

ASSEMBLY BILL NO. 84—COMMITTEE ON NATURAL RESOURCES

PREFILED JANUARY 30, 2023

Referred to Committee on Natural Resources

SUMMARY—Provides for the issuance of free annual permits to certain persons for entering state parks and recreational areas. (BDR 35-471)

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 state lands; requiring the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources to establish a program to issue, free of charge, an annual permit for entering all state parks and recreational areas to certain persons; making an appropriation to the Division to offset the loss of revenue from user fees resulting from such a program; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires the Administrator of the Division of State Parks of the
2 State Department of Conservation and Natural Resources to establish a program to
3 issue free of charge an annual permit to enter all state parks and recreational areas
4 in this State to any pupil who is enrolled in the fifth grade at a school in this State.
5 (NRS 407.065) **Section 1** of this bill requires the Administrator to establish a
6 similar program to issue free of charge an annual permit to enter all state parks and
7 recreational areas in this State to any: (1) member of an Indian tribe located in
8 whole or in part in this State; and (2) bona fide resident of this State who has been
9 discharged, except a person who has been dishonorably discharged, from the
10 Armed Forces of the United States.

11 **Section 1.3** of this bill makes a conforming change to provide that such a
12 program is an exception to the requirement that the Administrator impose and
13 collect a reasonable fee for entering state parks and recreation areas.

14 **Section 1.7** of this bill makes an appropriation to the Division to offset the loss
15 of revenue from user fees associated with implementing such a program.



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

1 **Section 1.** Chapter 407 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *The Administrator shall establish a program for the issuance of*
4 *an annual permit, free of charge, to enter each state park and*
5 *recreation area in this State to:*

6 1. *Any member of an Indian tribe that is located in whole or*
7 *in part in this State; and*

8 2. *Any bona fide resident of this State who has been*
9 *discharged from the Armed Forces of the United States, except a*
10 *person who has been dishonorably discharged.*

11 **Sec. 1.3.** NRS 407.065 is hereby amended to read as follows:

12 407.065 1. The Administrator, subject to the approval of the
13 Director:

14 (a) Except as otherwise provided in this paragraph and NRS
15 407.066, may establish, name, plan, operate, control, protect,
16 develop and maintain state parks, monuments and recreational areas
17 for the use of the general public. The name of an existing state park,
18 monument or recreational area may not be changed unless the
19 Legislature approves the change by statute.

20 (b) Shall protect state parks and property controlled or
21 administered by the Division from misuse or damage and preserve
22 the peace within those areas. The Administrator may appoint or
23 designate certain employees of the Division to have the general
24 authority of peace officers.

25 (c) May allow multiple use of state parks and real property
26 controlled or administered by the Division for any lawful purpose,
27 including, but not limited to, grazing, mining, development of
28 natural resources, hunting and fishing, in accordance with such
29 regulations as may be adopted in furtherance of the purposes of the
30 Division.

31 (d) Except as otherwise provided in this section ~~§~~ *and section 1*
32 *of this act*, shall impose and collect reasonable fees for entering,
33 camping and boating in state parks and recreational areas. The
34 Division shall issue an annual permit for entering, camping and
35 boating in all state parks and recreational areas in this State:

36 (1) Upon application therefor and proof of residency and
37 age, to any bona fide resident of the State of Nevada who is 65 years
38 of age or older.

39 (2) Upon application therefor and proof of residency and
40 proof of status as described in subsection 5 of NRS 361.091, to a
41 bona fide resident of the State of Nevada who has incurred a



1 permanent service-connected disability and has been honorably
2 discharged from the Armed Forces of the United States.

3 ↪ The permit must be issued without charge, except that the
4 Division shall charge and collect an administrative fee for the
5 issuance of the permit in an amount sufficient to cover the costs of
6 issuing the permit.

7 (e) May conduct and operate such special services as may be
8 necessary for the comfort and convenience of the general public,
9 and impose and collect reasonable fees for such special services.

10 (f) May rent or lease concessions located within the boundaries
11 of state parks or of real property controlled or administered by the
12 Division to public or private corporations, to groups of natural
13 persons, or to natural persons for a valuable consideration upon such
14 terms and conditions as the Division deems fit and proper, but no
15 concessionaire may dominate any state park operation.

16 (g) May establish such capital projects construction funds as are
17 necessary to account for the parks improvements program approved
18 by the Legislature. The money in these funds must be used for the
19 construction and improvement of those parks which are under the
20 supervision of the Administrator.

21 (h) In addition to any concession specified in paragraph (f), may
22 establish concessions within the boundaries of any state park to
23 provide for the sale of food, drinks, ice, publications, sundries, gifts
24 and souvenirs, and other such related items as the Administrator
25 determines are appropriately made available to visitors. Any money
26 received by the Administrator for a concession established pursuant
27 to this paragraph must be deposited in the Account for State Park
28 Interpretative and Educational Programs and Operation of
29 Concessions created by NRS 407.0755.

30 (i) May organize the areas under the jurisdiction of the Division
31 into regions.

32 2. The Administrator:

33 (a) Shall issue an annual permit to a person who pays a
34 reasonable fee as prescribed by regulation which authorizes the
35 holder of the permit to enter each state park and each recreational
36 area in this State and, except as otherwise provided in subsection 4,
37 use the facilities of the state park or recreational area without paying
38 the entrance fee; and

39 (b) May issue an annual permit to a person who pays a
40 reasonable fee as prescribed by regulation which authorizes the
41 holder of the permit to enter a specific state park or specific
42 recreational area in this State and, except as otherwise provided in
43 subsection 4, use the facilities of the state park or recreational area
44 without paying the entrance fee.



1 3. The Administrator shall establish a program for the issuance
2 of an annual permit, free of charge, to enter each state park and
3 recreational area in this State to any pupil who is enrolled in the fifth
4 grade at a school in this State. The program must:

5 (a) Specify the period for which the Administrator may issue an
6 annual permit to a pupil pursuant to this subsection, including,
7 without limitation, the date upon which the Administrator may issue
8 an annual permit to a pupil who has completed fourth grade and
9 who intends to enter the fifth grade after completing the fourth
10 grade;

11 (b) Specify the circumstances under which a pupil and any
12 person accompanying a pupil may use the annual permit to enter a
13 state park or recreational area; and

14 (c) Include any other requirement which the Administrator
15 determines is necessary to establish and carry out the program
16 pursuant to this subsection.

17 4. An annual permit issued pursuant to subsection 2 or 3 does
18 not authorize the holder of the permit to engage in camping or
19 boating, or to attend special events. The holder of such a permit who
20 wishes to engage in camping or boating, or to attend special events,
21 must pay any fee established for the respective activity.

22 5. During each Public Lands Day observed pursuant to NRS
23 236.053, and upon proof of residency in this State, the Division
24 shall allow a resident of this State to enter, camp and boat in any
25 state park or recreational area without the payment of any fees for
26 those activities. The free day of camping authorized pursuant to this
27 subsection must include either the Friday night before Public Lands
28 Day or overnight on the night of Public Lands Day, as determined
29 by the Administrator for each state park and recreational area. A
30 person is not entitled to receive more than one free night of camping
31 during each Public Lands Day pursuant to this subsection.

32 6. Except as otherwise provided in subsection 1 of NRS
33 407.0762 and subsection 1 of NRS 407.0765, the fees collected
34 pursuant to paragraphs (d), (e) and (f) of subsection 1 or subsection
35 2 must be deposited in the State General Fund.

36 **Sec. 1.7.** 1. There is hereby appropriated from the State
37 General Fund to the Division of State Parks of the State Department
38 of Conservation and Natural Resources for offsetting the loss of
39 revenue from user fees associated with implementing the provisions
40 of section 1 of this act the following sums:

41 For the Fiscal Year 2023-2024 \$214,545
42 For the Fiscal Year 2024-2025 \$241,909

43 2. Any balance of the sums appropriated by subsection 1 of this
44 act remaining at the end of the respective fiscal years must not be
45 committed for expenditure after June 30 of the respective fiscal



1 years by the entity to which the appropriation is made or any entity
2 to which money from the appropriation is granted or otherwise
3 transferred in any manner, and any portion of the appropriated
4 money remaining must not be spent for any purpose after
5 September 20, 2024, and September 19, 2025, respectively, by
6 either the entity to which the money was appropriated or the entity
7 to which the money was subsequently granted or transferred, and
8 must be reverted to the State General Fund on or before
9 September 20, 2024, and September 19, 2025, respectively.

10 **Sec. 2.** This act becomes effective on July 1, 2023.

