

ASSEMBLY BILL NO. 431—COMMITTEE ON EDUCATION

MARCH 27, 2023

Referred to Committee on Education

SUMMARY—Revises provisions relating to campuses of the University of Nevada. (BDR 34-705)

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 higher education; authorizing the Board of Regents of the University of Nevada to establish a plan to provide parity in the amount of building square footage per student for certain campuses; requiring the State Public Works Board of the State Public Works Division of the Department of Administration to recommend to the Governor and Legislature the prioritization of construction of any buildings or construction work on a campus of the University with less available building square footage per student; expressing the desire of the Legislature that certain construction services provided to the Nevada System of Higher Education be used by the Board of Regents to provide such parity; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Section 4 of Article 11 of the Nevada Constitution requires the Nevada
- 2 Legislature to provide for the establishment of a State University that is controlled
- 3 by a Board of Regents whose duties are prescribed by law. (Nev. Const. Art. 11, §
- 4 4) Existing law requires the State Public Works Board of the State Public Works
- 5 Division of the Department of Administration to recommend to the Governor and
- 6 to the Legislature the priority of construction of any buildings or other construction
- 7 work that is presently authorized or may be authorized or proposed at a later date.
- 8 (NRS 341.083) **Section 1** of this bill authorizes the Board of Regents of the
- 9 University of Nevada to establish a plan for each campus of the State University,
- 10 known as the University of Nevada, to have an equal amount of square footage of
- 11 building space per enrolled student. **Section 2** of this bill requires that, in making
- 12 recommendations concerning construction at a campus of the University of Nevada,
- 13 the State Public Works Board must recommend the priority of construction of any



14 buildings or construction work on a campus with less available building square
15 footage per student. **Section 1** also authorizes the Board of Regents to, when
16 developing such a plan, consider any recommendations made by the State Public
17 Works Board pursuant to **section 2**.

18 Existing law requires the State Public Works Division to furnish engineering
19 and architectural services to the Nevada System of Higher Education for the
20 construction of certain buildings on state property or for which certain money has
21 been appropriated by the Legislature. (NRS 341.141) **Section 3** of this bill
22 expresses the desire of the Legislature for the Board of Regents to give preference
23 to construction work on a campus of the University of Nevada with less available
24 building square footage per student than other campuses.

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

1 **Section 1.** Chapter 396 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *The Board of Regents may establish a plan for each campus of*
4 *the University of Nevada to have an equal amount of square*
5 *footage of building space per enrolled student. In preparing the*
6 *plan, the Board of Regents may consider, without limitation, any*
7 *recommendations made by the State Public Works Board pursuant*
8 *to subsection 2 of NRS 341.083.*

9 **Sec. 2.** NRS 341.083 is hereby amended to read as follows:

10 341.083 1. The Board shall submit reports and make
11 recommendations relative to its findings to the Governor and to the
12 Legislature. The Board shall particularly recommend to the
13 Governor and to the Legislature the priority of construction of any
14 buildings or other construction work now authorized or that may
15 hereafter be authorized or proposed.

16 2. *The Board shall, when recommending to the Governor and*
17 *to the Legislature the construction of any buildings or*
18 *construction work on a campus of the University of Nevada,*
19 *recommend the priority of construction of any such project be*
20 *given to a campus with less available square footage of building*
21 *space per enrolled student than other campuses of the University*
22 *of Nevada. Such priority shall be recommended until the*
23 *campuses have a reasonably equal amount of available square*
24 *footage of building space per enrolled student.*

25 3. The Board shall submit before October 1 of each even-
26 numbered year its recommendations for projects for capital
27 improvements in the next biennium. The recommendations must, to
28 the extent practicable, provide that each project which exceeds a
29 cost of \$10,000,000 be scheduled to receive funding for design and
30 planning during one biennium and funding for construction in the
31 subsequent biennium.



1 **Sec. 3.** NRS 341.141 is hereby amended to read as follows:

2 341.141 1. The Division shall furnish engineering and
3 architectural services to the Nevada System of Higher Education
4 and all other state departments, boards or commissions charged with
5 the construction of any building constructed on state property or for
6 which the money is appropriated by the Legislature, except:

7 (a) Buildings used in maintaining highways;

8 (b) Improvements, other than nonresidential buildings with more
9 than 1,000 square feet in floor area, made:

10 (1) In state parks by the State Department of Conservation
11 and Natural Resources; or

12 (2) By the Department of Wildlife;

13 (c) Buildings of the Nevada System of Higher Education:

14 (1) That are exempted pursuant to subsection 1 of NRS
15 341.1407; or

16 (2) To which subsection 1 of NRS 341.1407 applies if the
17 Administrator has delegated his or her authority in accordance with
18 NRS 341.119; and

19 (d) Buildings on property controlled by other state agencies if
20 the Administrator has delegated his or her authority in accordance
21 with NRS 341.119.

22 ➤ The Board of Regents of the University of Nevada and all other
23 state departments, boards or commissions shall use those services.

24 2. The services must consist of:

25 (a) Preliminary planning;

26 (b) Designing;

27 (c) Estimating of costs; and

28 (d) Preparation of detailed plans and specifications.

29 3. *It is the desire of the Legislature that, in furnishing*
30 *engineering and architectural services to the Nevada System of*
31 *Higher Education, the Board of Regents of the University of*
32 *Nevada use such services to give preference to the construction*
33 *of any buildings or construction work on a campus of the*
34 *University of Nevada with less available square footage of*
35 *building space per enrolled student than other campuses of the*
36 *University of Nevada. In carrying out such construction, the*
37 *Board of Regents may use a plan developed pursuant to section 1*
38 *of this act.*

39 **Sec. 4.** This act becomes effective on July 1, 2023.

