

# NEVADA LEGISLATURE

Eighty-Second Session, 2023

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## ASSEMBLY DAILY JOURNAL

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### THE SIXTIETH DAY

CARSON CITY (Thursday), April 6, 2023

Assembly called to order at 11:37 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Bruce Henderson.

Our dear Lord, in the midst of meetings, hearings, deadlines, and all the hustle and bustle around us, we take a moment to just be still. May we inhale Your presence and exhale the turmoil around us.

We ask for Your peace as those around the world celebrate Passover and freedom from captivity while others celebrate a sacrifice made to bring eternal freedom. Hear us as we rejoice in the many freedoms You have showered upon us.

AMEN.

Presentation of the colors by the Scottish-American Military Society Color Guard.

Pledge of Allegiance to the Flag.

Assemblywoman Jauregui moved that further reading of the Journal be dispensed with and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Commerce and Labor, to which were referred Assembly Bills Nos. 23, 39, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Commerce and Labor, to which was referred Assembly Bill No. 27, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Commerce and Labor, to which were referred Assembly Bills Nos. 146, 251, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ELAINE MARZOLA, *Chair*

*Mr. Speaker:*

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 52, 366, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Government Affairs, to which were referred Assembly Bills Nos. 44, 143, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

SELENA TORRES, *Chair*

*Mr. Speaker:*

Your Committee on Growth and Infrastructure, to which were referred Assembly Bills Nos. 56, 144, 203, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Growth and Infrastructure, to which were referred Assembly Bills Nos. 57, 151, 195, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

HOWARD WATTS, *Chair*

*Mr. Speaker:*

Your Committee on Health and Human Services, to which were referred Assembly Bills Nos. 40, 167, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Health and Human Services, to which was referred Assembly Bill No. 45, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Health and Human Services, to which was referred Assembly Bill No. 277, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

SARAH PETERS, *Chair*

*Mr. Speaker:*

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 35, 51, 67, 101, 145, 183, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Judiciary, to which were referred Assembly Bills Nos. 121, 122, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Judiciary, to which was referred Assembly Bill No. 255, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BRITTNEY MILLER, *Chair*

*Mr. Speaker:*

Your Committee on Natural Resources, to which were referred Assembly Bills Nos. 46, 97, 109, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LESLEY E. COHEN, *Chair*

## MOTIONS, RESOLUTIONS AND NOTICES

### NOTICE OF EXEMPTION

April 3, 2023

The Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the exemption of Assembly Bills Nos. 248, 273, 306, 346, 347, 351, 382.

Also, the Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the eligibility for exemption of Assembly Bills Nos. 253, 258, 261, 294, 302, 315, 336, 348, 364, 369, 376, 390, 399, 425, 433, 443.

SARAH COFFMAN  
*Fiscal Analysis Division*

April 5, 2023

The Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the eligibility for exemption of Assembly Bills Nos. 293, 313, 326, 353, 357, 385, 457.

SARAH COFFMAN  
*Fiscal Analysis Division*

April 6, 2023

The Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the eligibility for exemption of Senate Bills Nos. 68, 144, 186, 240, 320, 396, 402.

WAYNE THORLEY  
*Fiscal Analysis Division*

Assemblywoman Jauregui moved that the person as set forth on the Nevada Legislature's Press Accreditation List of April 6, 2023, be accepted as an accredited press representative, assigned space at the press table in the Assembly Chamber, allowed the use of appropriate broadcasting facilities, and that the list be included in this day's journal.

KOLO 8 NEWS NOW: John Macaluso.

Motion carried.

Assemblywoman Jauregui moved that the Assembly withdraw Assembly Bill No. 317 from the Committee on Education.

Motion carried.

Assemblywoman Jauregui moved that Assembly Bill No. 317 be rereferred to the Committee on Ways and Means.

Motion carried.

Assemblywoman Jauregui moved that the Assembly withdraw Assembly Bill No. 423 from the Committee on Education.

Motion carried.

Assemblywoman Jauregui moved that Assembly Bill No. 423 be rereferred to Committee on Government Affairs.

Motion carried.

#### SECOND READING AND AMENDMENT

Assembly Bill No. 13.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 36.

AN ACT relating to governmental administration; revising provisions governing the protections against reprisal or retaliatory action provided for a

state officer or employee who discloses certain governmental action; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law encourages state officers and employees to disclose improper action and protects the rights of a state officer or employee who makes such a disclosure, commonly known as a whistleblower. (NRS 281.611, 281.621, 281.631, 281.641, 281.651, 281.661, 281.671) Existing law further: (1) requires a state officer or employee to use his or her official authority or influence to remedy any reprisal or retaliatory action of which the officer or employee becomes aware; and (2) prohibits a state officer or employee from using or attempting to use his or her official authority or influence to intimidate, threaten, coerce, command or influence another state officer or employee in an effort to interfere with or prevent the disclosure of information concerning improper governmental action. (NRS 281.631) If any violation of these requirements or prohibitions occur or any alleged reprisal or retaliatory action is taken against a state officer or employee who discloses information concerning improper action within 2 years after the information is disclosed, existing law authorizes the state officer or employee to file a written appeal with a hearing officer of the Personnel Commission of the Division of Human Resource Management of the Department of Administration. (NRS 281.641) This bill requires that any such written appeal be filed not later than ~~10~~ **60** working days after the date on which the alleged violation or reprisal or retaliatory action occurred.

Existing law authorizes a hearing officer who hears an appeal relating to alleged reprisal or retaliatory action against a state officer or employee for disclosing improper governmental action, upon determining that certain violations occurred or an action taken was a reprisal or retaliatory action to: (1) issue an order directing the proper person to desist and refrain from engaging in such a violation or action; or (2) terminate the employment of the proper person. (NRS 281.641) This bill eliminates the authority of a hearing officer to order the termination of employment of the proper person.

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

**Section 1.** NRS 281.641 is hereby amended to read as follows:

281.641 1. If any alleged violation of NRS 281.631 occurs or any alleged reprisal or retaliatory action is taken against a state officer or employee who discloses information concerning improper governmental action within 2 years after the information is disclosed, the state officer or employee may file a written appeal, *not later than ~~10~~ **60** working days after the date on which the alleged violation or reprisal or retaliatory action occurred*, with a hearing officer of the Personnel Commission for a determination of whether a violation of NRS 281.631 occurred or the action taken was a reprisal or retaliatory action, as applicable. The written appeal must be accompanied by a statement that sets forth with particularity, as applicable:

(a) The facts and circumstances relating to the alleged violation of NRS 281.631; or

(b) The facts and circumstances under which the disclosure of improper governmental action was made and the reprisal or retaliatory action that is alleged to have been taken against the state officer or employee.

↪ The hearing must be conducted in accordance with the procedures set forth in NRS 284.390 to 284.405, inclusive, and the procedures adopted by the Personnel Commission pursuant to subsection 5.

2. If the hearing officer determines that a violation of NRS 281.631 occurred or the action taken was a reprisal or retaliatory action, the hearing officer may issue an order directing ~~the~~

~~(a) The] the~~ proper person to desist and refrain from engaging in such a violation or action. ~~the~~

~~(b) The termination of the employment of the proper person.]~~

3. The hearing officer shall file a copy of the decision with the Governor or any other elected state officer who is responsible for the actions of that person.

4. The hearing officer may not rule against the state officer or employee based on the person or persons to whom the improper governmental action was disclosed.

5. The Personnel Commission may adopt rules of procedure for conducting a hearing pursuant to this section that are not inconsistent with the procedures set forth in NRS 284.390 to 284.405, inclusive.

6. As used in this section, "Personnel Commission" means the Personnel Commission created by NRS 284.030.

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

Assemblywoman Torres moved the adoption of the amendment.

Remarks by Assemblywoman Torres.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 22.

Bill read second time.

The following amendment was proposed by the Committee on Commerce and Labor:

Amendment No. 39.

AN ACT relating to contractors; revising provisions governing the actions that the State Contractors' Board is authorized or required to take after the issuance of a cease and desist order for unlicensed activity; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires the State Contractors' Board to issue a cease and desist order to a person for acting as a contractor or submitting a bid on a job in this State without a license as a contractor and sets forth the actions that the Board is authorized or required to take after the issuance of the order. If the Board

determines that the person to whom the cease and desist order was issued has not complied with the order, existing law requires the Board to: (1) for a first violation for which the value of the unlicensed work is \$50,000 or less, issue a written administrative citation, conditioned upon the submission by the person of an application for a license as a contractor; and (2) for a second or subsequent violation, or a first violation for which the value of the unlicensed work exceeds \$50,000, report the violation for possible criminal prosecution. If the Board determines that the person has complied with the cease and desist order, existing law: (1) requires the Board to issue an administrative citation and impose an administrative fine; and (2) authorizes the Board to require the person to submit an application for a license as a contractor. (NRS 624.212)

This bill replaces the separate procedures in existing law that the Board is required to follow after the issuance of a cease and desist order, depending upon whether the person to whom the order was issued complied with the order. Under the ~~(single procedure)~~ **procedures** set forth in this bill, the Board, regardless of the person's compliance with the order, is required to **issue an administrative citation and impose an administrative fine for a first violation which does not involve theft or fraud. For a second or subsequent violation, or for any first violation involving theft or fraud, this bill requires the Board to** either: (1) issue an administrative citation and impose an administrative fine; or (2) report the violation for possible criminal prosecution. This bill retains the authority of the Board in existing law to, after the issuance of a cease and desist order: (1) require the person to submit an application for a license as a contractor; and (2) apply for injunctive relief. ~~[This bill also eliminates distinctions in the procedures in existing law which are based on the number of previous violations and the value of the unlicensed work.]~~

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

**Section 1.** NRS 624.212 is hereby amended to read as follows:

624.212 1. The Executive Officer, on behalf of the Board, shall issue an order to cease and desist to any person:

(a) Acting as a contractor, including, without limitation, commencing work as a contractor; or

(b) Submitting a bid on a job situated in this State,  
↪ without a valid license issued pursuant to this chapter. The order must be served personally or by certified mail and is effective upon receipt. For the purposes of this section, a person shall be deemed to have a valid license if the person has an active license and is performing work in conformity with the requirements of subsection 4 of NRS 624.220.

2. After confirming that the cease and desist order has been received by the person to whom it was issued, the Board shall return to the job site or take any other action required to confirm that the terms of the cease and desist order have been complied with. The person to whom the cease and desist order was

issued may, while in the course of stopping work on the job, take any necessary action within 48 hours after receiving the cease and desist order to protect the public, the project, any other contractors, laborers and equipment on the site and to limit the loss of any perishable goods.

3. ~~If the Board determines that any term of a cease and desist order has not been complied with and no exception applies:~~

~~—(a) The person to whom the cease and desist order was issued shall be deemed noncompliant with the cease and desist order and the person may not complete the project, except for taking any necessary action to protect the public, the project, any other contractors, laborers and equipment and to limit the loss of any perishable goods.~~

~~—(b) Except as otherwise provided in paragraph (c), for a first violation, the Board shall issue a written administrative citation pursuant to NRS 624.341, which may include any reasonable investigatory fees and costs, conditioned upon the submission by the person of a bona fide application for the issuance of a license pursuant to this chapter within a reasonable period established by the Board.~~

~~—(c) For a second or subsequent violation, or for any first violation for which the reasonable value of the unlicensed work exceeds \$50,000, the Board shall:~~

~~—(1) Report the violation of the cease and desist order to the appropriate district attorney for possible criminal prosecution pursuant to NRS 624.700; and~~

~~—(2) Provide any reasonable assistance in the prosecution.~~

~~—(d) The Board may apply for injunctive relief pursuant to the Nevada Rules of Civil Procedure to enjoin the person to whom the cease and desist order was issued from continuing to violate the cease and desist order in any county in which the person may be found. If such an action is filed, irreparable injury is presumed and the likelihood of success on the merits may be established by a showing that, on the date the cease and desist order was issued, the person did not hold a valid license issued pursuant to this chapter and had bid for or undertaken work for which such a license is required.~~

~~4. If the Board determines that the person to whom the } After issuing a cease and desist order , [was issued has complied with the order,] the Board [:] shall:~~

(a) ~~[Shall] For a first violation which does not involve theft or fraud, issue ~~[Issue]~~ an administrative citation pursuant to NRS 624.341 and impose an administrative fine against the person in accordance with NRS 624.710, in addition to any reasonable investigatory fees and costs . ~~[, and or]~~~~

(b) ~~[May require] For a second or subsequent violation, or for any first violation involving theft or fraud, either:~~

~~(1) Issue an administrative citation pursuant to NRS 624.341 and impose an administrative fine against the person in accordance with NRS 624.710, in addition to any reasonable investigatory fees and costs; or~~

~~(2) Report the violation of the provisions of this chapter for possible criminal prosecution pursuant to NRS 624.700. If the violation is~~

*prosecuted, the Board shall provide any reasonable assistance in the prosecution.*

**4. After issuing a cease and desist order, in addition to the actions required by subsection 3, the Board may:**

(a) **Require** the person to submit a bona fide application for the issuance of a license pursuant to this chapter within a reasonable period established by the Board.

(b) **If the Board determines that any term of the cease and desist order has not been complied with and no exception applies, apply for injunctive relief pursuant to the Nevada Rules of Civil Procedure to enjoin the person to whom the cease and desist order was issued from continuing to violate the cease and desist order in any county in which the person may be found. If such an action is filed, irreparable injury is presumed and the likelihood of success on the merits may be established by a showing that, on the date the cease and desist order was issued, the person did not hold a valid license issued pursuant to this chapter and had bid for or undertaken work for which such a license is required.**

**5. When assessing an administrative fine pursuant to this section, the Board may:**

(a) Require the person to whom the cease and desist order was issued to remedy any loss or damage caused by the unlicensed activity for which the order was issued, including, without limitation, the disgorgement of any amount of money collected from the owner of the project that was not for material delivered to the job site and that has not been damaged or altered by the person;

(b) Reduce or stay any administrative fine imposed pursuant to subsection ~~4~~ 3 pending completion by the person of a program of training or an examination required by the Board; or

(c) Reduce or stay any administrative fine imposed pursuant to subsection ~~4~~ 3 if the person obtains a valid license issued pursuant to this chapter.

**6. When imposing an administrative fine pursuant to this section, the Board shall impose the maximum administrative fine established pursuant to this chapter for the unlicensed activity if more than one of the following circumstances exist:**

(a) The person has previously committed the same or a similar violation as the violation for which the administrative fine is imposed;

(b) The unlicensed activity involves more than one trade or craft;

(c) The unlicensed activity resulted in harm to any person or property;

(d) The unlicensed activity involved an elderly person or a person with a diagnosed physical or mental disability; or

(e) The unlicensed activity was for a project having a contract value in excess of \$50,000.

**7. Within 15 business days after receiving a cease and desist order, the person against whom the order was issued may petition the Board in writing to lift or alter the order. The petition may assert:**



- (a) As an absolute defense:
  - (1) Licensure of the person pursuant to this chapter;
  - (2) Any applicable exception to licensure set forth in NRS 624.031; or
  - (3) Misidentification of the person.
- (b) As a partial defense:
  - (1) Overbreadth of any term of the cease and desist order;
  - (2) Vagueness or ambiguity of any term of the cease and desist order;
  - (3) Consideration of any necessary action taken by the person to protect the public, the project, any other contractors, laborers and any equipment on the job site and to limit any loss of perishable goods; or
  - (4) Any other ~~defect~~ **deficiency** in the terms of the cease and desist order.

8. After considering any assertion made in a petition pursuant to:

(a) Paragraph (a) of subsection 7, the Board shall, if facts are established to the satisfaction of the Board to support the absolute defense asserted in the petition, vacate the cease and desist order or any portion thereof.

(b) Paragraph (b) of subsection 7, the Board shall, if facts are established to the satisfaction of the Board to support the partial defense asserted in the petition, reasonably clarify any terms of the cease and desist order requested by the petitioner.

9. When considering an application for the issuance of a license pursuant to this chapter, the Board may consider:

(a) Any cease and desist order issued against the applicant;

(b) Compliance by the applicant with any cease and desist order issued against him or her;

(c) Any criminal conviction of the applicant for failure to comply with any cease and desist order; or

(d) The payment by the applicant of any criminal or administrative fine and any administrative fee or cost imposed against the applicant.

10. If the court finds that a person violated an order issued pursuant to subsection 1 without an established absolute defense set forth in paragraph (a) of subsection 7, it shall impose a fine of not less than \$250 nor more than \$1,000 for each violation of the order.

Assemblywoman Marzola moved the adoption of the amendment.

Remarks by Assemblywoman Marzola.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 24.

Bill read second time.

The following amendment was proposed by the Committee on Health and Human Services:

Amendment No. 26.

AN ACT relating to emergency medical services; revising the membership of the Committee on Emergency Medical Services; ~~to add a member who is~~

~~employed by or volunteers with an agency, organization or other operator that provides emergency medical services on tribal land;~~ and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law establishes the Committee on Emergency Medical Services and requires the Committee to review and advise the Division of Public and Behavioral Health of the Department of Health and Human Services on matters related to emergency medical services. (NRS ~~450B.151,~~ 450B.153) Under existing law, the Committee is comprised of nine members appointed by the State Board of Health. (NRS 450B.151) This bill adds ~~to the Committee~~ **: (1) one member who is employed by or serves as a volunteer with a local governmental agency that provides emergency medical services but which is not a part of a fire-fighting agency or law enforcement agency; and (2) one member** ~~who is appointed by the Committee and who~~ is employed by or volunteers with an agency, organization or other operator that provides emergency medical services on tribal land.

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

**Section 1.** NRS 450B.151 is hereby amended to read as follows:

450B.151 1. The Committee on Emergency Medical Services, consisting of ~~nine~~ **11** members appointed by the State Board of Health, ~~and one member appointed by the Committee,~~ is hereby created.

2. Upon request of the State Board of Health, employee associations that represent persons that provide emergency medical services, including, without limitation, physicians and nurses that provide emergency medical services, emergency medical technicians, ambulance attendants, firefighters, fire chiefs and employees of rural hospitals, shall submit to the State Board of Health written nominations for appointments to the Committee.

3. After considering the nominations submitted pursuant to subsection 2, the State Board of Health shall appoint to the Committee:

(a) One member who is a physician licensed pursuant to chapter 630 or 633 of NRS and who has experience providing emergency medical services;

(b) One member who is a registered nurse and who has experience providing emergency medical services;

(c) One member who is a volunteer for an organization that provides emergency medical services pursuant to this chapter;

(d) One member who is employed by a fire-fighting agency at which some of the firefighters and persons who provide emergency medical services for the agency are employed and some serve as volunteers;

(e) One member who is employed by an urban fire-fighting agency;

(f) One member who is employed by or serves as a volunteer with a medical facility that is located in a rural area and that provides emergency medical services;

(g) One member who is employed by an organization that provides emergency medical services in an air ambulance and whose duties are closely related to such emergency medical services;

(h) **One member who is employed by or serves as a volunteer with a local governmental agency that provides emergency medical services but which is not a part of a fire-fighting agency or law enforcement agency;**

(i) One member who is employed by a privately owned entity that provides emergency medical services; and

~~(g)~~ (j) One member who is employed by an operator of a service which is:

(1) Provided for the benefit of the employees of an industry who become sick or are injured at the industrial site; and

(2) Staffed by employees who are licensed attendants and perform emergency medical services primarily for the industry.

4. ***The Committee shall solicit and accept applications from persons who are employed by or volunteer with an agency, organization or other operator that provides emergency medical services on tribal land. After considering the applications submitted pursuant to this subsection, the Committee shall recommend and the State Board of Health shall appoint to the Committee one member who is employed by or volunteers with an agency, organization or other operator that provides emergency medical services on tribal land.***

5. In addition to the members set forth in ~~subsection~~ **subsections 3 ~~4~~** and 4, the following persons are ex officio members of the Committee:

(a) An employee of the Division, appointed by the Administrator of the Division, whose duties relate to administration and enforcement of the provisions of this chapter;

(b) The county health officer appointed pursuant to NRS 439.290 in each county whose population is 100,000 or more, or the county health officer's designee;

(c) A physician who is a member of a committee which consists of directors of trauma centers in this State and who is nominated by that committee; and

(d) A representative of a committee or group which focuses on the provision of emergency medical services to children in this State and who is nominated by that committee or group.

~~5.~~ 6. The term of each member appointed by the State Board of Health ~~for the Committee pursuant to subsections 3 and 4~~ is 2 years. A member may not serve more than two consecutive terms but may serve more than two terms if there is a break in service of not less than 2 years.

~~6.~~ 7. The State Board of Health shall not appoint to the Committee two persons who are employed by or volunteer with the same organization, except the State Board of Health may appoint a person who is employed by or volunteers with the same organization of which a member who serves ex officio is an employee.

~~7.~~ 8. Each member of the Committee shall appoint an alternate to serve in the member's place if the member is temporarily unable to perform the

duties required of him or her pursuant to NRS 450B.151 to 450B.154, inclusive.

~~§ 9.~~ A position on the Committee that becomes vacant before the end of the term of the member must be filled in the same manner as the original appointment.

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

Assemblywoman Peters moved the adoption of the amendment.

Remarks by Assemblywoman Peters.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 28.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 37.

AN ACT relating to the State Treasurer; establishing the Nevada Baby Bonds Program and the Nevada Baby Bonds Trust Fund; setting forth the duties and responsibilities of the State Treasurer in administering the Program and Trust Fund; authorizing the State Treasurer to adopt regulations relating to the Program; making an appropriation; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

The Nevada Constitution requires the State Treasurer to perform such duties as may be prescribed by law. (Nev. Const. Art. 5, § 22) **Section 8** of this bill: (1) establishes the Nevada Baby Bonds Program and the Nevada Baby Bonds Trust Fund; and (2) requires the State Treasurer to administer the Program and Trust Fund. **Sections 6 and 7** of this bill, respectively, define the terms “Program” and “Trust Fund.”

**Section 9** of this bill requires the State Treasurer, upon notification of the birth of a designated beneficiary, to, within the limits of money made available for this purpose, credit \$3,200 in the Trust Fund to the designated beneficiary. **Section 4** of this bill defines a “designated beneficiary” to mean a natural person born in this State on or after January 1, 2024, whose birth was subject to medical coverage provided under Medicaid or the Children’s Health Insurance Program. **Sections 3 and 5** of this bill, respectively, define the terms “Children’s Health Insurance Program” and “Medicaid.”

**Section 9** of this bill authorizes a designated beneficiary to submit a claim to the State Treasurer to receive money credited to the designated beneficiary in the Trust Fund if the designated beneficiary: (1) is at least 18 but less than 30 years of age; (2) has been a resident of this State for at least the 12 months immediately preceding the submission of the claim; ~~and~~ (3) attests that he or she will use the money for certain purposes; ~~and~~ **(4) has successfully completed a course in financial literacy approved by the State Treasurer.**

**Section 10** of this bill requires the State Treasurer to provide an annual statement to each designated beneficiary which includes certain information.

**Section 11** of this bill provides that, with certain exceptions, any money deposited into the Trust Fund must not be used to calculate the personal assets of a designated beneficiary for purposes of determining eligibility of the designated beneficiary for: (1) any disability, medical or other health benefits administered by this State; or (2) any student loan program, student grant program or other student financial aid program administered by this State.

**Section 12** of this bill: (1) sets forth certain requirements and limitations on the State Treasurer in investing and reinvesting the money in the Trust Fund; and (2) authorizes the State Treasurer to enter into certain contracts and procure insurance for the Trust Fund, apply for, accept and expend any gifts, grants and donations and take any other action necessary to carry out the provisions of law related to the Program.

**Sections 13 and 15** of this bill provide, with certain exceptions, that all information about a designated beneficiary which is contained in a record or file in the possession, control or custody of the State Treasurer is confidential.

**Section 14** of this bill authorizes the State Treasurer to adopt any regulations necessary to carry out the provisions of law relating to the Program ~~and~~ **including, without limitation, requirements relating to the course in financial literacy for designated beneficiaries required by section 9.**

**Section 16** of this bill makes an appropriation to the Nevada Baby Bonds Trust Fund.

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

**Section 1.** Chapter 226 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 14, inclusive, of this act.

**Sec. 2.** *As used in sections 2 to 14, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3 to 7, inclusive, of this act have the meanings ascribed to them in those sections.*

**Sec. 3.** *“Children’s Health Insurance Program” means the program established pursuant to 42 U.S.C. §§ 1397aa to 1397jj, inclusive, to provide health insurance for uninsured children from low-income families in this State.*

**Sec. 4.** *“Designated beneficiary” means a natural person born in this State on or after January 1, 2024, whose birth was subject to medical coverage provided under Medicaid or the Children’s Health Insurance Program.*

**Sec. 5.** *“Medicaid” means the program established pursuant to Title XIX of the Social Security Act, 42 U.S.C. §§ 1396 et seq., to provide assistance for part or all of the cost of medical care rendered on behalf of indigent persons.*

**Sec. 6.** *“Program” means the Nevada Baby Bonds Program established by section 8 of this act.*

Sec. 7. *“Trust Fund” means the Nevada Baby Bonds Trust Fund created by section 8 of this act.*

Sec. 8. 1. *The Nevada Baby Bonds Program is hereby established, to be administered by the State Treasurer.*

2. *The Nevada Baby Bonds Trust Fund is hereby created for the purpose of carrying out the Program. The Trust Fund and any account established by the State Treasurer pursuant to subsection 3 must be administered by the State Treasurer.*

3. *The State Treasurer may establish such accounts in the Trust Fund as the State Treasurer determines necessary to carry out the duties of the State Treasurer pursuant to sections 2 to 14, inclusive, of this act.*

4. *The Trust Fund is an instrumentality of this State, and its property and income are exempt from all taxation of this State and any political subdivision thereof.*

5. *The Trust Fund consists of:*

(a) *All money from public or private sources appropriated by or made available to this State for the benefit of the Trust Fund; and*

(b) *All earnings on the money in the Trust Fund.*

6. *The money in the Trust Fund:*

(a) *Is not the property of this State and this State has no claim to or interest in such money; and*

(b) *Must not be commingled with any money of this State.*

7. *Any contract entered into by the State Treasurer on behalf of the Trust Fund does not constitute a debt or obligation of this State, and no designated beneficiary is entitled to any money in the Trust Fund except for that money credited to the designated beneficiary pursuant to section 9 of this act.*

8. *The money in the Trust Fund must be preserved, invested and expended solely pursuant to and for the purposes authorized by sections 2 to 14, inclusive, of this act and must not be loaned or otherwise transferred or used by this State for any other purpose.*

9. *The Trust Fund must continue in existence as long as it holds any deposits or has any obligations, or until its existence is terminated by law. Upon termination, any unclaimed assets must revert to the State General Fund.*

Sec. 9. 1. *The Department of Health and Human Services shall notify the State Treasurer of the birth of each designated beneficiary. Upon notification of the birth of a designated beneficiary, the State Treasurer shall, within the limits of money made available for this purpose, credit to the designated beneficiary \$3,200 in the Trust Fund.*

2. *A designated beneficiary may submit a claim to the State Treasurer to receive money in the Trust Fund credited to the designated beneficiary if:*

(a) *The designated beneficiary is at least 18 but less than 30 years of age;*

(b) *The designated beneficiary has been a resident of this State for at least the 12 months immediately preceding the submission of the claim to the State Treasurer; ~~and~~*

(c) *The designated beneficiary attests that he or she will use the money for one or more of the following purposes:*

(1) *Postsecondary education, including, without limitation, vocational education or apprenticeship readiness and training;*

(2) *To purchase a home;*

(3) *To start or purchase a business; or*

(4) *To invest in financial assets or personal capital that provides a long-term gain to the ~~designated beneficiary's~~ wages or wealth ~~of~~ of the designated beneficiary; and*

(d) *The designated beneficiary has successfully completed a course in financial literacy approved by the State Treasurer, which must include, without limitation, training on the rights and protections available to consumers when:*

(1) *Receiving or repaying a student loan for postsecondary education;*

(2) *Purchasing a home;*

(3) *Starting or purchasing a business; and*

(4) *Investing in financial assets or personal capital that provides a long term gain to the wages or wealth of the designated beneficiary.*

3. *The money for which the designated beneficiary may submit a claim pursuant to subsection 2 must include:*

(a) *The amount credited to the designated beneficiary pursuant to subsection 1; and*

(b) *The pro rata share of the total net earnings from the investment of the money held in the Trust Fund that the State Treasurer determines is attributable to the designated beneficiary.*

4. *The State Treasurer must credit back to the Trust Fund all money which the designated beneficiary is entitled to claim pursuant to subsection 3 if:*

(a) *The designated beneficiary dies before he or she is eligible to submit a claim to the State Treasurer pursuant to subsection 1; or*

(b) *The designated beneficiary does not submit a claim that meets the requirements set forth in subsection 1 before the designated beneficiary reaches 30 years of age.*

Sec. 10. 1. *The State Treasurer shall provide an annual statement to each designated beneficiary which must include, without limitation:*

(a) *A statement of the amount credited to the designated beneficiary in the Trust Fund;*

(b) *A projection of the growth of the amount credited to the designated beneficiary in the Trust Fund;*

(c) *Resources and information to promote the financial wellness and literacy of the designated beneficiary; and*

(d) *Any other information about the Program that the State Treasurer determines to be relevant.*

2. *The State Treasurer may request the contact information of any designated beneficiary from a state agency for the purpose of carrying out*

*the provisions of subsection 1. Upon any such request, a state agency shall provide the State Treasurer with the contact information of a designated beneficiary.*

**Sec. 11.** *Except as otherwise provided by federal law, any money deposited into the Trust Fund and credited to a designated beneficiary, and any increase in the values thereof, must not be used to calculate the personal assets of a designated beneficiary for purposes of determining the eligibility of the designated beneficiary for:*

- 1. Any disability, medical or other health benefits administered by this State; or*
- 2. Any student loan program, student grant program or other student financial aid program administered by this State.*

**Sec. 12.** *1. The State Treasurer, on behalf of the Trust Fund and for trust purposes, shall:*

*(a) Except as otherwise provided in subsection 2, invest and reinvest the money in the Trust Fund, including, without limitation, in any instrument, obligation, security or property, in any manner that is reasonable and appropriate in order to achieve the objectives of the Trust Fund, and while exercising the discretion and care of a prudent person in similar circumstances with similar objectives; and*

*(b) Give due consideration to the expected rate of return, risk, term or maturity, diversification of the total investments within the Trust Fund, liquidity, projected disbursements and expenditures and anticipated deposits, contributions and gifts to the Trust Fund.*

*2. The State Treasurer shall not, on behalf of the Trust Fund, invest directly in obligations of the State or any political subdivision thereof or in any investment or other fund administered by the State Treasurer.*

*3. The State Treasurer, on behalf of the Trust Fund and for trust purposes, may:*

*(a) Enter into contracts for the Trust Fund, including, without limitation, contracts for legal, actuarial, accounting, custodial, advisory, management, administrative, advertising, marketing and consulting services, and pay for such contractual services from the earnings on the money in the Trust Fund;*

*(b) Procure insurance for the Trust Fund in connection with the property, assets, activities or deposits of the Trust Fund;*

*(c) Apply for, accept and expend any gifts, grants and donations from any public or private source for the purpose of carrying out the provisions of sections 2 to 14, inclusive, of this act; and*

*(d) Take any other action necessary to carry out the provisions of sections 2 to 14, inclusive, of this act, and incidental to the duties imposed on the State Treasurer pursuant to sections 2 to 14, inclusive, of this act.*

**Sec. 13.** *1. Except as otherwise provided in this section, all information about a designated beneficiary which is contained in a record or file in the possession, control or custody of the State Treasurer is*



*confidential regardless of the form, location and manner of creation or storage of a record or file containing the information.*

*2. The State Treasurer may only disclose information made confidential pursuant to subsection 1 to a third party if:*

*(a) Such disclosure is necessary for the State Treasurer to carry out his or her duties related to the Program; and*

*(b) The State Treasurer executes a confidentiality agreement with the third party before providing the third party with any confidential information.*

**Sec. 14.** *The State Treasurer may adopt any regulations necessary for the purposes of carrying out the provisions of sections 2 to 14, inclusive, of this act ~~f-7~~, including, without limitation, requirements for the course in financial literacy for designated beneficiaries required pursuant to subsection 2 of section 9 of this act and requirements to ensure a designated beneficiary has successfully completed such a course.*

**Sec. 15.** NRS 239.010 is hereby amended to read as follows:

239.010 1. Except as otherwise provided in this section and NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.0397, 41.071, 49.095, 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653, 119A.677, 119B.370, 119B.382, 120A.640, 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817, 128.090, 130.312, 130.712, 136.050, 159.044, 159A.044, 172.075, 172.245, 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.165, 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3923, 209.3925, 209.419, 209.429, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 224.240, 226.300, 228.270, 228.450, 228.495, 228.570, 231.069, 231.1473, 232.1369, 233.190, 237.300, 239.0105, 239.0113, 239.014, 239B.026, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 239C.420, 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335, 247.540, 247.550, 247.560, 250.087, 250.130, 250.140, 250.150, 268.095, 268.0978, 268.490, 268.910, 269.174, 271A.105, 281.195, 281.805, 281A.350, 281A.680, 281A.685, 281A.750, 281A.755, 281A.780, 284.4068, 284.4086, 286.110, 286.118, 287.0438, 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503, 293.504, 293.558, 293.5757, 293.870, 293.906, 293.908, 293.910, 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1593, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.2242, 361.610, 365.138, 366.160, 368A.180,

370.257, 370.327, 372A.080, 378.290, 378.300, 379.0075, 379.008, 379.1495, 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503, 388.513, 388.750, 388A.247, 388A.249, 391.033, 391.035, 391.0365, 391.120, 391.925, 392.029, 392.147, 392.264, 392.271, 392.315, 392.317, 392.325, 392.327, 392.335, 392.850, 393.045, 394.167, 394.16975, 394.1698, 394.447, 394.460, 394.465, 396.1415, 396.1425, 396.143, 396.159, 396.3295, 396.405, 396.525, 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888, 408.5484, 412.153, 414.280, 416.070, 422.2749, 422.305, 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.028, 432.205, 432B.175, 432B.280, 432B.290, 432B.4018, 432B.407, 432B.430, 432B.560, 432B.5902, 432C.140, 432C.150, 433.534, 433A.360, 439.4941, 439.4988, 439.840, 439.914, 439A.116, 439A.124, 439B.420, 439B.754, 439B.760, 439B.845, 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735, 442.774, 445A.665, 445B.570, 445B.7773, 447.345, 449.209, 449.245, 449.4315, 449A.112, 450.140, 450B.188, 450B.805, 453.164, 453.720, 458.055, 458.280, 459.050, 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403, 463.3407, 463.790, 467.1005, 480.535, 480.545, 480.935, 480.940, 481.063, 481.091, 481.093, 482.170, 482.368, 482.5536, 483.340, 483.363, 483.575, 483.659, 483.800, 484A.469, 484B.830, 484B.833, 484E.070, 485.316, 501.344, 503.452, 522.040, 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098, 598A.110, 598A.420, 599B.090, 603.070, 603A.210, 604A.303, 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350, 618.341, 618.425, 622.238, 622.310, 623.131, 623A.137, 624.110, 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230, 628B.760, 629.047, 629.069, 630.133, 630.2671, 630.2672, 630.2673, 630.30665, 630.336, 630A.327, 630A.555, 631.332, 631.368, 632.121, 632.125, 632.3415, 632.3423, 632.405, 633.283, 633.301, 633.4715, 633.4716, 633.4717, 633.524, 634.055, 634.1303, 634.214, 634A.169, 634A.185, 635.111, 635.158, 636.262, 636.342, 637.085, 637.145, 637B.192, 637B.288, 638.087, 638.089, 639.183, 639.2485, 639.570, 640.075, 640.152, 640A.185, 640A.220, 640B.405, 640B.730, 640C.580, 640C.600, 640C.620, 640C.745, 640C.760, 640D.135, 640D.190, 640E.225, 640E.340, 641.090, 641.221, 641.2215, 641.325, 641A.191, 641A.217, 641A.262, 641B.170, 641B.281, 641B.282, 641C.455, 641C.760, 641D.260, 641D.320, 642.524, 643.189, 644A.870, 645.180, 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135, 645G.510, 645H.320, 645H.330, 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.126, 652.228, 653.900, 654.110, 656.105, 657A.510, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480, 675.380, 676A.340, 676A.370, 677.243, 678A.470, 678C.710, 678C.800, 679B.122, 679B.124, 679B.152, 679B.159, 679B.190, 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306, 687A.060, 687A.115, 687B.404, 687C.010, 688C.230, 688C.480, 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536, 692C.3538, 692C.354, 692C.420,

693A.480, 693A.615, 696B.550, 696C.120, 703.196, 704B.325, 706.1725, 706A.230, 710.159, 711.600, *section 13 of this act*, sections 35, 38 and 41 of chapter 478, Statutes of Nevada 2011 and section 2 of chapter 391, Statutes of Nevada 2013 and unless otherwise declared by law to be confidential, all public books and public records of a governmental entity must be open at all times during office hours to inspection by any person, and may be fully copied or an abstract or memorandum may be prepared from those public books and public records. Any such copies, abstracts or memoranda may be used to supply the general public with copies, abstracts or memoranda of the records or may be used in any other way to the advantage of the governmental entity or of the general public. This section does not supersede or in any manner affect the federal laws governing copyrights or enlarge, diminish or affect in any other manner the rights of a person in any written book or record which is copyrighted pursuant to federal law.

2. A governmental entity may not reject a book or record which is copyrighted solely because it is copyrighted.

3. A governmental entity that has legal custody or control of a public book or record shall not deny a request made pursuant to subsection 1 to inspect or copy or receive a copy of a public book or record on the basis that the requested public book or record contains information that is confidential if the governmental entity can redact, delete, conceal or separate, including, without limitation, electronically, the confidential information from the information included in the public book or record that is not otherwise confidential.

4. If requested, a governmental entity shall provide a copy of a public record in an electronic format by means of an electronic medium. Nothing in this subsection requires a governmental entity to provide a copy of a public record in an electronic format or by means of an electronic medium if:

(a) The public record:

- (1) Was not created or prepared in an electronic format; and
- (2) Is not available in an electronic format; or

(b) Providing the public record in an electronic format or by means of an electronic medium would:

- (1) Give access to proprietary software; or
- (2) Require the production of information that is confidential and that cannot be redacted, deleted, concealed or separated from information that is not otherwise confidential.

5. An officer, employee or agent of a governmental entity who has legal custody or control of a public record:

(a) Shall not refuse to provide a copy of that public record in the medium that is requested because the officer, employee or agent has already prepared or would prefer to provide the copy in a different medium.

(b) Except as otherwise provided in NRS 239.030, shall, upon request, prepare the copy of the public record and shall not require the person who has requested the copy to prepare the copy himself or herself.

**Sec. 16.** There is hereby appropriated from the State General Fund to the Nevada Baby Bonds Trust Fund created by section 8 of this act the sum of \$80,000,000 for the establishment of the Nevada Baby Bonds Program pursuant to section 8 of this act.

**Sec. 17.** 1. This section becomes effective upon passage and approval.

2. Section 16 of this act becomes effective on July 1, 2023.

3. Sections 1 to 15, inclusive of this act become effective:

(a) Upon passage and approval for the purposes of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On January 1, 2024, for all other purposes.

Assemblywoman Torres moved the adoption of the amendment.

Remarks by Assemblywoman Torres.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 29.

Bill read second time.

The following amendment was proposed by the Committee on Commerce and Labor:

Amendment No. 42.

AN ACT relating to contractors; revising the grounds for disciplinary action against a licensed contractor by the State Contractors' Board to include certain acts related to another person's application for a contractor's license; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law provides for the licensure and regulation of contractors by the State Contractors' Board. (Chapter 624 of NRS) **Existing law requires an applicant for a license as a contractor to demonstrate certain experience and knowledge. Under existing law, an applicant may qualify in regard to such experience and knowledge by the appearance of another person on behalf of the applicant. (NRS 624.260)** Existing law **also** sets forth certain acts or omissions that constitute cause for disciplinary action against a licensed contractor by the Board. (NRS 624.3016) This bill provides that ~~knowingly~~ **the** making, or **the** causing to be made, ~~any~~ **of a** false or misleading statement or representation, or ~~knowingly omitting any~~ **the omission of a** material fact, **by a licensee who is a natural person, an owner of a licensee, a managing officer of a licensee or any person who qualifies on behalf of a licensee** in connection with the application of another person for a contractor's license for the purpose of assisting the applicant to obtain the license constitutes cause for disciplinary action by the Board.

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

**Section 1.** NRS 624.3016 is hereby amended to read as follows:

624.3016 The following acts or omissions, among others, constitute cause for disciplinary action under NRS 624.300:

1. Any fraudulent or deceitful act committed in the capacity of a contractor, including, without limitation, misrepresentation or the omission of a material fact.
2. A conviction of a violation of NRS 624.730, or a conviction in this State or any other jurisdiction of a felony relating to the practice of a contractor or a crime involving moral turpitude.
3. Knowingly making a false statement in or relating to the recording of a notice of lien pursuant to the provisions of NRS 108.226.
4. Failure to give a notice required by NRS 108.227, 108.245, 108.246 or 624.520.
5. Failure to comply with NRS 624.920, 624.930, 624.935 or 624.940 or any regulations of the Board governing contracts for work concerning residential pools and spas.
6. Failure to comply with NRS 624.860 to 624.875, inclusive, or any regulations of the Board governing contracts for work concerning residential photovoltaic systems used to produce electricity.
7. Failure to comply with NRS 624.600.
8. Misrepresentation or the omission of a material fact, or the commission of any other fraudulent or deceitful act, to obtain a license.
9. Failure to pay an assessment required pursuant to NRS 624.470.
10. Failure to file a certified payroll report that is required for a contract for a public work.
11. Knowingly submitting false information in an application for qualification or a certified payroll report that is required for a contract for a public work.
12. Failure to notify the Board of a conviction or entry of a plea of guilty, guilty but mentally ill or nolo contendere pursuant to NRS 624.266.
13. Failure to provide a builder's warranty as required by NRS 624.602 or to respond reasonably to a claim made under a builder's warranty.
14. ~~Knowingly making, or causing to be made, any false or misleading statement or representation, or knowingly omitting any material fact,~~ The making, or the causing to be made, of a false or misleading statement or representation, or the omission of a material fact, by a licensee who is a natural person, an owner of a licensee, a managing officer of a licensee or any person who qualifies on behalf of a licensee pursuant to subsection 2 of NRS 624.260 in connection with the application of another person for a contractor's license for the purpose of assisting the applicant to obtain the license.

**Sec. 2.** This act becomes effective upon passage and approval.

Assemblywoman Marzola moved the adoption of the amendment.  
Remarks by Assemblywoman Marzola.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 69.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 49.

AN ACT relating to behavioral health; making certain providers of behavioral health care eligible to participate in the program of loan repayment administered by the Nevada Health Service Corps; making an appropriation; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law authorizes the University of Nevada School of Medicine to establish a Nevada Health Service Corps to encourage practitioners of certain health care professions to practice in areas of Nevada in which a shortage of that type of practitioner exists. (NRS 396.900) Under existing law, the University of Nevada School of Medicine may authorize the Nevada Health Service Corps to administer a program under which money for loans is repaid on behalf of a practitioner for each year he or she practices in an area of Nevada in which a shortage of that type of practitioner exists. (NRS 396.903) **Section 8** of this bill expands that program to also include the repayment of loans on behalf of providers of behavioral health care who commit to practicing on a full-time basis for at least 2 years in Nevada: (1) in a hospital or other inpatient setting, an outpatient setting or providing crisis management services; (2) as a full-time faculty member with teaching responsibilities in a program of education or training for practitioners or providers of behavioral health care at an institution within the Nevada System of Higher Education; or (3) providing behavioral health care to pupils in ~~kindergarten~~ **prekindergarten** through 12th grade in public schools in this State. In order to be eligible for the program, **section 8** requires a provider of behavioral health care who practices in a hospital, other inpatient setting or outpatient setting or provides crisis management services to: (1) accept certain forms of payment commonly used by elderly or economically disadvantaged patients; and (2) provide services to all patients, regardless of their ability to pay. **Sections 3 and 4** of this bill define certain relevant terms, and **sections 2 and 5** of this bill make changes necessary to apply those definitions to provisions governing the Nevada Health Service Corps. **Sections 6 and 7** of this bill expand the purposes of the Nevada Health Service Corps to include certain purposes relating to the duties prescribed by **section 8**, as those duties apply to providers of behavioral health care. **Section 9** of this bill makes an appropriation from the State General Fund for allocation to the Nevada Health Service Corps to repay loans on behalf of providers of behavioral health care in accordance with **section 8**.

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

**Section 1.** Chapter 396 of NRS is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this act.

**Sec. 2.** *As used in this section, NRS 396.899 to 396.903, inclusive, and sections 3 and 4 of this act, unless the context otherwise requires, the words and terms defined in NRS 396.899 and sections 3 and 4 of this act have the meanings ascribed to them in those sections.*

**Sec. 3.** *“Program” means the program administered pursuant to NRS 396.903.*

**Sec. 4.** *“Provider of behavioral health care” means ~~the~~ :*

*1. A person who is:*

~~the~~ *(a) Licensed, certified or registered pursuant to chapter 641, 641A, 641B, 641C or 641D of NRS; or*

~~the~~ *(b) Licensed as a physician, physician assistant or registered nurse and practices in psychiatry, addiction medicine or another specialty relating to behavioral health ~~the~~; or*

*2. A school psychologist or school social worker, as those terms are defined in NRS 385.007.*

**Sec. 5.** NRS 396.899 is hereby amended to read as follows:

396.899 ~~As used in NRS 396.899 to 396.903, inclusive, unless the context otherwise requires, “practitioner”~~ **“Practitioner”** has the meaning ascribed to it in NRS 439A.0195.

**Sec. 6.** NRS 396.900 is hereby amended to read as follows:

396.900 The University of Nevada School of Medicine may establish a Nevada Health Service Corps to encourage ~~practitioners~~ :

*1. Practitioners to practice in areas of Nevada in which a shortage of that type of practitioner exists.*

*2. Providers of behavioral health care to practice in Nevada:*

*(a) In hospitals or other inpatient settings, outpatient settings or providing crisis management services;*

*(b) As full-time faculty members with teaching responsibilities in programs of education or training for practitioners or providers of behavioral health care at institutions within the System; or*

*(c) Providing behavioral health care to pupils in prekindergarten, kindergarten and grades 1 to 12, inclusive, at public schools in this State.*

**Sec. 7.** NRS 396.901 is hereby amended to read as follows:

396.901 The primary purposes of the Nevada Health Service Corps must be to:

1. Recruit practitioners *and providers of behavioral health care* for participation in the program;

2. Designate areas of Nevada in which a shortage of each type of practitioner exists;

3. Match practitioners with the designated areas ~~the~~ and

~~the~~ *help* practitioners to negotiate contracts to serve in the designated areas ~~the~~; *and*

**4. Match providers of behavioral health care with positions described in paragraph (b) of subsection 1 of NRS 396.903 and help providers of behavioral health care negotiate contracts to serve in those positions.**

**Sec. 8.** NRS 396.903 is hereby amended to read as follows:

396.903 1. The University of Nevada School of Medicine may authorize the Nevada Health Service Corps to administer a program under which money for loans is repaid on behalf of ~~it~~ :

(a) A practitioner for each year he or she practices in an area of Nevada in which a shortage of that type of practitioner exists, as determined by the Nevada Office of Rural Health within the University of Nevada School of Medicine and the Nevada Health Service Corps.

(b) **A provider of behavioral health care for each year he or she practices in Nevada on a full-time basis:**

(1) **In a hospital or other inpatient setting, an outpatient setting or providing crisis management services;**

(2) **As a full-time faculty member with teaching responsibilities in a program of education or training, including, without limitation, a residency program for practitioners or providers of behavioral health care, at an institution within the System; or**

(3) **Providing behavioral health care to pupils in prekindergarten, kindergarten and grades 1 to 12, inclusive, at a public school in this State.**

2. To qualify for the program, a practitioner, **other than a provider of behavioral health care**, required to be licensed pursuant to the provisions of chapter 630, 630A, 633 or 634 of NRS must have completed his or her primary care residency and hold an active license issued pursuant to chapter 630, 630A, 633 or 634 of NRS. All other practitioners **and all providers of behavioral health care** must have completed training in a certified program and have an active license, certification or registration from the State of Nevada.

**3. To be eligible for the program pursuant to paragraph (b) of subsection 1:**

(a) **A provider of behavioral health care must commit to serving in a position described in that paragraph for at least 2 years; and**

(b) **If a provider of behavioral health care is practicing in a position described in subparagraph (1) of paragraph (b) of subsection 1, the provider of behavioral health care or his or her employer must:**

(1) **Accept payment through Medicare, Medicaid and, if applicable, the Children's Health Insurance Program as full payment for services covered by those programs; and**

(2) **Provide services to all patients, regardless of the ability of a patient to pay.**

**Sec. 9.** 1. There is hereby appropriated from the State General Fund to the Office of Finance in the Office of the Governor for allocation to the Nevada Health Service Corps established pursuant to NRS 396.900 the sum of \$1,500,000 to repay loans on behalf of providers of behavioral health care



pursuant to paragraph (b) of subsection 1 of NRS 396.903, as amended by section 8 of this act.

2. Any remaining balance of the money appropriated by subsection 1 that is unencumbered or unexpended at the end of a fiscal year does not revert to the State General Fund, must be carried forward to the next fiscal year and is hereby authorized for use in the next fiscal year for the purpose specified in subsection 1.

3. As used in this section, “provider of behavioral health care” has the meaning ascribed to it in section 4 of this act.

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

Assemblywoman Bilbray-Axelrod moved the adoption of the amendment.

Remarks by Assemblywoman Bilbray-Axelrod.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 110.

Bill read second time.

The following amendment was proposed by the Committee on Commerce and Labor:

Amendment No. 17.

AN ACT relating to pharmacy; authorizing a manufacturer or wholesaler to dispense a dialysate drug or deliver a device used to perform dialysis at a residence to certain persons and entities; providing a penalty; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law prohibits a manufacturer or wholesaler from dispensing dangerous drugs. (NRS 454.215, 639.100) **Sections 1-5** of this bill authorize a manufacturer or wholesaler to dispense certain dialysate drugs and deliver devices necessary to administer dialysis at a residence after satisfying certain requirements to a: (1) patient with irreversible renal disease, or his or her designee; (2) provider of health care; or (3) hospital or facility for the treatment of irreversible renal disease. **Section 1** requires a prescription provided to a manufacturer or a wholesaler for such purposes to comply with various requirements concerning format, contents and recordkeeping that apply to prescriptions generally. **Section 1** authorizes a manufacturer or wholesaler to use a third-party logistics provider to deliver the dialysate drug or device necessary to administer dialysis at home. **Section 6** of this bill requires a manufacturer or wholesaler that dispenses dialysate drugs pursuant to **section 1** to maintain certain records relating to dangerous drugs in the same manner as a pharmacy, hospital or practitioner that furnishes dangerous drugs and makes a violation of this requirement a misdemeanor. (NRS 454.286)

**Section 7** of this bill authorizes a person to possess a dangerous dialysate drug dispensed to him or her by a manufacturer or wholesaler pursuant to **section 1**.

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

**Section 1.** Chapter 639 of NRS is hereby amended by adding thereto a new section to read as follows:

**1. Except as otherwise provided in subsection 4, a manufacturer or wholesaler may dispense a dialysate drug or deliver a device necessary to administer dialysis at a residence under the conditions prescribed by subsection 2 to:**

**(a) A patient with irreversible renal disease, or a designee of the patient, for the administration of dialysis at the residence of the patient;**

**(b) A provider of health care; or**

**(c) A hospital or facility for the treatment of irreversible renal disease.**

**2. A drug dispensed or a device delivered pursuant to subsection 1 must be:**

**(a) Approved by the United States Food and Drug Administration;**

**(b) Prescribed or ordered by a physician, physician assistant or advanced practice registered nurse; and**

**(c) Dispensed and delivered in the original, unopened packaging used by the manufacturer of the drug or device.**

**3. The provisions of NRS 454.223, 639.235 to 639.239, inclusive, and 639.2392 to 639.2397, inclusive, apply to a prescription provided to a manufacturer or wholesaler pursuant to this section to the same extent as if the prescription were provided to a pharmacist.**

**4. The provisions of this section do not authorize a manufacturer or wholesaler to dispense a dialysate drug that is a:**

**(a) Controlled substance to any person or entity; or**

**(b) Dangerous drug that is unsafe for self-administering directly to or unsupervised use directly by a patient or the designee of a patient.**

**5. A manufacturer or wholesaler may use a third-party logistics provider to deliver a dialysate drug or device necessary to administer dialysis at a residence pursuant to subsection 1.**

**6. As used in this section:**

**(a) “Dialysate drug” means a drug solely composed of fluids, electrolytes and sugars used for dialysis.**

**(b) “Dialysis” means the method by which a dissolved substance is removed from the body of a patient by diffusion, osmosis and convection from one fluid compartment to another fluid compartment across a semipermeable membrane.**

**(c) “Facility for the treatment of irreversible renal disease” has the meaning ascribed to it in NRS 449.0046.**

**(d) “Provider of health care” has the meaning ascribed to it in NRS 629.031.**

**(e) “Third-party logistics provider” means a person that transports, warehouses, packages, tracks or manages a drug or device.**

**Sec. 2.** NRS 639.016 is hereby amended to read as follows:

639.016 “Wholesaler” means a wholesale distributor as defined by 21 C.F.R. § 205.3(g) who supplies or distributes drugs, medicines or chemicals or devices or appliances that are restricted by federal law to sale by or on the order of a physician to a person other than the consumer or patient ~~[-]~~, **except where authorized by section 1 of this act.** The term includes a person who derives, produces, prepares or repackages drugs, medicines or chemicals or devices or appliances that are restricted by federal law to sale by or on the order of a physician on sales orders for resale. The term does not include a nonprofit cooperative agricultural organization which supplies or distributes veterinary drugs and medicines only to its own members.

**Sec. 3.** NRS 639.595 is hereby amended to read as follows:

639.595 1. A wholesaler may sell a prescription drug only if the sale is a bona fide transaction.

2. A wholesaler may purchase a prescription drug only from:

(a) A manufacturer;

(b) A pharmacy or practitioner if that pharmacy or practitioner maintains a valid license in the State in which the pharmacy or practitioner is domiciled; or

(c) Another wholesaler if:

- (1) The wholesaler who sells the drug is licensed by the Board; and
- (2) The sale is a bona fide transaction.

3. A wholesaler may receive a prescription drug from a pharmacy or practitioner only if the wholesaler does not pay the pharmacy or practitioner an amount, either in cash or credit, that is more than the price for which the wholesaler sells such prescription drugs to other pharmacies or practitioners at the time of return and:

(a) The prescription drug was originally shipped to the pharmacy or practitioner by the wholesaler; or

(b) The prescription drug could not be returned by the pharmacy or practitioner to the original wholesaler.

↪ If a wholesaler receives a prescription drug pursuant to this subsection and the wholesaler subsequently sells the prescription drug to another wholesaler, the prescription drug must be accompanied by a statement of prior sales as defined in NRS 639.535.

4. The Board shall not limit the quantity of prescription drugs a wholesaler may purchase, sell, distribute or otherwise provide to another wholesaler, distributor or manufacturer.

5. For the purposes of this section:

(a) A purchase shall be deemed a bona fide transaction if:

(1) The wholesaler purchased the drug:

(I) Directly from the manufacturer of the drug; or

(II) With a reasonable belief that the drug was originally purchased directly from the manufacturer of the drug;

(2) The circumstances of the purchase reasonably indicate that the drug was not purchased from a source prohibited by law;

(3) Unless the drug is purchased by the wholesaler from the manufacturer, before the wholesaler sells the drug to another wholesaler, the wholesaler who sells the drug conducts a reasonable visual examination of the drug to ensure that the drug is not:

(I) Counterfeit;

(II) Deemed to be adulterated or misbranded in accordance with the provisions of chapter 585 of NRS;

(III) Mislabeled;

(IV) Damaged or compromised by improper handling, storage or temperature control;

(V) From a foreign or unlawful source; or

(VI) Manufactured, packaged, labeled or shipped in violation of any state or federal law relating to prescription drugs;

(4) The drug is shipped directly from the wholesaler who sells the drug to the wholesaler who purchases the drug; and

(5) The documents of the shipping company concerning the shipping of the drug are attached to the invoice for the drug and are maintained in the records of the wholesaler.

(b) A sale shall be deemed a bona fide transaction if the wholesaler sells the prescription drug only to:

(1) A pharmacy or practitioner if that pharmacy or practitioner maintains a valid license in the state in which the pharmacy or practitioner is domiciled.

(2) Another wholesaler who maintains a valid license in the state in which he or she is domiciled if the wholesaler who sells the prescription drug has complied with NRS 639.575, 639.580 and 639.585.

***(3) A patient with irreversible renal disease, the designee of such a patient, a provider of health care, a hospital or a facility for the treatment of irreversible renal disease, if the drug is a dialysate drug dispensed pursuant to section 1 of this act.***

(c) The purchase or sale of a prescription drug includes, without limitation, the distribution, transfer, trading, bartering or any other provision of a prescription drug to another person by a wholesaler. A transfer of a prescription drug from a wholesale facility of a wholesaler to another wholesale facility of the wholesaler shall not be deemed a purchase or sale of a prescription drug pursuant to this section if the wholesaler is a corporation whose securities are publicly traded and regulated by the Securities Exchange Act of 1934.

**Sec. 4.** NRS 454.0098 is hereby amended to read as follows:

454.0098 “Wholesaler” means a wholesale distributor as defined by 21 C.F.R. § 205.3(g) who supplies dangerous drugs or chemicals or devices or appliances that are restricted by federal law to sale by or on the order of a physician to a person other than the consumer or patient ~~[-]~~, ***except where authorized by section 1 of this act.*** The term does not include:

1. A person who derives, produces or prepares medicines, chemicals or devices on sales orders for resale.

2. A nonprofit cooperative agricultural organization which supplies or distributes veterinary drugs and medicines only to its own members.

**Sec. 5.** NRS 454.215 is hereby amended to read as follows:

454.215 A dangerous drug may be dispensed by:

1. A registered pharmacist upon the legal prescription from a practitioner or to a pharmacy in a correctional institution upon the written order of the prescribing practitioner in charge;

2. A pharmacy in a correctional institution, in case of emergency, upon a written order signed by the chief medical officer;

3. A practitioner, or a physician assistant licensed pursuant to chapter 630 or 633 of NRS if authorized by the Board;

4. A registered nurse, when the nurse is engaged in the performance of any public health program approved by the Board;

5. A medical intern in the course of his or her internship;

6. An advanced practice registered nurse who holds a certificate from the State Board of Pharmacy permitting him or her to dispense dangerous drugs;

7. A registered nurse employed at an institution of the Department of Corrections to an offender in that institution;

8. A registered pharmacist from an institutional pharmacy pursuant to regulations adopted by the Board; ~~{or}~~

9. *A manufacturer or wholesaler dispensing a dialysate drug pursuant to section 1 of this act; or*

10. A registered nurse to a patient at a rural clinic that is designated as such pursuant to NRS 433.233 and that is operated by the Division of Public and Behavioral Health of the Department of Health and Human Services if the nurse is providing mental health services at the rural clinic,

↪ except that no person may dispense a dangerous drug in violation of a regulation adopted by the Board.

**Sec. 6.** NRS 454.286 is hereby amended to read as follows:

454.286 1. Every retail pharmacy, hospital or any practitioner who engages in the practice of dispensing or furnishing drugs to patients *and every manufacturer or wholesaler that dispenses dialysate drugs to patients pursuant to section 1 of this act* shall maintain a complete and accurate record of all dangerous drugs purchased and those sold on prescription, dispensed, furnished or disposed of otherwise.

2. The records must be retained for a period of 2 years and must be open to inspection by members, inspectors or investigators of the Board or inspectors of the Food and Drug Administration.

3. Invoices showing all purchases of dangerous drugs constitute a complete record of all dangerous drugs received.

4. For the purpose of this section, the prescription files of a pharmacy constitute a record of the disposition of all dangerous drugs.

5. A person who violates any provision of this section is guilty of a misdemeanor.

**Sec. 7.** NRS 454.316 is hereby amended to read as follows:

454.316 1. Except as otherwise provided in this section, a person who possesses a dangerous drug, except that furnished to the person by a pharmacist pursuant to a legal prescription, ***by a manufacturer or wholesaler pursuant to section 1 of this act*** or by a practitioner, is guilty of a gross misdemeanor. A person who has been twice previously convicted of any offense:

(a) Described in this section; or

(b) Pursuant to any other law of the United States or this or any other state or district which if committed in this State would have been punishable as an offense under this section,

↪ is guilty of a category E felony and shall be punished as provided in NRS 193.130.

2. A prescription is not required for possession of a dangerous drug by a person authorized by NRS 454.213, any other person or class of persons approved by the Board pursuant to regulation, jobbers, wholesalers, manufacturers or laboratories authorized by laws of this State to handle, possess and deal in dangerous drugs if the drugs are in stock containers properly labeled and have been procured from a manufacturer, wholesaler or pharmacy, or by a rancher who possesses a dangerous drug in a reasonable amount for use solely in the treatment of livestock on his or her own premises.

Assemblywoman Marzola moved the adoption of the amendment.

Remarks by Assemblywoman Marzola.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 112.

Bill read second time.

The following amendment was proposed by the Committee on Growth and Infrastructure:

Amendment No. 31.

AN ACT relating to wildlife; **defining the term “wildlife” for the purposes of wildlife crossings;** creating the Wildlife Crossings Account in the State General Fund; requiring the Director of the Department of Transportation to administer the Account; requiring the Department of Transportation, in consultation with the Department of Wildlife, to develop and publish an inventory and list of certain projects relating to wildlife crossings; requiring the Director of the Department of Transportation to review the standards and specifications for the design and construction of highways in this State to determine the standards and specifications necessary for incorporating wildlife crossings and related highway features into the highways of this State; **requiring the Department of Transportation and the Department of Wildlife to consult with certain persons regarding locations for wildlife crossings and related highway features;** authorizing

the Director of the Department of Transportation to adopt regulations; ~~requiring the State Board of Finance to issue general obligation bonds~~ **making an appropriation** to implement projects relating to wildlife crossings; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing federal law establishes a wildlife-crossing safety program to provide grants of money to states for projects that seek to reduce wildlife-vehicle collisions and improve wildlife habitat connectivity. (23 U.S.C. § 171)

**Section 1.5 of this bill defines the term “wildlife” for the purposes of this bill.** **Section 2** of this bill creates the Wildlife Crossings Account in the State General Fund, which is administered by the Director of the Department of Transportation. **Section 2** requires the Department of Transportation to consult with the Department of Wildlife to identify locations and strategies relating to wildlife crossings and prioritize certain areas to fund projects relating to wildlife crossings.

**Section 3** of this bill requires the Department of Transportation, in consultation with the Department of Wildlife, to develop, publish and update an inventory of connectivity needs on the state highway system where the implementation of wildlife crossings and other related highway features ~~to~~ **will** improve permeability for wildlife, reduce wildlife-vehicle collisions or enhance wildlife activity.

**Section 4** of this bill requires the Director of the Department of Transportation to review the standards and specifications for the design and construction of highways in this State to determine standards and specifications necessary to incorporate wildlife crossings and other related highway features into the highways in this State.

**Section 4.5 of this bill requires the Department of Transportation and the Department of Wildlife to consult with holders of grazing permits and private landowners adjacent to any potential locations for wildlife crossings and related highway features.**

**Section 5** of this bill authorizes the Director of the Department of Transportation to adopt regulations to carry out the provisions of this bill.

**Section 6** of this bill ~~requires the State Board of Finance to issue not more than \$15,000,000 of general obligation bonds for credit~~ **makes an appropriation** to the Wildlife Crossings Account to implement projects relating to wildlife crossings and other highway features to improve permeability for wildlife.

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

**Section 1.** Chapter 408 of NRS is hereby amended by adding thereto the provisions set forth as sections ~~to~~ **1.5** to 5, inclusive, of this act:

**Sec. 1.5. As used in sections 1.5 to 5, inclusive, of this act, unless the context otherwise requires, “wildlife” has the meaning ascribed to it in NRS 501.097.**

**Sec. 2. 1. The Wildlife Crossings Account is hereby created in the State General Fund. The Director shall administer the Account. The Account is a continuing account without reversion.**

**2. Any proceeds from the issuance of bonds or other securities for the Account must be deposited in the State Treasury for credit to the Account.**

**3. The Director may accept gifts, grants and bequests of money from any public or private source. The money must be deposited in the State Treasury for credit to the Account.**

**4. Money in the Account must be used by the Department for the design, construction, identification, restoration and protection of wildlife crossings and other related highway features to improve wildlife permeability in this State, which may include, without limitation:**

**(a) Matching any federal money for a project to design, construct, identify, restore or protect wildlife crossings and other related highway features;**

**(b) Conducting studies on wildlife crossings and other related highway features;**

**(c) Designing or constructing wildlife crossings and other related highway features;**

**(d) Planning related to wildlife crossings and other related highway features;**

**(e) Staffing needs related to the design, construction, identification, restoration and protection of wildlife crossings and other related highway features; and**

**(f) Carrying out the provisions of sections ~~24~~ 1.5 to 5, inclusive, of this act, in cooperation with the Department of Wildlife.**

**5. In administering the Account, the Department shall consult with the Department of Wildlife to:**

**(a) Identify locations where key wildlife habitat, wildlife migration corridors and highways intersect;**

**(b) Identify and implement strategies to avoid, minimize and mitigate wildlife-vehicle collisions; and**

**(c) Prioritize areas to implement projects for wildlife crossings or other related highway features to improve permeability for wildlife while maintaining highway user safety.**

**6. All claims against the Account must be paid as other claims against the State are paid.**

**Sec. 3. 1. The Department shall, in consultation with the Department of Wildlife, develop an inventory of connectivity needs on the state highway system where the implementation of wildlife crossings and other related highway features ~~will~~ will improve permeability for wildlife, reduce wildlife-vehicle collisions or enhance wildlife connectivity. The inventory may include, without limitation, projects and needs previously identified by the Department, other state agencies, tribal governments and local governments.**

**2. Not later than December 1, 2023, the Department shall publish:**



- (a) *The inventory required pursuant to subsection 1; and*
- (b) *A list of any funded transportation projects that implemented wildlife crossings or other related highway features to improve permeability for wildlife or addressed wildlife connectivity needs.*

3. *The Department shall update the inventory and list required to be published pursuant to subsection 2 at least once every 2 years.*

Sec. 4. *The Director shall review the standards and specifications for the design and construction of highways in this State to determine the standards and specifications necessary for incorporating wildlife crossings and other related highway features to improve permeability for wildlife in the design and construction of highways in this State.*

Sec. 4.5. *In carrying out the provisions of sections 1.5 to 5, inclusive, of this act, the Department and the Department of Wildlife shall consult with holders of grazing permits and private landowners of land adjacent to any location identified for the possible implementation of wildlife crossings and related highway features to avoid or mitigate any impacts on livestock management or uses of private land.*

Sec. 5. *The Director may adopt regulations to carry out the provisions of sections ~~2~~ 1.5 to 5, inclusive, of this act.*

Sec. 6. ~~[1. The State Board of Finance shall issue general obligation bonds of the State of Nevada in a total face amount of not more than] There is hereby appropriated from the State General Fund to the Wildlife Crossings Account created pursuant to section 2 of this act the sum of \$15,000,000 ~~[pursuant to NRS 349.150 to 349.364, inclusive. The proceeds of the bonds issued pursuant to this section must be deposited with the State Treasurer and credited to the Wildlife Crossings Account created by section 2 of this act]~~ to implement projects to design, construct, identify, restore or protect wildlife crossings and other related highway features to improve permeability for wildlife.~~

~~[2. The Legislature hereby finds and declares that the issuance of securities and the incurrence of indebtedness pursuant to this section:~~

~~—(a) Are necessary for the protection and preservation of the natural resources of this State and for the purpose of obtaining the benefits thereof; and~~

~~—(b) Constitute an exercise of the authority conferred by the second paragraph of Section 3 of Article 9 of the Constitution of the State of Nevada.]~~

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

Assemblyman Watts moved the adoption of the amendment.

Remarks by Assemblyman Watts.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 140.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 35.

ASSEMBLYMEN THOMAS, C.H. MILLER, MONROE-MORENO, MARZOLA, TORRES; ANDERSON, BILBRAY-AXELROD, BROWN-MAY, CARTER, COHEN, CONSIDINE, D'SILVA, DURAN, GONZÁLEZ, GORELOW, JAUREGUI, KASAMA, KOENIG, **LA RUE HATCH**, BRITTNEY MILLER, MOSCA, NEWBY, NGUYEN, ORENTLICHER, PETERS, SUMMERS-ARMSTRONG, TAYLOR, WATTS AND YEAGER.

JOINT SPONSORS: SENATORS SPEARMAN, NEAL, KRASNER, CANNIZZARO, NGUYEN; AND LANGE.

AN ACT relating to legal holidays; making Juneteenth Day a legal holiday in this State; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law declares certain days as legal holidays in this State and requires, with certain exceptions, all state, county and city offices, courts, public schools and the Nevada System of Higher Education to close on such legal holidays. (NRS 236.015) Existing law further requires the Governor to annually proclaim June 19 to be "Juneteenth Day" in the State of Nevada to commemorate the abolition of slavery in the United States. (NRS 236.033)

**Section 1** of this bill makes Juneteenth Day a legal holiday in this State, rather than a day of observance. **Section 1** further provides that Juneteenth Day is to be observed on June 19.

**Section 2** of this bill makes a conforming change to account for the potential closure of state, county and city governmental offices on the third Monday in June in certain years when June 19 falls on the third Monday in June.

**Section 3** of this bill makes a conforming change to repeal the requirement that the Governor proclaim June 19 to be "Juneteenth Day" in the State of Nevada as a day of observance.

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

**Section 1.** NRS 236.015 is hereby amended to read as follows:

236.015 1. The following days are declared to be legal holidays for state, county and city governmental offices:

January 1 (New Year's Day)

Martin Luther King, Jr.'s birthday is on January 15 but is to be observed on the third Monday in January

Washington's birthday is on February 22 but is to be observed on the third Monday in February

Last Monday in May (Memorial Day)

**June 19 (Juneteenth Day)**

July 4 (Independence Day)

First Monday in September (Labor Day)

Nevada Day is October 31 but is to be observed on the last Friday in October

November 11 (Veterans Day)

Fourth Thursday in November (Thanksgiving Day)

Friday following the fourth Thursday in November (Family Day)

December 25 (Christmas Day)

Any day that may be appointed by the President of the United States for public fast, thanksgiving or as a legal holiday except for any Presidential appointment of the fourth Monday in October as Veterans Day.

2. Except as otherwise provided by NRS 293.560 and 293C.527, all state, county and city offices, courts, public schools and the Nevada System of Higher Education must close on the legal holidays enumerated in subsection 1 unless in the case of appointed holidays all or a part thereof are specifically exempted.

3. If January 1, **June 19**, July 4, November 11 or December 25 falls upon a:

(a) Sunday, the Monday following must be observed as a legal holiday.

(b) Saturday, the Friday preceding must be observed as a legal holiday.

**Sec. 2.** NRS 293.165 is hereby amended to read as follows:

293.165 1. Except as otherwise provided in NRS 293.166, a vacancy occurring in a major or minor political party nomination for a partisan office may be filled by a candidate designated by the party central committee of the county or State, as the case may be, of the major political party or by the executive committee of the minor political party subject to the provisions of subsections 3, 4 and 5.

2. A vacancy occurring in a nonpartisan office or nomination for a nonpartisan office after the close of filing and before 5 p.m. of the fourth Friday in July of the year in which the general election is held must be filled by the person who receives or received the next highest vote for the nomination in the primary election if a primary election was held for that nonpartisan office. If no primary election was held for that nonpartisan office or if there was not more than one person who was seeking the nonpartisan nomination in the primary election, a person may become a candidate for the nonpartisan office at the general election if the person files a declaration of candidacy with the appropriate filing officer and pays the filing fee required by NRS 293.193 after 8 a.m. on the **third Monday in June, or if the third Monday in June is a legal holiday, on the day immediately following the** third Monday in June, and before 5 p.m. on the fourth Friday in July.

3. If a vacancy occurs in a major political party nomination for a partisan office after the primary election and before 5 p.m. on the fourth Friday in July of the year in which the general election is held and:

(a) The vacancy occurs because the nominee dies or is adjudicated insane or mentally incompetent, the vacancy may be filled by a candidate designated

by the party central committee of the county or State, as the case may be, of the major political party.

(b) The vacancy occurs for a reason other than the reasons described in paragraph (a), the nominee's name must remain on the ballot for the general election and, if elected, a vacancy exists.

4. No change may be made on the ballot for the general election after 5 p.m. on the fourth Friday in July of the year in which the general election is held. If, after that time and date:

(a) A nominee dies or is adjudicated insane or mentally incompetent; or

(b) A vacancy in the nomination is otherwise created,

↪ the nominee's name must remain on the ballot for the general election and, if elected, a vacancy exists.

5. Each designation of a candidate provided for in this section must be filed with the appropriate filing officer before 5 p.m. on the fourth Friday in July of the year in which the general election is held. In each case, the candidate must file a declaration of candidacy with the appropriate filing officer and pay the filing fee required by NRS 293.193 before 5 p.m. on the date the designation is filed.

**Sec. 3.** NRS 236.033 is hereby repealed.

**Sec. 4.** This act becomes effective upon passage and approval.

#### **TEXT OF REPEALED SECTION**

##### **236.033 Juneteenth Day.**

1. The Governor shall annually proclaim June 19 to be "Juneteenth Day" in the State of Nevada to commemorate the abolition of slavery in the United States.

2. The proclamation must call upon the news media, educators and appropriate governmental officers to bring to the attention of Nevada's residents the historical significance of the day when the last slaves in the United States were emancipated and the significant contributions of African-Americans to the State.

Assemblywoman Torres moved the adoption of the amendment.

Remarks by Assemblywoman Torres.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 158.

Bill read second time and ordered to third reading.

Assembly Bill No. 164.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 51.

AN ACT relating to outdoor recreation; requiring the Division of Outdoor Recreation in the State Department of Conservation and Natural Resources to

establish an Outdoor Education Advisory Working Group during the 2023-2024 interim to study approaches to incorporate outdoor recreation into the curriculum of the public education system in this State; prescribing the membership and duties of the Outdoor Education Advisory Working Group; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

This bill requires the Division of Outdoor Recreation in the State Department of Conservation and Natural Resources to establish an Outdoor Education Advisory Working Group in the 2023-2024 interim to study approaches to incorporate outdoor recreation into the curriculum of the public education system in this State. This bill also: (1) prescribes the membership and duties of the Outdoor Education Advisory Working Group; ~~and~~ (2) requires the Division to submit a written report describing the activities, findings, conclusions and recommendations of the Advisory Working Group for transmittal to the 83rd Session of the Legislature ~~+~~; **and (3) authorizes the Outdoor Education Advisory Working Group to request the drafting of not more than one legislative measure for prefilming on or before the first day of the regular session of the Legislature in 2025.**

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

**Section 1.** 1. The Division of Outdoor Recreation in the State Department of Conservation and Natural Resources shall establish an Outdoor Education Advisory Working Group during the 2023-2024 interim to study approaches to incorporate outdoor recreation into the curriculum of the public education system in this State. The Advisory Working Group consists of the following members:

- (a) A representative of the Division of Outdoor Recreation, appointed by the Administrator of the Division;
- (b) A representative of the Office of Early Learning and Development in the Department of Education, the Office of Standards and Instructional Support in the Department of Education or the Office for a Safe and Respectful Learning Environment in the Department of Education, appointed by the Superintendent of Public Instruction of the Department of Education;
- (c) A representative of the Office of Minority Health and Equity in the Department of Health and Human Services, appointed by the Director of the Department of Health and Human Services;
- (d) One teacher from an urban area, appointed by the Speaker of the Assembly;
- (e) One teacher from an urban area, appointed by the Majority Leader of the Senate;
- (f) One teacher from a rural area, appointed by the Governor;
- (g) **One superintendent of a school district, appointed by the Nevada Association of School Superintendents;**

**(h) One parent or legal guardian of a pupil enrolled in a public school, appointed by the Speaker of the Assembly;**

~~(i)~~ **(i)** A provider of nature-based education, appointed by the Speaker of the Assembly;

~~(h)~~ **(j)** A member of the Senate, appointed by the Majority Leader of the Senate;

~~(i)~~ **(k)** A member of the Senate, appointed by the Minority Leader of the Senate;

~~(j)~~ **(l)** A member of the Assembly, appointed by the Speaker of the Assembly;

~~(k)~~ **(m)** A member of the Assembly, appointed by the Minority Leader of the Assembly;

~~(l)~~ **(n)** An early education specialist, appointed by the Majority Leader of the Senate; and

~~(m)~~ **(o)** A provider of health care to children and adolescents, appointed by the Governor.

2. The Outdoor Education Advisory Working Group shall study approaches to incorporate outdoor recreation into the curriculum for preschool, kindergarten and grades 1 to 12, inclusive, which include, without limitation, opportunities to integrate outdoor recreation with:

- (a) Physical education;
- (b) Scientific inquiry;
- (c) Technology;
- (d) Environmental science;
- (e) Physical sciences;
- (f) Language arts;
- (g) Art;
- (h) Humanities;
- (i) Social and emotional learning; and
- (j) Public service.

3. The Outdoor Education Advisory Working Group shall, at its first meeting, elect a Chair and Vice Chair from among its members.

4. A majority of the members of the Outdoor Education Advisory Working Group constitutes a quorum for the transaction of business, and a majority of those members present at any meeting is sufficient for any official action taken by the Outdoor Education Advisory Working Group.

5. The Division shall provide the Advisory Working Group with such administrative support as is necessary to assist the Outdoor Recreation Working Group in carrying out its duties pursuant to this section.

6. The members of the Outdoor Education Advisory Working Group serve without compensation, ~~but~~ **generally.**

7. **Each member of the Outdoor Education Advisory Working Group who is an officer or employee of the State or a local government must be relieved from his or her duties without loss of regular compensation so that the member may prepare for and attend meetings of the Outdoor**

**Education Advisory Working Group and perform any work necessary to carry out the duties of the Outdoor Education Advisory Working Group in the most timely manner practicable. A state agency or local government shall not require an officer or employee who is a member of the Outdoor Education Advisory Working Group to make up the time the member is absent from work to carry out his or her duties as a member, and shall not require the member to take annual vacation or compensatory time for the absence.**

**8. The Division may accept gifts, grants and donations from any source to support the work of the Outdoor Education Advisory Working Group.**

**9.** The Division shall, on or before December 31, 2024, prepare and submit a written report describing the activities, findings, conclusions and recommendations of the Outdoor Education Advisory Working Group to the Director of the Legislative Counsel Bureau for transmittal to the 83rd Session of the Legislature.

**10. The Outdoor Education Advisory Working Group may request the drafting of not more than one legislative measure which relates to matters within the scope of the Outdoor Education Advisory Working Group. The request must be submitted to the Legislative Counsel on or before December 31, 2024, and must be on a form prescribed by the Legislative Counsel. A legislative measure requested pursuant to this subsection must be prefiled on or before the first day of the regular session of the Legislature in 2025. A legislative measure that is not prefiled on or before that day shall be deemed withdrawn.**

**Sec. 2.** 1. This section becomes effective upon passage and approval.

2. Section 1 of this act becomes effective:

(a) Upon passage and approval for the purpose of appointing members to the Outdoor Education Advisory Working Group established pursuant to section 1 of this act and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On July 1, 2023, for all other purposes.

Assemblywoman Bilbray-Axelrod moved the adoption of the amendment.

Remarks by Assemblywoman Bilbray-Axelrod.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 178.

Bill read second time.

The following amendment was proposed by the Committee on Health and Human Services:

Amendment No. 28.

AN ACT relating to emergency medical services; revising provisions related to permit renewals for certain operators of ambulances, air ambulances or

vehicles of firefighting agencies; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law provides that a permit must be issued by a health authority for the operation of an ambulance, air ambulance or fire-fighting vehicle, which must be renewed annually. (NRS 450B.200) **Section 1** of this bill extends the length of the permit from 1 year to ~~1~~ **2** years, and requires operators to notify the permitting health authority about any change in ownership or control within 90 days after the change. **Section 2** of this bill clarifies that any permit that is issued on or before October 1, 2023, expires on July 1, 2024, and any renewal of such a permit expires ~~1~~ **2** years following the date of renewal.

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

**Section 1.** NRS 450B.200 is hereby amended to read as follows:

450B.200 1. The health authority may issue a permit for:

- (a) The operation of an ambulance or an air ambulance; or
- (b) The operation of a vehicle of a fire-fighting agency:

- (1) At the scene of an emergency; and

- (2) To provide community paramedicine services, but only if the holder of the permit has obtained an endorsement on the permit to provide such services pursuant to NRS 450B.1993.

2. Each permit must be evidenced by a card issued to the holder of the permit.

3. No permit may be issued unless the applicant is qualified pursuant to the regulations of the board.

4. An application for a permit must be made upon forms prescribed by the board and in accordance with procedures established by the board, and must contain the following:

- (a) The name and address of the owner of the ambulance or air ambulance or of the fire-fighting agency;

- (b) The name under which the applicant is doing business or proposes to do business, if applicable;

- (c) A description of each ambulance, air ambulance or vehicle of a fire-fighting agency, including the make, year of manufacture and chassis number, and the color scheme, insignia, name, monogram or other distinguishing characteristics to be used to designate the applicant’s ambulance, air ambulance or vehicle;

- (d) The location and description of the places from which the ambulance, air ambulance or fire-fighting agency intends to operate; and

- (e) Such other information as the board deems reasonable and necessary to a fair determination of compliance with the provisions of this chapter.

5. The board shall establish a reasonable fee for ~~annual~~ permits.



6. All permits expire ~~on July 1, 51~~ 2 years following the date of issue, and are renewable ~~annually each fifth year~~ biennially thereafter upon payment of the fee required by subsection 5 at least 30 days before the expiration date.

7. ***If a change in ownership or control occurs, or if operations change beyond the scope of the permit, the operator shall notify the health authority not later than 90 days after the change occurs.***

8. The health authority shall:

(a) Revoke, suspend or refuse to renew any permit issued pursuant to this section for violation of any provision of this chapter or of any regulation adopted by the board; or

(b) Bring an action in any court for violation of this chapter or the regulations adopted pursuant to this chapter,

↳ only after the holder of a permit is afforded an opportunity for a public hearing pursuant to regulations adopted by the board.

~~§ 9.~~ 9. The health authority may suspend a permit if the holder is using an ambulance, air ambulance or vehicle of a fire-fighting agency which does not meet the minimum requirements for equipment as established by the board pursuant to this chapter.

~~§ 10.~~ 10. In determining whether to issue a permit for the operation of an air ambulance pursuant to this section, the health authority:

(a) Except as otherwise provided in paragraph (b), may consider the medical aspects of the operation of an air ambulance, including, without limitation, aspects related to patient care; and

(b) Shall not consider economic factors, including, without limitation, factors related to the prices, routes or nonmedical services of an air ambulance.

~~§ 11.~~ 11. The issuance of a permit pursuant to this section or NRS 450B.210 does not authorize any person or governmental entity to provide those services or to operate any ambulance, air ambulance or vehicle of a fire-fighting agency not in conformity with any ordinance or regulation enacted by any county, municipality or special purpose district.

~~§ 12.~~ 12. A permit issued pursuant to this section is valid throughout the State, whether issued by the Division or a district board of health. An ambulance, air ambulance or vehicle of a fire-fighting agency which has received a permit from the district board of health in a county whose population is 700,000 or more is not required to obtain a permit from the Division, even if the ambulance, air ambulance or vehicle of a fire-fighting agency has routine operations outside the county.

~~§ 13.~~ 13. The Division shall maintain a central registry of all permits issued pursuant to this section, whether issued by the Division or a district board of health.

~~§ 14.~~ 14. The board shall adopt such regulations as are necessary to carry out the provisions of this section.

**Sec. 2.** 1. Notwithstanding the provisions of NRS 450B.200, as amended by section 1 of this act, any valid permit that is issued on or before October 1, 2023, pursuant to the provisions of NRS 450B.200, as that section

existed on September 30, 2023, expires on July 1, 2024. Any renewal of such a permit expires ~~for~~ 2 years following the date of renewal.

2. As used in this section, “permit” means a permit issued by a health authority pursuant to NRS 450B.200 for:

(a) The operation of an ambulance or an air ambulance; or

(b) The operation of a vehicle of a fire-fighting agency:

(1) At the scene of an emergency; and

(2) To provide community paramedicine services, but only if the holder of the permit has obtained an endorsement on the permit to provide such services pursuant to NRS 450B.1993.

Assemblywoman Peters moved the adoption of the amendment.

Remarks by Assemblywoman Peters.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 189.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 38.

AN ACT relating to construction; setting forth certain limitations on the board of county commissioners or the governing body of a city in certain counties in adopting an ordinance restricting the hours in which construction work may begin during certain times of the year in a **declarant-controlled** common-interest community; prohibiting, under certain circumstances, a **declarant-controlled** common-interest community from restricting the hours that construction work may begin in certain counties or cities during certain times of the year; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law provides that if the governing body of a county or city in which a common-interest community is located adopts an ordinance restricting the hours in which construction work may begin, a common-interest community is prohibited from restricting the hours that construction work may begin in the common-interest community during the period beginning on May 1 and ending on September 30 to hours other than those set forth in the ordinance. (NRS 116.347)

**Sections 1 and 4** of this bill, respectively, provide that if the board of county commissioners in a county whose population is 700,000 or more (currently only Clark County) or the governing body of a city which is located in such a county adopts an ordinance restricting the hours in which construction work may begin in a common-interest community, the hours for construction work in a **declarant-controlled** common-interest community must ~~not~~ **be allowed to begin ~~later~~ at, but not earlier** than 5 a.m. during the period beginning on April 1 and ending on September 30.

**Section 6** of this bill provides that if, on ~~July 1, 2023,~~ **the effective date of this bill**, the board of county commissioners in a county whose population is 700,000 or more (currently only Clark County) or the governing body of a city located in such a county has adopted an ordinance restricting hours in which construction work may begin in a common-interest community and the ordinance does not allow construction work in a **declarant-controlled** common-interest community to begin at **, but not earlier than, 5 a.m.** ~~for earlier~~ during the period beginning on April 1 and ending on September 30, the board of county commissioners or governing body must amend the ordinance to comply with **section 1 or 4**, as applicable.

**Section 3** of this bill provides that if, in a county whose population is 700,000 or more (currently only Clark County), the governing body of the county or a city adopts an ordinance restricting the hours in which construction work may begin, a **declarant-controlled** common-interest community must not restrict the hours that construction work may begin in the **declarant-controlled** common-interest community during the period beginning on April 1 and ending on September 30 to hours other than those set forth in the ordinance.

**Sections 2 and 5** of this bill provide that an ordinance regulating excessive noise is subject to the provisions of **sections 1 and 4**, respectively.

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

**Section 1.** Chapter 244 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. If the board of county commissioners in a county whose population is 700,000 or more adopts an ordinance restricting the hours in which construction work in a common-interest community may begin, the hours for construction work in a declarant-controlled common-interest community must ~~not~~ be allowed to begin ~~later~~ at, but not earlier than, 5 a.m. during the period beginning on April 1 and ending on September 30.*

*2. As used in this section ~~“common-interest”~~:*

*(a) “Common-interest community” has the meaning ascribed to it in NRS 116.021.*

*(b) “Declarant-controlled common-interest community” means a common-interest community in which the original developer controls a majority of the units.*

**Sec. 2.** NRS 244.363 is hereby amended to read as follows:

244.363 Except as otherwise provided in subsection 3 of NRS 40.140 and subsection 9 of NRS 202.450 ~~and~~ **and subject to the provisions of section 1 of this act**, the boards of county commissioners in their respective counties may, by ordinance regularly enacted, regulate, control and prohibit, as a public nuisance, excessive noise which is injurious to health or which interferes unreasonably with the comfortable enjoyment of life or property within the boundaries of the county.

**Sec. 3.** NRS 116.347 is hereby amended to read as follows:

116.347 1. *If, in a county whose population is 700,000 or more, the governing body of a county or city in which a declarant-controlled common-interest community is located adopts an ordinance restricting the hours in which construction work may begin, the executive board shall not and the governing documents must not restrict the hours that construction work may begin in the declarant-controlled common-interest community during the period beginning on April 1 and ending on September 30 to hours other than those set forth in the ordinance.*

2. *The provisions of subsection 1 do not preclude the executive board or the governing documents from restricting the hours that construction work may begin:*

(a) *If a governing body of a county or city has not adopted an ordinance restricting the hours in which construction work may begin; or*

(b) *During the period beginning on October 1 and ending on March 31.*

3. *If, in a county whose population is less than 700,000, the governing body of a county or city in which a declarant-controlled common-interest community is located adopts an ordinance restricting the hours in which construction work may*

*begin, the executive board shall not and the governing documents must not restrict the hours that construction work may begin in the declarant-controlled common-interest community during the period beginning on May 1 and ending on September 30 to hours other than those set forth in the ordinance.*

~~{2.}~~ 4. *The provisions of subsection ~~{1}~~ 3 do not preclude the executive board or the governing documents from restricting the hours that construction work may begin:*

(a) *If a governing body of a county or city has not adopted an ordinance restricting the hours in which construction work may begin; or*

(b) *During the period beginning on October 1 and ending on April 30.*

**Sec. 4.** Chapter 268 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *If the governing body of a city located in a county whose population is 700,000 or more adopts an ordinance restricting the hours that construction work may begin in a common-interest community, the hours for construction work in a declarant-controlled common-interest community must ~~not~~ *be allowed to begin ~~later~~ at, but not earlier than, 5 a.m. during the period beginning on April 1 and ending on September 30.**

2. *As used in this section ~~the~~ “common-interest”:*

(a) *“Common-interest community” has the meaning ascribed to it in NRS 116.021.*

(b) *“Declarant-controlled common-interest community” means a common-interest community in which the original developer controls a majority of the units.*

**Sec. 5.** NRS 268.412 is hereby amended to read as follows:

268.412 Except as otherwise provided in subsection 3 of NRS 40.140 and subsection 9 of NRS 202.450 ~~[,] and subject to the provisions of section 4 of this act~~, the city council or other governing body of a city may, by ordinance regularly enacted, regulate, control and prohibit, as a public nuisance, excessive noise which is injurious to health or which interferes unreasonably with the comfortable enjoyment of life or property within the boundaries of the city.

**Sec. 6.** 1. If, on ~~[July 1, 2023,] the effective date of this act~~, the board of county commissioners in a county whose population is 700,000 or more or the governing body of a city located in such a county has adopted an ordinance restricting hours in which construction work may begin in a common-interest community and the ordinance does not allow construction work in a **declarant-controlled** common-interest community to begin at  , but not earlier than, 5 a.m. ~~for earlier~~ during the period beginning on April 1 and ending on September 30, the board of county commissioners or governing body must amend the ordinance to comply with section 1 or 4 of this act, as applicable.

2. As used in this section ~~[, “common interest”]~~ :

**(a) “Common-interest** community” has the meaning ascribed to it in NRS 116.021.

**(b) “Declarant controlled common-interest community” means a common-interest community in which the original developer controls a majority of the units.**

**Sec. 7.** This act becomes effective ~~[on July 1, 2023,] upon passage and approval.~~

Assemblywoman Torres moved the adoption of the amendment.

Remarks by Assemblywoman Torres.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 206.

Bill read second time and ordered to third reading.

Assembly Bill No. 276.

Bill read second time and ordered to third reading.

Assembly Bill No. 284.

Bill read second time and ordered to third reading.

Assembly Bill No. 289.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Monroe-Moreno moved that upon return from the printer, Assembly Bills Nos. 28, 69, 112, 140, and 178 be rereferred to the Committee on Ways and Means.

Motion carried.

Assemblywoman Monroe-Moreno moved that Assembly Bill No. 158 be taken from General File and be rereferred to the Committee on Ways and Means.

Motion carried.

UNFINISHED BUSINESS

There being no objections, the Speaker and Chief Clerk signed Assembly Resolution No. 6.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblywoman Natha Anderson, the privilege of the floor of the Assembly Chamber for this day was extended to Josiah Kitchen, Rachael Kiser, and Willie Prichart.

On request of Assemblywoman Shea Backus, the privilege of the floor of the Assembly Chamber for this day was extended to Hallie Petie and Samantha Dunning.

On request of Assemblywoman Shannon Bilbray-Axelrod, the privilege of the floor of the Assembly Chamber for this day was extended to Danny Fullenwider, and Henry Ballingham.

On request of Assemblywoman Tracy Brown-May, the privilege of the floor of the Assembly Chamber for this day was extended to Iliia Sandez and Lilian Braner.

On request of Assemblyman Max Carter, the privilege of the floor of the Assembly Chamber for this day was extended to Corey Dalley.

On request of Assemblywoman Lesley Cohen, the privilege of the floor of the Assembly Chamber for this day was extended to Dotun Sangoleye and Ryan Streyle.

On request of Assemblywoman Venicia Considine, the privilege of the floor of the Assembly Chamber for this day was extended to Douglas Brubaker, Justin Jervinis, and Madison Freitas.

On request of Assemblyman Reuben D'Silva, the privilege of the floor of the Assembly Chamber for this day was extended to Fayyaz Raja, Jeff Cromie, and Jim Whited.

On request of Assemblyman Rich DeLong, the privilege of the floor of the Assembly Chamber for this day was extended to Christelle Altom, Debora Reynolds, and Nicolette Andrini.

On request of Assemblywoman Jill Dickman, the privilege of the floor of the Assembly Chamber for this day was extended to Cindy Good and Tony Macias.

On request of Assemblywoman Danielle Gallant, the privilege of the floor of the Assembly Chamber for this day was extended to Hylton Garrett, Lois Nannini, and Mike Nannini.

On request of Assemblywoman Cecelia González, the privilege of the floor of the Assembly Chamber for this day was extended to Amanda Jones, Jennifer Malaterre, and Rachel Drake.

On request of Assemblywoman Michelle Gorelow, the privilege of the floor of the Assembly Chamber for this day was extended to Adrienne Conley, Gilbert Lenz, and Michele Erikson.

On request of Assemblyman Ken Gray, the privilege of the floor of the Assembly Chamber for this day was extended to Keith Becker.

On request of Assemblyman Bert Gurr, the privilege of the floor of the Assembly Chamber for this day was extended to Clay Fitch, John Williams, and Layla Murphy.

On request of Assemblyman Gregory Hafen, the privilege of the floor of the Assembly Chamber for this day was extended to Jessica Woods, Logan Gernet, and Matt King.

On request of Assemblywoman Alexis Hansen, the privilege of the floor of the Assembly Chamber for this day was extended to David Hansen, Gerald Anderson, and Susan Hansen.

On request of Assemblywoman Melissa Hardy, the privilege of the floor of the Assembly Chamber for this day was extended to Jon Dahl, Laurel Egbert, and Scott Egbert.

On request of Assemblywoman Heidi Kasama, the privilege of the floor of the Assembly Chamber for this day was extended to Bob Wilcox, Fred Montes De Oca, and Kirk Dahl.

On request of Assemblyman Gregory Koenig, the privilege of the floor of the Assembly Chamber for this day was extended to Casey Meier and Lincoln Butler.

On request of Assemblywoman Selena La Rue Hatch, the privilege of the floor of the Assembly Chamber for this day was extended to Jeni Martinez, Lindsey Lavelly, and Mario Fitzpatrick.

On request of Assemblywoman Elaine Marzola, the privilege of the floor of the Assembly Chamber for this day was extended to Dan Neighbors, Mia Pendoloa, and William Bellingham.

On request of Assemblywoman Erica Mosca, the privilege of the floor of the Assembly Chamber for this day was extended to Terri Chandler.

On request of Assemblyman P.K. O'Neill, the privilege of the floor of the Assembly Chamber for this day was extended to Baldo Bobadilla.

On request of Assemblyman David Orentlicher, the privilege of the floor of the Assembly Chamber for this day was extended to Eric Crosbie and Luciana Borges.

On request of Assemblywoman Sarah Peters, the privilege of the floor of the Assembly Chamber for this day was extended to Raechel Freshman and the following students, teachers, and chaperones from Jessie Beck Elementary School: Abby Hamand, Alfred J.J. Gomes, Amelia Reeder, Anabell Segoviano, Anna Domini, Arzel Duenas-Powell, Casey Meier, Daniel Fullenwider, David Dan Neighbors, Daxton Gelbman, Emery Gamble, Fernando Garcia, Finja Slocum, German Castillo, Giancarlo Prado, Gianni Verdin, Henry Ballingham, Holland Kern, Indie Comstock, Ingrid Jaimes-Corona, Jared Isordia, Jax Sinner, Jesse Guerrero, Joseph Hoyt, Josiah Kitchin, Kabecka Rausch, Kayden Gutierrez-Ibarra, Kenny Lewis, Leo Donahoe, Lilly Valentine, Lily Peak, Lincoln Butler, Lincoln Phelps, Logan Lozano, Lucia Ferrato, Lucia Ferrato, Luis Castillo, Luken Murry, Madelyn Burke, Mason Drakulich, Mia Bartoldo, Mia Pendola, Mylea Aguirre, Nicole Aguirre, Nina Davis, Oliver Sumbly, Paxton Hartman, Piper Hardt, Priscilla Tatengo, Raegan Reeder, Sebastian Fuentes, Slade Allard, Tatiana Bobadilla, Vinny Manzo, Vivi Erickson, Vivi Erickson, William Aguilar, and William Ballingham.

On request of Assemblywoman Angie Taylor, the privilege of the floor of the Assembly Chamber for this day was extended to Amelia Reeder, Brianna Bedient, Luis Castillo, and Pat Puchert.

On request of Assemblywoman Selena Torres, the privilege of the floor of the Assembly Chamber for this day was extended to Claudia Garcia-Aguilar, Cristy Fernandez, and Katrina Larios.

On request of Assemblyman Howard Watts, the privilege of the floor of the Assembly Chamber for this day was extended to Randall Ozaki, Sara Perez, and Scott Fullman.

On request of Assemblyman Toby Yurek, the privilege of the floor of the Assembly Chamber for this day was extended to MeLisa Garcia, Mendis Cooper, Mike Young, and Richard Jones.

Assemblywoman Jauregui moved that the Assembly adjourn until Tuesday, April 11, 2023, at 11:30 a.m.



Motion carried.

Assembly adjourned at 12:21 p.m.

Approved:

STEVE YEAGER  
*Speaker of the Assembly*

Attest: SUSAN FURLONG  
*Chief Clerk of the Assembly*