

Amendment No. 40

Assembly Amendment to Assembly Bill No. 88	(BDR 34-147)
Proposed by: Assembly Committee on Education	
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.

AAS/AAK



Date: 4/12/2021

A.B. No. 88—Makes various changes relating to governmental entities.
(BDR 34-147)



ASSEMBLY BILL NO. 88—ASSEMBLYMEN WATTS, NGUYEN, GONZALEZ, PETERS,
TORRES; ANDERSON AND FLORES

FEBRUARY 2, 2021

Referred to Committee on Education

SUMMARY—Makes various changes relating to governmental entities.
(BDR 34-147)

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 governmental entities; requiring the board of trustees of a school district, governing body of a charter school or governing body of a university school for profoundly gifted pupils to adopt a policy prohibiting the use of certain racially discriminatory identifiers; authorizing the board of trustees of a school district, governing body of a charter school or governing body of a university school for profoundly gifted pupils to use an identifier associated with a federally recognized Indian tribe in certain circumstances; ~~authorizing the Board of Regents of the University of Nevada to prohibit the use of certain racially discriminatory identifiers;~~ requiring the Nevada State Board on Geographic Names to recommend changes to the names of geographic features or places that are racially discriminatory ; ~~for named after certain persons;~~ requiring the Board to report annually to the Legislature or the Legislative Commission, as applicable, on any recommendations; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Section 1 of this bill requires the board of trustees of each school district, governing body
2 of each charter school and governing body of each university school for profoundly gifted
3 pupils to change, and adopt a policy that prohibits the use of, ~~for~~ **any** name, logo, mascot,
4 song or other identifier that: (1) is racially discriminatory; **or** (2) contains racially
5 discriminatory language or imagery. ~~;~~ ~~or (3) is associated with a natural person with a~~
6 ~~racially discriminatory history.~~ Section 1 authorizes the board of trustees of a school district,
7 governing body of a charter school or governing body of a university school for profoundly
8 gifted pupils to use an identifier associated with a federally recognized Indian tribe if the
9 board of trustees or governing body obtains permission for the use of the identifier from the
10 Indian tribe.
11 ~~Section 2 of this bill similarly authorizes the Board of Regents of the University of~~
12 ~~Nevada to adopt a policy that prohibits the use of a name, logo, mascot, song or other~~
13 ~~identifier that is racially discriminatory or associated with a person with a racially~~
14 ~~discriminatory history and requires a university, state college or community college to change~~

15 ~~such an identifier. Section 2 also authorizes a university, state college or community college to~~
 16 ~~use an identifier associated with a federally recognized Indian tribe if the university, state~~
 17 ~~college or community college obtains permission for the use of the identifier from the Indian~~
 18 ~~tribe.]~~

19 Existing law creates the Nevada State Board on Geographic Names. (NRS 327.110)
 20 Under existing law, the Board makes official recommendations to the United States Board on
 21 Geographic Names on proposals for the names of geographic features and places in this State
 22 for use in maps and official documents. (NRS 327.140) **Section 3** of this bill requires the
 23 Board to recommend changes to the name of any geographic feature or place that: (1) is
 24 racially discriminatory; or (2) contains racially discriminatory language or imagery. ~~[or (3)~~
 25 ~~is named for a natural person with a racially discriminatory history.]~~ **Section 3** also requires
 26 the Board to submit an annual report on any recommendations to change the name of a
 27 geographic feature or place to the Director of the Legislative Counsel Bureau for transmittal to
 28 the Legislature or, if the Legislature is not in session, to the Legislative Commission.

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

1 **Section 1.** Chapter 388 of NRS is hereby amended by adding thereto a new
 2 section to read as follows:

3 *1. Except as otherwise provided in subsection 2, the board of trustees of*
 4 *each school district, governing body of each charter school and governing body*
 5 *of each university school for profoundly gifted pupils shall change, and adopt a*
 6 *policy prohibiting the use of, any name, logo, mascot, song or other identifier that*
 7 *is racially discriminatory and or contains racially discriminatory language or*
 8 *imagery, for is associated with a natural person with a racially discriminatory*
 9 *history, including, without limitation, a name, logo, mascot, song or other*
 10 *identifier associated with the Confederate States of America or a federally*
 11 *recognized Indian tribe.*

12 *2. The board of trustees of a school district, governing body of a charter*
 13 *school or governing body of a university school for profoundly gifted pupils may*
 14 *use a name, logo, mascot, song or other identifier associated with a federally*
 15 *recognized Indian tribe if the board of trustees or governing body obtains*
 16 *approval from the Indian tribe to use the name, logo, mascot, song or other*
 17 *identifier.*

18 **Sec. 2.** ~~[Chapter 306 of NRS is hereby amended by adding thereto a new~~
 19 ~~section to read as follows:~~

20 ~~*1. The Board of Regents may adopt a policy prohibiting the use of, and*~~
 21 ~~*require a university, state college or community college to change, any name,*~~
 22 ~~*logo, mascot, song or other identifier that is racially discriminatory, contains*~~
 23 ~~*racially discriminatory language or imagery or is associated with a natural*~~
 24 ~~*person with a racially discriminatory history, including, without limitation, a*~~
 25 ~~*name, logo, mascot, song or other identifier associated with the Confederate*~~
 26 ~~*States of America or a federally recognized Indian tribe*~~

27 ~~*2. A university, state college or community college may use a name, logo,*~~
 28 ~~*mascot, song or other identifier associated with a federally recognized Indian*~~
 29 ~~*tribe if the university, state college or community college obtains approval from*~~
 30 ~~*the Indian tribe to use the name, logo, mascot, song or other identifier.] (Deleted*~~
 31 ~~*by amendment.)*~~

32 **Sec. 3.** NRS 327.140 is hereby amended to read as follows:
 33 327.140 1. The Board shall:

34 (a) Receive and evaluate all proposals for changes in or additions to names of
 35 geographic features and places in the State to determine the most appropriate and

1 acceptable names for use in maps and official documents of all levels of
2 government.

3 (b) Make official recommendations on behalf of the State with respect to each
4 proposal.

5 (c) Assist and cooperate with the United States Board on Geographic Names in
6 matters relating to names of geographic features and places in Nevada.

7 (d) Maintain a list of advisers who have special knowledge of or expertise in
8 Nevada history, geography or culture and consult with those advisers on a regular
9 basis in the course of its work.

10 *(e) Recommend to change the name of any geographic feature or place in*
11 *this State that is racially discriminatory ~~and~~ or contains racially discriminatory*
12 *language or imagery. ~~for is named for a natural person with a racially~~*
13 *~~discriminatory history.~~*

14 *(f) Report annually on any recommendation to change the name of a*
15 *geographic feature or place pursuant to paragraph (e) and submit the report to*
16 *the Director of the Legislative Counsel Bureau for transmittal to the Legislature*
17 *or, if the Legislature is not in session, to the Legislative Commission.*

18 2. The Board may:

19 (a) Adopt regulations to assist in carrying out the functions and duties assigned
20 to it by law.

21 (b) Initiate proposals for changes in or additions to geographic names in the
22 State. Any proposal initiated by the Board must be evaluated in accordance with the
23 same procedures prescribed for the consideration of other proposals.

24 **Sec. 4.** ~~111~~ The board of trustees of each school district, governing body of
25 each charter school and governing body of each university school for profoundly
26 gifted pupils shall adopt the policy required by section 1 of this act and change any
27 applicable name, logo, mascot, song or other identifier on or before July 1, 2022.

28 ~~[2. The Nevada State Board on Geographic Names shall recommend the~~
29 ~~change of the names of any applicable geographic features or places in this State as~~
30 ~~required by NRS 327.140, as amended by section 3 of this act, on or before~~
31 ~~December 1, 2022.]~~

32 **Sec. 5.** The provisions of subsection 1 of NRS 218D.380 do not apply to any
33 provision of this act which adds or revises a requirement to submit a report to the
34 Legislature.