

ASSEMBLY BILL NO. 335—ASSEMBLYWOMAN
SUMMERS-ARMSTRONG

MARCH 18, 2021

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing the redevelopment of communities. (BDR 22-852)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

AN ACT relating to redevelopment; revising the requirements for the submission of an employment plan for a redevelopment project located in certain cities; requiring a developer and certain businesses to submit progress reports related to redevelopment projects in certain cities; revising provisions relating to the termination of certain redevelopment plans; authorizing a community to exercise certain powers related to redevelopment; requiring the Nevada Commission on Minority Affairs to provide an analysis of employment plans and progress reports related to certain redevelopment projects; revising certain requirements for membership of the Southern Nevada Enterprise Community Advisory Board; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires each proposal for a redevelopment project undertaken in a
2 redevelopment area of a city whose population is 500,000 or more (currently the
3 City of Las Vegas), to include an employment plan which must include: (1) a
4 description of the existing opportunities for employment within the area; (2) a
5 projection of the effect that the redevelopment project will have on employment
6 opportunities within the area; (3) a description of the manner in which an employer
7 relocating a business into the area plans to employ certain persons, including
8 persons who have a physical disability; (4) a description of the manner in which the
9 developer will, in hiring for construction jobs for the project, use its best efforts to
10 hire certain persons; and (5) a description of the manner in which each employer
11 relocating a business into the area will use its best efforts to hire certain persons
12 living within certain areas. (NRS 279.482)



13 **Sections 2 and 5** of this bill reorganize existing requirements for an
14 employment plan that apply to a redevelopment project undertaken in a
15 redevelopment area of a city whose population is 500,000 or more (currently the
16 City of Las Vegas). **Section 2** requires the employment plan to include: (1) certain
17 information about persons with any disability; and (2) a description of how the
18 developer will seek the participation in the redevelopment project of local small
19 business contractors and subcontractors who are licensed in this State and whose
20 place of business is located within 100 miles of the project. **Section 2** also requires
21 that a redevelopment agency submit the employment plan to the Nevada
22 Commission on Minority Affairs and the Southern Nevada Enterprise Community
23 Board. **Section 2** further provides that an employment plan is a public record.

24 **Sections 3 and 4** of this bill require, respectively, developers and businesses
25 that receive incentives from an agency for a redevelopment project undertaken in a
26 redevelopment area of a city whose population is 500,000 or more (currently the
27 City of Las Vegas) to submit progress reports on the employment plan to
28 the agency. **Sections 3 and 4** also require the progress reports to be submitted by
29 the agency to the Nevada Commission on Minority Affairs and the Southern
30 Nevada Enterprise Community Board. **Sections 3 and 4** also provide that the
31 progress reports are public records.

32 **Section 6** of this bill provides that **sections 2-4** apply only to a redevelopment
33 project undertaken in a redevelopment area of a city whose population is 500,000
34 or more (currently the City of Las Vegas).

35 Existing law requires, with certain exceptions, a redevelopment plan adopted
36 on or after January 1, 1991, and any amendments to the plan to terminate not later
37 than 30 years after the date on which the original redevelopment plan is adopted.
38 (NRS 279.439) **Section 4.3** of this bill requires that such a redevelopment plan, and
39 any amendments to the plan, of a county whose population is 700,000 or more
40 (currently Clark County) terminates not later than after 45 years after the date on
41 which the original redevelopment plan is adopted.

42 Existing law authorizes a city to enact its own procedural ordinance and
43 exercise certain powers related to redevelopment. (NRS 279.444) **Section 4.7** of
44 this bill allows a community, which is defined as a county or a city, to enact its own
45 procedural ordinance and exercise such powers. (NRS 279.392)

46 Existing law requires a public agency that uses redevelopment funds for the
47 design or construction of a redevelopment project being built as a public work in a
48 redevelopment area of a city whose population is 500,000 or more (currently the
49 City of Las Vegas) to submit an employment plan. (NRS 279.6094) **Section 7** of
50 this bill provides that the employment plan must meet the requirements of
51 **section 2**.

52 **Section 8** of this bill requires the Nevada Commission on Minority Affairs to
53 analyze the information provided in the employment plans and progress reports that
54 it receives pursuant to **sections 2-4**.

55 The Southern Nevada Enterprise Community Infrastructure Improvement Act
56 establishes the Southern Nevada Enterprise Community Board to carry out certain
57 duties relating to the Southern Nevada Enterprise Community. Two of the nine
58 members of the Board must be residents of the Community. (Sections 8 and 9 of
59 chapter 407, Statutes of Nevada 2007, as amended by chapter 481, Statutes of
60 Nevada 2009, at pages 2771-72) **Section 9.5** of this bill provides instead that these
61 two members of the Board must be persons who are residents of the Community or
62 residents of an area that is located within 10 miles of the Community.



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

1 **Section 1.** Chapter 279 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2, 3 and 4 of this act.

3 **Sec. 2. 1.** *Except as otherwise provided in NRS 279.6094, if*
4 *an agency proposes to provide an incentive to a developer for a*
5 *redevelopment project, the proposal for the redevelopment project*
6 *must include an employment plan. The employment plan must*
7 *include:*

8 (a) *A description of the existing opportunities for employment*
9 *within the area;*

10 (b) *A projection of the effect that the redevelopment project*
11 *will have on opportunities for employment within the area;*

12 (c) *A description of the manner in which an employer*
13 *relocating a business into the area plans to employ persons living*
14 *within the area of operation who:*

15 (1) *Are economically disadvantaged;*

16 (2) *Have any disability;*

17 (3) *Are members of racial minorities;*

18 (4) *Are veterans; or*

19 (5) *Are women; and*

20 (d) *A description of the manner in which:*

21 (1) *The developer will seek the participation in the*
22 *redevelopment project of local small business contractors and*
23 *subcontractors who are licensed in this State and whose place of*
24 *business is located within 100 miles of the project;*

25 (2) *The developer will, in hiring for construction jobs for*
26 *the project, use its best efforts to hire veterans and persons of all*
27 *sexes and diverse ethnicities living within the redevelopment area,*
28 *an area in the city for which the legislative body has adopted a*
29 *specific plan for neighborhood revitalization or which is eligible*
30 *for a community development block grant pursuant to 24 C.F.R.*
31 *Part 570, or the Southern Nevada Enterprise Community; and*

32 (3) *Each employer relocating a business into the area will*
33 *use its best efforts to hire veterans and persons of all sexes and*
34 *diverse ethnicities living within any of the areas described in*
35 *subparagraph (2).*

36 2. *A description provided pursuant to paragraph (d) of*
37 *subsection 1 must include an agreement by the developer or*
38 *employer to offer and conduct training for the residents described*
39 *in that paragraph or make a good faith effort to provide such*
40 *training through a program of training that is offered by a*
41 *governmental agency and reasonably available to the developer or*
42 *employer.*



1 3. The agency shall submit the employment plan within 30
2 days after receipt to:

3 (a) The Nevada Commission on Minority Affairs created by
4 NRS 232.852; and

5 (b) If the redevelopment project is located within the Southern
6 Nevada Enterprise Community, the Southern Nevada Enterprise
7 Community Board. Upon request of the Board, a developer must
8 present the employment plan to the Board.

9 4. An employment plan submitted to an agency pursuant to
10 this section is a public record.

11 **Sec. 3. 1.** A developer that receives an incentive from an
12 agency for a redevelopment project shall submit to the agency a
13 progress report on the employment plan submitted pursuant to
14 section 2 of this act:

15 (a) Not more than 120 days after the date on which the
16 redevelopment project is 50 percent completed; and

17 (b) Not more than 120 days after the completion of the
18 redevelopment project.

19 2. A progress report submitted pursuant to subsection 1 must
20 include, without limitation:

21 (a) The number of persons who have worked on the
22 redevelopment project who:

23 (1) Are economically disadvantaged;

24 (2) Have any disability;

25 (3) Are members of racial minorities;

26 (4) Are veterans; or

27 (5) Are women; and

28 (b) The number of persons who have worked on the
29 redevelopment project who are residents of an area described in
30 subparagraph (2) of paragraph (d) of subsection 1 of section 2 of
31 this act;

32 (c) The number of local small business contractors and
33 subcontractors who are licensed in this State and whose place of
34 business is located within 100 miles of the redevelopment project
35 who have worked on the redevelopment project; and

36 (d) A comparison between the information presented in the
37 progress report and the information contained in the original
38 employment plan submitted for the project pursuant to section 2 of
39 this act.

40 3. The agency shall submit a progress report received
41 pursuant to this section within 30 days after receipt to:

42 (a) The Nevada Commission on Minority Affairs created by
43 NRS 232.852; and

44 (b) If the redevelopment project is located within the Southern
45 Nevada Enterprise Community, the Southern Nevada Enterprise



1 *Community Board. Upon request of the Board, a developer shall*
2 *present the progress report to the Board.*

3 *4. A progress report submitted pursuant to this section is a*
4 *public record.*

5 **Sec. 4.** *1. A business that receives an incentive to relocate*
6 *into the redevelopment area must submit to the agency a progress*
7 *report not more than 120 days after the opening of the business*
8 *and annually thereafter for the term during which the business is*
9 *receiving the incentive.*

10 *2. A progress report submitted pursuant to subsection 1 must*
11 *include, without limitation:*

12 *(a) The number of persons employed by the business who:*

13 *(1) Are economically disadvantaged;*

14 *(2) Have any disability;*

15 *(3) Are members of racial minorities;*

16 *(4) Are veterans; or*

17 *(5) Are women;*

18 *(b) The number of persons employed by the business who are*
19 *residents of an area described in subparagraph (2) of paragraph*
20 *(d) of subsection 1 of section 2 of this act; and*

21 *(c) A comparison between the information presented in the*
22 *progress report and the information included in the original*
23 *employment plan submitted for the project pursuant to section 2 of*
24 *this act.*

25 *3. The agency shall submit a progress report received*
26 *pursuant to this section within 30 days after receipt to:*

27 *(a) The Nevada Commission on Minority Affairs created by*
28 *NRS 232.852; and*

29 *(b) If the redevelopment project is located within the Southern*
30 *Nevada Enterprise Community, the Southern Nevada Enterprise*
31 *Community Board. Upon request of the Board, a business must*
32 *present the progress report to the Board.*

33 *4. A report submitted pursuant to this section is a public*
34 *record.*

35 **Sec. 4.3.** NRS 279.439 is hereby amended to read as follows:

36 279.439 1. Except as otherwise provided in subsections 2, 3
37 and 4, a redevelopment plan adopted on or after January 1, 1991,
38 and any amendments to the plan must terminate not later than 30
39 years after the date on which the original redevelopment plan is
40 adopted.

41 2. If a redevelopment area includes any real property conveyed
42 by the Federal Government which contains an abandoned mine or
43 milling operation with open pits, large volumes of mine overburden
44 and tailings piles and mill facility foundations, or a hazardous level
45 of contaminants, a redevelopment plan adopted on or after



1 January 1, 1991, and any amendments to the plan must terminate not
2 later than 45 years after the date of the conveyance of the real
3 property if:

4 (a) Within 15 years after the date on which the original
5 redevelopment plan is adopted, the State enters into one or more
6 agreements, with respect to the real property conveyed by the
7 Federal Government, for mine remediation and reclamation; and

8 (b) Before entering into any agreement for mine remediation and
9 reclamation, the State consults with the legislative body of the
10 community in which the real property is located.

11 3. Except for a redevelopment area described in subsection 2, a
12 redevelopment plan, and any amendments to the plan, adopted on or
13 after January 1, 1991, by an agency of a *county whose population is*
14 *700,000 or more or a* city whose population is 220,000 or more but
15 less than 500,000 located in a county whose population is 700,000
16 or more that meets the requirement of subsection 4 must terminate
17 not later than 45 years after the date on which the original
18 redevelopment plan is adopted.

19 4. A redevelopment plan, and any amendments to the plan,
20 may terminate on the date prescribed by subsection 3 only if the
21 legislative body adopts an extension of the redevelopment plan by
22 ordinance.

23 **Sec. 4.7.** NRS 279.444 is hereby amended to read as follows:

24 279.444 1. As an alternative to the appointment of five
25 members of the agency pursuant to NRS 279.440 and as an
26 alternative to the procedures set forth in NRS 279.443, the
27 legislative body may, at the time of the adoption of a resolution
28 pursuant to NRS 279.428, or at any time thereafter, declare itself to
29 be the agency, in which case, all the rights, powers, duties,
30 privileges and immunities vested by this chapter in an agency are
31 vested in the legislative body of the community. If the legislative
32 body of a city declares itself to be the agency pursuant to this
33 subsection, it may include the mayor of the city as part of the
34 agency regardless of whether the mayor is a member of the
35 legislative body.

36 2. A *[city] community* may enact its own procedural ordinance
37 and exercise the powers granted by this chapter.

38 3. An agency may delegate to a community any of the powers
39 or functions of the agency with respect to the planning or
40 undertaking of a redevelopment project in the area in which that
41 community is authorized to act, and that community may carry out
42 or perform those powers or functions for the agency.

43 **Sec. 5.** NRS 279.482 is hereby amended to read as follows:

44 279.482 1. An agency may obligate lessees or purchasers of
45 property acquired in a redevelopment project to:



1 (a) Use the property for the purpose designated in the
2 redevelopment plans.

3 (b) Begin the redevelopment of the area within a period of time
4 which the agency fixes as reasonable.

5 (c) Comply with other conditions which the agency deems
6 necessary to carry out the purposes of this chapter, including,
7 without limitation, the provisions of an employment plan or a
8 contract approved for a redevelopment project.

9 2. Except as otherwise provided in ~~[NRS 279.6094.]~~ **section 2**
10 **of this act**, as appropriate for the particular project, each proposal
11 for a redevelopment project must also include an employment plan.
12 The employment plan must include:

13 (a) A description of the existing opportunities for employment
14 within the area;

15 (b) A projection of the effect that the redevelopment project will
16 have on opportunities for employment within the area; **and**

17 (c) A description of the manner in which an employer relocating
18 a business into the area plans to employ persons living within the
19 area of operation who:

- 20 (1) Are economically disadvantaged;
- 21 (2) Have ~~[a physical]~~ **any** disability;
- 22 (3) Are members of racial minorities;
- 23 (4) Are veterans; or
- 24 (5) Are women . ~~;~~ **and**

25 ~~—(d) For a redevelopment project undertaken in a redevelopment~~
26 ~~area of a city whose population is 500,000 or more, a description of~~
27 ~~the manner in which:~~

28 ~~—(1) The developer will, in hiring for construction jobs for the~~
29 ~~project, use its best efforts to hire veterans and other persons of both~~
30 ~~sexes and diverse ethnicities living within the redevelopment area,~~
31 ~~an area in the city for which the legislative body has adopted a~~
32 ~~specific plan for neighborhood revitalization or which is eligible for~~
33 ~~a community development block grant pursuant to 24 C.F.R. Part~~
34 ~~570, or the Southern Nevada Enterprise Community; and~~

35 ~~—(2) Each employer relocating a business into the area will use~~
36 ~~its best efforts to hire veterans and other persons of both sexes and~~
37 ~~diverse ethnicities living within any of the areas described in~~
38 ~~subparagraph (1);~~

39 ~~—3. A description provided pursuant to paragraph (d) of~~
40 ~~subsection 2 must include an agreement by the developer or~~
41 ~~employer to offer and conduct training for the residents described in~~
42 ~~that paragraph or make a good faith effort to provide such training~~
43 ~~through a program of training that is offered by a governmental~~
44 ~~agency and reasonably available to the developer or employer.]~~



1 **Sec. 6.** NRS 279.6092 is hereby amended to read as follows:
2 279.6092 The provisions of NRS 279.6092 to 279.6099,
3 inclusive, *and sections 2, 3 and 4 of this act*, apply only to a
4 redevelopment project undertaken in a redevelopment area of a city
5 whose population is 500,000 or more.

6 **Sec. 7.** NRS 279.6094 is hereby amended to read as follows:
7 279.6094 A public agency that uses redevelopment funds for
8 the design or construction of a redevelopment project being built as
9 a public work pursuant to chapter 338 of NRS shall submit an
10 employment plan pursuant to ~~NRS 279.482.~~ *section 2 of this act.*

11 **Sec. 8.** NRS 232.860 is hereby amended to read as follows:
12 232.860 The Commission shall, within the limits of available
13 money:

14 1. Study matters affecting the social and economic welfare and
15 well-being of minorities residing in the State of Nevada;

16 2. Collect and disseminate information on activities, programs
17 and essential services available to minorities in the State of Nevada;

18 3. Study the:

19 (a) Availability of employment for minorities in this State, and
20 the manner in which minorities are employed;

21 (b) Manner in which minorities can be encouraged to start and
22 manage their own businesses successfully; and

23 (c) Availability of affordable housing, as defined in NRS
24 278.0105, for minorities;

25 4. In cooperation with the Nevada Equal Rights Commission,
26 act as a liaison to inform persons regarding:

27 (a) The laws of this State that prohibit discriminatory practices;
28 and

29 (b) The procedures pursuant to which aggrieved persons may
30 file complaints or otherwise take action to remedy such
31 discriminatory practices;

32 5. To the extent practicable, strive to create networks within
33 the business community between businesses that are owned by
34 minorities and businesses that are not owned by minorities;

35 6. *Analyze the information provided in the employment plans
36 and reports for a redevelopment project submitted pursuant to
37 sections 2, 3 and 4 of this act;*

38 7. Advise the Governor on matters relating to minorities and of
39 concern to minorities; and

40 ~~7.~~ 8. Recommend proposed legislation to the Governor.

41 **Sec. 9.** (Deleted by amendment.)



1 **Sec. 9.5.** Section 8 of the Southern Nevada Enterprise
2 Community Infrastructure Improvement Act, being chapter 407,
3 Statutes of Nevada 2007, as amended by chapter 481, Statutes of
4 Nevada 2009, at page 2771, is hereby amended to read as follows:

5 Sec. 8. 1. The Southern Nevada Enterprise
6 Community Board is hereby created.

7 2. The Board consists of nine members, appointed in
8 consultation with residents of the Community, as follows:

9 (a) One member of the Nevada Congressional Delegation
10 selected from among its membership or his or her designee;

11 (b) One member of the Assembly and one member of the
12 Senate who represent the Community selected by the
13 Legislative Commission;

14 (c) One member of the Clark County Board of County
15 Commissioners selected from among its membership;

16 (d) One member of the Las Vegas City Council from
17 among its membership;

18 (e) One member of the North Las Vegas City Council
19 from among its membership;

20 (f) Two *persons who are* residents of the Community ~~to~~
21 ~~recommended and selected by the Stop the F Street Closure,~~
22 ~~LLC;~~ *or residents of an area that is located within 10 miles*
23 *of the Community;* and

24 (g) A representative of the private sector appointed by the
25 Chamber of Commerce established in the Community.

26 3. Each member of the Board serves for a term of 3
27 years. A vacancy on the Board must be filled in the same
28 manner as the original appointment. A member may be
29 reappointed to the Board.

30 4. The members of the Board shall elect a Chair and
31 Vice Chair by majority vote. After the initial election, the
32 Chair and Vice Chair shall hold office for a term of 1 year
33 beginning on August 1 of each year. If a vacancy occurs in
34 the office of Chair or Vice Chair, the members of the Board
35 shall elect a Chair or Vice Chair, as appropriate, from among
36 its members for the remainder of the unexpired term.

37 5. The City of Las Vegas shall provide administrative
38 support for the Board.

