

ASSEMBLY BILL NO. 312—ASSEMBLYWOMAN PETERS

MARCH 16, 2023

Referred to Committee on Government Affairs

SUMMARY—Establishes provisions relating to environmental justice. (BDR 40-157)

FISCAL NOTE: Effect on Local Government: No.  
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 environmental justice; creating the Commission on Environmental Justice; setting forth certain duties of the Commission; establishing various requirements for agencies to determine the environmental impact of a proposed regulation on historically underserved communities; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law creates the Office of Minority Health and Equity within the Department of Health and Human Services to: (1) improve the quality of health care services for members of minority groups; (2) increase access to health care services for members of minority groups; (3) disseminate information to and educate the public on matters concerning health care issues of interest to members of minority groups; and (4) develop recommendations for changes in policy and advocate on behalf of minority groups on certain issues. (NRS 232.474) **Section 6** of this bill creates within the Office the Commission on Environmental Justice, which consists of nine members who must be selected by the Governor from a list of persons submitted by the Office.

**Section 7** of this bill requires the Commission to: (1) make recommendations to the Governor and the Legislature on matters relating to environmental justice; and (2) adopt regulations setting forth a process and metrics to be used by agencies of this State in determining whether a proposed regulation will have a disproportionate environmental impact on historically underserved communities in this State.

**Section 18** of this bill requires the Commission to: (1) develop such a process and metrics; and (2) submit a report to the 83rd Session of the Legislature of its findings relating to such a process and metrics.

**Sections 3, 4 and 5** of this bill define certain terms relating to the Commission. Existing law requires any agency of this State, with certain exceptions, to determine whether a proposed regulation is likely to impose a direct and significant economic burden on small business or directly restrict the formation, operation or



23 expansion of a small business. If so, the agency must engage in certain actions and  
24 analysis and prepare a small business impact statement. (NRS 233B.0608) **Sections**  
25 **9-17** of this bill set forth a similar process to require an agency to prepare an  
26 environmental justice impact statement for proposed regulations.

27 **Section 11** of this bill requires an agency to determine whether a proposed  
28 regulation is likely to impose a direct, indirect or cumulative environmental impact  
29 and whether that environmental impact is likely to disproportionately affect a  
30 historically underserved community. If so, **section 11** requires the agency to: (1)  
31 consult with members of the historically underserved community; (2) conduct an  
32 analysis of the likely impact on the historically underserved community; (3)  
33 consider methods to reduce or mitigate the environmental impact on the historically  
34 underserved community; and (4) prepare an environmental justice impact  
35 statement.

36 **Section 11** requires an agency to submit an environmental justice impact  
37 statement to the Commission for review. **Section 8** of this bill requires the  
38 Commission to review all environmental justice impact statements and, within 45  
39 days, prepare and send the agency a letter indicating whether the Commission  
40 believes that the environmental justice impact statement has been prepared properly  
41 and is accurate.

42 **Section 12** of this bill authorizes a resident or representative of a historically  
43 underserved community to file a petition objecting to a regulation if the  
44 environmental justice impact statement is: (1) not prepared by the agency; or (2)  
45 inaccurate, incomplete or does not adequately consider or significantly  
46 underestimates the environmental impact on historically underserved communities.

47 **Section 14** of this bill requires a notice of intent to act upon a regulation to  
48 include: (1) a statement of any estimated environmental impact of a proposed  
49 regulation on historically underserved communities and the public; and (2) the  
50 methods used by the agency to identify the environmental impact on historically  
51 underserved communities. (NRS 233B.0603)

52 **Section 15** of this bill requires each adopted regulation submitted to the  
53 Legislative Counsel to include a description of how comment was solicited from  
54 affected historically underserved communities, a summary of their response and an  
55 explanation of how interested persons may obtain a copy of the summary.  
56 (NRS 233B.066)

57 **Section 16** of this bill provides that if a regulation for adoption submitted to the  
58 Legislative Counsel Bureau is not accompanied by an environmental justice impact  
59 statement, the Legislative Counsel is required to return the regulation to the agency  
60 and will not submit the regulation to the Legislative Commission or Subcommittee  
61 to Review Regulations until the environmental justice impact statement is supplied.  
62 (NRS 233B.0665)

63 **Section 17** of this bill provides that if, after a regulation is submitted to the  
64 Legislative Commission or Subcommittee, either the Commission or Subcommittee  
65 objects to the regulation because the environmental justice impact statement is not  
66 included or is inaccurate, incomplete or does not adequately consider or  
67 significantly underestimates the environmental impact on historically underserved  
68 communities, the Legislative Counsel is required to attach a written notice of the  
69 objection and return the regulation to the agency. (NRS 233B.067)

70 **Section 19** of this bill provides that **sections 8-17** governing environmental  
71 justice impact statements do not take effect until the Commission on Environmental  
72 Justice adopts regulations setting forth the process and metrics for environmental  
73 justice impact statements.



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

1       **Section 1.** Chapter 439 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 to 8, inclusive, of this  
3 act.

4       **Sec. 2.** *As used in sections 2 to 8, inclusive, of this act, unless*  
5 *the context otherwise requires, the words and terms defined in*  
6 *sections 3, 4 and 5 of this act have the meanings ascribed to them*  
7 *in those sections.*

8       **Sec. 3.** *“Agency” has the meaning ascribed to it in*  
9 *NRS 233B.031.*

10       **Sec. 4.** *“Commission” means the Commission on*  
11 *Environmental Justice created by section 6 of this act.*

12       **Sec. 5.** *“Office” means the Office of Minority Health and*  
13 *Equity of the Department of Health and Human Services created*  
14 *by NRS 232.474.*

15       **Sec. 6. 1.** *The Commission on Environmental Justice is*  
16 *hereby created within the Office.*

17       2. *The Commission consists of nine members appointed by*  
18 *the Governor from a list of persons recommended by the Office.*

19       3. *A person seeking to serve on the Commission must submit*  
20 *his or her application to the Office for consideration.*

21       4. *Each member of the Commission serves a term of 4 years.*  
22 *Members may be reappointed for additional terms of 4 years. Any*  
23 *vacancy occurring in the membership of the Commission must be*  
24 *filled in the same manner as the original appointment.*

25       5. *At the first regular meeting of each odd-numbered year,*  
26 *the members of the Commission shall elect a Chair by majority*  
27 *vote who shall serve until the next Chair is elected.*

28       6. *A majority of the members of the Commission constitutes a*  
29 *quorum for the transaction of business, and a majority of those*  
30 *members present at any meeting is sufficient for any official*  
31 *action taken by the Commission.*

32       7. *While engaged in the business of the Commission, each*  
33 *member is entitled to receive:*

34       (a) *A salary of not more than \$80 per day, as established by the*  
35 *Commission; and*

36       (b) *The per diem allowance and travel expenses provided for*  
37 *state officers and employees generally.*

38       8. *The Office shall provide administrative support to the*  
39 *Commission as necessary to carry out the duties of the*  
40 *Commission.*

41       **Sec. 7. 1.** *The Commission shall:*



1 (a) Advise the Governor and the Legislature on proposed  
2 legislation and make recommendations with respect to all matters  
3 relating to environmental justice in this State; and

4 (b) Adopt regulations setting forth a process and metrics for  
5 use by an agency to evaluate whether a proposed regulation will  
6 have a disproportionate environmental impact on a historically  
7 underserved community in this State.

8 2. As used in this section, "historically underserved  
9 community" has the meaning ascribed to it in NRS 445B.834.

10 **Sec. 8.** In addition to the requirements of section 7 of this  
11 act, the Commission shall:

12 1. Review environmental justice impact statements prepared  
13 by agencies pursuant to section 11 of this act; and

14 2. Within 45 days after receiving an environmental justice  
15 impact statement, prepare and send the agency a letter stating that  
16 the Commission has reviewed the statement and whether the  
17 Commission believes that the statement has been prepared  
18 properly and is accurate. If the Commission does not believe the  
19 statement has been prepared properly or is inaccurate, the letter  
20 must include reasons for that belief.

21 **Sec. 9.** Chapter 233B of NRS is hereby amended by adding  
22 thereto the provisions set forth as sections 10, 11 and 12 of this act.

23 **Sec. 10.** "Historically underserved community" has the  
24 meaning ascribed to it in NRS 445B.834.

25 **Sec. 11.** 1. Before conducting a workshop for a proposed  
26 regulation pursuant to NRS 233B.061, an agency shall, in  
27 accordance with the regulations adopted by the Commission on  
28 Environmental Justice pursuant to section 7 of this act, make a  
29 concerted effort to determine whether the proposed regulation is  
30 likely to:

31 (a) Impose a direct, indirect or cumulative environmental  
32 impact; and

33 (b) Whether an environmental impact identified pursuant to  
34 paragraph (a) will disproportionately affect a historically  
35 underserved community.

36 2. If an agency determines pursuant to subsection 1 that a  
37 proposed regulation is likely to impose a direct, indirect or  
38 cumulative environmental impact and such an impact will  
39 disproportionately affect a historically underserved community,  
40 the agency shall:

41 (a) Consult with members of the historically underserved  
42 community that are likely to be affected by the proposed regulation  
43 and ensure that the community is meaningfully informed and  
44 involved in the process for developing the regulation.



1 (b) Conduct or cause to be conducted an analysis of the likely  
2 impact of the proposed regulation on the historically underserved  
3 community. Insofar as practicable, the analysis must be conducted  
4 by the employee of the agency who is most knowledgeable about  
5 the subject of the proposed regulation and its likely environmental  
6 impact on the historically underserved community or by a  
7 consultant or other independent contractor who has such  
8 knowledge and is retained by the agency.

9 (c) Consider methods to reduce or mitigate the environmental  
10 impact on the historically underserved community.

11 (d) Prepare an environmental justice impact statement. The  
12 environmental justice impact statement must be submitted to the  
13 Commission on Environmental Justice for review in accordance  
14 with section 8 of this act. Following the review by the Commission  
15 on Environmental Justice, copies of the environmental justice  
16 impact statement must be made available to the public along with  
17 the letter prepared by the Commission on Environmental Justice  
18 pursuant to section 8 of this act not less than 15 days before the  
19 workshop conducted and the public hearing held pursuant to NRS  
20 233B.061. A copy of the environmental justice impact statement  
21 and the Commission's letter must accompany the notice required  
22 pursuant to subsection 2 of NRS 233B.061 and the agenda for the  
23 public hearing held pursuant to that section.

24 3. The agency shall prepare a statement identifying the  
25 methods used by the agency in determining the environmental  
26 impact of a proposed regulation on a historically underserved  
27 community and the reasons for the conclusion of the agency. The  
28 director, executive head or other person who is responsible for the  
29 agency shall sign the statement certifying that, to the best of his or  
30 her knowledge or belief, a concerted effort was made to determine  
31 the environmental impact of the proposed regulation on  
32 historically underserved communities and that the information  
33 contained in the statement was prepared properly and is accurate.

34 4. Each adopted regulation which is submitted to the  
35 Legislative Counsel pursuant to NRS 233B.067 must be  
36 accompanied by a copy of the environmental justice impact  
37 statement, the letter from the Commission on Environmental  
38 Justice and the statement prepared pursuant to subsection 3. If the  
39 agency revises a regulation after preparing the environmental  
40 justice impact statement and submitting the environmental justice  
41 impact statement to the Commission on Environmental Justice,  
42 the agency must include an explanation of the revision and the  
43 effect of the change on any environmental impact to historically  
44 underserved communities.



1     **Sec. 12. 1.** *A resident of a historically underserved*  
2 *community or a representative of a historically underserved*  
3 *community that is aggrieved by a regulation adopted by an agency*  
4 *on or after the effective date of this section, may object to all or a*  
5 *part of the regulation by filing a petition with the agency that*  
6 *adopted the regulation within 90 days after the date on which the*  
7 *regulation is adopted. An agency which receives such a petition*  
8 *shall transmit a copy of the petition to the Legislative Counsel for*  
9 *submission to the Legislative Commission or the Subcommittee to*  
10 *Review Regulations appointed pursuant to subsection 6 of*  
11 *NRS 233B.067.*

12     **2.** *A petition filed pursuant to subsection 1 may be based on*  
13 *the following grounds:*

14     **(a)** *The agency failed to prepare an environmental justice*  
15 *impact statement as required pursuant to section 11 of this act; or*

16     **(b)** *The environmental justice impact statement prepared by*  
17 *the agency pursuant to section 11 of this act is inaccurate,*  
18 *incomplete or did not adequately consider or significantly*  
19 *underestimated the environmental impact of the regulation on a*  
20 *historically underserved community.*

21     **3.** *After receiving a petition pursuant to subsection 1, an*  
22 *agency shall determine whether the petition has merit. If the*  
23 *agency determines that the petition has merit, the agency may,*  
24 *pursuant to this chapter, take action to amend the regulation to*  
25 *which the resident or representative objected.*

26     **Sec. 13.** NRS 233B.030 is hereby amended to read as follows:

27     233B.030 As used in this chapter, unless the context otherwise  
28 requires, the words and terms defined in NRS 233B.031 to  
29 233B.0385, inclusive, *and section 10 of this act* have the meanings  
30 ascribed to them in those sections.

31     **Sec. 14.** NRS 233B.0603 is hereby amended to read as  
32 follows:

33     233B.0603 1. The notice of intent to act upon a regulation  
34 required pursuant to NRS 233B.060 must:

35     **(a)** Include:

36     **(1)** A statement of the need for and purpose of the proposed  
37 regulation.

38     **(2)** If the proposed regulation is a temporary regulation,  
39 either the terms or substance of the proposed regulation or a  
40 description of the subjects and issues involved.

41     **(3)** If the proposed regulation is a permanent regulation, a  
42 statement explaining how to obtain the approved or revised text of  
43 the proposed regulation prepared by the Legislative Counsel  
44 pursuant to NRS 233B.063.



1 (4) A statement of the estimated economic effect of the  
2 regulation on the business which it is to regulate and on the public.  
3 These must be stated separately and in each case must include:

4 (I) Both adverse and beneficial effects; and

5 (II) Both immediate and long-term effects.

6 (5) A statement identifying the methods used by the agency  
7 in determining the impact on a small business prepared pursuant to  
8 subsection 3 of NRS 233B.0608.

9 (6) The estimated cost to the agency for enforcement of the  
10 proposed regulation.

11 (7) *A statement of any estimated environmental impact of*  
12 *the regulation on historically underserved communities and on the*  
13 *public. These must be stated separately and in each case must*  
14 *include:*

15 (I) *Both adverse and beneficial effects; and*

16 (II) *Both immediate and long-term effects.*

17 (8) *A statement identifying the methods used by the agency*  
18 *in determining the environmental impact on historically*  
19 *underserved communities prepared pursuant to subsection 3 of*  
20 *section 11 of this act.*

21 (9) A description of any regulations of other state or local  
22 governmental agencies which the proposed regulation overlaps or  
23 duplicates and a statement explaining why the duplication or  
24 overlapping is necessary. If the regulation overlaps or duplicates a  
25 federal regulation, the notice must include the name of the  
26 regulating federal agency.

27 ~~(8)~~ (10) If the regulation is required pursuant to federal  
28 law, a citation and description of the federal law.

29 ~~(9)~~ (11) If the regulation includes provisions which are  
30 more stringent than a federal regulation that regulates the same  
31 activity, a summary of such provisions.

32 ~~(10)~~ (12) The time when, the place where and the manner  
33 in which interested persons may present their views regarding the  
34 proposed regulation.

35 (b) If the proposed regulation is a temporary regulation, state  
36 each address at which the text of the proposed regulation may be  
37 inspected and copied.

38 (c) Include an exact copy of the provisions of subsection 2 of  
39 NRS 233B.064.

40 (d) Include a statement indicating whether the regulation  
41 establishes a new fee or increases an existing fee.

42 (e) Be mailed to all persons who have requested in writing that  
43 they be placed upon a mailing list, which must be kept by the  
44 agency for that purpose.



1 (f) Be submitted to the Legislative Counsel Bureau for inclusion  
2 in the Register of Administrative Regulations created pursuant to  
3 NRS 233B.0653. The publication of a notice of intent to act upon a  
4 regulation in the Register does not satisfy the requirements for  
5 notice set forth in paragraph (e).

6 2. The Attorney General may by regulation prescribe the form  
7 of notice to be used.

8 3. In addition to distributing the notice to each recipient of the  
9 agency's regulations, the agency shall also solicit comment  
10 generally from the public and from businesses *and historically*  
11 *underserved communities* to be affected by the proposed regulation.

12 **Sec. 15.** NRS 233B.066 is hereby amended to read as follows:

13 233B.066 1. Except as otherwise provided in subsection 2,  
14 each adopted regulation which is submitted to the Legislative  
15 Counsel pursuant to NRS 233B.067 or filed with the Secretary of  
16 State pursuant to subsection 2 or 3 of NRS 233B.070 must be  
17 accompanied by a statement concerning the regulation which  
18 contains the following information:

19 (a) A clear and concise explanation of the need for the adopted  
20 regulation.

21 (b) A description of how public comment was solicited, a  
22 summary of the public response and an explanation of how other  
23 interested persons may obtain a copy of the summary.

24 (c) The number of persons who:

25 (1) Attended each hearing;

26 (2) Testified at each hearing; and

27 (3) Submitted to the agency written statements.

28 (d) For each person identified in subparagraphs (2) and (3) of  
29 paragraph (c), the following information if provided to the agency  
30 conducting the hearing:

31 (1) Name;

32 (2) Telephone number;

33 (3) Business address;

34 (4) Business telephone number;

35 (5) Electronic mail address; and

36 (6) Name of entity or organization represented.

37 (e) A description of how comment was solicited from affected  
38 businesses, a summary of their response and an explanation of how  
39 other interested persons may obtain a copy of the summary.

40 (f) *A description of how comment was solicited from affected*  
41 *historically underserved communities, a summary of their*  
42 *response and an explanation of how other interested persons may*  
43 *obtain a copy of the summary.*





1 (g) If the regulation was adopted without changing any part of  
2 the proposed regulation, a summary of the reasons for adopting the  
3 regulation without change.

4 ~~(g)~~ (h) The estimated economic effect of the regulation on the  
5 business which it is to regulate and on the public. These must be  
6 stated separately, and in each case must include:

7 (1) Both adverse and beneficial effects; and

8 (2) Both immediate and long-term effects.

9 ~~(h)~~ (i) *The estimated environmental impact of the regulation*  
10 *on affected historically underserved communities and on the*  
11 *public, if any. These must be stated separately, and in each case*  
12 *must include:*

13 (1) *Both adverse and beneficial effects; and*

14 (2) *Both immediate and long-term effects.*

15 (j) The estimated cost to the agency for enforcement of the  
16 proposed regulation.

17 ~~(j)~~ (k) A description of any regulations of other state  
18 or government agencies which the proposed regulation overlaps or  
19 duplicates and a statement explaining why the duplication or  
20 overlapping is necessary. If the regulation overlaps or duplicates a  
21 federal regulation, the name of the regulating federal agency.

22 ~~(k)~~ (l) If the regulation includes provisions which are more  
23 stringent than a federal regulation which regulates the same activity,  
24 a summary of such provisions.

25 ~~(l)~~ (m) If the regulation provides a new fee or increases an  
26 existing fee, the total annual amount the agency expects to collect  
27 and the manner in which the money will be used.

28 2. The requirements of paragraphs (b) to ~~(f)~~ (g), inclusive, of  
29 subsection 1 do not apply to emergency regulations.

30 **Sec. 16.** NRS 233B.0665 is hereby amended to read as  
31 follows:

32 233B.0665 If a regulation submitted to the Legislative Counsel  
33 Bureau pursuant to NRS 233B.067 is not accompanied by an  
34 informational statement which complies with the requirements of  
35 NRS 233B.066 , ~~(or)~~ a small business impact statement which  
36 complies with the requirements of NRS 233B.0608 and 233B.0609  
37 ~~(or)~~ *or an environmental justice impact statement which complies*  
38 *with the requirements of section 11 of this act*, the Legislative  
39 Counsel shall return the regulation to the agency with a note  
40 indicating the statement which is missing. Unless the missing  
41 statement is supplied, the Legislative Counsel shall not submit the  
42 regulation to the Legislative Commission or the Subcommittee to  
43 Review Regulations, as applicable, and the regulation never  
44 becomes effective.



1       **Sec. 17.** NRS 233B.067 is hereby amended to read as follows:

2       233B.067 1. After adopting a permanent regulation, the  
3 agency shall submit the informational statement prepared pursuant  
4 to NRS 233B.066 and one copy of each regulation adopted to the  
5 Legislative Counsel for review by the Legislative Commission to  
6 determine whether to approve the regulation. The Legislative  
7 Counsel shall endorse on the original and the copy of each adopted  
8 regulation the date of their receipt. The Legislative Counsel shall  
9 maintain the copy of the regulation in a file and make the copy  
10 available for public inspection for 2 years.

11       2. If an agency submits an adopted regulation to the Legislative  
12 Counsel pursuant to subsection 1 that:

13       (a) The agency is required to adopt pursuant to a federal statute  
14 or regulation; and

15       (b) Exceeds the specific statutory authority of the agency or sets  
16 forth requirements that are more stringent than a statute of this State,  
17 ↪ it shall include a statement that adoption of the regulation is  
18 required by a federal statute or regulation. The statement must  
19 include the specific citation of the federal statute or regulation  
20 requiring such adoption.

21       3. Except as otherwise provided in subsection 4, the  
22 Legislative Commission shall:

23       (a) Review the regulation at its next regularly scheduled meeting  
24 if the regulation is received more than 10 working days before the  
25 meeting; or

26       (b) Refer the regulation for review to the Subcommittee to  
27 Review Regulations appointed pursuant to subsection 6.

28       4. If an agency determines that an emergency exists which  
29 requires a regulation of the agency submitted pursuant to subsection  
30 1 to become effective before the next meeting of the Legislative  
31 Commission is scheduled to be held, the agency may notify the  
32 Legislative Counsel in writing of the emergency. Upon receipt of  
33 such a notice, the Legislative Counsel shall refer the regulation for  
34 review by the Subcommittee to Review Regulations. The  
35 Subcommittee shall meet to review the regulation as soon as  
36 practicable.

37       5. If the Legislative Commission, or the Subcommittee to  
38 Review Regulations if the regulation was referred, approves the  
39 regulation, the Legislative Counsel shall promptly file the regulation  
40 with the Secretary of State and notify the agency of the filing. If the  
41 Commission or Subcommittee objects to the regulation after  
42 determining that:

43       (a) If subsection 2 is applicable, the regulation is not required  
44 pursuant to a federal statute or regulation;

45       (b) The regulation does not conform to statutory authority;



1 (c) The regulation does not carry out legislative intent;  
2 (d) The small business impact statement is inaccurate,  
3 incomplete or did not adequately consider or significantly  
4 underestimated the economic effect of the regulation on small  
5 businesses; ~~or~~

6 (e) *The environmental justice impact statement prepared*  
7 *pursuant to section 11 of this act is inaccurate, incomplete or did*  
8 *not adequately consider or significantly underestimated the*  
9 *environmental impact of the regulation on historically*  
10 *underserved communities; or*

11 (f) The agency has not provided a satisfactory explanation of the  
12 need for the regulation in its informational statement as required  
13 pursuant to NRS 233B.066, or the informational statement is  
14 insufficient or incomplete,

15 ➔ the Legislative Counsel shall attach to the regulation a written  
16 notice of the objection, including, if practicable, a statement of the  
17 reasons for the objection, and shall promptly return the regulation to  
18 the agency.

19 6. As soon as practicable after each regular legislative session,  
20 the Legislative Commission shall appoint a Subcommittee to  
21 Review Regulations consisting of at least three members or alternate  
22 members of the Legislative Commission.

23 **Sec. 18.** 1. The Commission on Environmental Justice  
24 created by section 6 of this act shall:

25 (a) In coordination with the Division of Environmental  
26 Protection of the State Department of Conservation and Natural  
27 Resources and the Department of Health and Human Services,  
28 develop a process and metrics for use by an agency, as defined in  
29 NRS 233B.031, to evaluate whether a proposed regulation will have  
30 a disproportionate environmental impact on a historically  
31 underserved community in this State; and

32 (b) On or before December 31, 2024, submit to the Director of  
33 the Legislative Counsel Bureau, for transmittal to the 83rd Session  
34 of the Legislature, a report of its activities pursuant to subsection 1,  
35 which must include, without limitation:

36 (1) Characteristics of communities that are at heightened risk  
37 of disproportionate environmental justice impacts;

38 (2) Available options to screen for communities at  
39 heightened risk of disproportionate environmental justice impacts;  
40 and

41 (3) Factors that contribute to environmental inequities in this  
42 State, including, without limitation, any health risks.

43 2. As used in this section, “historically underserved  
44 community” has the meaning ascribed to it in NRS 445B.834.



1     **Sec. 19.** 1. This section, sections 2 to 7, inclusive, and  
2 section 18 of this act become effective on July 1, 2023.

3     2. Sections 8 to 17, inclusive, of this act become effective on  
4 the date that the permanent regulations required to be adopted by the  
5 Commission on Environmental Justice pursuant to section 7 of this  
6 act are filed with the Secretary of State pursuant to NRS 233B.070.

