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SENATE BILL NO. 273—SENATORS LANGE, D. HARRIS, SPEARMAN, FLORES, HAMMOND; DALY, DONATE, DONDERO LOOP, NGUYEN, OHRENSCHALL, PAZINA, SCHEIBLE, SEEVERS GANSERT AND STONE

MARCH 14, 2023

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JOINT SPONSORS: ASSEMBLYMEN NGUYEN, THOMAS, BRITTNEY MILLER, MONROE-MORENO, BILBRAY-AXELROD; BACKUS, CARTER, CONSIDINE, D’SILVA, GONZÁLEZ, HARDY, JAUREGUI, C.H. MILLER, MOSCA, SUMMERS-ARMSTRONG, WATTS AND YUREK

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Referred to Committee on Education

SUMMARY—Changes the name of the Nevada State College to the Nevada State University. (BDR 34-968)

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.

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AN ACT relating to higher education; changing the name of the Nevada State College to the Nevada State University; designating the Nevada State University as a state college; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Article 11 of the Nevada Constitution requires the Nevada Legislature to  
2 provide for the establishment of a State University that is controlled by a Board of  
3 Regents whose duties are prescribed by law. (Nev. Const. Art. 11, § 4) Existing law  
4 provides for the establishment of the Nevada System of Higher Education, which  
5 consists of the State University and other educational institutions, programs and  
6 operations. (NRS 396.020) Assembly Bill No. 220 of the 70th Session of the  
7 Nevada Legislature established an advisory committee to examine the issue of  
8 locating a 4-year state college in Henderson, Nevada. (Chapter 513, Statutes of  
9 Nevada 1999, at page 2625) The advisory committee recommended naming the  
10 proposed state college the Nevada State College at Henderson. (Minutes of the  
11 Advisory Committee to Examine Locating a 4-Year State College in Henderson,  
12 February 4, 2000)



13 **Section 5** of this bill changes the name of the Nevada State College to the  
14 Nevada State University and directs the Board of Regents of the University of  
15 Nevada to take all necessary steps to implement the name change. **Sections 1 and 5**  
16 of this bill designate Nevada State University as a state college. **Sections 2-4** of this  
17 bill make conforming changes to replace references in the Nevada Revised Statutes  
18 to the Nevada State College with references to Nevada State University. **Section 6**  
19 of this bill directs the Legislative Counsel, in preparing supplements to the Nevada  
20 Administrative Code, to reflect the name change made in **section 5**.

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

1 **Section 1.** NRS 396.005 is hereby amended to read as follows:  
2 396.005 As used in this chapter, unless the context otherwise  
3 requires:

- 4 1. "Board of Regents" means the Board of Regents of the  
5 University of Nevada.  
6 2. "Community college" means all of the community colleges  
7 within the Nevada System of Higher Education.  
8 3. "State college" means all of the state colleges within the  
9 Nevada System of Higher Education ~~+~~ , *including, without*  
10 *limitation, the state college known as Nevada State University.*  
11 4. "System" means the Nevada System of Higher Education.  
12 5. "University" means all of the universities within the Nevada  
13 System of Higher Education.

14 **Sec. 2.** NRS 396.945 is hereby amended to read as follows:  
15 396.945 1. The Board shall annually award the Memorial  
16 Scholarship to:

- 17 (a) Two recipients who are students enrolled at:  
18 (1) The University of Nevada, Reno, Great Basin College or  
19 Sierra Nevada College;  
20 (2) A nonprofit university which awards a bachelor's degree  
21 in education to residents of northern Nevada; or  
22 (3) Any other college or university which awards a  
23 bachelor's degree in education and which is designated by the Board  
24 as an institution representative of northern Nevada; and  
25 (b) Two recipients who are students enrolled at:  
26 (1) The University of Nevada, Las Vegas, or Nevada State  
27 ~~College;~~ *University;*  
28 (2) A nonprofit university which awards a bachelor's degree  
29 in education to residents of southern Nevada; or  
30 (3) Any other college or university which awards a  
31 bachelor's degree in education and which is designated by the Board  
32 as an institution representative of southern Nevada.



1 2. The Board shall establish additional criteria governing the  
2 annual selection of each recipient of the Memorial Scholarship,  
3 which must include, without limitation, a requirement that a  
4 recipient:

5 (a) Be in or entering his or her senior year at an academic  
6 institution described in subsection 1;

7 (b) Satisfy the eligibility requirements for a Millennium  
8 Scholarship set forth in NRS 396.930;

9 (c) Except as otherwise provided in NRS 396.158, have a  
10 college grade point average of not less than 3.5 on a 4.0 grading  
11 scale or, if enrolled at an academic institution that does not use a  
12 grade point system to measure academic performance, present  
13 evidence acceptable to the Board that demonstrates a commensurate  
14 level of academic achievement;

15 (d) Have a declared major in elementary education or secondary  
16 education;

17 (e) Have a stated commitment to teaching in this State following  
18 graduation; and

19 (f) Have a record of community service.

20 3. A student who satisfies the criteria established pursuant to  
21 this section may apply for a Memorial Scholarship by submitting an  
22 application to the Office of the State Treasurer on a form provided  
23 on the Internet website of the State Treasurer.

24 4. The State Treasurer shall forward all applications received  
25 pursuant to subsection 3 to the Board. The Board shall review and  
26 evaluate each application received from the State Treasurer and  
27 select each recipient of the Memorial Scholarship in accordance  
28 with the criteria established pursuant to this section.

29 5. To the extent of available money in the account established  
30 pursuant to NRS 396.940, the annual Memorial Scholarship may be  
31 awarded to each selected recipient in an amount not to exceed  
32 \$5,000 to pay the educational expenses of the recipient for the  
33 school year which are authorized by subsection 6 and which are not  
34 otherwise paid for by the Millennium Scholarship awarded to the  
35 recipient.

36 6. A Memorial Scholarship must be used only:

37 (a) For the payment of registration fees and laboratory fees and  
38 expenses;

39 (b) To purchase required textbooks and course materials; and

40 (c) For other costs related to the attendance of the student at the  
41 academic institution in which he or she is enrolled.

42 7. As used in this section, "Board" means the Board of  
43 Trustees of the College Savings Plans of Nevada created by  
44 NRS 353B.005.



1       **Sec. 3.** NRS 278C.140 is hereby amended to read as follows:  
2       278C.140 “Undertaking” means any enterprise to acquire,  
3 improve or equip, or any combination thereof:

4       1. In the case of counties:

5       (a) A drainage and flood control project, as defined in  
6 NRS 244A.027;

7       (b) An overpass project, as defined in NRS 244A.037;

8       (c) A sewerage project, as defined in NRS 244A.0505;

9       (d) A street project, as defined in NRS 244A.053;

10       (e) An underpass project, as defined in NRS 244A.055; or

11       (f) A water project, as defined in NRS 244A.056.

12       2. In the case of cities:

13       (a) A drainage project or flood control project, as defined in  
14 NRS 268.682;

15       (b) An overpass project, as defined in NRS 268.700;

16       (c) A sewerage project, as defined in NRS 268.714;

17       (d) A street project, as defined in NRS 268.722;

18       (e) An underpass project, as defined in NRS 268.726; or

19       (f) A water project, as defined in NRS 268.728.

20       3. In the case of a city with respect to any tax increment area  
21 created pursuant to a cooperative agreement between the city and  
22 the Nevada System of Higher Education pursuant to NRS 278C.155,  
23 in addition to the projects described in subsection 2:

24       (a) A project for any other infrastructure necessary or desirable  
25 for the principal campus of the Nevada State ~~College~~ *University*  
26 that is approved by the Board of Regents of the University of  
27 Nevada; or

28       (b) An educational facility or other capital project for the  
29 principal campus of the Nevada State ~~College~~ *University* that is  
30 owned by the Nevada System of Higher Education and approved by  
31 the Board of Regents of the University of Nevada.

32       4. In the case of a county or city with respect to any tax  
33 increment area created by an ordinance adopted pursuant to NRS  
34 278C.157, in addition to the projects described in subsections 1 and  
35 2:

36       (a) A natural resources project; or

37       (b) A rail project.

38       **Sec. 4.** NRS 278C.155 is hereby amended to read as follows:

39       278C.155 1. A tax increment area may be created pursuant to  
40 this section by a cooperative agreement between a city in which the  
41 principal campus of the Nevada State ~~College~~ *University* is located  
42 or intended to be located and the Nevada System of Higher  
43 Education, if the boundaries of the tax increment area include only  
44 land:



1 (a) On which the principal campus of the Nevada State  
2 ~~College~~ **University** is located or intended to be located; and

3 (b) Which:

4 (1) Consists of not more than 509 acres;

5 (2) Was transferred by the city creating the tax increment  
6 area to the Nevada System of Higher Education for the use of the  
7 Nevada State ~~College;~~ **University;**

8 (3) Has never been subject to property taxation; and

9 (4) The Nevada System of Higher Education has agreed to  
10 continue to own for the term of the tax increment area.

11 ➤ The provisions of NRS 278C.160, subsections 4, 6 and 7 of NRS  
12 278C.170, NRS 278C.220, subsections 2 and 3 of NRS 278C.250  
13 and paragraph (d) of subsection 6 of NRS 278C.250 do not apply to  
14 a tax increment area created pursuant to this section, but such a tax  
15 increment area is subject to the provisions of subsections 2 to 9,  
16 inclusive.

17 2. Whenever the governing body of a city in which the  
18 principal campus of the Nevada State ~~College~~ **University** is located  
19 or intended to be located and the Board of Regents of the University  
20 of Nevada determine that the interests of the city, the Nevada  
21 System of Higher Education and the public require an undertaking,  
22 the governing body and the Board of Regents may enter into a  
23 cooperative agreement pursuant to NRS 277.080 to 277.180,  
24 inclusive, which describes by reference to the general types of  
25 undertakings authorized pursuant to NRS 278C.140 and the  
26 undertakings proposed for the tax increment area, and which  
27 contains or refers to an exhibit filed with the clerk of the city and the  
28 Secretary of the Board of Regents which contains:

29 (a) A statement of the last finalized amount of the assessed  
30 valuation of the real property within the boundaries of the tax  
31 increment area, which boundaries must be in compliance with  
32 subsection 1, and a statement that, based upon the records of the  
33 county treasurer, no property taxes were collected on any of that  
34 property, or on any interest therein, during the most recent year for  
35 which those records are available; and

36 (b) A description of the tax increment area or its location, so that  
37 the various tracts of taxable real property and any taxable personal  
38 property may be identified and determined to be within or without  
39 the tax increment area, except that the description need not describe  
40 in complete detail each tract of real property proposed to be  
41 included within the tax increment area.

42 3. The governing body may, at any time after the effective date  
43 of a cooperative agreement entered into pursuant to this section,  
44 adopt a resolution that provisionally orders the undertakings and  
45 creation of the tax increment area.



1 4. The notice of the meeting required pursuant to subsection 3  
2 of NRS 278C.170 must:

3 (a) Describe by reference the general types of undertakings  
4 authorized pursuant to NRS 278C.140 and the undertakings  
5 proposed for the tax increment area;

6 (b) Describe the last finalized amount of the assessed valuation  
7 of the real property within the boundaries of the tax increment area,  
8 and state that, based upon the records of the county treasurer, no  
9 property taxes were collected on any of that property, or on any  
10 interest therein, during the most recent year for which those records  
11 are available;

12 (c) Describe the tax increment area or its location, so that the  
13 various tracts of taxable real or personal property may be identified  
14 and determined to be within or without the tax increment area; and

15 (d) State the date, time and place of the meeting described in  
16 subsection 1 of NRS 278C.170.

17 5. If, after considering all properly submitted and relevant  
18 written and oral complaints, protests, objections and other relevant  
19 comments and after considering any other relevant material, the  
20 governing body determines that the undertaking is in the public  
21 interest and defines that public interest, the governing body shall  
22 determine whether to proceed with the undertaking. If the governing  
23 body has ordered any modification to an undertaking and has  
24 determined to proceed, the governing body must consult with the  
25 Board of Regents to obtain its consent to the proposed modification.  
26 When the Board of Regents and the governing body are in  
27 agreement on the modification, if any, and a statement of the  
28 modification is filed with the clerk, if the governing body wants to  
29 proceed with the undertaking, the governing body shall adopt an  
30 ordinance in the same manner as any other ordinance:

31 (a) Overruling all complaints, protests and objections not  
32 otherwise acted upon;

33 (b) Ordering the undertaking;

34 (c) Describing the tax increment area to which the undertaking  
35 pertains; and

36 (d) Creating a tax increment account for the undertaking.

37 6. Money deposited in the tax increment account as described  
38 in subparagraph (2) of paragraph (a) of subsection 1 of NRS  
39 278C.250 may be used to pay the capital costs of the undertaking  
40 directly, in addition to being used to pay the bond requirements of  
41 loans, money advanced or indebtedness incurred to finance or  
42 refinance an undertaking, and may continue to be used for those  
43 purposes until the expiration of the tax increment area pursuant to  
44 NRS 278C.300.



1 7. The Board of Regents may pledge to any securities it issues  
2 under a delegation pursuant to subsection 8, or irrevocably dedicate  
3 to the city that will issue securities hereunder, any revenues of the  
4 Nevada System of Higher Education derived from the campus of the  
5 Nevada System of Higher Education whose boundaries are included  
6 in whole or in part in the tax increment area, other than revenues  
7 from state appropriations and from student fees, and subject to any  
8 covenants or restrictions in any instruments authorizing other  
9 securities. Such an irrevocable dedication must be for the term of  
10 the securities issued by the city and any securities refunding those  
11 securities and may also extend for the term of the tax increment  
12 area.

13 8. The city may delegate to the Board of Regents the authority  
14 to issue any security other than a general obligation security which  
15 the city is authorized to issue pursuant to this chapter, and in  
16 connection therewith, may irrevocably dedicate to the Board of  
17 Regents the revenues that are authorized pursuant to this chapter to  
18 be pledged or used to repay those securities, including, without  
19 limitation, all money in the tax increment account created pursuant  
20 to subsection 5. The irrevocable dedication of any security pursuant  
21 to this subsection must be for the term of the security issued by the  
22 Nevada System of Higher Education and any security refunding  
23 those securities and may also extend for the term of the tax  
24 increment area.

25 9. If the boundaries of a county school district include a tax  
26 increment area created pursuant to this section and the county  
27 school district operates a public school on property within the  
28 boundaries of that tax increment area, the county school district and  
29 the Nevada System of Higher Education shall consult with one  
30 another regarding funding for the operating costs of that public  
31 school.

32 **Sec. 5.** 1. The state college located in Henderson, Nevada,  
33 which was previously known as the Nevada State College or the  
34 Nevada State College at Henderson, shall be known as the Nevada  
35 State University. The Board of Regents of the University of Nevada  
36 shall take all steps necessary to implement the change in name made  
37 pursuant to this section.

38 2. The change in name made pursuant to this section shall have  
39 no effect whatever on any functions, rights, powers, obligations or  
40 liabilities of the state college located in Henderson, Nevada, which  
41 was previously known as the Nevada State College or the Nevada  
42 State College at Henderson, or on the classification of the institution  
43 as a state college for all purposes under the laws of this State.

44 **Sec. 6.** The Legislative Counsel shall, in preparing  
45 supplements to the Nevada Administrative Code, appropriately



1 change any references to an officer, agency or other entity whose  
2 name is changed or whose responsibilities are transferred pursuant  
3 to the provisions of this act to refer to the appropriate officer,  
4 agency or other entity.

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

