

Assembly Bill No. 252–Assemblywomen Cohen;
and Brown-May

CHAPTER.....

AN ACT relating to governmental administration; creating the Account for Improving Access to State Museums for Persons with Disabilities in the State General Fund; revising the membership of the Board of Museums and History; requiring the Administrator of the Division of Museums and History of the Department of Tourism and Cultural Affairs to develop and maintain an Internet website related to institutions of the Division and ensure that the Internet website is accessible to persons with disabilities; authorizing the Administrator to authorize or require a museum director of an institution of the Division to establish certain procedures that enable the accessibility of the exhibits in the institution to persons who are blind or visually impaired; requiring the Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs to study during the 2023-2024 interim any issues that exist that limit the ability of persons with disabilities to access the institutions of the Division; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law creates the Division of Museums and History of the Department of Tourism and Cultural Affairs, which consists of the Office of the Administrator and certain museums and historical societies which are established as institutions of the Division. (NRS 381.004) Existing law further sets forth various duties of the Administrator. (NRS 381.006, 381.0063) **Section 3** of this bill requires the Administrator to also: (1) develop and maintain an Internet website related to the institutions of the Division and ensure that the Internet website is accessible to persons with disabilities, including, without limitation, persons who are blind or visually impaired; and (2) consult with certain organizations regarding the accessibility of institutions of the Division to persons with disabilities, including, without limitation, persons who are blind or visually impaired. **Section 4.5** of this bill makes an appropriation to the Division for the development of the Internet website required to be developed pursuant to **section 3**. **Section 4** of this bill authorizes the Administrator to authorize or require a museum director of an institution of the Division to establish certain procedures that enable the accessibility of the exhibits in the institution for persons who are blind or visually impaired.

Section 1 of this bill creates the Account for Improving Access to State Museums for Persons with Disabilities in the State General Fund, to be administered by the Administrator. Money in the Account must be expended only to improve access at institutions of the Division for persons with disabilities, including, without limitation, persons who are blind or visually impaired.

Existing law creates the Board of Museums and History, which consists of twelve members, including five representatives of the general public who are



knowledgeable about museums. (NRS 381.002) **Section 2** of this bill provides that one of the representatives of the general public must be a person who is knowledgeable about museums and has a disability. **Section 6** of this bill clarifies that the provisions of **section 2** do not affect the term of any person who is a member of the Board on June 30, 2023.

Section 5 of this bill requires the Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs to study during the 2023-2024 interim any issues that exist which limit the ability of persons with disabilities, including, without limitation, persons who are blind or visually impaired, to access the institutions of the Division.

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

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

Section 1. Chapter 381 of NRS is hereby amended by adding thereto a new section to read as follows:

1. There is hereby created the Account for Improving Access to State Museums for Persons with Disabilities in the State General Fund. The Account shall be administered by the Administrator.

2. The money in the Account must be expended only to improve access at institutions of the Division that are established pursuant to NRS 381.004 for persons with disabilities, including, without limitation, persons who are blind or visually impaired.

3. The Administrator may apply for and accept any gift, donation, bequest, grant or other source of money for deposit in the Account.

4. The interest and income earned on money in the Account from any gift, donation, bequest or appropriation, after deducting any applicable charges, must be credited to the Account.

5. Money from any gift, donation, bequest or appropriation that remains in the Account at the end of the fiscal year does not revert to the State General Fund, and the balance in the Account must be carried forward to the next fiscal year.

Sec. 2. NRS 381.002 is hereby amended to read as follows:

381.002 1. The Board of Museums and History, consisting of twelve members appointed by the Governor, is hereby created.

2. The Governor shall appoint to the Board:

(a) Five representatives of the general public who are knowledgeable about museums ~~and~~, *one of whom must be a person with a disability.*

(b) Six members representing the fields of history, prehistoric archeology, historical archeology, architectural history, and



architecture with qualifications as defined by the Secretary of Interior's standards for historic preservation in the following fields:

- (1) One member who is qualified in history;
- (2) One member who is qualified in prehistoric archeology;
- (3) One member who is qualified in historic archeology;
- (4) One member who is qualified in architectural history;
- (5) One member who is qualified as an architect; and
- (6) One additional member who is qualified, as defined by the Secretary of Interior's standards for historic preservation, in any of the fields of expertise described in subparagraphs (1) to (5), inclusive.

(c) One member, after giving consideration to any recommendation of an enrolled member of a Nevada Indian tribe which is submitted by the Nevada Indian Commission, after consultation with the Inter-Tribal Council of Nevada, Inc., or its successor organization.

3. The Board shall elect a Chair and a Vice Chair from among its members at its first meeting of every even-numbered year. The terms of the Chair and Vice Chair are 2 years or until their successors are elected.

4. With respect to the functions of the Office of Historic Preservation, the Board may develop, review and approve policy for:

- (a) Matters relating to the State Historic Preservation Plan;
- (b) Nominations to the National Register of Historic Places and make a determination of eligibility for listing on the Register for each property nominated; and
- (c) Nominations to the State Register of Historic Places and make determination of eligibility for listing on the Register for each property nominated.

5. With respect to the functions of the Division, the Board shall develop, review and make policy for investments, budgets, expenditures and general control of the Division's private and endowed dedicated trust funds pursuant to NRS 381.003 to 381.0037, inclusive.

6. In all other matters pertaining to the Office of Historic Preservation and the Division of Museums and History, the Board serves in an advisory capacity.

7. The Board may adopt such regulations as it deems necessary to carry out its powers and duties.

Sec. 2.5. NRS 381.0031 is hereby amended to read as follows:
381.0031 1. ~~[AH]~~ *Except as otherwise provided in subsection 5, all* money and the proceeds from property received by



the Division or any institution of the Division through any grant other than a grant of federal money, bequest or devise, and the proceeds from memberships, sales, interest and dividends from any sources other than appropriation by the Legislature, admission charges and sales of tickets for train rides, are private money and not state money. The Board shall establish a Division of Museums and History Dedicated Trust Fund. All private money must be accounted for in that Fund. No other money may be accounted for in that Fund.

2. Except as otherwise provided in this chapter, all of the money in the Dedicated Trust Fund must be deposited in a financial institution to draw interest or be expended, invested and reinvested pursuant to the specific instructions of the donor, or, where no such specific instructions exist, in the sound discretion of the Board. The provisions of subsections 3 and 4 of NRS 356.011 apply to any accounts in financial institutions maintained pursuant to this section.

3. The Board shall account separately for the portions of the private money received by each institution of the Division but may combine all or any portion of the private money for the purposes of investment and reinvestment.

4. The Board shall adopt an investment policy for the private money.

5. The provisions of this section do not apply to any money received for deposit in the Account for Improving Access to State Museums for Persons with Disabilities created by section 1 of this act.

Sec. 3. NRS 381.006 is hereby amended to read as follows:

381.006 **1.** For the property and facilities of the Division, the Administrator:

~~1.~~ **(a)** Is responsible to the Director for the general administration of the Division and its institutions and for the submission of its budgets, which must include the combined budgets of its institutions.

~~2.~~ **(b)** Shall supervise the museum directors of its institutions in matters pertaining to the general administration of the institutions.

~~3.~~ **(c)** Shall coordinate the submission of requests by its institutions for assistance from governmental sources.

~~4.~~ **(d)** Shall oversee the public relations of its institutions.

~~5.~~ **(e)** Shall superintend the planning and development of any new facilities for the Division or its institutions.

~~6.~~ **(f)** Shall assist the efforts of its institutions in improving their services to the rural counties.

~~7.~~ **(g)** Shall supervise the facilities for storage which are jointly owned or used by any of its institutions.



~~18.~~ (h) Shall trade, exchange and transfer exhibits and equipment when the Administrator considers it proper and the transactions are not sales.

~~19.~~ (i) May contract with any person to provide concessions on the grounds of the property and facilities of the Division, provided that any contract permitting control of real property of the Division by a nongovernmental entity must be executed as a lease pursuant to NRS 321.003, 321.335, 322.050, 322.060 and 322.070.

~~10.~~ (j) Shall oversee the supervision, control, management and operation of any buildings or properties in this State that are under the control of the Division.

~~11.~~ (k) Shall supervise the furnishing, remodeling, repairing, alteration and erection of premises and buildings of the Division or premises and buildings that may be conveyed or made available to the Division.

2. In addition to the duties set forth in subsection 1, the Administrator shall:

(a) Develop and maintain an Internet website related to the museums and historical societies established as institutions of the Division pursuant to NRS 381.004 and ensure that the Internet website is accessible to persons with disabilities, including, without limitation, persons who are blind or visually impaired.

(b) Consult with organizations that are dedicated to the welfare of persons with disabilities, including, without limitation, persons who are blind or visually impaired. Such organizations may include, without limitation, the American Council of the Blind and the National Federation of the Blind, regarding the accessibility of institutions of the Division that are established pursuant to NRS 381.004 to persons who are blind or visually impaired.

Sec. 4. NRS 381.0063 is hereby amended to read as follows:

381.0063 1. The Administrator shall, in accordance with any directive received from the Director pursuant to NRS 232.005, authorize or require each museum director to perform such duties set forth in subsections 2 and 3 as are necessary for the operation of the institution administered by the museum director, after giving consideration to:

- (a) The size and complexity of the programs the museum director is required to administer;
- (b) The number of personnel needed to carry out those programs;
- (c) Requirements for accreditation; and



(d) Such other factors as are relevant to the needs of the institution and the Division.

2. The Administrator may authorize or require a museum director to:

(a) Oversee duties related to the auditing and approval of all bills, claims and accounts of the institution administered by the museum director.

(b) Receive, collect, exchange, preserve, house, care for, document, interpret, display and exhibit, particularly, but not exclusively, respecting the State of Nevada:

(1) Samples of the useful and fine arts, sciences and industries, relics, memorabilia, products, works, records, rare and valuable articles and objects, including, without limitation, drawings, etchings, lithographs, photographs, paintings, statuary, sculpture, fabrics, furniture, implements, machines, geological and mineral specimens, precious, semiprecious and commercial minerals, metals, earths, gems and stones.

(2) Books, papers, records and documents of historic, artistic, literary or industrial value or interest by reason of rarity, representative character or otherwise.

(c) Collect, gather and prepare the natural history of Nevada and the Great Basin.

(d) Establish such programs in history, archeology, anthropology, paleontology, mineralogy, ethnology, ornithology and such other programs as in the judgment of the Board and Administrator may be proper and necessary to carry out the objects and purposes appropriate to the institution administered by the museum director.

(e) Receive and collect property from any appropriate agency of the State of Nevada, or from accessions, gifts, exchanges, loans or purchases from any other agencies, persons or sources.

(f) House and preserve, care for and display or exhibit property received by an institution. This paragraph does not prevent the permanent or temporary retention, placement, housing or exhibition of a portion of the property in other places or locations in or outside of the State at the sole discretion of the Board.

(g) Make and obtain plans and specifications and let and supervise contracts for work or have the work done on force account or day labor, supplying material or labor, or otherwise.

(h) Receive, accept and obtain by exchange in the name of the State of Nevada all property loaned to the institution administered by the museum director for preservation, care, display or exhibit, or decline and reject the property in his or her discretion, and



undertake to be responsible for all property loaned to the institution or make just payment of any reasonable costs or rentals therefor.

(i) Apply for and expend all gifts and grants that the institution administered by the museum director is authorized to accept in accordance with the terms and conditions of the gift or grant.

(j) Govern, manage and control the exhibit and display of all property and things of the institution administered by the museum director at other exhibits, expositions, world's fairs and places of public or private exhibition. Any property of the State of Nevada that may be placed on display or on exhibition at any world's fair or exposition must be taken into custody by the Administrator at the conclusion of the world's fair or exposition and placed and kept in the institution, subject to being removed and again exhibited at the discretion of the Administrator or a person designated by the Administrator.

(k) Negotiate and consult with and agree with other institutions, departments, officers and persons or corporations of and in the State of Nevada and elsewhere respecting quarters for and the preservation, care, transportation, storage, custody, documentation, interpretation, display and exhibit of articles and things controlled by the institutions and respecting the terms and cost, the manner, time, place and extent, and the return thereof.

(l) Trade, exchange and transfer exhibits and duplicates when the Administrator deems it proper. Such transactions shall not be deemed sales.

(m) Establish the qualifications for life, honorary, annual, sustaining and such other memberships as are established by the Board pursuant to NRS 381.0045.

(n) Adopt rules for the internal operations of the institution administered by the museum director, including, without limitation, the operation of equipment of the institution.

(o) Establish procedures that enable the accessibility of the exhibits in an institution administered by the museum director for persons who are blind or visually impaired, including, without limitation, by providing audio guides, audio descriptive displays, tactile displays and experiences, dedicated tours for persons who are blind or visually impaired, Braille signage and descriptions, temporary lighting and adapted educational classes.

3. The Administrator shall require a museum director to serve as, or to designate an employee to serve as, ex officio State Paleontologist. The State Paleontologist shall, within the limits of available time, money and staff:



(a) Systematically inventory the paleontological resources within the State of Nevada;

(b) Compile a database of fossil resources within this State;

(c) Coordinate and promote paleontological research activities within this State, including, without limitation, regulating and issuing permits to engage in such activities;

(d) Disseminate and assist other persons in disseminating information gained from research conducted by the State Paleontologist; and

(e) Display and promote, and assist other persons in displaying and promoting, the paleontological resources of this State to enhance education, culture and tourism within this State.

4. The enumeration of the powers and duties that may be assigned to a museum director pursuant to this section is not exclusive of other general objects and purposes appropriate to a public museum.

5. The provisions of this section do not prohibit the Administrator from making such administrative and organizational changes as are necessary for the efficient operation of the Division and its institutions and to ensure that an institution properly carries out the duties and responsibilities assigned to that institution.

Sec. 4.5. 1. There is hereby appropriated from the State General Fund to the Division of Museums and History of the Department of Tourism and Cultural Affairs the sum of \$25,000 for the development of an Internet website which meets the requirements of NRS 381.006, as amended by section 3 of this act.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2025, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 19, 2025, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 19, 2025.

Sec. 5. 1. The Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs created by NRS 218E.750 shall study during the 2023-2024 interim any issues that exist which limit the ability of persons with disabilities, including, without limitation, persons who are blind or visually impaired, to access the museums and historical societies established as institutions of the



Division of Museums and History of the Department of Tourism and Cultural Affairs pursuant to NRS 381.004.

2. In the report required pursuant to subsection 3 of NRS 218E.760, the Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs shall set forth any recommended legislation for improving the accessibility of the museums and historical societies established as institutions of the Division of Museums and History of the Department of Tourism and Cultural Affairs pursuant to NRS 381.004 to persons with disabilities, including, without limitation, persons who are blind or visually impaired.

Sec. 6. The provisions of NRS 381.002, as amended by section 2 of this act, do not apply to the existing terms of members of the Board of Museums and History who were appointed to the Board pursuant to paragraph (a) of subsection 2 of NRS 381.002, as that section existed on June 30, 2023.

Sec. 7. This act becomes effective on July 1, 2023.

