

Amendment No. 649

Senate Amendment to Assembly Bill No. 335 First Reprint	(BDR 22-852)
Proposed by: Senate Committee on Government Affairs	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

SLD/ERS



Date: 5/16/2021

A.B. No. 335—Revises provisions governing the redevelopment of communities.
(BDR 22-852)



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:

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

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

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20 Affairs and the Southern Nevada Enterprise Community Board. **Section 2** further provides
21 that an employment plan is a public record.

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

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

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

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

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

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

51 The Southern Nevada Enterprise Community Infrastructure Improvement Act
52 establishes the Southern Nevada Enterprise Community Board to carry out certain
53 duties relating to the Southern Nevada Enterprise Community. Two of the nine
54 members of the Board must be residents of the Community. (Sections 8 and 9 of chapter
55 407, Statutes of Nevada 2007, as amended by chapter 481, Statutes of Nevada 2009, at
56 pages 2771-72) Section 9.5 of this bill provides instead that these two members of the
57 Board must be persons who are residents of the Community or residents of an area that
58 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 thereto the
2 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 an agency*
4 *proposes to provide an incentive to a developer for a redevelopment project, the*
5 *proposal for the redevelopment project must include an employment plan. The*
6 *employment plan must include:*

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

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

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

- 1 (1) *Are economically disadvantaged;*
- 2 (2) *Have any disability;*
- 3 (3) *Are members of racial minorities;*
- 4 (4) *Are veterans; or*
- 5 (5) *Are women; and*

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

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

10 (2) *The developer will, in hiring for construction jobs for the project, use*
11 *its best efforts to hire veterans and persons of all sexes and diverse ethnicities*
12 *living within the redevelopment area, an area in the city for which the legislative*
13 *body has adopted a specific plan for neighborhood revitalization or which is*
14 *eligible for a community development block grant pursuant to 24 C.F.R. Part*
15 *570, or the Southern Nevada Enterprise Community; and*

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

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

24 3. *The agency shall submit the employment plan within 30 days after receipt*
25 *to:*

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

28 (b) *If the redevelopment project is located within the Southern Nevada*
29 *Enterprise Community, the Southern Nevada Enterprise Community Board.*
30 *Upon request of the Board, a developer must present the employment plan to the*
31 *Board.*

32 4. *An employment plan submitted to an agency pursuant to this section is a*
33 *public record.*

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

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

39 (b) *Not more than 120 days after the completion of the redevelopment*
40 *project.*

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

43 (a) *The number of persons who have worked on the redevelopment project*
44 *who:*

- 45 (1) *Are economically disadvantaged;*
- 46 (2) *Have any disability;*
- 47 (3) *Are members of racial minorities;*
- 48 (4) *Are veterans; or*
- 49 (5) *Are women; and*

50 (b) *The number of persons who have worked on the redevelopment project*
51 *who are residents of an area described in subparagraph (2) of paragraph (d) of*
52 *subsection 1 of section 2 of this act;*

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

4 (d) *A comparison between the information presented in the progress report*
5 *and the information contained in the original employment plan submitted for the*
6 *project pursuant to section 2 of this act.*

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

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

11 (b) *If the redevelopment project is located within the Southern Nevada*
12 *Enterprise Community, the Southern Nevada Enterprise Community Board.*
13 *Upon request of the Board, a developer shall present the progress report to the*
14 *Board.*

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

16 **Sec. 4.** 1. *A business that receives an incentive to relocate into the*
17 *redevelopment area must submit to the agency a progress report not more than*
18 *120 days after the opening of the business and annually thereafter for the term*
19 *during which the business is receiving the incentive.*

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

22 (a) *The number of persons employed by the business 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;*

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

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

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

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

38 (b) *If the redevelopment project is located within the Southern Nevada*
39 *Enterprise Community, the Southern Nevada Enterprise Community Board.*
40 *Upon request of the Board, a business must present the progress report to the*
41 *Board.*

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

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

44 279.439 1. Except as otherwise provided in subsections 2, 3 and 4, a
45 redevelopment plan adopted on or after January 1, 1991, and any amendments to
46 the plan must terminate not later than 30 years after the date on which the original
47 redevelopment plan is adopted.

48 2. If a redevelopment area includes any real property conveyed by the Federal
49 Government which contains an abandoned mine or milling operation with open
50 pits, large volumes of mine overburden and tailings piles and mill facility
51 foundations, or a hazardous level of contaminants, a redevelopment plan adopted
52 on or after January 1, 1991, and any amendments to the plan must terminate not
53 later than 45 years after the date of the conveyance of the real property if:

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

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

8 3. Except for a redevelopment area described in subsection 2, a
9 redevelopment plan, and any amendments to the plan, adopted on or after January
10 1, 1991, by an agency of a *county whose population is 700,000 or more or a* city
11 whose population is 220,000 or more but less than 500,000 located in a county
12 whose population is 700,000 or more that meets the requirement of subsection 4
13 must terminate not later than 45 years after the date on which the original
14 redevelopment plan is adopted.

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

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

19 279.444 1. As an alternative to the appointment of five members of the
20 agency pursuant to NRS 279.440 and as an alternative to the procedures set forth in
21 NRS 279.443, the legislative body may, at the time of the adoption of a resolution
22 pursuant to NRS 279.428, or at any time thereafter, declare itself to be the agency,
23 in which case, all the rights, powers, duties, privileges and immunities vested by
24 this chapter in an agency are vested in the legislative body of the community. If the
25 legislative body of a city declares itself to be the agency pursuant to this subsection,
26 it may include the mayor of the city as part of the agency regardless of whether the
27 mayor is a member of the legislative body.

28 2. A ~~city~~ *community* may enact its own procedural ordinance and exercise
29 the powers granted by this chapter.

30 3. An agency may delegate to a community any of the powers or functions of
31 the agency with respect to the planning or undertaking of a redevelopment project
32 in the area in which that community is authorized to act, and that community may
33 carry out or perform those powers or functions for the agency.

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

35 279.482 1. An agency may obligate lessees or purchasers of property
36 acquired in a redevelopment project to:

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

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

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

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

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

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

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

51 (1) Are economically disadvantaged;

52 (2) Have ~~ta physical~~ *any* disability;

53 (3) Are members of racial minorities;

1 (4) Are veterans; or

2 (5) Are women. ~~}; and~~

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

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

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

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

19 **Sec. 6.** NRS 279.6092 is hereby amended to read as follows:

20 279.6092 The provisions of NRS 279.6092 to 279.6099, inclusive, *and*
21 *sections 2, 3 and 4 of this act*, apply only to a redevelopment project undertaken in
22 a redevelopment area of a city whose population is 500,000 or more.

23 **Sec. 7.** NRS 279.6094 is hereby amended to read as follows:

24 279.6094 A public agency that uses redevelopment funds for the design or
25 construction of a redevelopment project being built as a public work pursuant to
26 chapter 338 of NRS shall submit an employment plan pursuant to ~~[NRS 279.482.]~~
27 *section 2 of this act.*

28 **Sec. 8.** NRS 232.860 is hereby amended to read as follows:

29 232.860 The Commission shall, within the limits of available money:

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

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

34 3. Study the:

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

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

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

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

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

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

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

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

51 7. Advise the Governor on matters relating to minorities and of concern to
52 minorities; and

53 ~~{} 8.~~ Recommend proposed legislation to the Governor.

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

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

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

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

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

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

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

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

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

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

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

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

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

34 5. The City of Las Vegas shall provide administrative support for the
35 Board.