. A program of training for certification as an emergency medical technician must be:

- (a) Supervised by a physician and approved by the health authority; or
- (b) Presented by a national organization which is nationally recognized for providing such training and approved by the board.

2. A program of training for certification as an emergency medical technician must follow the curriculum or educational standards prepared by the United States Department of Transportation as a national standard for emergency medical technicians.

3. The board may adopt regulations which prescribe other requirements of training for certification as an emergency medical technician.

4. An owner of an ambulance shall not offer emergency medical care to a patient in urgent need of medical care or observation unless the attendant has successfully completed a program of training for certification as an emergency medical technician or is exempt, pursuant to subsection ~~{6}~~ 7 of NRS 450B.160, from the requirement to obtain that training.

5. The board may by regulation prescribe additional requirements for receiving and maintaining certification as an emergency medical technician. The curriculum or educational standards for training must be:

- (a) At the level of advanced first aid; or
- (b) At least equivalent to any curriculum or educational standards prepared by the Department of Transportation as a national standard for emergency medical technicians.

Sec. 6. NRS 450B.191 is hereby amended to read as follows:

450B.191 1. A program of training for certification as an advanced emergency medical technician must be supervised by a licensed physician and approved by the health authority.

2. A program of training for certification as an advanced emergency medical technician must include an approved curriculum in intravenous therapy and the management of a passage for air to the lungs. Only a certified emergency medical technician with experience as established by the board is eligible for this training.

3. In order to maintain certification, each advanced emergency medical technician must annually:

- (a) Comply with the requirements established by the board for continuing medical education; and
- (b) Demonstrate his or her skills as required by regulation of the board.

4. The board may by regulation prescribe the curriculum and other requirements for training and maintaining certification as an advanced emergency medical technician. The curriculum must be at least equivalent to any curriculum or educational standards prepared by the United States Department of Transportation as a national standard for advanced emergency medical technicians.

5. A person shall not represent himself or herself to be an advanced emergency medical technician unless the person has on file with the health authority a currently valid certificate demonstrating successful completion of the program of training required by this section.

6. Except as authorized by subsection ~~6~~ 7 of NRS 450B.160, an attendant or firefighter shall not perform, and the owner, operator, director or chief officer of an ambulance or a fire-fighting agency shall not offer, emergency care as an advanced emergency medical technician without fulfilling the requirements established by the board.

Sec. 7. NRS 450B.195 is hereby amended to read as follows:

450B.195 1. Only a certified emergency medical technician with experience as established by the board is eligible for training as a paramedic.

2. A program of training for certification as a paramedic must be supervised by a licensed physician and approved by the health authority.

3. To maintain certification, each paramedic must annually:

(a) Comply with the requirements established by the board for continuing medical education; and

(b) Demonstrate his or her skills as required by regulation of the board.

4. The board may by regulation prescribe the curriculum and other requirements for training and maintaining certification as a paramedic. The curriculum must be at least equivalent to any curriculum or educational standards prepared by the United States Department of Transportation as a national standard for paramedics.

5. A person shall not represent himself or herself to be a paramedic unless the person has on file with the health authority a currently valid certificate evidencing the person's successful completion of the program of training required by this section.

6. Except as authorized by subsection ~~6~~ 7 of NRS 450B.160, an attendant or firefighter shall not perform, and the owner, operator, director or chief officer of an ambulance or a fire-fighting agency shall not offer, emergency care as a paramedic without fulfilling the requirements established by the board.

Sec. 8. NRS 450B.260 is hereby amended to read as follows:

450B.260 1. Except as otherwise provided in this section, the public or private owner of an ambulance or air ambulance or a fire-fighting agency which owns a vehicle used in providing medical care to sick or injured persons at the scene of an emergency or while transporting those persons to a medical facility shall not permit its operation and use by any person not licensed under this chapter.

2. An ambulance carrying a sick or injured patient must be occupied by a driver and an attendant, each of whom is licensed as an attendant pursuant to this chapter or exempt from licensing pursuant to subsection ~~6~~ 7 of NRS 450B.160, except as otherwise provided in subsection 5 or in geographic areas which may be designated by the board and for which the board may prescribe lesser qualifications.

3. An air ambulance carrying a sick or injured patient must be occupied by a licensed attendant, or a person exempt from licensing pursuant to subsection ~~{6}~~ 7 of NRS 450B.160, in addition to the pilot of the aircraft.

4. The pilot of an air ambulance is not required to have a license under this chapter.

5. A person who operates or uses a vehicle owned by a fire-fighting agency is not required to be licensed under this chapter, except that such a vehicle may not be used to provide the level of medical care provided by an advanced emergency medical technician or paramedic to sick or injured persons:

(a) At the scene of an emergency unless at least one person in the vehicle is licensed to provide the care; or

(b) While transporting those persons to a medical facility unless at least two persons in the vehicle are licensed to provide the care.

6. Nothing in this section precludes the operation of an aircraft in this State in a manner other than as an air ambulance.

Sec. 9. NRS 450B.655 is hereby amended to read as follows:

450B.655 "Dedicated advanced life support ambulance" means an ambulance equipped to provide advanced life support that:

1. Is capable of transporting a patient from a special event to a hospital but, upon delivering the patient, immediately returns to the site of the special event; and

2. Is staffed by:

(a) At least one licensed attendant who is an emergency medical technician and one licensed attendant who is a paramedic; or

(b) At least two other attendants, each with an equivalent or a higher level of skill than the levels described in paragraph (a) and each of whom is licensed pursuant to this chapter or exempt from licensure pursuant to subsection ~~{6}~~ 7 of NRS 450B.160.

Sec. 10. NRS 450B.660 is hereby amended to read as follows:

450B.660 "First-aid station" means a fixed location at the site of a special event that is staffed by:

1. At least one licensed attendant who is an emergency medical technician, advanced emergency medical technician or paramedic; or

2. A person with a higher level of skill than the levels described in subsection 1 who is capable of providing emergency medical care within his or her scope of practice and is licensed pursuant to this chapter or exempt from licensure pursuant to subsection ~~{6}~~ 7 of NRS 450B.160.

Sec. 10.5. Chapter 41 of NRS is hereby amended by adding thereto a new section to read as follows:

~~41. An attendant, firefighter employed by or serving as a volunteer with a fire-fighting agency, an emergency medical technician, advanced emergency medical technician, paramedic or a peace officer who, while acting in the course of his or her employment, is immune from civil liability for any death, bodily injury or damage to property that occurs as a result of his or her failure to receive~~ has received the training required pursuant to NRS 450B.160 or

~~450B.180 or section 11 of this act 1, or his or her failure to identify or interact with any person with a developmental disability in a manner consistent with the training received pursuant to NRS 450B.160 or 450B.180 or section 11 of this act, unless the failure results from wilful misconduct or bad faith.~~

~~2. The State or any political subdivision of the State that employs a person described in subsection 1 is immune from civil liability for any death, bodily injury or damage to property that occurs as a result of the failure of the person to receive the training required pursuant to NRS 450B.160 or 450B.180 or section 11 of this act, or the failure of the person to identify or interact with any person with a developmental disability in a manner consistent with the training received pursuant to NRS 450B.160 or 450B.180 or section 11 of this act. 1 shall not be held to a higher standard of care and does not have a duty greater than had he or she not received the training with respect to the identification, diagnosis or treatment of a developmental disability.~~

Sec. 11. Chapter 289 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *The Peace Officers' Standards and Training Commission shall require, as a condition of the certification of each peace officer, the completion of training concerning identifying and interacting with persons with developmental disabilities.*

2. *Training completed pursuant to this section also satisfies the requirement for such training prescribed by NRS 450B.160 or 450B.180, if applicable.*

3. *As used in this section, "developmental disability" has the meaning ascribed to it in NRS 435.007.*

Sec. 12. NRS 289.450 is hereby amended to read as follows:

289.450 As used in NRS 289.450 to 289.650, inclusive, *and section 11 of this act*, unless the context otherwise requires, the words and terms defined in NRS 289.460 to 289.490, inclusive, have the meanings ascribed to them in those sections.

Sec. 13. A person who, on October 1, 2019, is:

1. Licensed as an attendant or firefighter pursuant to NRS 450B.160;
  2. Certified as an emergency medical technician, advanced emergency medical technician or paramedic pursuant to NRS 450B.180; or
  3. Certified as a peace officer pursuant to chapter 289 of NRS,
- ↪ must submit on or before October 1, 2020, proof that he or she has completed the training required, as applicable, by subsection 4 of NRS 450B.160, as amended by section 2 of this act, paragraph (b) of subsection 3 of NRS 450B.180, as amended by section 4 of this act, or section 11 of this act.

Senator Ratti moved the adoption of the amendment.

Remarks by Senator Ratti.

Amendment No. 710 to Assembly Bill No. 129 provides that first responders who have received training regarding the identification, diagnosis or treatment of a developmental disability

shall not be held to a higher standard of care and do not have a duty greater than if they had not received the training.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 152.

Bill read second time and ordered to third reading.

Assembly Bill No. 219.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 707.

SUMMARY—Makes various changes relating to education.  
(BDR 34-673)

AN ACT relating to education; revising provisions governing the reporting of certain information concerning the achievement of pupils who are English learners pursuant to the statewide system of accountability for public schools; requiring the principals of certain public schools that demonstrate low achievement for pupils who are English learners to develop a corrective action plan; authorizing a pupil who is an English learner to enroll in a public high school outside the zone of attendance in which the pupil resides under certain circumstances; requiring the adoption of a plan to ensure that a policy of instruction to teach English to pupils who are English learners achieves certain objectives; revising eligible teaching programs for which the Teach Nevada Scholarship Program awards scholarships; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the boards of trustees of school districts, the sponsors of charter schools and the State Board of Education to prepare and publicly disseminate annual reports of accountability for the quality of schools and the educational achievement of pupils. (NRS 385A.070) Existing law requires the State Board to: (1) prescribe criterion-referenced examinations to measure the achievement and proficiency of pupils; and (2) select a college and career readiness assessment for pupils who are enrolled in grade 11 in public high schools. (NRS 390.105, 390.610) Existing law requires the annual reports of accountability to include a comparison of the performance of pupils who are English learners and pupils who are proficient in the English language on the criterion-referenced examinations and the college and career readiness assessment. (NRS 385A.280, 385A.490) Sections 1 and 1.1 of this bill require such data to be reported separately according to subject area, the length of time that pupils who are English learners have been learning the English language and any identified trends in the performance of pupils in middle school, junior high school and high school who are English learners over the immediately preceding 3 years. Section 1 requires the board of trustees of each school district and the governing body of each charter school to publish and submit to

the Department of Education and the Legislature a report of certain information concerning the achievement of pupils who are English learners on or before October 1 of each year. Sections 1.6 and 1.8 of this bill require the Department of Education to ensure the availability of authorized supports to pupils who are English learners on the criterion-referenced examinations and the college and career readiness assessment.

Section 1.2 of this bill requires the principals of certain schools that demonstrate low achievement for pupils who are English learners to establish a corrective action plan. Sections 1.2 and 1.3 of this bill authorize a pupil who is an English learner and attends a high school that has adopted a corrective action plan to enroll in a public school outside the zone of attendance in which the pupil resides if: (1) the pupil wishes to transfer because the school demonstrates low levels of achievement for pupils who are English learners or because of the adoption of the corrective action plan; and (2) the public school that the pupil wishes to attend has adequate capacity after enrolling all pupils who reside in the zone of attendance of the school and wish to attend the school.

Existing law requires each board of trustees of a school district to develop a policy of instruction to teach English to pupils who are English learners and sets forth the requirements for the policy. Such a policy is required to be designed to eliminate gaps in achievement between pupils who are English learners and pupils who are proficient in English. (NRS 388.407) Section 1.4 of this bill requires the board of trustees of a school district to adopt a plan to ensure that the policy achieves those objectives.

Under existing law, the Teach Nevada Scholarship Program provides scholarships to students pursuing a teaching degree at a university, college or other provider of an alternative licensure program that offers an eligible teaching program. Such eligible teaching programs include a program to: (1) make a student eligible to obtain a license to teach kindergarten, any grade from grades 1 through 12 or in the subject area of special education in this State; or (2) specialize in the subject area of early childhood education. (NRS 391A.580) Section 2 of this bill ~~revises such eligible programs by including a program which allows~~ also requires as a condition to receiving a Teach Nevada Scholarship that a student agree to complete the requirements to obtain an endorsement to teach: (1) English as a second language; or (2) special education.

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

Section 1. NRS 385A.280 is hereby amended to read as follows:

385A.280 1. The annual report of accountability prepared pursuant to NRS 385A.070 must include, for each school in the district and the district as a whole, including, without limitation, each charter school sponsored by the district, information regarding the progression of pupils who are English learners in attaining proficiency in the English language, including, without limitation:

~~11.1~~ (a) The number and percentage of pupils who were identified as English learners at the beginning of the school year, were continually enrolled throughout the school year and were identified as proficient in English by the completion of the school year;

~~12.1~~ (b) The achievement and proficiency of pupils who are English learners in comparison to the pupils who are proficient in English;

~~13.1~~ (c) A comparison of pupils who are English learners and pupils who are proficient in the English language in the following areas:

~~13.1(a)~~ (1) Retention rates;

~~13.1(b)~~ (2) Graduation rates;

~~13.1(c)~~ (3) Dropout rates;

~~13.1(d)~~ (4) Grade point averages; and

~~13.1(e)~~ (5) Scores on the examinations administered pursuant to NRS 390.105 and the college and career readiness assessment administered pursuant to NRS 390.610; and

~~14.1~~ (d) Results of the assessments and reassessments of pupils who are English learners, reported separately by the primary language of the pupils, pursuant to the policy developed by the board of trustees of the school district pursuant to NRS 388.407.

2. *The data reported pursuant to subparagraph (5) of paragraph (c) of subsection 1 must be reported separately:*

(1) *According to subject matter areas measured using the examinations administered pursuant to NRS 390.105 and the college and career readiness assessment administered pursuant to NRS 390.160;*

(2) *For pupils who are newcomers to the English language, pupils who are short-term English learners and pupils who are long-term English learners, as designated by regulation of the State Board; and*

(3) *For middle schools, junior high schools and high schools, according to any identified trends in the proficiency in the English language of pupils who are English learners over the immediately preceding 3 years.*

3. *In addition to including the information prescribed by this section in the annual report of accountability prepared pursuant to NRS 385A.070, the board of trustees of each school district and the governing body of each charter school shall, on or before October 1 of each year:*

(a) *Submit a report of the information prescribed by this section to the Department of Education and the Director of the Legislative Counsel Bureau for transmittal to:*

(1) *In odd-numbered years, the Legislative Committee on Education; and*

(2) *In even-numbered years, the next regular session of the Legislature; and*

(b) *Post the report on an Internet website maintained by the school district or charter school, as applicable.*

Sec. 1.1. NRS 385A.490 is hereby amended to read as follows:

385A.490 1. The annual report of accountability prepared by the State Board pursuant to NRS 385A.400 must include for each school district,

including, without limitation, each charter school in the district, and for this State as a whole, information regarding the progression of pupils who are English learners in attaining proficiency in the English language, including, without limitation:

~~{1}~~ (a) The number and percentage of pupils who were identified as English learners at the beginning of the school year, were continually enrolled throughout the school year and were identified as proficient in English by the completion of the school year;

~~{2}~~ (b) The achievement and proficiency of pupils who are English learners in comparison to the pupils who are proficient in English;

~~{3}~~ (c) A comparison of pupils who are English learners and pupils who are proficient in the English language in the following areas:

~~{a}~~ (1) Retention rates;

~~{b}~~ (2) Graduation rates;

~~{c}~~ (3) Dropout rates;

~~{d}~~ (4) Grade point averages; and

~~{e}~~ (5) Scores on the examinations administered pursuant to NRS 390.105 and the college and career readiness assessment administered pursuant to NRS 390.610; and

~~{4}~~ (d) Results of the assessments and reassessments of pupils who are English learners, reported separately by the primary language of the pupils, pursuant to the policies developed by the boards of trustees of school districts pursuant to NRS 388.407.

2. *The data reported pursuant to subparagraph (5) of paragraph (c) of subsection 1 must be reported separately:*

(a) *According to subject matter areas measured using the examinations administered pursuant to NRS 390.105 and the college and career readiness assessment administered pursuant to NRS 390.160;*

(b) *For pupils who are newcomers to the English language, pupils who are short-term English learners and pupils who are long-term English learners, as designated by regulation of the State Board; and*

(c) *For middle schools, junior high schools and high schools, according to any identified trends in the proficiency in the English language of pupils who are English learners over the immediately preceding 3 years.*

Sec. 1.2. Chapter 388 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *The principal of each public school which, based upon the most recent annual report of the statewide system of accountability for public schools, was rated in the lowest 30 percent of public schools in this State in the achievement of pupils who are English learners, shall adopt, submit to the Department and publish on an Internet website maintained by the school a corrective action plan which must include, without limitation:*

(a) *Identification of the root causes of the low levels of achievement among pupils who are English learners;*

(b) *Plans to address those root causes;*

(c) Attainable quantitative goals for improvement in the achievement of pupils who are English learners and timelines for meeting those goals;

(d) Identification of specific actions to improve the achievement of pupils who are English learners, plans to monitor those actions and identification of persons responsible for taking and monitoring those actions; and

(e) Plans to provide professional development designed to address the needs of pupils who are English learners to administrators, teachers and other educational staff.

2. The Department shall assist principals who are required by subsection 1 to adopt a corrective action plan with the development of the plan.

3. A corrective action plan adopted pursuant to subsection 1 may be incorporated into any other relevant corrective action plan adopted by the school.

4. A public high school that has adopted a corrective action plan pursuant to subsection 1 shall notify the parent or guardian of each pupil receiving services for English learners at the high school, in English and any language that is the primary language of at least 10 percent of the English learners enrolled in the high school, that the school has adopted a corrective action plan. The notice must include, without limitation:

(a) A list of each high school ~~within 5 miles of~~ in the same school district as the school that has not adopted a corrective action plan;

(b) A statement that the parent or guardian may request that the pupil be transferred to a public high school that has not adopted a corrective action plan; and

(c) A statement of the provisions of subsection 5.

5. The board of trustees of a school district shall allow a pupil who is an English learner and attends a school that has adopted a corrective action plan to enroll in a public school outside the zone of attendance in which the pupil resides if:

(a) The pupil wishes to transfer because the school meets the criteria prescribed in subsection 1 or because of the adoption of the corrective action plan; and

(b) The public school in which the pupil wishes to enroll has adequate capacity to enroll the pupil after enrolling all pupils who reside in the zone of attendance of the school and wish to attend the school.

6. On or before July 1 of each year, the Department shall submit to the Legislative Committee on Education a report that includes:

(a) The number of public schools in this State that have adopted a corrective action plan pursuant to subsection 1;

(b) A description of any progress or lack of progress in closing gaps in achievement between pupils who are English learners and pupils who are proficient in English; and

(c) An evaluation of the success of the corrective action plans.

7. *As used in this section, "zone of attendance" means the zone established by the board of trustees of a school district pursuant to NRS 388.040 to designate which school within the district a pupil must attend.*

Sec. 1.3. NRS 388.040 is hereby amended to read as follows:

388.040 1. Except as otherwise provided in subsection 2, the board of trustees of a school district that includes more than one school which offers instruction in the same grade or grades may zone the school district and determine which pupils must attend each school.

2. The establishment of zones pursuant to subsection 1 does not preclude a pupil from attending a:

- (a) Charter school;
- (b) University school for profoundly gifted pupils;
- (c) Public school outside the zone of attendance that the pupil is otherwise required to attend if the pupil is a child in foster care who is remaining in his or her school of origin pursuant to NRS 388E.105; ~~for~~
- (d) Public school outside the zone of attendance that the pupil is otherwise required to attend if the pupil has been issued a fictitious address pursuant to NRS 217.462 to 217.471, inclusive, or the parent or legal guardian with whom the pupil resides has been issued a fictitious address pursuant to NRS 217.462 to 217.471, inclusive ~~to~~; *or*

(e) *Public school outside the zone of attendance that the pupil is otherwise required to attend if the pupil is an English learner enrolling in the school pursuant to subsection 5 of section 1.2 of this act.*

Sec. 1.4. NRS 388.407 is hereby amended to read as follows:

388.407 1. The board of trustees of each school district shall develop a policy for the instruction to teach English to pupils who are English learners. The policy must be designed to provide pupils enrolled in each public school located in the school district who are English learners with instruction that enables those pupils to attain proficiency in the English language and improve their overall academic achievement and proficiency.

2. The policy developed pursuant to subsection 1 must:

- (a) Provide for the identification of pupils who are English learners through the use of an appropriate assessment;
- (b) Provide for the periodic reassessment of each pupil who is classified as an English learner;
- (c) Be designed to eliminate any gaps in achievement, including, without limitation, in the core academic subjects and in high school graduation rates, between those pupils who are English learners and pupils who are proficient in English;
- (d) Provide opportunities for the parents or legal guardians of pupils who are English learners to participate in the program; and
- (e) Provide the parents and legal guardians of pupils who are English learners with information regarding other programs that are designed to improve the language acquisition and academic achievement and proficiency

of pupils who are English learners and assist those parents and legal guardians in enrolling those pupils in such programs.

3. *The board of trustees of a school district shall adopt a plan to ensure that a policy adopted pursuant to this section achieves the objectives prescribed by paragraph (c) of subsection 2.*

4. *The Department shall monitor the implementation of:*

(a) *The provisions of the policy developed pursuant to subsection 1 designed to achieve the objectives described in paragraph (c) of subsection 2; and*

(b) *The plan adopted pursuant to subsection 3.*

5. *The board of trustees of a school district may identify and purchase an assessment for use by the school district to measure the literacy of pupils who are English learners. Such an assessment:*

(a) *Must be approved by the Department; and*

(b) *May include tools to assist pupils who are English learners to improve their mastery of the English language.*

Sec. 1.6. NRS 390.105 is hereby amended to read as follows:

390.105 1. The State Board shall, in consultation with the Council to Establish Academic Standards for Public Schools, prescribe examinations that comply with 20 U.S.C. § 6311(b)(2) and that measure the achievement and proficiency of pupils:

(a) For grades 3, 4, 5, 6, 7 and 8 in the standards of content established by the Council for the subjects of English language arts and mathematics.

(b) For grades 5 and 8, in the standards of content established by the Council for the subject of science.

(c) For grades 9, 10, 11 and 12, in the standards of content established by the Council for the subjects required to comply with 20 U.S.C. § 6311(b)(2).

↪ The examinations prescribed pursuant to this subsection must be written, developed, printed and scored by a nationally recognized testing company.

2. In addition to the examinations prescribed pursuant to subsection 1, the State Board shall, in consultation with the Council to Establish Academic Standards for Public Schools, prescribe a writing examination for grades 5 and 8.

3. *The Department shall ensure the availability of:*

(a) *The examinations prescribed pursuant to subsections 1 and 2 to pupils in any language in which those examinations are published; and*

(b) *Authorized supports to pupils who are English learners for the examinations prescribed pursuant to subsections 1 and 2.*

4. The State Board shall prescribe:

(a) The minimum number of school days that must take place before the examinations prescribed by the State Board pursuant to subsection 1 may be administered to pupils; and

(b) The period during which the examinations prescribed by the State Board pursuant to subsection 1 must be administered.

~~{4.}~~ 5. The board of trustees of each school district and the governing body of each charter school shall administer the examinations prescribed by the State Board at such times as prescribed by the State Board pursuant to subsection ~~{3.}~~ 4. The examinations must be:

(a) Administered in each school in accordance with uniform procedures adopted by the State Board. The Department shall monitor the school districts and individual schools to ensure compliance with the uniform procedures.

(b) Administered in each school in accordance with the plan adopted pursuant to NRS 390.270 by the Department and with the plan adopted pursuant to NRS 390.275 by the board of trustees of the school district in which the examinations are administered. The Department shall monitor the compliance of school districts and individual schools with:

(1) The plan adopted by the Department; and

(2) The plan adopted by the board of trustees of the applicable school district, to the extent that the plan adopted by the board of trustees of the school district is consistent with the plan adopted by the Department.

Sec. 1.8. NRS 390.610 is hereby amended to read as follows:

390.610 1. The State Board shall select a college and career readiness assessment for administration to pupils who are enrolled in grade 11 in public high schools.

2. Except as otherwise provided in this subsection, a pupil must take the college and career readiness assessment to receive a standard high school diploma. A pupil with a disability may, in accordance with his or her individualized education program, be exempt from the requirement to take the college and career readiness assessment.

3. The results of a pupil on the college and career readiness assessment:

(a) Must not be used in the determination of whether the pupil satisfies the requirements for receipt of standard high school diploma.

(b) May be used in the determination of whether the pupil satisfies the requirements for receipt of a college and career ready high school diploma.

4. The assessment selected pursuant to subsection 1 must be:

(a) Administered at the same time during the school year by the board of trustees of each school district to pupils enrolled in grade 11 in all public high schools of the school district and by the governing body of each charter school that enrolls pupils in grade 11, as prescribed by the State Board, and in accordance with uniform procedures adopted by the State Board. The Department shall monitor the compliance of the school districts and individual schools with the uniform procedures and report to the State Board any instance of noncompliance.

(b) Administered in accordance with the plan adopted by the Department pursuant to NRS 390.270 and with the plan adopted by the board of trustees of the school district in which the assessment is administered pursuant to NRS 390.275. The Department shall monitor the compliance of the school districts and individual schools with:

(1) The plan adopted by the Department; and

(2) The plan adopted by the board of trustees of the applicable school district, to the extent that the plan adopted by the board of trustees of the school district is consistent with the plan adopted by the Department,  
 ↪ and shall report to the State Board any instance of noncompliance.

5. The assessment selected pursuant to subsection 1 must:

(a) Be used to provide data and information to each pupil who takes the assessment in a manner that allows the pupil to review the areas of his or her academic strengths and weaknesses, including, without limitation, areas where additional work in the subject areas tested on the assessment is necessary to prepare for college and career success without the need for remediation; and

(b) Allow teachers and other educational personnel to use the results of a pupil on the assessment to provide appropriate interventions for the pupil to prepare for college and career success.

6. *The Department shall ensure the availability of authorized supports to pupils who are English learners for the assessment selected pursuant to subsection 1.*

7. The State Board shall adopt regulations prescribing the manner in which the results of a college and career readiness assessment selected pursuant to subsection 1 must be used by a school district or charter school that operates as a high school to inform the instruction provided to pupils enrolled in grade 12, including, without limitation, to determine whether to provide remediation in areas of academic weakness and acceleration in areas of academic strength.

~~{7.}~~ 8. The State Board may work in consultation with the boards of trustees of school districts and, if a charter school enrolls pupils at a high school grade level, the governing body of the charter school to develop and implement appropriate plans of remediation for pupils based upon the results of the pupils on the assessment.

Sec. 2. NRS 391A.580 is hereby amended to read as follows:

391A.580 1. A public or private university, college or other provider of an alternative licensure program in this State is eligible to apply to the State Board for a grant from the Account to award scholarships to students who attend the university, college or other provider of an alternative licensure program to complete a program offered by the university, college or other provider of an alternative licensure program that has been approved by the State Board and which:

(a) Upon completion makes a student eligible to obtain a license to teach kindergarten, any grade from grades 1 through 12 or in the subject area of special education in this State; or

(b) Allows a student to specialize in the subject area of early childhood education ~~;~~

~~(c) Allows a student to obtain an endorsement to teach English as a second language; or~~

~~(d) Allows a student to obtain an endorsement to teach special education.]~~

2. The State Board shall:

(a) Establish the number of Teach Nevada Scholarships that will be available each year based upon the amount of money available in the Account.

(b) Review all applications submitted pursuant to subsection 1 and award a grant of money from the Account to an approved university, college or other provider of an alternative licensure program to the extent that money is available in an amount determined by the State Board. The State Board shall retain 25 percent of such an award in the Account for disbursement to a scholarship recipient who meets the requirements of subsection 4 of NRS 391A.585.

3. The State Board may prioritize the award of grants from the Account to a university, college or other provider of an alternative licensure program that demonstrates the university, college or other provider of an alternative licensure program will provide scholarships to a greater number of recipients who:

(a) Are veterans or the spouses of veterans;

(b) Intend to teach in public schools in this State which have the highest shortage of teachers;

(c) Have been economically disadvantaged or belong to a racial or ethnic minority group; or

(d) Will be eligible to teach in a subject area for which there is a shortage of teachers. Such a subject area may include, without limitation, science, technology, engineering, mathematics, special education or English as a second language.

4. A student may apply for a Teach Nevada Scholarship from a university, college or other provider of an alternative licensure program that receives a grant from the Account only if ~~the~~ :

(a) The student attends or has been accepted to attend the university, college or other provider of an alternative licensure program to complete a program described in subsection 1 ~~1~~ ; and

(b) The student agrees to complete the requirements to obtain and endorsement to teach English as a second language or an endorsement to teach special education.

5. An application submitted by the student must identify the program to be completed and the date by which the student must complete the program to finish on schedule.

~~5~~ 6. The State Board may adopt any regulations necessary to carry out the provisions of NRS 391A.550 to 391A.590, inclusive.

Sec. 2.5. 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. 3. The provisions of NRS 391A.580, as amended by section 2 of this act apply only to any student who applies to receive a Teach Nevada Scholarship on or after the effective date of this act.

~~Sec. 3.~~ Sec. 4. This act becomes effective upon passage and approval. Senator Woodhouse moved the adoption of the amendment.

## Remarks by Senators Woodhouse and Kieckhefer.

## SENATOR WOODHOUSE:

Amendment No. 707 to Assembly Bill No. 219 makes the following changes. It requires a high school that has adopted a corrective action plan to provide certain information in the notification to parents and guardians. It also authorizes school districts to use certain assessments to measure the literacy of students who are English learners; it revises the requirement that a student who seeks a grant from the Teach Nevada Scholarship Program must receive either an endorsement to teach English as a second language or an endorsement to teach special education, in addition to the current requirements. The additional requirements to receive the grant are effective only for students applying for the scholarship on or after the bill's effective date.

## SENATOR KIECKHEFER:

I object to this amendment to Assembly Bill No. 219. Putting additional restrictions on which teachers we support through the Teach Nevada Scholarship Program is a mistake. We have a need for teachers in all areas of education, from at-risk schools to STEAM programs, and restricting the Teach Nevada Scholarship Program exclusively to teachers who will be working with English Language Learners and special education students is a mistake and a step in the wrong direction.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 261.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 708.

SUMMARY—Revises provisions relating to the safety of children in public schools. (BDR S-590)

AN ACT relating to education; requiring the reporting of certain information concerning training for certain educational personnel in personal safety of children; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Department of Education, in consultation with persons and organizations who possess knowledge and expertise in the personal safety of children, to develop age-appropriate curriculum standards for teaching personal safety of children. (NRS 389.031) Existing law requires the board of trustees of each school district and the governing body of each charter school to ensure that instruction on the personal safety of children is carried out as part of a course of study in health and based on the standards developed by the Department. (NRS 389.064) This bill requires the board of trustees of each school district and the governing body of each charter school to submit to the Department of Education certain information concerning the personal safety of children which includes: (1) training for teachers and administrators in the personal safety of children; and (2) incidents of child abuse or sexual abuse of a child. This bill also requires the Department to compile such information and submit a report to the Legislative Committee on Education.

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

Section 1. (Deleted by amendment.)

Sec. 2. (Deleted by amendment.)

Sec. 3. (Deleted by amendment.)

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. 9.3. 1. The board of trustees of each school district and the governing body of each charter school shall submit to the Department of Education a report concerning recognizing and reporting child abuse, including child sexual abuse:

(a) With information from the 2019-2020 school year, on or before August 1, 2020; and

(b) With information from the 2020-2021 school year, on or before August 1, 2021.

2. Each report submitted pursuant to subsection 1 must contain information concerning:

(a) Training provided during the previous school year to teachers and administrators employed by the school district concerning the personal safety of children, including, without limitation:

(1) The amount of time that teachers and administrators received in such training;

(2) The number of administrators who received such training;

(3) The number of teachers who received such training; and

(4) A description of the content of the training; and

(b) The number of incidents of abuse or sexual abuse of a child disclosed or reported to a law enforcement agency.

3. The Department shall compile a report of the information received pursuant to subsection 2 and submit the report to the Director of the Legislative Counsel Bureau for transmittal to the Legislative Committee on Education:

(a) From the 2019-2020 school year, on or before ~~August~~ September 1, 2020; and

(b) From the 2020-2021 school year on or before ~~August~~ September 1, 2021.

4. As used in this section, "personal safety of children" means an age-appropriate recognition of various hazards and dangers that are particular to children, including, without limitation, the danger associated with unsafe persons, both known and unknown to the child, abuse, sexual abuse or exploitation, becoming lost or separated from a parent or guardian, and an awareness of age-appropriate steps a child may take to avoid, lessen or alleviate those hazards and dangers, including, without limitation, reporting threats of harm to a responsible adult.

Sec. 9.7. The provisions of subsection 1 of NRS 218D.380 do not apply to any provisions of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 10. This act becomes effective on July 1, 2019.

Senator Woodhouse moved the adoption of the amendment.

Remarks by Senator Woodhouse.

Amendment No. 708 to Assembly Bill No. 261 changes the dates relating to the submission of the report by Nevada's Department of Education to the Legislative Committee on Education from August 1, 2020, to September 1, 2020, and from August 1, 2021, to September 1, 2021.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 485.

Bill read second time.

The following amendment was proposed by the Committee on Growth and Infrastructure:

Amendment No. 677.

SUMMARY—Enacts provisions relating to electric ~~foot~~ scooters. (BDR 43-1107)

AN ACT relating to electric ~~foot~~ scooters; enacting certain provisions relating to the operation of electric ~~foot~~ scooters; authorizing certain local authorities to regulate scooter-share programs whereby electric ~~foot~~ scooters are made available for hire; authorizing such local authorities to impose a fee for such scooter-share programs; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, persons riding bicycles and electric bicycles are provided with certain protections and subject to certain duties and responsibilities when operating on the highways of this State. (NRS 484B.760-484B.783) Sections 35-44 of this bill add to those provisions "electric ~~foot~~ scooters," which are defined in sections 1, 15 and 23 of this bill as a vehicle with handlebars and an electric motor that is designed to be ridden in an upright or seated position and propelled by its electric motor or by propulsion provided by the rider. Such a vehicle: (1) must not weigh more than 100 pounds without a rider; and (2) must have a maximum speed of not more than 20 miles per hour when powered solely by its electric motor.

Section 9 of this bill exempts electric ~~foot~~ scooters from the requirements for a motor vehicle to be registered with the Department of Motor Vehicles, and sections 10-13 of this bill exempt the rider of an electric ~~foot~~ scooter from the requirement for a driver's license. Section ~~23~~ 24 of this bill provides that the rider of an electric ~~foot~~ scooter has the same rights and duties as the rider of a bicycle or electric bicycle, and that an electric ~~foot~~ scooter is subject to all the provisions of law applicable to bicycles and electric bicycles except those provisions which by their nature can have no application.

Section 16 of this bill authorizes local authorities in this State to adopt ordinances regulating the time, place and manner of operation of electric ~~foot~~ scooters. Section 16 also authorizes those local authorities to adopt ordinances to allow and regulate the operation of a scooter-share program for electric ~~foot~~ scooters by a scooter-share operator. Such ordinances may, without limitation: (1) impose a reasonable fee on a scooter-share operator; (2) subject the scooter-share programs and scooter-share operators to various obligations, requirements and restrictions; and (3) require the local authority to undertake certain obligations and duties. Certain data provided to the local authorities is confidential, as proprietary or a trade secret, and section 48 of this bill makes a conforming change to the public records provision in existing law. (NRS 239.010) Section 16 also prohibits a scooter-share operator or ~~a scooter-share customer~~ any person from allowing a person who is under 16 years of age to operate a shared scooter. A violation is punishable by the imposition of a civil penalty of \$250. Section 16 also requires the operator to maintain certain insurance coverages.

Sections 6, 8, 13, 19 and 20 of this bill exclude electric bicycles from certain definitions, and sections 27, 30, 31, 33 and 34 of this bill add electric bicycles and electric scooters to certain provisions that provide enhanced penalties for a driver who is the proximate cause of a collision with a pedestrian or a person riding a bicycle. The remaining sections of this bill make various conforming changes and add electric ~~foot~~ scooters to various provisions concerning bicycles and electric bicycles.

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

Section 1. Chapter 482 of NRS is hereby amended by adding thereto a new section to read as follows:

*"Electric ~~foot~~ scooter" means a vehicle:*

1. *With handlebars and an electric motor that is designed to be ridden on in an upright or seated position and is propelled by its electric motor or by propulsion provided by the rider;*
2. *That does not weigh more than 100 pounds without a rider; and*
3. *That has a maximum speed of not more than 20 miles per hour when powered solely by its electric motor.*

Sec. 2. NRS 482.010 is hereby amended to read as follows:

482.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 482.0105 to 482.137, inclusive, *and section 1 of this act* have the meanings ascribed to them in those sections.

Sec. 3. NRS 482.0287 is hereby amended to read as follows:

482.0287 "Electric bicycle" means a device upon which a person may ride, having two or three wheels, or every such device generally recognized as a bicycle that has fully operable pedals and is propelled by a small electric engine which produces not more than 1 gross brake horsepower and which produces not more than 750 watts final output, and:

1. Is designed to travel on not more than three wheels in contact with the ground but is not a tractor; and

2. Powered solely by such a small electric engine, is capable of a maximum speed of not more than 20 miles per hour on a flat surface while carrying an operator who weighs 170 pounds.

↪ The term does not include a moped ~~[;]~~ or an electric ~~foot~~ scooter.

Sec. 4. NRS 482.069 is hereby amended to read as follows:

482.069 "Moped" means a motor-driven scooter, motor-driven cycle or similar vehicle that is propelled by a small engine which produces not more than 2 gross brake horsepower, has a displacement of not more than 50 cubic centimeters or produces not more than 1500 watts final output, and:

1. Is designed to travel on not more than three wheels in contact with the ground but is not a tractor; and

2. Is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than 1 percent grade in any direction when the motor is engaged.

↪ The term does not include an electric bicycle ~~[;]~~ or an electric ~~foot~~ scooter.

Sec. 5. NRS 482.070 is hereby amended to read as follows:

482.070 "Motorcycle" means every motor vehicle designed to travel on not more than three wheels in contact with the ground, except any such vehicle as may be included within the term "electric bicycle," "electric ~~foot~~ scooter," "tractor" or "moped" as defined in this chapter.

Sec. 6. NRS 482.075 is hereby amended to read as follows:

482.075 "Motor vehicle" means every vehicle as defined in NRS 482.135 which is self-propelled. *The term does not include an electric bicycle or an electric ~~foot~~ scooter.*

Sec. 7. NRS 482.087 is hereby amended to read as follows:

482.087 "Passenger car" means a motor vehicle designed for carrying 10 persons or less, except a motorcycle, an electric bicycle, an electric ~~foot~~ scooter or a moped.

Sec. 8. NRS 482.135 is hereby amended to read as follows:

482.135 Except as otherwise provided in NRS 482.36348, "vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway. The term does not include:

1. Devices moved by human power or used exclusively upon stationary rails or tracks;

2. Mobile homes or commercial coaches as defined in chapter 489 of NRS; ~~[or]~~

3. Electric bicycles;

4. Electric personal assistive mobility devices ~~[;]~~; or

~~4.]~~ 5. Electric ~~foot~~ scooters.

Sec. 9. NRS 482.210 is hereby amended to read as follows:

482.210 1. The provisions of this chapter requiring the registration of certain vehicles do not apply to:

- (a) Special mobile equipment.
- (b) Implements of husbandry.
- (c) Any mobile home or commercial coach subject to the provisions of chapter 489 of NRS.
- (d) Electric bicycles.
- (e) Golf carts which are:
  - (1) Traveling upon highways properly designated by the appropriate city or county as permissible for the operation of golf carts; and
  - (2) Operating pursuant to a permit issued pursuant to this chapter.
- (f) Towable tools or equipment as defined in NRS 484D.055.
- (g) Any motorized conveyance for a wheelchair, whose operator is a person with a disability who is unable to walk about.
- (h) *Electric ~~foot~~ scooters.*

2. For the purposes of this section, "motorized conveyance for a wheelchair" means a vehicle which:

- (a) Can carry a wheelchair;
- (b) Is propelled by an engine which produces not more than 3 gross brake horsepower, has a displacement of not more than 50 cubic centimeters or produces not more than 2250 watts final output;
- (c) Is designed to travel on not more than three wheels; and
- (d) Can reach a speed of not more than 30 miles per hour on a flat surface with not more than a grade of 1 percent in any direction.

↪ The term does not include a tractor.

Sec. 10. NRS 483.067 is hereby amended to read as follows:

483.067 "Electric bicycle" means a device upon which a person may ride, having two or three wheels, or every such device generally recognized as a bicycle that has fully operable pedals and is propelled by a small electric engine which produces not more than 1 gross brake horsepower and which produces not more than 750 watts final output, and:

- 1. Is designed to travel on not more than three wheels in contact with the ground but is not a tractor; and
- 2. Powered solely by such a small electric engine, is capable of a maximum speed of not more than 20 miles per hour on a flat surface while carrying an operator who weighs 170 pounds.

↪ The term does not include a moped ~~[ ]~~ or an electric ~~foot~~ scooter, as defined in section 1 of this act.

Sec. 11. NRS 483.088 is hereby amended to read as follows:

483.088 "Moped" means a motor-driven scooter, motor-driven cycle or similar vehicle that is propelled by a small engine which produces not more than 2 gross brake horsepower, has a displacement of not more than 50 cubic centimeters or produces not more than 1500 watts final output, and:

- 1. Is designed to travel on not more than three wheels in contact with the ground but is not a tractor; and

2. Is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than 1 percent grade in any direction when the motor is engaged.

↪ The term does not include an electric bicycle ~~[ ]~~ or an electric ~~foot~~ scooter, as defined in section 1 of this act.

Sec. 12. NRS 483.090 is hereby amended to read as follows:

483.090 "Motor vehicle" means every vehicle which is self-propelled, and every vehicle which is propelled by electric power obtained from overhead trolley wires but not operated upon rails. "Motor vehicle" includes a moped. The term does not include an electric bicycle ~~[ ]~~ or an electric ~~foot~~ scooter, as defined in section 1 of this act.

Sec. 13. NRS 483.190 is hereby amended to read as follows:

483.190 "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, except:

1. Devices moved by human power or used exclusively upon stationary rails or tracks; ~~and~~

2. Electric bicycles;

3. Electric personal assistive mobility devices as defined in NRS 482.029 ~~[ ]~~; and

~~[ ]~~ 4. An electric ~~foot~~ scooter, as defined in section 1 of this act.

Sec. 14. Chapter 484A of NRS is hereby amended by adding thereto the provisions set forth as sections 15 and 16 of this act.

Sec. 15. "Electric ~~foot~~ scooter" means a vehicle with handlebars and an electric motor that is designed to be ridden on in an upright or seated position and propelled by its electric motor or by propulsion provided by the rider. Such a vehicle:

1. Must not weigh more than 100 pounds without a rider; and

2. Must have a maximum speed of not more than 20 miles per hour when powered solely by its electric motor.

Sec. 16. 1. A local authority may adopt, to protect the health and safety of the public, an ordinance which regulates the time, place and manner of operation of electric ~~foot~~ scooters in the jurisdiction of the local authority in a manner that is generally consistent with such regulation of bicycles and electric bicycles and which may, without limitation:

(a) Prohibit the use of an electric ~~foot~~ scooter in a specified area or areas of the jurisdiction; or

(b) Establish a speed limit for electric ~~foot~~ scooters operating on sidewalks in the jurisdiction.

2. A local authority may by ordinance regulate the operation of a scooter-share program in the jurisdiction of the local authority ~~[ ]~~ as provided in this section.

3. An ordinance enacted pursuant to subsection 2 may:

(a) Require a scooter-share operator to pay a reasonable fee for the privilege of operating a scooter-share program, provided that such fee does

not exceed the cost to the local authority for regulating the scooter-share program.

(b) Require a scooter-share operator to indemnify the local authority against claims, losses, liabilities, damages, costs and attorney's fees arising out of any negligent act, error, omission or willful misconduct by a scooter-share operator or its officers or employees, except for those claims, losses, liabilities, damages, costs and attorney's fees which arise out of the negligence or willful misconduct of the local authority.

(c) Except as otherwise provided in subsection 1, designate locations where a scooter-share operator may not stage shared scooters, provided that at least one such staging location must be allowed on each side of each city block in any commercial zone or business district in the jurisdiction of the local authority ~~and~~ where use of electric scooters is allowed, provided that such a staging location does not impede the normal and reasonable movement of pedestrians at the location.

(d) Except as otherwise provided in subsection 5, enact or identify moving or parking violations specific to shared scooters and assessing penalties for such violations, ~~to be enforced against the person responsible for the violation,~~ provided that such penalties do not exceed those imposed, if any, for similar violations by the rider of a bicycle.

(e) Require a scooter-share operator to provide to the local authority trip data for all trips starting or ending in the jurisdiction of the local authority on each shared scooter of the scooter-share operator or any person or company controlled by, controlling or under common control with the scooter-share operator. To ensure privacy, such trip data must be:

(1) Provided via an application programming interface, subject to the scooter-share operator's license agreement for the interface;

(2) Subject to a publicly available privacy policy of the local authority or a designee of the local authority, disclosing what data is collected and how the data is used or shared with third parties;

(3) Safely and securely stored by the local authority, which must implement reasonable administrative, physical and technical safeguards to protect, secure and, if applicable, encrypt or otherwise limit access to the data;

(4) Except as otherwise provided in subparagraphs (5) and (6), treated by the local authority as personal, proprietary business information and trade secret of the scooter-share operator, exempt from public disclosure pursuant to any public records request, deemed confidential and not a public record for the purposes of chapter 239 of NRS and not considered property of the local authority;

(5) Shared with law enforcement agencies only pursuant to valid legal process; and

(6) Shared with third parties only with the consent of the scooter-share operator, except that, for the purposes of subparagraph (1), the local authority may, upon a showing of legitimate necessity, designate a third party to receive

trip data from the scooter-share operator if the third party is in privity with the local authority and agrees to the requirements of this ~~paragraph.~~ section.

4. An ordinance enacted pursuant to subsection 2 may not, except as required to protect the health and safety of the public ~~for~~ as ~~otherwise~~ provided in ~~subsections~~ subsection 1, and 5, subject customers of a scooter-share program to requirements more restrictive than those applicable to riders of bicycles or electric bicycles ~~for~~, except those requirements which by their nature only apply to electric scooters.

5. An ordinance enacted pursuant to subsection 2 must:

(a) Prohibit a scooter-share operator from knowingly allowing a person who is under 16 years of age to operate a shared scooter.

(b) Prohibit a person ~~who is a customer of a scooter share operator~~ from knowingly allowing a person who is under the age of 16 to operate a shared scooter.

(c) Provide that a violation of paragraph (a) or (b) is:

(1) Not a misdemeanor; and

(2) Punishable by the imposition of a civil penalty of \$250.

(d) Require a scooter-share operator to maintain ~~for~~ insurance coverage that must include, without limitation:

(1) ~~Commercial general liability insurance coverage, including for medical payments,~~ in an amount of not less than \$1,000,000 for each occurrence and \$5,000,000 in the aggregate ~~; covering all occurrences commonly insured against for bodily injury and property damage arising out of or in connection with the use of an electric foot scooter;~~

(2) ~~Casualty~~ Motor vehicle insurance with a combined single limit of not less than \$1,000,000 ~~; that covers the use and operation of an electric foot scooter and meets the requirements of chapter 690B of NRS;~~

(3) ~~An umbrella~~ Umbrella or excess ~~policy~~ liability coverage with a limit of not less than \$5,000,000 for each occurrence and \$5,000,000 in the aggregate ~~; protecting the scooter share operator against a loss in excess of the state amounts of coverages as required in subparagraphs (1) and (2);~~ and

(4) If the scooter-share operator has employees, industrial insurance as required pursuant to chapters 616A to 617, inclusive, of NRS.

6. As used in this section:

(a) "Scooter-share operator" means a person offering shared scooters for hire through a scooter-share program.

(b) "Scooter-share program" means the offering of shared scooters for hire.

(c) "Shared scooter" means an electric ~~foot~~ scooter offered for hire as part of a scooter-share program.

(d) "Trip data" means ~~all~~ any data elements related to the use of a shared scooter by a customer of a scooter-share program, including, without limitation, route data, GPS information and timestamps.

Sec. 17. NRS 484A.010 is hereby amended to read as follows:

484A.010 As used in chapters 484A to 484E, inclusive, of NRS, unless

the context otherwise requires, the words and terms defined in NRS 484A.015 to 484A.320, inclusive, *and section 15 of this act* have the meanings ascribed to them in those sections.

Sec. 18. NRS 484A.125 is hereby amended to read as follows:

484A.125 "Moped" means a motor-driven scooter, motor-driven cycle or similar vehicle that is propelled by a small engine which produces not more than 2 gross brake horsepower, has a displacement of not more than 50 cubic centimeters or produces not more than 1500 watts final output, and:

1. Is designed to travel on not more than three wheels in contact with the ground but is not a tractor; and

2. Is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than 1 percent grade in any direction when the motor is engaged.

↪ The term does not include an electric bicycle ~~[-]~~ or an electric ~~foot~~ scooter.

Sec. 19. NRS 484A.130 is hereby amended to read as follows:

484A.130 "Motor vehicle" means every vehicle which is self-propelled but not operated upon rails. *The term does not include an electric bicycle or an electric foot scooter.*

Sec. 20. NRS 484A.320 is hereby amended to read as follows:

484A.320 "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except:

1. Devices moved by human power or used exclusively upon stationary rails; ~~and~~

2. Electric *bicycles*;

3. *Electric* personal assistive mobility devices as defined in NRS 482.029 ~~[-]~~; and

~~[-]~~ 4. *An electric foot* scooter.

Sec. 21. NRS 484A.420 is hereby amended to read as follows:

484A.420 1. Except as otherwise provided in subsection 3, a local authority may adopt, by ordinance, regulations with respect to highways under its jurisdiction within the reasonable exercise of the police power:

(a) Regulating or prohibiting processions or assemblages on the highways.

(b) Designating particular highways as one-way highways and requiring that all vehicles thereon be moved in one specific direction.

(c) Designating any highway as a through highway, requiring that all vehicles stop before entering or crossing the highway, or designating any intersection as a stop or a yield intersection and requiring all vehicles to stop or yield at one or more entrances to the intersection.

(d) Designating truck, bicycle, ~~and~~ electric bicycle *and electric foot* scooter routes.

(e) Adopting such other traffic regulations related to specific highways as are expressly authorized by chapters 484A to 484E, inclusive, of NRS.

2. An ordinance relating to traffic control enacted under this section is not effective until official devices for traffic control giving notice of those local

traffic regulations are posted upon or at the entrances to the highway or part thereof affected as is most appropriate.

3. An ordinance enacted under this section is not effective with respect to:

(a) Highways constructed and maintained by the Department of Transportation under the authority granted by chapter 408 of NRS; or

(b) Alternative routes for the transport of radioactive, chemical or other hazardous materials which are governed by regulations of the United States Department of Transportation,

↪ until the ordinance has been approved by the Board of Directors of the Department of Transportation.

4. As used in this section, "hazardous material" has the meaning ascribed to it in NRS 459.7024.

Sec. 22. Chapter 484B of NRS is hereby amended by adding thereto the provisions set forth as sections 23 and 24 of this act.

Sec. 23. "~~Electric foot~~ scooter" means a vehicle with handlebars and an electric motor that is designed to be ridden on in an upright or seated position and propelled by its electric motor or by propulsion provided by the rider. Such a vehicle:

1. Must not weigh more than 100 pounds without a rider; and

2. Must have a maximum speed of not more than 20 miles per hour when powered solely by its electric motor.

Sec. 24. 1. Except as otherwise provided in an ordinance enacted pursuant to section 16 of this act, an electric ~~foot~~ scooter may be operated:

(a) On a roadway, bicycle lane, path or route at a speed of not more than 15 miles per hour; and

(b) On a sidewalk and other pedestrian areas at a speed that does not exceed the limit set in an ordinance enacted pursuant to section 16 of this act, if any.

2. Except as otherwise provided in a specific statute or an ordinance enacted pursuant to section 16 of this act:

(a) An electric ~~foot~~ scooter is subject to all the provisions of law applicable to bicycles and electric bicycles except those provisions which by their nature can have no application; and

(b) A person operating an electric ~~foot~~ scooter has the same rights and duties as a person operating a bicycle or an electric bicycle, except for those rights and duties which by their nature can have no application.

Sec. 25. NRS 484B.003 is hereby amended to read as follows:

484B.003 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 484B.007 to 484B.077, inclusive, and section 23 of this act, have the meanings ascribed to them in those sections.

Sec. 26. NRS 484B.017 is hereby amended to read as follows:

484B.017 "Electric bicycle" means a device upon which a person may ride, having two or three wheels, or every such device generally recognized as a bicycle that has fully operable pedals and is propelled by a small electric

engine which produces not more than 1 gross brake horsepower and which produces not more than 750 watts final output, and:

1. Is designed to travel on not more than three wheels in contact with the ground but is not a tractor; and

2. Powered solely by such a small electric engine, is capable of a maximum speed of not more than 20 miles per hour on a flat surface while carrying an operator who weighs 170 pounds.

↪ The term does not include a moped ~~{-}~~ or an electric ~~{foot}~~ scooter.

Sec. 27. NRS 484B.270 is hereby amended to read as follows:

484B.270 1. The driver of a motor vehicle shall not intentionally interfere with the movement of a person lawfully riding a bicycle , ~~{or}~~ an electric bicycle ~~{-}~~ or an electric ~~{foot}~~ scooter.

2. When overtaking or passing a bicycle ~~{or}~~ , an electric bicycle or an electric ~~{foot}~~ scooter proceeding in the same direction, the driver of a motor vehicle shall exercise due care and:

(a) If there is more than one lane for traffic proceeding in the same direction, move the vehicle to the lane to the immediate left, if the lane is available and moving into the lane is reasonably safe; or

(b) If there is only one lane for traffic proceeding in the same direction, pass to the left of the bicycle , ~~{or}~~ electric bicycle or electric ~~{foot}~~ scooter at a safe distance, which must be not less than 3 feet between any portion of the vehicle and the bicycle , ~~{or}~~ electric bicycle ~~{-}~~ or electric ~~{foot}~~ scooter and shall not move again to the right side of the highway until the vehicle is safely clear of the overtaken bicycle , ~~{or}~~ electric bicycle ~~{-}~~ or electric ~~{foot}~~ scooter.

3. The driver of a motor vehicle shall yield the right-of-way to any person riding a bicycle , ~~{or}~~ an electric bicycle or an electric ~~{foot}~~ scooter or a pedestrian as provided in subsection 6 of NRS 484B.297 on the pathway or lane. The driver of a motor vehicle shall not enter, stop, stand, park or drive within a pathway or lane provided for bicycles , ~~{or}~~ electric bicycles or electric ~~{foot}~~ scooters except:

(a) When entering or exiting an alley or driveway;

(b) When operating or parking a disabled vehicle;

(c) To avoid conflict with other traffic;

(d) In the performance of official duties;

(e) In compliance with the directions of a police officer; or

(f) In an emergency.

4. Except as otherwise provided in subsection 3, the driver of a motor vehicle shall not enter or proceed through an intersection while driving within a pathway or lane provided for bicycles , ~~{or}~~ electric bicycles ~~{-}~~ or electric ~~{foot}~~ scooters.

5. The driver of a motor vehicle shall:

(a) Exercise due care to avoid a collision with a person riding a bicycle , ~~{or}~~ an electric bicycle ~~{-}~~ or an electric ~~{foot}~~ scooter; and

(b) Give an audible warning with the horn of the vehicle if appropriate and when necessary to avoid such a collision.

6. If, while violating any provision of subsections 1 to 5, inclusive, the driver of a motor vehicle is the proximate cause of a collision with a person riding a bicycle an electric bicycle or an electric ~~foot~~ scooter, the driver is subject to the additional penalty set forth in subsection 4 of NRS 484B.653.

7. The operator of a bicycle, ~~or~~ an electric bicycle or an electric ~~foot~~ scooter shall not:

(a) Intentionally interfere with the movement of a motor vehicle; or

(b) Overtake and pass a motor vehicle unless the operator can do so safely without endangering himself or herself or the occupants of the motor vehicle.

Sec. 28. NRS 484B.297 is hereby amended to read as follows:

484B.297 1. Except as otherwise provided in subsection 6, where sidewalks are provided, it is unlawful for any pedestrian to walk along and upon an adjacent highway.

2. Except as otherwise provided in subsection 6, pedestrians walking along highways where sidewalks are not provided shall walk on the left side of those highways facing the approaching traffic.

3. A person shall not stand in a highway to solicit a ride or any business from the driver or any occupant of a vehicle. A person shall not, without a permit issued pursuant to NRS 244.3555 or 268.423, solicit any contribution from the driver or any occupant of a vehicle.

4. It is unlawful for any pedestrian who is under the influence of intoxicating liquors or any narcotic or stupefying drug to be within the traveled portion of any highway.

5. The provisions of this section apply to riders of animals, except that the provisions of subsections 1, 2 and 3 do not apply to a peace officer who rides an animal while performing his or her duties as a peace officer.

6. A pedestrian walking or otherwise traveling on a sidewalk who encounters an obstruction to his or her mobility on the sidewalk, including, without limitation, a short section of the sidewalk that is missing or impassable, may proceed with due care on the immediately adjacent highway to move around such an obstruction. Such a pedestrian:

(a) Must walk or otherwise travel as far to the side of the highway near the sidewalk as possible;

(b) May walk or otherwise travel on the highway in the direction he or she was walking or traveling on the sidewalk, regardless of the direction of traffic;

(c) May walk or otherwise travel in a lane provided for bicycles, ~~or~~ electric bicycles or electric ~~foot~~ scooters if the area between the lane and the sidewalk is impassable; and

(d) Must return to the sidewalk as soon as practicable.

7. A person who violates the provisions of this section is guilty of a misdemeanor.

Sec. 29. NRS 484B.307 is hereby amended to read as follows:

484B.307 1. Whenever traffic is controlled by official traffic-control

devices exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination as declared in the manual and specifications adopted by the Department of Transportation, only the colors green, yellow and red may be used, except for special pedestrian-control devices carrying a word legend as provided in NRS 484B.283. The lights, arrows and combinations thereof indicate and apply to drivers of vehicles and pedestrians as provided in this section.

2. When the signal is circular green alone:

(a) Vehicular traffic facing the signal may proceed straight through or turn right or left unless another device at the place prohibits either or both such turns. Such vehicular traffic, including vehicles turning right or left, must yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time the signal is exhibited.

(b) Pedestrians facing such a signal may proceed across the highway within any marked or unmarked crosswalk, unless directed otherwise by another device as provided in NRS 484B.283.

3. Where the signal is circular green with a green turn arrow:

(a) Vehicular traffic facing the signal may proceed to make the movement indicated by the green turn arrow or such other movement as is permitted by the circular green signal, but the traffic must yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection at the time the signal is exhibited. Drivers turning in the direction of the arrow when displayed with the circular green are thereby advised that so long as a turn arrow is illuminated, oncoming or opposing traffic simultaneously faces a steady red signal.

(b) Pedestrians facing such a signal may proceed across the highway within any marked or unmarked crosswalk, unless directed otherwise by another device as provided in NRS 484B.283.

4. Where the signal is a green turn arrow alone:

(a) Vehicular traffic facing the signal may proceed only in the direction indicated by the arrow signal so long as the arrow is illuminated, but the traffic must yield the right-of-way to pedestrians lawfully within the adjacent crosswalk and to other traffic lawfully using the intersection.

(b) Pedestrians facing such a signal shall not enter the highway until permitted to proceed by another device as provided in NRS 484B.283.

5. Where the signal is a green straight-through arrow alone:

(a) Vehicular traffic facing the signal may proceed straight through, but must not turn right or left. Such vehicular traffic must yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time the signal is exhibited.

(b) Pedestrians facing such a signal may proceed across the highway within the appropriate marked or unmarked crosswalk, unless directed otherwise by another device as provided in NRS 484B.283.

6. Where the signal is a steady yellow signal alone:

(a) Vehicular traffic facing the signal is thereby warned that the related green movement is being terminated or that a steady red indication will be exhibited immediately thereafter, and such vehicular traffic must not enter the intersection when the red signal is exhibited.

(b) Pedestrians facing such a signal, unless otherwise directed by another device as provided in NRS 484B.283, are thereby advised that there is insufficient time to cross the highway.

7. Where the signal is a flashing yellow turn arrow, displayed alone or in combination with another signal:

(a) Vehicular traffic facing the signal is permitted to cautiously enter the intersection only to make the movement indicated by the arrow signal, or other such movement as is permitted by other signal indications displayed at the same time. Such vehicular traffic must yield the right-of-way to pedestrians lawfully within the intersection or an adjacent crosswalk and yield the right-of-way to other traffic lawfully within the intersection.

(b) Pedestrians facing such a signal, unless otherwise directed by another device as provided in NRS 484B.283, are thereby advised that there may be insufficient time to cross the highway, but may proceed across the highway within the appropriate marked or unmarked crosswalk.

8. Where the signal is a steady red signal alone:

(a) Vehicular traffic facing the signal must stop before entering the crosswalk on the nearest side of the intersection where the sign or pavement marking indicates where the stop must be made, or in the absence of any such crosswalk, sign or marking, then before entering the intersection, and, except as otherwise provided in paragraphs (c) and (d), must remain stopped or standing until the green signal is shown.

(b) Pedestrians facing such a signal shall not enter the highway, unless permitted to proceed by another device as provided in NRS 484B.283.

(c) After complying with the requirement to stop, vehicular traffic facing such a signal and situated on the extreme right of the highway may proceed into the intersection for a right turn only when the intersecting highway is two-directional or one-way to the right, or vehicular traffic facing such a signal and situated on the extreme left of a one-way highway may proceed into the intersection for a left turn only when the intersecting highway is one-way to the left, but must yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the intersection.

(d) After complying with the requirement to stop, a person driving a motorcycle, moped or trimobile or riding a bicycle, ~~or~~ an electric bicycle *or an electric ~~foot~~ scooter* may proceed straight through or turn right or left if:

(1) The person waits for two complete cycles of the lights or lighted arrows of the applicable official traffic-control device and the signal does not change because of a malfunction or because the signal failed to detect the presence of the motorcycle, moped, trimobile, bicycle, ~~or~~ electric bicycle ~~;~~ *or electric ~~foot~~ scooter;*

(2) No other device at the place prohibits either or both such turns, if applicable; and

(3) The person yields the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the intersection.

(e) Vehicular traffic facing the signal may not proceed on or through any private or public property to enter the intersecting street where traffic is not facing a red signal to avoid the red signal.

9. Where the signal is a steady red with a green turn arrow:

(a) Except as otherwise provided in paragraph (b), vehicular traffic facing the signal may enter the intersection only to make the movement indicated by the green turn arrow, but must yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection. Drivers turning in the direction of the arrow are thereby advised that so long as the turn arrow is illuminated, oncoming or opposing traffic simultaneously faces a steady red signal.

(b) A person driving a motorcycle, moped or trimobile or riding a bicycle, ~~for~~ an electric bicycle *or an electric ~~foot~~ scooter* facing the signal may proceed straight through or turn in the direction opposite that indicated by the green turn arrow if:

(1) The person stops before entering the crosswalk on the nearest side of the intersection where the sign or pavement marking indicates where the stop must be made or, in the absence of any such crosswalk, sign or marking, before entering the intersection;

(2) The person waits for two complete cycles of the lights or lighted arrows of the applicable official traffic-control device and the signal does not change because of a malfunction or because the signal failed to detect the presence of the motorcycle, moped, trimobile, bicycle, ~~for~~ electric bicycle ~~for~~ *or electric ~~foot~~ scooter*;

(3) No other device at the place prohibits the turn, if applicable; and

(4) The person yields the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

(c) Pedestrians facing such a signal shall not enter the highway, unless permitted to proceed by another device as provided in NRS 484B.283.

10. If a person violates paragraph (d) of subsection 8 or paragraph (b) of subsection 9 and that violation results in an injury to another person, the violation creates a rebuttable presumption of all facts necessary to impose civil liability for the injury.

11. If a signal is erected and maintained at a place other than an intersection, the provisions of this section are applicable except as to those provisions which by their nature can have no application. Any stop required must be made at a sign or pavement marking indicating where the stop must be made, but in the absence of any such device the stop must be made at the signal.

12. Whenever signals are placed over the individual lanes of a highway, the signals indicate, and apply to drivers of vehicles, as follows:

(a) A downward-pointing green arrow means that a driver facing the signal may drive in any lane over which the green signal is shown.

(b) A red "X" symbol means a driver facing the signal must not enter or drive in any lane over which the red signal is shown.

13. A local authority shall not adopt an ordinance or regulation or take any other action that prohibits vehicular traffic from crossing an intersection when:

(a) The red signal is exhibited; and

(b) The vehicular traffic in question had already completely entered the intersection before the red signal was exhibited. For the purposes of this paragraph, a vehicle shall be considered to have "completely entered" an intersection when all portions of the vehicle have crossed the limit line or other point of demarcation behind which vehicular traffic must stop when a red signal is displayed.

14. A person who violates any provision of this section may be subject to the additional penalty set forth in NRS 484B.135.

Sec. 30. NRS 484B.350 is hereby amended to read as follows:

484B.350 1. The driver of a vehicle:

(a) Shall stop in obedience to the direction or traffic-control signal of a school crossing guard; and

(b) Shall not proceed until the highway is clear of all persons, including, without limitation, the school crossing guard.

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

3. If, while violating subsection 1, the driver of a motor vehicle is the proximate cause of a collision with a pedestrian or a person riding a bicycle or an electric bicycle or an electric ~~foot~~ scooter, the driver is subject to the additional penalty set forth in subsection 4 of NRS 484B.653.

4. As used in this section, "school crossing guard" means a volunteer or paid employee of a local authority, local law enforcement agency or school district whose duties include assisting pupils to cross a highway.

Sec. 31. NRS 484B.363 is hereby amended to read as follows:

484B.363 1. A person shall not drive a motor vehicle at a speed in excess of 15 miles per hour in an area designated as a school zone except:

(a) On a day on which school is not in session;

(b) During the period from a half hour after school is no longer in operation to a half hour before school is next in operation;

(c) If the zone is designated by an operational speed limit beacon, during the hours when the pupils of the school are in class and the yellow lights of the speed limit beacon are not flashing in the manner which indicates that the speed limit is in effect; or

(d) If the zone is not designated by an operational speed limit beacon, during the times when the sign designating the school zone indicates that the speed limit is not in effect.

2. A person shall not drive a motor vehicle at a speed in excess of 25 miles per hour in an area designated as a school crossing zone except:

(a) On a day on which school is not in session;

(b) During the period from a half hour after school is no longer in operation to a half hour before school is next in operation;

(c) If the zone is designated by an operational speed limit beacon, during the hours when the pupils of the school are in class and the yellow lights of the speed limit beacon are not flashing in the manner which indicates that the speed limit is in effect; or

(d) If the zone is not designated by an operational speed limit beacon, during the times when the sign designating the school zone indicates that the speed limit is not in effect.

3. The driver of a vehicle shall not make a U-turn in an area designated as a school zone or school crossing zone except:

(a) When there are no children present;

(b) On a day on which school is not in session;

(c) During the period from a half hour after school is no longer in operation to a half hour before school is next in operation;

(d) If the zone is designated by an operational speed limit beacon, during the hours when the pupils of the school are in class and the yellow lights of the speed limit beacon are not flashing in the manner which indicates that the speed limit is in effect; or

(e) If the zone is not designated by an operational speed limit beacon, during the times when the sign designating the school zone or school crossing zone indicates that the speed limit is not in effect.

4. The driver of a vehicle shall not overtake and pass another vehicle traveling in the same direction in an area designated as a school zone or school crossing zone except:

(a) On a day on which the school is not in session;

(b) During the period from a half hour after school is no longer in operation to a half hour before school is next in operation;

(c) If the zone is designated by an operational speed limit beacon, during the hours when the pupils of the school are in class and the yellow lights of the speed limit beacon are not flashing in the manner which indicates that the speed limit is in effect; or

(d) If the zone is not designated by an operational speed limit beacon, during the times when the sign designating the school zone or school crossing zone indicates that the speed limit is not in effect.

5. The governing body of a local government or the Department of Transportation shall designate school zones and school crossing zones. An area must not be designated as a school zone if imposing a speed limit of 15 miles per hour would be unsafe because of higher speed limits in adjoining areas.

6. Each such governing body and the Department of Transportation shall provide signs to mark the beginning and end of each school zone and school crossing zone which it respectively designates. Each sign marking the beginning of such a zone must include a designation of the hours when the

speed limit is in effect or that the speed limit is in effect when children are present.

7. With respect to each school zone and school crossing zone in a school district, the superintendent of the school district or his or her designee, in conjunction with the Department of Transportation and the governing body of the local government that designated the school zone or school crossing zone and after consulting with the principal of the school and the agency that is responsible for enforcing the speed limit in the zone, shall determine the times when the speed limit is in effect.

8. If, while violating any provision of subsections 1 to 4, inclusive, the driver of a motor vehicle is the proximate cause of a collision with a pedestrian or a person riding a bicycle an electric bicycle or an electric ~~foot~~ scooter, the driver is subject to the additional penalty set forth in subsection 4 of NRS 484B.653.

9. As used in this section, "speed limit beacon" means a device which is used in conjunction with a sign and equipped with two or more yellow lights that flash alternately to indicate when the speed limit in a school zone or school crossing zone is in effect.

Sec. 32. NRS 484B.450 is hereby amended to read as follows:

484B.450 1. A person shall not stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or official traffic-control device, in any of the following places:

- (a) ~~On~~ Except as otherwise provided in subsection 3, on a sidewalk;
- (b) In front of a public or private driveway;
- (c) Within an intersection;
- (d) Within 15 feet of a fire hydrant in a place where parallel parking is permitted, or within 20 feet of a fire hydrant if angle parking is permitted and a local ordinance requires the greater distance;
- (e) On a crosswalk;
- (f) Within 20 feet of a crosswalk;
- (g) Within 30 feet upon the approach to any official traffic-control signal located at the side of a highway;
- (h) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone;
- (i) Within 50 feet of the nearest rail of a railroad;
- (j) Within 20 feet of a driveway entrance to any fire station and, on the side of a highway opposite the entrance to any fire station, within 75 feet of that entrance;
- (k) Alongside or opposite any highway excavation or obstruction when stopping, standing or parking would obstruct traffic;
- (l) On the highway side of any vehicle stopped or parked at the edge of or curb of a highway;
- (m) Upon any bridge or other elevated structure or within a highway tunnel;

(n) Except as otherwise provided in subsection 2, within 5 feet of a public or private driveway; and

(o) At any place where official traffic-control devices prohibit stopping, standing or parking.

2. The provisions of paragraph (n) of subsection 1 do not apply to a person operating a vehicle of the United States Postal Service if the vehicle is being operated for the official business of the United States Postal Service.

3. *A person may park a bicycle, an electric bicycle or an electric ~~foot~~ scooter on a sidewalk provided that the bicycle, electric bicycle or electric ~~foot~~ scooter does not impede the normal and reasonable movement of pedestrians on the sidewalk.*

4. A person shall not move a vehicle not owned by the person into any prohibited area or away from a curb to a distance which is unlawful.

~~4.~~ 5. A local authority may place official traffic-control devices prohibiting or restricting the stopping, standing or parking of vehicles on any highway where in its opinion stopping, standing or parking is dangerous to those using the highway or where the vehicles which are stopping, standing or parking would unduly interfere with the free movement of traffic. It is unlawful for any person to stop, stand or park any vehicle in violation of the restrictions stated on those devices.

Sec. 33. NRS 484B.600 is hereby amended to read as follows:

484B.600 1. It is unlawful for any person to drive or operate a vehicle of any kind or character at:

(a) A rate of speed greater than is reasonable or proper, having due regard for the traffic, surface and width of the highway, the weather and other highway conditions.

(b) Such a rate of speed as to endanger the life, limb or property of any person.

(c) A rate of speed greater than that posted by a public authority for the particular portion of highway being traversed.

(d) In any event, a rate of speed greater than 80 miles per hour.

2. If, while violating any provision of subsection 1, the driver of a motor vehicle is the proximate cause of a collision with a pedestrian or a person riding a bicycle, *an electric bicycle or an electric ~~foot~~ scooter*, the driver is subject to the additional penalty set forth in subsection 4 of NRS 484B.653.

3. A person who violates any provision of subsection 1 may be subject to the additional penalty set forth in NRS 484B.130 or 484B.135.

Sec. 34. NRS 484B.653 is hereby amended to read as follows:

484B.653 1. It is unlawful for a person to:

(a) Drive a vehicle in willful or wanton disregard of the safety of persons or property.

(b) Drive a vehicle in an unauthorized speed contest on a public highway.

(c) Organize an unauthorized speed contest on a public highway.

↪ A violation of paragraph (a) or (b) of this subsection or subsection 1 of NRS 484B.550 constitutes reckless driving.

2. If, while violating the provisions of subsections 1 to 5, inclusive, of NRS 484B.270, NRS 484B.280, paragraph (a) or (c) of subsection 1 of NRS 484B.283, NRS 484B.350, subsections 1 to 4, inclusive, of NRS 484B.363 or subsection 1 of NRS 484B.600, the driver of a motor vehicle is the proximate cause of a collision with a pedestrian or a person riding a bicycle an electric bicycle or an electric ~~foot~~ scooter, the violation constitutes reckless driving.

3. A person who violates paragraph (a) of subsection 1 is guilty of a misdemeanor and:

(a) For the first offense, shall be punished:

(1) By a fine of not less than \$250 but not more than \$1,000; or

(2) By both fine and imprisonment in the county jail for not more than 6 months.

(b) For the second offense, shall be punished:

(1) By a fine of not less than \$1,000 but not more than \$1,500; or

(2) By both fine and imprisonment in the county jail for not more than 6 months.

(c) For the third and each subsequent offense, shall be punished:

(1) By a fine of not less than \$1,500 but not more than \$2,000; or

(2) By both fine and imprisonment in the county jail for not more than 6 months.

4. A person who violates paragraph (b) or (c) of subsection 1 or commits a violation which constitutes reckless driving pursuant to subsection 2 is guilty of a misdemeanor and:

(a) For the first offense:

(1) Shall be punished by a fine of not less than \$250 but not more than \$1,000;

(2) Shall perform not less than 50 hours, but not more than 99 hours, of community service; and

(3) May be punished by imprisonment in the county jail for not more than 6 months.

(b) For the second offense:

(1) Shall be punished by a fine of not less than \$1,000 but not more than \$1,500;

(2) Shall perform not less than 100 hours, but not more than 199 hours, of community service; and

(3) May be punished by imprisonment in the county jail for not more than 6 months.

(c) For the third and each subsequent offense:

(1) Shall be punished by a fine of not less than \$1,500 but not more than \$2,000;

(2) Shall perform 200 hours of community service; and

(3) May be punished by imprisonment in the county jail for not more than 6 months.

5. In addition to any fine, community service and imprisonment imposed upon a person pursuant to subsection 4, the court:

(a) Shall issue an order suspending the driver's license of the person for a period of not less than 6 months but not more than 2 years and requiring the person to surrender all driver's licenses then held by the person;

(b) Within 5 days after issuing an order pursuant to paragraph (a), shall forward to the Department any licenses, together with a copy of the order;

(c) For the first offense, may issue an order impounding, for a period of 15 days, any vehicle that is registered to the person who violates paragraph (b) or (c) of subsection 1 if the vehicle is used in the commission of the offense; and

(d) For the second and each subsequent offense, shall issue an order impounding, for a period of 30 days, any vehicle that is registered to the person who violates paragraph (b) or (c) of subsection 1 if the vehicle is used in the commission of the offense.

6. Unless a greater penalty is provided pursuant to subsection 4 of NRS 484B.550, a person who does any act or neglects any duty imposed by law while driving or in actual physical control of any vehicle in willful or wanton disregard of the safety of persons or property, if the act or neglect of duty proximately causes the death of or substantial bodily harm to another person, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years and by a fine of not less than \$2,000 but not more than \$5,000.

7. A person who violates any provision of this section may be subject to any additional penalty set forth in NRS 484B.130 or 484B.135 unless the person is subject to the penalty provided pursuant to subsection 4 of NRS 484B.550.

8. As used in this section, "organize" means to plan, schedule or promote, or assist in the planning, scheduling or promotion of, an unauthorized speed contest on a public highway, regardless of whether a fee is charged for attending the unauthorized speed contest.

Sec. 35. NRS 484B.760 is hereby amended to read as follows:

484B.760 1. It is a misdemeanor for any person to do any act forbidden or fail to perform any act required in NRS 484B.768 to 484B.783, inclusive ~~+~~, and section 24 of this act.

2. The parent of any child and the guardian of any ward shall not authorize or knowingly permit the child or ward to violate any of the provisions of chapters 484A to 484E, inclusive, of NRS.

3. The provisions applicable to bicycles, ~~and~~ electric bicycles and electric ~~foot~~ scooters apply whenever a bicycle, ~~or~~ an electric bicycle or an electric ~~foot~~ scooter is operated upon any highway or upon any path set aside for the exclusive use of bicycles, ~~or~~ electric bicycles and electric ~~foot~~ scooters subject to those exceptions stated herein.

Sec. 36. NRS 484B.763 is hereby amended to read as follows:

484B.763 Every person riding a bicycle , ~~or~~ an electric bicycle *or an electric ~~foot~~ scooter* upon a roadway has all of the rights and is subject to all of the duties applicable to the driver of a vehicle except as otherwise provided in NRS 484B.767 to 484B.783, inclusive, *and section 24 of this act* and except as to those provisions of chapters 484A to 484E, inclusive, of NRS which by their nature can have no application.

Sec. 37. NRS 484B.767 is hereby amended to read as follows:

484B.767 1. Except as otherwise provided in this section, a peace officer, a firefighter, an emergency medical technician, an advanced emergency medical technician or a paramedic certified pursuant to chapter 450B of NRS or an employee of a pedestrian mall, who operates a bicycle , ~~or~~ an electric bicycle *or an electric ~~foot~~ scooter* while on duty, is not required to comply with any provision of NRS or any ordinance of a local government relating to the operation of a bicycle , ~~or~~ an electric bicycle *or an electric ~~foot~~ scooter* while on duty if he or she:

(a) Is responding to an emergency call or the peace officer is in pursuit of a suspected violator of the law; or

(b) Determines that noncompliance with any such provision is necessary to carry out his or her duties.

2. The provisions of this section do not:

(a) Relieve a peace officer, firefighter, emergency medical technician, advanced emergency medical technician, paramedic or employee of a pedestrian mall from the duty to operate a bicycle , ~~or~~ an electric bicycle *or an electric ~~foot~~ scooter* with due regard for the safety of others.

(b) Protect such a person from the consequences of the person's disregard for the safety of others.

3. As used in this section, "pedestrian mall" has the meaning ascribed to it in NRS 268.811.

Sec. 38. NRS 484B.768 is hereby amended to read as follows:

484B.768 1. Except as otherwise provided in subsection 2, an operator of a bicycle , ~~or~~ an electric bicycle *or an electric ~~foot~~ scooter* upon a roadway shall not turn from a direct course unless the movement may be made with reasonable safety and the operator gives an appropriate signal. The operator shall give the appropriate signal at least one time but is not required to give the signal continuously.

2. An operator of a bicycle , ~~or~~ an electric bicycle *or an electric ~~foot~~ scooter* is not required to give a signal if:

(a) The bicycle , ~~or~~ electric bicycle *or electric ~~foot~~ scooter* is in a designated turn lane; or

(b) Safe operation of the bicycle , ~~or~~ electric bicycle *or electric ~~foot~~ scooter* requires the operator to keep both hands on the bicycle , ~~or~~ electric bicycle *or electric ~~foot~~ scooter*.

Sec. 39. NRS 484B.769 is hereby amended to read as follows:

484B.769 An operator of a bicycle , ~~or~~ an electric bicycle *or an electric*

~~foot~~ scooter upon a roadway shall give all signals by hand and arm in the manner required by NRS 484B.420, except that the operator may give a signal for a right turn by extending his or her right hand and arm horizontally and to the right side of the bicycle, ~~or~~ electric bicycle ~~or~~ *electric ~~foot~~ scooter*.

Sec. 40. NRS 484B.770 is hereby amended to read as follows:

484B.770 1. A person propelling a bicycle or an electric bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.

2. No bicycle, ~~or~~ electric bicycle *or electric ~~foot~~ scooter* shall be used to carry more persons at one time than the number for which it is designed and equipped.

Sec. 41. NRS 484B.773 is hereby amended to read as follows:

484B.773 No person riding upon any bicycle, electric bicycle, *electric ~~foot~~ scooter*, coaster, roller skates, sled or toy vehicle shall attach the same or himself or herself to any vehicle upon a roadway.

Sec. 42. NRS 484B.777 is hereby amended to read as follows:

484B.777 1. Every person operating a bicycle, ~~or~~ an electric bicycle *or electric ~~foot~~ scooter* upon a roadway shall, except:

- (a) When traveling at a lawful rate of speed commensurate with the speed of any nearby traffic;
- (b) When preparing to turn left; or
- (c) When doing so would not be safe,

↳ ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

2. Persons riding bicycles, ~~or~~ electric bicycles *or electric ~~foot~~ scooters* upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles, ~~or~~ electric bicycles ~~or~~ *and electric ~~foot~~ scooters*.

Sec. 43. NRS 484B.780 is hereby amended to read as follows:

484B.780 No person operating a bicycle, ~~or~~ an electric bicycle *or an electric ~~foot~~ scooter* shall carry any package, bundle or article which prevents the driver from keeping at least one hand upon the handle bars.

Sec. 44. NRS 484B.783 is hereby amended to read as follows:

484B.783 1. Every bicycle, ~~or~~ electric bicycle *or electric ~~foot~~ scooter* when in use at night must be equipped with:

- (a) A lamp on the front which emits a white light visible from a distance of at least 500 feet to the front;
- (b) A red reflector on the rear of a type approved by the Department which must be visible from 50 feet to 300 feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle; and
- (c) Reflective material of a sufficient size and reflectivity to be visible from both sides of the bicycle for 600 feet when directly in front of the lawful lower beams of the headlamps of a motor vehicle, or in lieu of such material, a lighted lamp visible from both sides from a distance of at least 500 feet.

2. Every bicycle, ~~for~~ electric bicycle or electric ~~foot~~ scooter must be equipped with a brake which will enable the operator to make the wheels skid on dry, level, clean pavement.

Sec. 45. NRS 486.038 is hereby amended to read as follows:

486.038 "Moped" means a motor-driven scooter, motor-driven cycle or similar vehicle that is propelled by a small engine which produces not more than 2 gross brake horsepower, has a displacement of not more than 50 cubic centimeters or produces not more than 1500 watts final output, and:

1. Is designed to travel on not more than three wheels in contact with the ground but is not a tractor; and

2. Is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than 1 percent grade in any direction when the motor is engaged.

↪ The term does not include an electric bicycle as defined in NRS 483.067 ~~or~~ or an electric ~~foot~~ scooter as defined in section 1 of this act.

Sec. 46. NRS 486.041 is hereby amended to read as follows:

486.041 "Motorcycle" means every motor vehicle equipped with a seat or a saddle for the use of the driver and designed to travel on not more than three wheels in contact with the ground, excluding an electric bicycle as defined in NRS 483.067, an electric ~~foot~~ scooter as defined in section 1 of this act, a tractor and a moped.

Sec. 47. NRS 486A.110 is hereby amended to read as follows:

486A.110 "Motor vehicle" means every vehicle which is self-propelled, but not operated on rails, used upon a highway for the purpose of transporting persons or property. The term does not include:

1. An electric bicycle as defined in NRS 483.067;

2. An electric ~~foot~~ scooter as defined in section 1 of this act;

3. A farm tractor as defined in NRS 482.035;

~~3.~~ 4. A moped as defined in NRS 482.069;

~~4.~~ 5. A motorcycle as defined in NRS 482.070; and

~~5.~~ 6. A vehicle having a manufacturer's gross vehicle weight rating of more than 26,000 pounds, unless the vehicle is designed for carrying more than 15 passengers.

Sec. 48. NRS 239.010 is hereby amended to read as follows:

239.010 1. Except as otherwise provided in this section and NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.071, 49.095, 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653, 119B.370, 119B.382, 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817, 128.090, 130.312, 130.712, 136.050, 159.044, 159A.044, 172.075, 172.245, 176.01249, 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801,

178.4715, 178.5691, 179.495, 179A.070, 179A.165, 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3925, 209.419, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 228.270, 228.450, 228.495, 228.570, 231.069, 231.1473, 233.190, 237.300, 239.0105, 239.0113, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335, 247.540, 247.550, 247.560, 250.087, 250.130, 250.140, 250.150, 268.095, 268.490, 268.910, 271A.105, 281.195, 281.805, 281A.350, 281A.680, 281A.685, 281A.750, 281A.755, 281A.780, 284.4068, 286.110, 287.0438, 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503, 293.504, 293.558, 293.906, 293.908, 293.910, 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1593, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.610, 365.138, 366.160, 368A.180, 370.257, 370.327, 372A.080, 378.290, 378.300, 379.008, 379.1495, 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503, 388.513, 388.750, 388A.247, 388A.249, 391.035, 391.120, 391.925, 392.029, 392.147, 392.264, 392.271, 392.315, 392.317, 392.325, 392.327, 392.335, 392.850, 394.167, 394.1698, 394.447, 394.460, 394.465, 396.3295, 396.405, 396.525, 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888, 408.5484, 412.153, 416.070, 422.2749, 422.305, 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.028, 432.205, 432B.175, 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 432B.5902, 433.534, 433A.360, 437.145, 439.840, 439B.420, 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735, 445A.665, 445B.570, 449.209, 449.245, 449A.112, 450.140, 453.164, 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050, 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403, 463.3407, 463.790, 467.1005, 480.365, 480.940, 481.063, 481.091, 481.093, 482.170, 482.5536, 483.340, 483.363, 483.575, 483.659, 483.800, 484E.070, 485.316, 501.344, 503.452, 522.040, 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098, 598A.110, 599B.090, 603.070, 603A.210, 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350, 618.341, 618.425, 622.310, 623.131, 623A.137, 624.110, 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230, 628B.760, 629.047, 629.069, 630.133, 630.30665, 630.336, 630A.555, 631.368, 632.121, 632.125, 632.405, 633.283, 633.301, 633.524, 634.055, 634.214, 634A.185, 635.158, 636.107, 637.085, 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075, 640A.220, 640B.730, 640C.400, 640C.600, 640C.620, 640C.745, 640C.760, 640D.190, 640E.340, 641.090, 641.325, 641A.191, 641A.289, 641B.170, 641B.460, 641C.760, 641C.800, 642.524, 643.189, 644A.870, 645.180, 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135, 645E.300, 645E.375, 645G.510, 645H.320, 645H.330, 647.0945, 647.0947, 648.033,

648.197, 649.065, 649.067, 652.228, 654.110, 656.105, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480, 675.380, 676A.340, 676A.370, 677.243, 679B.122, 679B.152, 679B.159, 679B.190, 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306, 687A.110, 687A.115, 687C.010, 688C.230, 688C.480, 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536, 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550, 696C.120, 703.196, 704B.320, 704B.325, 706.1725, 706A.230, 710.159, 711.600, *and section 16 of this act*, sections 35, 38 and 41 of chapter 478, Statutes of Nevada 2011 and section 2 of chapter 391, Statutes of Nevada 2013 and unless otherwise declared by law to be confidential, all public books and public records of a governmental entity must be open at all times during office hours to inspection by any person, and may be fully copied or an abstract or memorandum may be prepared from those public books and public records. Any such copies, abstracts or memoranda may be used to supply the general public with copies, abstracts or memoranda of the records or may be used in any other way to the advantage of the governmental entity or of the general public. This section does not supersede or in any manner affect the federal laws governing copyrights or enlarge, diminish or affect in any other manner the rights of a person in any written book or record which is copyrighted pursuant to federal law.

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

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

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

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

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

Sec. 49. NRS 205.2741 is hereby amended to read as follows:

205.2741 1. It is unlawful for any person:

(a) To throw any stone, rock, missile or any substance at any bicycle, electric ~~foot~~ scooter as defined in section 1 of this act, or at any motorbus, truck or other motor vehicle; or

(b) Wrongfully to injure, deface or damage any bicycle, or any motorbus, truck or other motor vehicle, or any part thereof.

2. Any person who violates any of the provisions of subsection 1 is guilty of a public offense, as prescribed in NRS 193.155, proportionate to the value of the property damaged and in no event less than a misdemeanor.

Sec. 50. This act becomes effective ~~1. Upon~~ upon passage and approval. ~~for the purpose of adopting regulations and performing any other preparatory tasks that are necessary to carry out the provisions of this act; and~~  
~~2. On January 1, 2020, for all other purposes.]~~

Senator Cancela moved the adoption of the amendment.

Remarks by Senator Cancela.

Amendment No. 677 makes five changes to Assembly Bill No. 485. It first removes "foot" from the definition of "electric foot scooter" to make it consistent with other provisions in law. Second, it excludes electric bicycles and electric scooters from certain definitions in law. Third, it adds electric bicycle and electric scooter to certain provisions that provide enhanced penalties for a driver who is the proximate cause of a collision with a pedestrian or a person riding a bicycle. Fourth, it requires a scooter-share operator to maintain certain insurance coverage limits. Finally, it changes the effective date to upon passage and approval.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

UNFINISHED BUSINESS  
SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President pro Tempore and Secretary signed Assembly Bill No. 469.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Dondero Loop, the privilege of the floor of the Senate Chamber for this day was extended to Renee Coffman Ph.D.

On request of Senator Hardy, the privilege of the floor of the Senate Chamber for this day was extended to Dr. Mark Penn.

Senator Cannizzaro moved that the Senate adjourn in memory of Dr. Gabrielle Guedet and William Fountain Sr. until Thursday, May 16, 2019, at 11:00 a.m.

Motion carried.

Senate adjourned at 12:42 p.m.

Approved:

MOISES DENIS  
*President pro Tempore of the Senate*

Attest: CLAIRE J. CLIFT  
*Secretary of the Senate*