

Amendment No. 628

Assembly Amendment to Senate Bill No. 272

(BDR 27-876)

Proposed by: Assembly Committee on Government Affairs

Amends: Summary: No Title: No 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.



SENATE BILL NO. 272—SENATORS SPEARMAN, DONATE, DALY; DONDERO LOOP, D. HARRIS, LANGE, NGUYEN AND PAZINA

MARCH 14, 2023

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to governmental administration. (BDR 27-876)

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 administration; requiring a state agency or local government to post certain information on its Internet website relating to certain purchasing contracts, performance contracts and contracts for public works; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes, under certain circumstances, a state agency or local government
2 to enter into certain purchasing contracts, performance contracts and contracts for public
3 works. (Chapters 332, 333, 333A and 338 of NRS) **Sections 1-4** of this bill require each state
4 agency or local government to, on or before September 1 of each year, post in a conspicuous
5 place on its Internet website: (1) the total number of such contracts awarded by the state
6 agency or local government during the immediately preceding fiscal year; (2) the total dollar
7 amount of all such contracts awarded by the state agency or local government during the
8 immediately preceding fiscal year; (3) the total number of contracts awarded by the state
9 agency or local government during the immediately preceding fiscal year to minority-owned
10 businesses, women-owned businesses, ~~and~~ LGBTQ-owned businesses ~~and~~ **veteran-**
11 **owned businesses;** and (4) the total dollar amount of all such contracts awarded by the state
12 agency or local government during the immediately preceding fiscal year to minority-owned
13 businesses, women-owned businesses, ~~and~~ LGBTQ-owned businesses ~~and~~ **veteran-**
14 **owned businesses.**

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

1 **Section 1.** Chapter 332 of NRS is hereby amended by adding thereto a new
2 section to read as follows:

3 **1. On or before September 1 of each year, each local government shall post**
4 **in a clear and conspicuous place on the Internet website maintained by the local**
5 **government:**

1 (a) The total number of contracts and performance contracts awarded by the
 2 local government pursuant to this chapter during the immediately preceding
 3 fiscal year;

4 (b) The total dollar amount of all contracts and performance contracts
 5 awarded by the local government pursuant to this chapter during the immediately
 6 preceding fiscal year;

7 (c) The total number of contracts and performance contracts awarded by the
 8 local government pursuant to this chapter during the immediately preceding
 9 fiscal year to:

- 10 (1) Minority-owned businesses;
- 11 (2) Women-owned businesses; ~~for~~
- 12 (3) LGBTQ-owned businesses; or
- 13 (4) Veteran-owned businesses; and

14 (d) The total dollar amount of all contracts and performance contracts
 15 awarded by the local government pursuant to this chapter during the immediately
 16 preceding fiscal year to:

- 17 (1) Minority-owned businesses;
- 18 (2) Women-owned businesses; ~~for~~
- 19 (3) LGBTQ-owned businesses ~~for~~; or
- 20 (4) Veteran-owned businesses.

21 2. As used in this section:

22 (a) "LGBTQ" means lesbian, gay, bisexual, transgender, queer or intersex
 23 or of any other nonheterosexual or noncisgender orientation or gender identity
 24 or expression.

25 (b) "LGBTQ-owned business" means a business that:

- 26 (1) Is owned by a natural person who identifies as LGBTQ; or
- 27 (2) Has at least 51 percent of its ownership interest held by one or more
 28 natural persons who identify as LGBTQ.

29 (c) "Minority group" means:

- 30 (1) A racial or ethnic minority group; or
- 31 (2) A group of persons with disabilities.

32 (d) "Minority-owned business" means a business that:

- 33 (1) Is owned by a natural person who is a member of a minority group;

34 or

- 35 (2) Has at least 51 percent of its ownership interest held by one or more
 36 natural persons who is a member of a minority group.

37 (e) "Veteran-owned business" means a business that:

- 38 (1) Is owned by a natural person who is a veteran; or
- 39 (2) Has at least 51 percent of its ownership interest held by one or more
 40 veterans.

41 **Sec. 2.** Chapter 333 of NRS is hereby amended by adding thereto a new
 42 section to read as follows:

43 1. On or before September 1 of each year, each using agency shall post in a
 44 clear and conspicuous place on the Internet website maintained by the using
 45 agency:

46 (a) The total number of contracts awarded by the using agency pursuant to
 47 this chapter during the immediately preceding fiscal year;

48 (b) The total dollar amount of all contracts awarded by the using agency
 49 pursuant to this chapter during the immediately preceding fiscal year;

50 (c) The total number of contracts awarded by the using agency pursuant to
 51 this chapter during the immediately preceding fiscal year to:

- 52 (1) Minority-owned businesses;
- 53 (2) Women-owned businesses; ~~for~~

1 (3) LGBTQ-owned businesses; or

2 (4) Veteran-owned businesses; and

3 (d) *The total dollar amount of all contracts awarded by the using agency*
 4 *pursuant to this chapter during the immediately preceding fiscal year to:*

5 (1) *Minority-owned businesses;*

6 (2) *Women-owned businesses; ~~or~~*

7 (3) LGBTQ-owned businesses ~~or~~; or

8 (4) Veteran-owned businesses.

9 2. *As used in this section:*

10 (a) *“LGBTQ” means lesbian, gay, bisexual, transgender, queer or intersex*
 11 *or of any other nonheterosexual or noncisgender orientation or gender identity*
 12 *or expression.*

13 (b) *“LGBTQ-owned business” means a business that:*

14 (1) *Is owned by a natural person who identifies as LGBTQ; or*

15 (2) *Has at least 51 percent of its ownership interest held by one or more*
 16 *natural persons who identify as LGBTQ.*

17 (c) *“Minority group” means:*

18 (1) *A racial or ethnic minority group; or*

19 (2) *A group of persons with disabilities.*

20 (d) *“Minority-owned business” means a business that:*

21 (1) *Is owned by a natural person who is a member of a minority group;*
 22 *or*

23 (2) *Has at least 51 percent of its ownership interest held by one or more*
 24 *natural persons who is a member of a minority group.*

25 (e) “Veteran-owned business” means a business that:

26 (1) Is owned by a natural person who is a veteran; or

27 (2) Has at least 51 percent of its ownership interest held by one or more
 28 veterans.

29 **Sec. 3.** Chapter 333A of NRS is hereby amended by adding thereto a new
 30 section to read as follows:

31 1. *On or before September 1 of each year, each using agency shall post in a*
 32 *clear and conspicuous place on the Internet website maintained by the using*
 33 *agency:*

34 (a) *The total number of performance contracts awarded by the using agency*
 35 *pursuant to this chapter during the immediately preceding fiscal year;*

36 (b) *The total dollar amount of all performance contracts awarded by the*
 37 *using agency pursuant to this chapter during the immediately preceding fiscal*
 38 *year;*

39 (c) *The total number of performance contracts awarded by the using agency*
 40 *pursuant to this chapter during the immediately preceding fiscal year to:*

41 (1) *Minority-owned businesses;*

42 (2) *Women-owned businesses; ~~or~~*

43 (3) LGBTQ-owned businesses; or

44 (4) Veteran-owned businesses; and

45 (d) *The total dollar amount of all performance contracts awarded by the*
 46 *using agency pursuant to this chapter during the immediately preceding fiscal*
 47 *year to:*

48 (1) *Minority-owned businesses;*

49 (2) *Women-owned businesses; ~~or~~*

50 (3) LGBTQ-owned businesses ~~or~~; or

51 (4) Veteran-owned businesses.

52 2. *As used in this section:*

1 (a) "LGBTQ" means lesbian, gay, bisexual, transgender, queer or intersex
 2 or of any other nonheterosexual or noncisgender orientation or gender identity
 3 or expression.

4 (b) "LGBTQ-owned business" means a business that:

5 (1) Is owned by a natural person who identifies as LGBTQ; or

6 (2) Has at least 51 percent of its ownership interest held by one or more
 7 natural persons who identify as LGBTQ.

8 (c) "Minority group" means:

9 (1) A racial or ethnic minority group; or

10 (2) A group of persons with disabilities.

11 (d) "Minority-owned business" means a business that:

12 (1) Is owned by a natural person who is a member of a minority group;
 13 or

14 (2) Has at least 51 percent of its ownership interest held by one or more
 15 natural persons who is a member of a minority group.

16 (e) "Veteran-owned business" means a business that:

17 (1) Is owned by a natural person who is a veteran; or

18 (2) Has at least 51 percent of its ownership interest held by one or more
 19 veterans.

20 **Sec. 4.** Chapter 338 of NRS is hereby amended by adding thereto a new
 21 section to read as follows:

22 1. On or before September 1 of each year, each public body shall post in a
 23 clear and conspicuous place on the Internet website maintained by the public
 24 body:

25 (a) The total number of contracts for public works awarded by the public
 26 body pursuant to this chapter during the immediately preceding fiscal year;

27 (b) The total dollar amount of all contracts for public works awarded by the
 28 public body pursuant to this chapter during the immediately preceding fiscal
 29 year;

30 (c) The total number of contracts for public works awarded by the public
 31 body pursuant to this chapter during the immediately preceding fiscal year to:

32 (1) Minority-owned businesses;

33 (2) Women-owned businesses; ~~or~~

34 (3) LGBTQ-owned businesses; or

35 (4) Veteran-owned businesses; and

36 (d) The total dollar amount of all contracts for public works awarded by the
 37 public body pursuant to this chapter during the immediately preceding fiscal year
 38 to:

39 (1) Minority-owned businesses;

40 (2) Women-owned businesses; ~~or~~

41 (3) LGBTQ-owned businesses ~~or~~; or

42 (4) Veteran-owned businesses.

43 2. As used in this section:

44 (a) "LGBTQ" means lesbian, gay, bisexual, transgender, queer or intersex
 45 or of any other nonheterosexual or noncisgender orientation or gender identity
 46 or expression.

47 (b) "LGBTQ-owned business" means a business that:

48 (1) Is owned by a natural person who identifies as LGBTQ; or

49 (2) Has at least 51 percent of its ownership interest held by one or more
 50 natural persons who identify as LGBTQ.

51 (c) "Minority group" means:

52 (1) A racial or ethnic minority group; or

53 (2) A group of persons with disabilities.

1 (d) *“Minority-owned business” means a business that:*

2 (1) *Is owned by a natural person who is a member of a minority group;*

3 *or*

4 (2) *Has at least 51 percent of its ownership interest held by one or more*
5 *natural persons who is a member of a minority group.*

6 *(e) “Veteran-owned business” means a business that:*

7 *(1) Is owned by a natural person who is a veteran; or*

8 *(2) Has at least 51 percent of its ownership interest held by one or more*
9 *veterans.*

10 **Sec. 5.** This act becomes effective on July 1, ~~2023~~ 2024.