

# NEVADA LEGISLATURE

Eighty-Second Session, 2023

---

## ASSEMBLY DAILY JOURNAL

---

### THE SIXTY-SEVENTH DAY

CARSON CITY (Thursday), April 13, 2023

Assembly called to order at 11:58 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Peggy Locke.

The Bible tells us in Lamentations 3:21-25, Yet this I call to mind and therefore I have hope: Because of the Lord's great love we are not consumed, for His compassions never fail. They are new every morning; great is Your faithfulness. I say to myself, The Lord is my portion; therefore I will wait for Him. The Lord is good to those whose hope is in Him, to the one who seeks Him.

Father God, we thank You for Your love and mercy to each one of us. We have hope in You. We recognize that every day is a gift from You. We seek You today and desire to walk in Your ways. Direct our steps and uphold us with Your righteous right hand. May we encourage one another as we work together to serve the people of this great state of Nevada.

We pray divine protection and blessings for our families, friends, and co-workers, as well as those serving in harm's way. We put our trust in You, O Most High, as we set ourselves to act justly, to love mercy, and to walk humbly before You.

In Jesus' Name and for Your glory we pray.

AMEN.

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 was referred Assembly Bill No. 21, 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 was referred Assembly Bill No. 361, 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. 210, 235, 266, 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 Health and Human Services, to which were referred Assembly Bills Nos. 6, 188, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Health and Human Services, to which were referred Assembly Bills Nos. 137, 201, 263, 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 Legislative Operations and Elections, to which were referred Assembly Bills Nos. 104, 192, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MICHELLE GORELOW, *Chair*

*Mr. Speaker:*

Your Committee on Natural Resources, to which was referred Assembly Bill No. 221, 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*

*Mr. Speaker:*

Your Committee on Revenue, to which were referred Assembly Bills Nos. 1, 37, 345, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

SHEA BACKUS, *Chair*

#### MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Legislative Operations and Elections:

Assembly Concurrent Resolution No. 5—Expressing support for the Lake Tahoe Transportation Action Plan.

Assemblywoman Peters moved the adoption of the resolution.

Remarks by Assemblywoman Peters.

ASSEMBLYWOMAN PETERS:

Assembly Concurrent Resolution 5 expresses the Legislature's support for the Lake Tahoe Transportation Action Plan and for the funding of high-priority transportation projects in the Lake Tahoe Basin.

Resolution adopted.

#### NOTICE OF EXEMPTION

April 12, 2023

The Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the eligibility for exemption of Assembly Bills Nos. 169, 232, 383, 406, 417, 435.

SARAH COFFMAN  
*Fiscal Analysis Division*

April 12, 2023

The Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the exemption of Senate Bills Nos. 98, 99, 100, 101, 102, 178, 189, 200, 217, 218, 219, 231, 236, 244, 263, 285, 287, 300, 306, 339, 341, 357, 375, 403.

Also, the Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the eligibility for exemption of Senate Bills Nos. 77, 103, 165, 319, 395, 413, 414, 416, 421, 426, 433, 443.

WAYNE THORLEY  
*Fiscal Analysis Division*

April 13, 2023

The Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the eligibility for exemption of Assembly Bill No. 161.

SARAH COFFMAN  
*Fiscal Analysis Division*

April 13, 2023

The Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the eligibility for exemption of Senate Bills Nos. 201, 347.

WAYNE THORLEY  
*Fiscal Analysis Division*

#### INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 463—AN ACT relating to children; transferring certain duties and authority related to the licensing and regulation of certain child care facilities from the Division of Public and Behavioral Health of the Department of Health and Human Services to the Division of Welfare and Supportive Services of the Department; revising the membership of the Nevada Early Childhood Advisory Council; revising provisions governing the inspection and review of child care facilities; and providing other matters properly relating thereto.

Assemblywoman Jauregui moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 464—AN ACT making an appropriation to the Legislative Fund for the costs of advanced planning documents relating to anticipated building renovations; and providing other matters properly relating thereto.

Assemblywoman Monroe-Moreno moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

#### SECOND READING AND AMENDMENT

Assembly Bill No. 20.

Bill read second time and ordered to third reading.

Assembly Bill No. 54.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 52.

AN ACT relating to education; revising provisions governing the compulsory school attendance of certain children; revising the contents required in certain annual reports of accountability of schools and school districts; revising provisions governing the reimbursement of certain hospitals and other facilities for providing educational services to children in their care; revising provisions governing the counting of pupils for purposes of calculating apportionment; ~~requiring written evidence by a qualified physician, mental health professional or behavioral health professional to excuse a child from enrollment in or attendance at school under certain circumstances;~~ requiring a child who has taken a high school equivalency assessment to attend school until receipt of notice of successful completion of the assessment; requiring a county advisory board to review school attendance to reflect the ethnic and geographic diversity of the county; revising provisions governing the absences of pupils; revising provisions governing habitual truancy; authorizing certain written notices and other documents to be made electronically; requiring a school to take certain actions relating to a truant pupil; imposing certain duties relating to chronic absenteeism on the board of trustees of a school district and the Department of Education; repealing certain provisions excusing attendance for certain children; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law requires each school district, each school in the school district and each charter school sponsored by the school district to prepare an annual report of accountability which includes information concerning pupils who are eligible for and receive free or reduced-price breakfasts and lunches. (NRS 385A.270) **Section 2** of this bill eliminates the requirement to include in such a report information concerning pupils who ~~are eligible for~~ **receive** free or reduced-price breakfasts and lunches.

Under existing law, certain hospitals and other facilities that provide residential treatment to children and also operate a licensed private school or an accredited educational program approved by the Department of Education are authorized to request reimbursement from the Department for the cost of providing educational services to a child who is verified to be a patient or resident of the hospital or facility, attends the private school or educational program for more than 7 school days and meets certain other requirements. Upon receiving such a request, the Department is required to determine the amount of reimbursement as a percentage of the adjusted base per pupil funding for the school district which the child would otherwise attend if the child were not in the hospital or facility or the statewide base per pupil funding amount for the charter school which the pupil would otherwise attend. (NRS 387.1225) **Section 4** of this bill authorizes the hospital or facility to request reimbursement from the school district or charter school in which the child is enrolled and revises the requirements to request such reimbursement. **Section 4** also revises the method of calculating the amount of reimbursement to base the reimbursement upon a daily rate of the adjusted base per pupil funding for

the school district or a daily rate of the statewide base per pupil funding amount or adjusted base per pupil funding for the charter school, as applicable.

Existing law requires the State Board of Education to adopt regulations for counting enrollment and calculating the average daily attendance of pupils for apportionment purposes. (NRS 387.123) **Section 5** of this bill requires, instead, the use of the average daily enrollment of pupils for such purposes.

Existing law requires, with certain exceptions, each parent, custodial parent, guardian or other person in this State having control or charge of any child between the ages of 7 and 18 years to send the child to a public school during all the time the school is in session. (NRS 392.040) **Section 13** of this bill: (1) clarifies that such a child must also be enrolled in a public school; (2) requires that the child be sent to school for the full school day during all the time the school is in session; ~~and~~ (3) requires the parent or legal guardian of the child to sign a statement or acknowledge via registration on an Internet website maintained by the school district that the parent or legal guardian and the child understand the district's policy concerning attendance ~~;~~ **and (4) provides that a pupil who receives certain services outside of a public school shall be deemed to be in attendance at the public school and in compliance with the requirements for attendance during the time the pupil is receiving the services and is being transported to and from the school to receive those services.** Sections 1, 3, 6-10, 12, 15, 16, 22, 27, 29, 30, 31 and 34-45 of this bill revise various provisions as they relate to compulsory school attendance to conform with the additional requirements of school enrollment established in **section 13**.

~~[ Existing law requires that a child be excused from attending public school when satisfactory written evidence is presented to the board of trustees of the school district in which the child resides that the physical or mental condition or behavioral health of the child prevents or renders inadvisable the child's attendance at school. (NRS 392.050) Section 14 of this bill requires the written evidence to be from a qualified physician, mental health professional or behavioral health professional acting within his or her authorized scope of practice.]~~

Existing law provides that compulsory attendance at public school must be excused if a child has obtained permission to take the high school equivalency assessment. (NRS 392.075) **Section 17** of this bill provides that after the child has taken the assessment, school attendance is required until the child receives notification of the successful completion of the assessment.

Existing law requires the board of trustees of a school district to prescribe a minimum number of days that a pupil must be in attendance to obtain credit or be promoted to the next higher grade. (NRS 392.122) **Section 18** of this bill authorizes a board of trustees of a school district to adopt a policy prescribing the circumstances under which a pupil will be considered chronically absent. **Section 18** also: (1) eliminates provisions requiring, under certain circumstances, days on which a pupil's absence is approved by a teacher or principal to be credited towards the required days of attendance; (2) revises the

process by which, upon request by the pupil and the parent or legal guardian of a pupil, a principal or principal's designee is required to review and recalculate the number of the pupil's absences for the purposes of determining whether the pupil may obtain credit or be promoted to the next higher grade; and (3) eliminates provisions authorizing the board of trustees of a school district to adopt a policy to exempt pupils who are physically or mentally unable to attend school from certain limitations on absences and certain conditions required in such a policy.

Existing law creates in each county at least one advisory board to review school attendance. (NRS 392.126) **Section 19** of this bill requires the membership of each such board to reflect, to the greatest extent possible, the ethnic and geographic diversity of the county.

Existing law requires a teacher or principal to give written approval for a pupil to be absent if an emergency exists or upon the request of a parent or legal guardian of the pupil. (NRS 392.130) **Section 20** of this bill: (1) revises this provision to authorize a teacher or principal to give such approval upon the request of a parent or legal guardian, made during the absence or within the 3 days immediately preceding or the 3 days immediately following the requested absence for an emergency; (2) prohibits the approval of absences for more than 10 percent of the number of school days in the school year; (3) requires all approved and unapproved absences to be counted for the purposes of determining whether a pupil is chronically absent; and (4) requires the board of trustees of each school district and the governing body of each charter school and university school for profoundly gifted pupils to communicate its policy on truancy and the Department's definition of chronic absenteeism to parents and legal guardians in a language they can understand and provide a parent or legal guardian notice when a pupil is approaching the 10 percent limit in the number of absences that may be approved.

**Sections 20, 23-26 and 29** of this bill authorize certain notices, consents, referrals, agreements, reports and other documentation which must be in writing to be made electronically.

**Section 21** of this bill revises the circumstances under which a child may be declared a habitual truant and provides an exception for a child who is physically or mentally unable to attend school.

Existing law requires a school in which a pupil is enrolled to take reasonable actions designed to encourage, enable or convince the pupil to attend school if the pupil has one or more unapproved absences. (NRS 392.144) **Section 23** of this bill requires the school to take such actions if the pupil has been truant from school.

**Section 28** of this bill requires the board of trustees of each school district to: (1) establish procedures to monitor and report chronic absenteeism of pupils; and (2) determine chronic absenteeism of pupils at each school within the district. **Section 28** also requires: (1) the Department to adopt by regulation a definition of the term "chronic absenteeism"; and (2) the board of trustees of

each school district to ensure that the actions taken pursuant to that section are consistent with the definition adopted by the Department.

**Section 46** of this bill repeals provisions excusing attendance for children: (1) who reside a certain distance from the nearest public school; and (2) between 15 and 18 years of age who have completed the first eight grades to enter employment or apprenticeship.

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

**Section 1.** NRS 385.007 is hereby amended to read as follows:

385.007 As used in this title, unless the context otherwise requires:

1. “Challenge school” has the meaning ascribed to it in NRS 388D.305.
2. “Charter school” means a public school that is formed pursuant to the provisions of chapter 388A of NRS.
3. “Department” means the Department of Education.
4. “English learner” has the meaning ascribed to it in 20 U.S.C. § 7801(20).
5. “Homeschooled child” means a child who receives instruction at home and who is exempt from compulsory *enrollment and* attendance pursuant to NRS 392.070.
6. “Local school precinct” has the meaning ascribed to it in NRS 388G.535.
7. “Public schools” means all kindergartens and elementary schools, junior high schools and middle schools, high schools, charter schools and any other schools, classes and educational programs which receive their support through public taxation and, except for charter schools, whose textbooks and courses of study are under the control of the State Board.
8. “School bus” has the meaning ascribed to it in NRS 484A.230.
9. “School counselor” or “counselor” means a person who holds a license issued pursuant to chapter 391 of NRS and an endorsement to serve as a school counselor issued pursuant to regulations adopted by the Commission on Professional Standards in Education or who is otherwise authorized by the Superintendent of Public Instruction to serve as a school counselor.
10. “School psychologist” or “psychologist” means a person who holds a license issued pursuant to chapter 391 of NRS and an endorsement to serve as a school psychologist issued pursuant to regulations adopted by the Commission on Professional Standards in Education or who is otherwise authorized by the Superintendent of Public Instruction to serve as a school psychologist.
11. “School social worker” or “social worker” means a social worker licensed pursuant to chapter 641B of NRS who holds a license issued pursuant to chapter 391 of NRS and an endorsement to serve as a school social worker issued pursuant to regulations adopted by the Commission on Professional Standards in Education or who is otherwise authorized by the Superintendent of Public Instruction to serve as a school social worker.

12. “State Board” means the State Board of Education.

13. “University school for profoundly gifted pupils” has the meaning ascribed to it in NRS 388C.040.

**Sec. 2.** NRS 385A.270 is hereby amended to read as follows:

385A.270 1. The annual report of accountability prepared pursuant to NRS 385A.070 must include, for each school in the district and the district as a whole, including, without limitation, each charter school sponsored by the district, information concerning pupils who are eligible for ~~receive~~ free or reduced-price breakfasts pursuant to 42 U.S.C. §§ 1771 et seq. and pupils who are eligible for ~~receive~~ free or reduced-price lunches pursuant to 42 U.S.C. §§ 1751 et seq., including, without limitation:

(a) The number and percentage of pupils who are eligible for free or reduced-price breakfasts; *and*

~~(b) The percentage of pupils who receive free and reduced-price breakfasts;~~

~~(c) The number and percentage of pupils who are eligible for free or reduced-price lunches;~~

~~(d) *and*~~

~~(b) The percentage of pupils who receive free and reduced-price lunches .~~

~~(e)~~

~~A comparison of the achievement and proficiency of pupils, reported separately by race and ethnicity, who are eligible for free or reduced-price breakfasts, pupils who receive free and reduced-price breakfasts, pupils who are eligible for free or reduced-price lunches, pupils who receive free and reduced-price lunches and pupils who are not eligible for free or reduced-price breakfasts or lunches;~~

~~(f) A comparison of pupils, reported separately by race and ethnicity, who are eligible for free or reduced-price breakfasts, pupils who receive free and reduced-price breakfasts, pupils who are eligible for free or reduced-price lunches and pupils who receive free and reduced-price lunches for which data is required to be collected in the following areas:~~

~~(1) Retention rates;~~

~~(2) Graduation rates;~~

~~(3) Dropout rates;~~

~~(4) Grade point averages; and~~

~~(5) Except as otherwise provided in subsection 6 of NRS 390.105, scores on the examinations administered pursuant to NRS 390.105 and the college and career readiness assessment administered pursuant to NRS 390.610.]~~

2. The State Board may adopt any regulations necessary to carry out the provisions of this section.

**Sec. 3.** NRS 385B.020 is hereby amended to read as follows:

385B.020 “Pupil” means a student of a school or a child that receives instruction at home and is excused from compulsory *enrollment and* attendance pursuant to NRS 392.070.



**Sec. 4.** NRS 387.1225 is hereby amended to read as follows:

387.1225 1. A hospital or other facility which is licensed by the Division of Public and Behavioral Health of the Department of Health and Human Services that provides residential treatment to children and which operates a private school licensed pursuant to chapter 394 of NRS may request reimbursement from the ~~Department~~ **school district or charter school in which a child is enrolled** for the cost of providing educational services to ~~the child who:~~ **if:**

(a) The ~~Department~~ **school district or charter school** verifies **that the child** is a patient or resident of the hospital or facility; and

(b) ~~Attends~~ **The child attends** the private school for more than 7 school days.

2. A hospital or other facility licensed in the District of Columbia or any state or territory of the United States that provides residential treatment and which operates an educational program accredited by a national organization and approved by the Department of Education may request reimbursement from the ~~Department~~ **school district or charter school in which a child is enrolled** for the cost of providing educational services to ~~the child who:~~ **if:**

(a) The Department ~~verifies;~~ **and the school district or charter school, as applicable, verify that the child:**

(1) Is a patient or resident of the hospital or facility; and

(2) Is a resident of this State; **and**

(b) **The child:**

(1) Is admitted to the hospital or facility on an order from a physician because the necessary treatment required for the child is not available in this State;

~~(e)~~ (2) Attends the accredited educational program for more than 7 school days;

~~(d)~~ (3) Is not homeschooled or enrolled in a private school; and

~~(e)~~ (4) Has been admitted to the medical facility under the order of a physician to receive medically necessary treatment for a medical or mental health condition with which the child has been diagnosed.

3. A hospital or other facility that wishes to receive reimbursement pursuant to subsection 2 shall:

(a) Notify the **Department and the** school district or charter school in which the child is enrolled upon admitting the child to the accredited educational program; and

(b) Transfer any educational records of the child to the school district or charter school in which the child is enrolled in accordance with any applicable regulations adopted pursuant to subsection 9.

4. Upon receiving a request for reimbursement pursuant to subsection 1 or 2, the ~~Department~~ **school district or charter school in which the child is enrolled** shall determine the amount of reimbursement to which the hospital

or facility is entitled ~~[as a percentage]~~ **by multiplying the number of days determined pursuant to subsection 6 by the following, as applicable:**

(a) **The daily rate** of the adjusted base per pupil funding for the school district which the child would otherwise attend . ~~[or]~~ **The daily rate of the adjusted base per pupil funding for the school district which the child would otherwise attend must be calculated by dividing the adjusted base per pupil funding provided to the school district in which the child is enrolled pursuant to NRS 387.1214 by 180.**

(b) **The daily rate of** the statewide base per pupil funding amount **or adjusted base per pupil funding, as applicable,** for the charter school which the child would otherwise attend . ~~[, as applicable.]~~ **The daily rate of the statewide base per pupil funding amount or adjusted base per pupil funding, as applicable, for the charter school which the child would otherwise attend must be calculated by dividing the statewide base per pupil funding amount or adjusted base per pupil funding, as applicable, provided to the charter school in which the child is enrolled pursuant to NRS 387.1214 by 180.**

5. If the request for reimbursement is made pursuant to subsection 1, the child is a pupil with a disability and the hospital or facility is in compliance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., NRS 388.417 to 388.5243, inclusive, and any regulations adopted pursuant thereto, the hospital or facility is also entitled to ~~[a corresponding percentage of]~~ **an amount determined by increasing the daily rate determined pursuant to subsection 4 by** the statewide multiplier for the pupil established pursuant to NRS 387.122, which is ~~[withheld from]~~ **received by** the school district or charter school where the child was enrolled before being placed in the hospital or facility ~~[ ]~~ **for the number of days determined pursuant to subsection 6.** The Department shall distribute the money withheld from the school district or charter school to the hospital or facility.

6. For the purposes of subsections 4 and 5, the amount of reimbursement to which the hospital or facility is entitled must be calculated on the basis of the number of school days the child is a patient or resident of the hospital or facility and attends the private school or accredited educational program, as applicable, excluding the 7 school days prescribed in paragraph (b) of subsection 1 or **subparagraph (2) of** paragraph ~~[(e)]~~ **(b)** of subsection 2, as applicable . ~~[, in proportion to the number of days of instruction scheduled for that school year by the board of trustees of the school district or the charter school, as applicable.]~~

7. A hospital or other facility is not entitled to reimbursement for days of instruction provided to a child in a year in excess of the minimum number of days of free school required by NRS 388.090.

8. If a hospital or other facility requests reimbursement from ~~[the Department]~~ **a school district or charter school** for the cost of providing educational services to a pupil with a disability pursuant to subsection 1 or 2, the school district or charter school in which the child is enrolled shall be deemed to be the local educational agency for the child for the purposes of the

Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., NRS 388.417 to 388.5243, inclusive, and any regulations adopted pursuant thereto.

9. The Department shall adopt any regulations necessary to carry out the provisions of this section, which may include, without limitation, regulations to:

(a) Prescribe a procedure for the transfer of educational records pursuant to subsection 3;

(b) Carry out or ensure compliance with the requirements of subsections 4 and 5 concerning reimbursement for educational services provided to a pupil with a disability; and

(c) Require the auditing of ~~the~~ :

(1) A hospital or other facility that requests reimbursement ; *and*

(2) *A school district or charter school from which reimbursement is requested,*

↪ pursuant to this section to ensure compliance with any applicable provisions of federal or state law.

10. The provisions of this section must not be construed to authorize reimbursement pursuant to this section of a hospital or facility for the cost of health care services provided to a child.

11. As used in this section:

(a) “Hospital” has the meaning ascribed to it in NRS 449.012.

(b) “Private school” has the meaning ascribed to it in NRS 394.103.

**Sec. 5.** NRS 387.123 is hereby amended to read as follows:

387.123 1. The count of pupils for apportionment purposes includes all pupils who are enrolled in programs of instruction of the school district, including, without limitation, a program of distance education provided by the school district, pupils who reside in the county in which the school district is located and are enrolled in any charter school, including, without limitation, a program of distance education provided by a charter school, pupils who are enrolled in a university school for profoundly gifted pupils located in the county and pupils who are enrolled in a challenge school located in the county, for:

(a) Pupils in the kindergarten department.

(b) Pupils in grades 1 to 12, inclusive.

(c) Pupils not included under paragraph (a) or (b) who are receiving special education pursuant to the provisions of NRS 388.417 to 388.469, inclusive, and 388.5251 to 388.5267, inclusive.

(d) Pupils who reside in the county and are enrolled part-time in a program of distance education provided pursuant to NRS 388.820 to 388.874, inclusive.

(e) Children detained in facilities for the detention of children, alternative programs and juvenile forestry camps receiving instruction pursuant to the provisions of NRS 388.550, 388.560 and 388.570.

(f) Pupils who are enrolled in classes pursuant to subsection 1 of NRS 388A.471 and pupils who are enrolled in classes pursuant to subsection 1 of NRS 388A.474.

(g) Pupils who are enrolled in classes pursuant to subsection 1 of NRS 392.074.

(h) Pupils who are enrolled in classes and taking courses necessary to receive a high school diploma, excluding those pupils who are included in paragraphs (d), (f) and (g).

(i) Pupils who are enrolled in a challenge school.

2. The State Board shall establish uniform regulations for counting enrollment and calculating the average daily ~~attendance~~ **enrollment** of pupils. Except as otherwise provided in this subsection, in establishing such regulations for the public schools, the State Board:

(a) May divide the pupils in grades 1 to 12, inclusive, into categories composed respectively of those enrolled in elementary schools and those enrolled in secondary schools.

(b) Shall prohibit the counting of any pupil specified in subsection 1 more than once.

(c) Except as otherwise provided in this paragraph, shall prohibit the counting of a pupil enrolled in grade 12 as a full-time pupil if the pupil is not prepared for college and career success, as defined by the Department. Such a pupil may be counted as a full-time pupil if he or she is enrolled in a minimum of six courses or the equivalent of six periods per day or the superintendent of the school district has approved enrollment in fewer courses for good cause.

**Sec. 6.** NRS 388.850 is hereby amended to read as follows:

388.850 1. A pupil may enroll in a program of distance education if:

(a) Pursuant to this section or other specific statute, the pupil is eligible for enrollment or the pupil's enrollment is not otherwise prohibited;

(b) The program of distance education in which the pupil wishes to enroll is offered by the school district in which the pupil resides or a charter school or, if the program of distance education in which the pupil wishes to enroll is a full-time program of distance education offered by a school district other than the school district in which the pupil resides, the program is not the same or substantially similar to a program of distance education offered by the school district in which the pupil resides;

(c) The pupil satisfies the qualifications and conditions for enrollment adopted by the State Board pursuant to NRS 388.874; and

(d) The pupil satisfies the requirements of the program of distance education.

2. A child who is exempt from compulsory **enrollment and** attendance and is enrolled in a private school pursuant to chapter 394 of NRS or is being homeschooled is not eligible to enroll in or ~~otherwise~~ attend a program of distance education, regardless of whether the child is otherwise eligible for enrollment pursuant to subsection 1.

3. If a pupil who is prohibited from **enrolling in and** attending public school pursuant to NRS 392.264 enrolls in a program of distance education, the enrollment and attendance of that pupil must comply with all requirements of NRS 62F.100 to 62F.150, inclusive, and 392.251 to 392.271, inclusive.

4. A pupil who is enrolled in grade 12 in a program of distance education and who moves out of this State is eligible to maintain enrollment in the program of distance education until the pupil graduates from high school.

**Sec. 7.** NRS 388A.366 is hereby amended to read as follows:

388A.366 1. A charter school shall:

(a) Comply with all laws and regulations relating to discrimination and civil rights.

(b) Remain nonsectarian, including, without limitation, in its educational programs, policies for admission and employment practices.

(c) Refrain from charging tuition or fees, except for tuition or fees that the board of trustees of a school district is authorized to charge, levying taxes or issuing bonds.

(d) Comply with any plan for desegregation ordered by a court that is in effect in the school district in which the charter school is located.

(e) Comply with the provisions of chapter 241 of NRS.

(f) Except as otherwise provided in this paragraph, schedule and provide annually at least as many days of instruction as are required of other public schools located in the same school district as the charter school is located. The governing body of a charter school may submit a written request to the Superintendent of Public Instruction for a waiver from providing the days of instruction required by this paragraph. The Superintendent of Public Instruction may grant such a request if the governing body demonstrates to the satisfaction of the Superintendent that:

(1) Extenuating circumstances exist to justify the waiver; and

(2) The charter school will provide at least as many hours or minutes of instruction as would be provided under a program consisting of 180 days.

(g) Cooperate with the board of trustees of the school district in the administration of the examinations administered pursuant to NRS 390.105 and, if the charter school enrolls pupils at a high school grade level, the college and career readiness assessment administered pursuant to NRS 390.610 to the pupils who are enrolled in the charter school.

(h) Comply with applicable statutes and regulations governing the achievement and proficiency of pupils in this State.

(i) Provide instruction in the core academic subjects set forth in subsection 1 of NRS 389.018, as applicable for the grade levels of pupils who are enrolled in the charter school, and provide at least the courses of study that are required of pupils by statute or regulation for promotion to the next grade or graduation from a public high school and require the pupils who are enrolled in the charter school to take those courses of study. This paragraph does not preclude a charter school from offering, or requiring the pupils who are enrolled in the charter school to take, other courses of study that are required by statute or regulation.

(j) If the parent or legal guardian of a child submits an application to enroll in kindergarten, first grade or second grade at the charter school, comply with NRS 392.040 regarding the ages for enrollment in those grades.

(k) Refrain from using public money to purchase real property or buildings without the approval of the sponsor.

(l) Hold harmless, indemnify and defend the sponsor of the charter school against any claim or liability arising from an act or omission by the governing body of the charter school or an employee or officer of the charter school. An action at law may not be maintained against the sponsor of a charter school for any cause of action for which the charter school has obtained liability insurance.

(m) Provide written notice to the parents or legal guardians of pupils in grades 9 to 12, inclusive, who are enrolled in the charter school of whether the charter school is accredited by the Northwest Accreditation Commission.

(n) Adopt a final budget in accordance with the regulations adopted by the Department. A charter school is not required to adopt a final budget pursuant to NRS 354.598 or otherwise comply with the provisions of chapter 354 of NRS.

(o) If the charter school provides a program of distance education pursuant to NRS 388.820 to 388.874, inclusive, comply with all statutes and regulations that are applicable to a program of distance education for purposes of the operation of the program.

2. A charter school shall not provide instruction through a program of distance education to children who are exempt from compulsory *enrollment and attendance* pursuant to NRS 392.070. As used in this subsection, “distance education” has the meaning ascribed to it in NRS 388.826.

**Sec. 8.** NRS 388A.411 is hereby amended to read as follows:

388A.411 1. Each pupil who is enrolled in a charter school, including, without limitation, a pupil who is enrolled in a program of special education in a charter school, must be included in the count of pupils in the charter school for the purposes of apportionments and allowances from the State Education Fund pursuant to NRS 387.121 to 387.12468, inclusive, unless the pupil is exempt from compulsory *enrollment and attendance* pursuant to NRS 392.070. A charter school is entitled to receive its proportionate share of any other money available from federal, state or local sources that the school or the pupils who are enrolled in the school are eligible to receive.

2. The State Board shall prescribe a process which ensures that all charter schools, regardless of the sponsor, have information about all sources of funding for the public schools provided through the Department.

3. All money received by the charter school from this State or from the board of trustees of a school district must be deposited in an account with a bank, credit union or other financial institution in this State. The governing body of a charter school may negotiate with the board of trustees of the school district and the State Board for additional money to pay for services which the governing body wishes to offer.

4. The governing body of a charter school may solicit and accept donations, money, grants, property, loans, personal services or other assistance for purposes relating to education from members of the general public,

corporations or agencies. The governing body may comply with applicable federal laws and regulations governing the provision of federal grants for charter schools. The State Public Charter School Authority may assist a charter school that operates exclusively for the enrollment of pupils who receive special education in identifying sources of money that may be available from the Federal Government or this State for the provision of educational programs and services to such pupils.

**Sec. 9.** NRS 388C.260 is hereby amended to read as follows:

388C.260 1. Each pupil who is enrolled in a university school for profoundly gifted pupils, including, without limitation, a pupil who is enrolled in a program of special education in a university school for profoundly gifted pupils, must be included in the count of pupils in the university school for the purposes of apportionments and allowances from the State Education Fund pursuant to NRS 387.121 to 387.12468, inclusive, unless the pupil is exempt from compulsory school *enrollment and* attendance pursuant to NRS 392.070.

2. A university school for profoundly gifted pupils is entitled to receive its proportionate share of any other money available from federal, state or local sources that the school or the pupils who are enrolled in the school are eligible to receive.

3. All money received by a university school for profoundly gifted pupils from this State or from the board of trustees of a school district must be deposited in an account with a bank, credit union or other financial institution in this State.

4. The governing body of a university school for profoundly gifted pupils may negotiate with the board of trustees of the school district in which the school is located or the State Board for additional money to pay for services that the governing body wishes to offer.

5. To determine the amount of money for distribution to a university school for profoundly gifted pupils in its first year of operation in which state funding is provided, the count of pupils who are enrolled in the university school must initially be determined 30 days before the beginning of the school year of the school district in which the university school is located, based upon the number of pupils whose applications for enrollment have been approved by the university school. The count of pupils who are enrolled in a university school for profoundly gifted pupils must be revised each quarter based upon the average daily enrollment of pupils in the university school reported for the preceding quarter pursuant to subsection 1 of NRS 387.1223.

6. Pursuant to NRS 387.1242, the governing body of a university school for profoundly gifted pupils may request that the apportionments made to the university school in its first year of operation be paid to the university school 30 days before the apportionments are otherwise required to be made.

7. If a university school for profoundly gifted pupils ceases to operate pursuant to this chapter during a school year, the remaining apportionments that would have been made to the university school pursuant to NRS 387.124 and 387.1242 for that school year must be paid on a proportionate basis to the

school districts where the pupils who were enrolled in the university school reside.

8. If the governing body of a university school for profoundly gifted pupils uses money received from this State to purchase real property, buildings, equipment or facilities, the governing body of the university school shall assign a security interest in the property, buildings, equipment and facilities to the State of Nevada.

**Sec. 10.** NRS 388D.020 is hereby amended to read as follows:

388D.020 1. If the parent of a child who is subject to compulsory **enrollment and** attendance wishes to homeschool the child, the parent must file with the superintendent of schools of the school district in which the child resides a written notice of intent to homeschool the child. The Department shall develop a standard form for the notice of intent to homeschool. The form must not require any information or assurances that are not otherwise required by this section or other specific statute. The board of trustees of each school district shall, in a timely manner, make only the form developed by the Department available to parents who wish to homeschool their child.

2. The notice of intent to homeschool must be filed before beginning to homeschool the child or:

- (a) Not later than 10 days after the child has been formally withdrawn from enrollment in public school; or
- (b) Not later than 30 days after establishing residency in this State.

3. The purpose of the notice of intent to homeschool is to inform the school district in which the child resides that the child is exempt from the requirement of compulsory **enrollment and** attendance.

4. If the name or address of the parent or child as indicated on a notice of intent to homeschool changes, the parent must, not later than 30 days after the change, file a new notice of intent to homeschool with the superintendent of schools of the school district in which the child resides.

5. A notice of intent to homeschool must include only the following:

- (a) The full name, age and gender of the child;
- (b) The name and address of each parent filing the notice of intent to homeschool;
- (c) A statement signed and dated by each such parent declaring that the parent has control or charge of the child and the legal right to direct the education of the child, and assumes full responsibility for the education of the child while the child is being homeschooled;
- (d) An educational plan for the child that is prepared pursuant to NRS 388D.050;
- (e) If applicable, the name of the public school in this State which the child most recently attended; and
- (f) An optional statement that the parent may sign which provides:



I expressly prohibit the release of any information contained in this document, including, without limitation, directory information as defined in 20 U.S.C. § 1232g(a)(5)(A), without my prior written consent.

6. Each superintendent of schools of a school district shall accept notice of intent to homeschool that is filed with the superintendent pursuant to this section and meets the requirements of subsection 5, and shall not require or request any additional information or assurances from the parent who filed the notice.

7. The school district shall provide to a parent who files a notice a written acknowledgment which clearly indicates that the parent has provided notification required by law and that the child is being homeschooled. The written acknowledgment shall be deemed proof of compliance with Nevada's compulsory school *enrollment and* attendance law. The school district shall retain a copy of the written acknowledgment for not less than 15 years. The written acknowledgment may be retained in electronic format.

**Sec. 11.** NRS 388D.200 is hereby amended to read as follows:

388D.200 ~~[1.]~~ Except as otherwise provided in this ~~[subsection,]~~ *section*, if a child is exempt from compulsory *enrollment and* attendance pursuant to NRS 392.070 ~~[or 392.110,]~~ and the child is employed to work in the entertainment industry pursuant to a written contract for a period of more than 91 school days, or its equivalent if the child resides in a school district operating under an alternative schedule authorized pursuant to NRS 388.090, including, without limitation, employment with a motion picture company or employment with a production company hired by a casino or resort hotel, the entity that employs the child shall, upon the request of the parent or legal guardian of the child, pay the costs for the child to receive at least 3 hours of tutoring per day for at least 5 days per week. In lieu of tutoring, the parent or legal guardian of such a child may agree with the entity that employs the child that the entity will pay the costs for the child to receive other educational or instructional services which are equivalent to tutoring. The provisions of this ~~[subsection]~~ *section* apply during the period of a child's employment with an entity, regardless of whether the child has obtained the appropriate exemption from compulsory *enrollment and* attendance at the time his or her contract with the entity is under negotiation.

~~[2.—If such a child is exempt from compulsory attendance pursuant to NRS 392.110, the tutoring or other educational or instructional services received by the child pursuant to subsection 1 must be approved by the board of trustees of the school district in which the child resides.]~~

**Sec. 12.** NRS 392.016 is hereby amended to read as follows:

392.016 1. If a pupil has been issued a fictitious address pursuant to NRS 217.462 to 217.471, inclusive, or the parent or legal guardian with whom the pupil resides has been issued a fictitious address pursuant to NRS 217.462 to 217.471, inclusive, the pupil may attend a public school that is located in a school district other than the school district in which the pupil resides.

2. If a pupil described in subsection 1 attends a public school that is located in a school district other than the school district in which the pupil resides:

(a) The pupil must be included in the count of pupils of the school district in which the pupil attends school for the purposes of apportionments and allowances from the State Education Fund pursuant to NRS 387.121 to 387.12468, inclusive.

(b) Neither the board of trustees of the school district in which the pupil attends school nor the board of trustees of the school district in which the pupil resides is required to provide transportation for the pupil to attend the public school.

3. The provisions of this section do not apply to a pupil who is ineligible to **enroll in or** attend a public school pursuant to NRS 392.264 or 392.4675.

**Sec. 13.** NRS 392.040 is hereby amended to read as follows:

392.040 1. Except as otherwise provided by law, each parent, custodial parent, guardian or other person in the State of Nevada having control or charge of any child between the ages of 7 and 18 years shall **enroll the child in a public school and** send the child to ~~the~~ **the public school for the full school day** during all the time the public school is in session in the school district in which the child resides unless the child has graduated from high school.

2. A child who is 5 years of age on or before the first day of a school year may be admitted to kindergarten at the beginning of that school year, and the child's enrollment must be counted for purposes of apportionment. If a child is not 5 years of age on or before the first day of a school year, the child must not be admitted to kindergarten.

3. Except as otherwise provided in subsection 4, a child who is 6 years of age on or before the first day of a school year must:

(a) If the child has not completed kindergarten, be admitted to kindergarten at the beginning of that school year; or

(b) If the child has completed kindergarten, be admitted to the first grade at the beginning of that school year,

↪ and the child's enrollment must be counted for purposes of apportionment. If a child is not 6 years of age on or before the first day of a school year, the child must not be admitted to the first grade until the beginning of the school year following the child's sixth birthday.

4. The parents, custodial parent, guardian or other person within the State of Nevada having control or charge of a child who is 6 years of age on or before the first day of a school year may elect for the child not to **enroll in and** attend kindergarten or the first grade during that year. The parents, custodial parent, guardian or other person who makes such an election shall file with the board of trustees of the appropriate school district a waiver in a form prescribed by the board.

5. Whenever a child who is 6 years of age is enrolled in a public school, each parent, custodial parent, guardian or other person in the State of Nevada having control or charge of the child shall send the child to the public school **for the full school day** during all the time the school is in session. If the board

of trustees of a school district has adopted a policy prescribing a minimum number of days of attendance for pupils enrolled in kindergarten or first grade pursuant to NRS 392.122, the school district shall provide to each parent and legal guardian of a pupil who elects to enroll his or her child in kindergarten or first grade a written document containing a copy of that policy and a copy of the policy of the school district concerning the withdrawal of pupils from kindergarten or first grade. Before the child's first day of attendance at a school, the parent or legal guardian shall sign a statement on a form provided by the school district acknowledging *or acknowledge via registration on an Internet website maintained by the school district* that he or she has read and understands the policy concerning attendance, *the child understands the policy concerning attendance* and *the parent or legal guardian, as applicable, has read and understands* the policy concerning withdrawal of pupils from kindergarten or first grade. The parent or legal guardian shall comply with the applicable requirements for attendance. This requirement for attendance does not apply to any child under the age of 7 years who has not yet been enrolled or has been formally withdrawn from enrollment in public school.

6. *A pupil who receives services outside of a public school, including, without limitation, services pursuant to an individualized education program, a plan developed in accordance with section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, or some other similar agreement with the public school, shall be deemed to be in attendance at the public school and in compliance with the requirements for attendance set forth in this section during the time the pupil is receiving the services and is being transported to and from the public school to receive those services.*

7. A child who is 7 years of age on or before the first day of a school year must:

(a) If the child has completed kindergarten and the first grade, be admitted to the second grade.

(b) If the child has completed kindergarten, be admitted to the first grade.

(c) If the parents, custodial parent, guardian or other person in the State of Nevada having control or charge of the child waived the child's *enrollment and* attendance from kindergarten pursuant to subsection 4, undergo an assessment by the district pursuant to subsection ~~7~~ 8 to determine whether the child is prepared developmentally to be admitted to the first grade. If the district determines that the child is prepared developmentally, the child must be admitted to the first grade. If the district determines that the child is not so prepared, he or she must be admitted to kindergarten.

↪ The enrollment of any child pursuant to this subsection must be counted for apportionment purposes.

~~7~~ 8. Each school district shall prepare and administer before the beginning of each school year a developmental screening test to a child:

(a) Who is 7 years of age on or before the first day of the next school year; and

(b) Whose parents waived the child's *enrollment and* attendance from kindergarten pursuant to subsection 4,  
↪ to determine whether the child is prepared developmentally to be admitted to the first grade. The results of the test must be made available to the parents, custodial parent, guardian or other person within the State of Nevada having control or charge of the child.

~~8.] 9.~~ Except as otherwise provided in subsection ~~9.] 10.~~, a child who becomes a resident of this State after completing kindergarten or beginning first grade in another state in accordance with the laws of that state may be admitted to the grade the child was attending or would be attending had he or she remained a resident of the other state regardless of his or her age, unless the board of trustees of the school district determines that the requirements of this section are being deliberately circumvented.

~~9.] 10.~~ Pursuant to the provisions of NRS 388F.010, a child who transfers to a school in this State from a school outside this State because of the military transfer of the parent or legal guardian of the child must be admitted to:

(a) The grade, other than kindergarten, the child was attending or would be attending had he or she remained a resident of the other state, regardless of the child's age.

(b) Kindergarten, if the child was enrolled in kindergarten in another state in accordance with the laws of that state, regardless of the child's age.

~~10.] 11.~~ As used in this section, "kindergarten" includes:

(a) A kindergarten established by the board of trustees of a school district pursuant to NRS 388.060;

(b) A kindergarten established by the governing body of a charter school; and

(c) An authorized program of instruction for kindergarten offered in a child's home pursuant to NRS 388.060.

**Sec. 14.** ~~[NRS 392.050 is hereby amended to read as follows:~~

~~392.050 1. A child must be excused from *enrollment or* attendance required by the provisions of NRS 392.040 when [satisfactory] written evidence ~~from a qualified physician, mental health professional or behavioral health professional acting within his or her authorized scope of practice~~ is presented to the board of trustees of the school district in which the child resides that the child's physical or mental condition or behavioral health is such as to prevent or render inadvisable the child's ~~enrollment in or~~ attendance at school or his or her application to study.~~

~~2. [A certificate in writing from any qualified physician, mental health professional or behavioral health professional acting within his or her authorized scope of practice, filed with the board of trustees immediately after its receipt, stating that the child is not able to attend school or that the child's attendance is inadvisable must be taken as satisfactory evidence by the board of trustees.~~

~~3.] A board of trustees of a school district which has excused from *enrollment or* attendance pursuant to subsection 1 a child who, pursuant to~~

~~NRS 388.417, qualifies as a pupil with a disability, shall make available to the child a free appropriate public education in compliance with the Individuals with Disabilities Education Act (20 U.S.C. §§ 1400 et seq.), as that act existed on July 1, 1995.~~

~~[4.] 3. If a pupil is excused from *enrollment or attendance* pursuant to subsection 1, the excusal must not negatively affect the rating of a public school as determined by the Department pursuant to the statewide system of accountability for public schools.] **(Deleted by amendment.)**~~

**Sec. 15.** NRS 392.060 is hereby amended to read as follows:

392.060 ~~[Attendance]~~ ***Enrollment and attendance*** required by the provisions of NRS 392.040 shall be excused when satisfactory written evidence is presented to the board of trustees of the school district in which the child resides that the child has already completed the 12 grades of the elementary and high school courses.

**Sec. 16.** NRS 392.070 is hereby amended to read as follows:

392.070 ~~[Attendance]~~ ***Enrollment and attendance*** of a child required by the provisions of NRS 392.040 must be excused when:

1. The child is enrolled in a private school pursuant to chapter 394 of NRS;  
or

2. A parent of the child chooses to provide education to the child and files a notice of intent to homeschool the child with the superintendent of schools of the school district in which the child resides in accordance with NRS 388D.020.

**Sec. 17.** NRS 392.075 is hereby amended to read as follows:

392.075 ~~[Attendance]~~

**1. Except as otherwise provided in subsection 2, enrollment and attendance** required by the provisions of NRS 392.040 must be excused if a child has obtained permission to take the high school equivalency assessment pursuant to NRS 390.055.

**2. After a child has taken the high school equivalency assessment, the child shall enroll in and attend school pursuant to the provisions of NRS 392.040 until the child receives notification that the child has successfully completed the assessment.**

**Sec. 18.** NRS 392.122 is hereby amended to read as follows:

392.122 1. Except as otherwise provided in NRS 389.320, the board of trustees of each school district shall prescribe a minimum number of days that a pupil who is subject to compulsory ***enrollment and attendance*** and enrolled in a school in the district must be in attendance for the pupil to obtain credit or to be promoted to the next higher grade. The board of trustees of a school district may adopt a policy prescribing ~~[a]~~ :

(a) A minimum number of days that a pupil who is enrolled in kindergarten or first grade in the school district must be in attendance for the pupil to obtain credit or to be promoted to the next higher grade.

(b) ***The circumstances under which a pupil will be considered chronically absent by the Department.***

2. ~~For the purposes of this section, the days on which a pupil is not in attendance because the pupil is absent for up to 10 days within 1 school year with the approval of the teacher or principal of the school pursuant to NRS 392.130, must be credited towards the required days of attendance if the pupil has completed course work requirements. The teacher or principal of the school may approve the absence of a pupil for deployment activities of the parent or legal guardian of the pupil, as defined in NRS 388F.010. If the board of trustees of a school district has adopted a policy pursuant to subsection 5, the 10 day limitation on absences does not apply to absences that are excused pursuant to that policy.~~

~~3. Except as otherwise provided in subsection 5, before~~ **Before** a pupil is denied credit or promotion to the next higher grade for failure to comply with the attendance requirements prescribed pursuant to subsection 1, the principal of the school in which the pupil is enrolled or the principal's designee shall provide written notice of the intended denial to the parent or legal guardian of the pupil. The notice must include a statement indicating that the pupil and the pupil's parent or legal guardian may request a review of the absences of the pupil and a statement of the procedure for requesting such a review. Upon the request for a review by the pupil and the pupil's parent or legal guardian, **the parent or legal guardian may present** the principal or the principal's designee ~~shall review the reason for each absence of the pupil upon which the intended denial of credit or promotion is based. After the review, the principal or the principal's designee shall credit towards the required days of attendance each day of absence for which:~~

~~(a) There is evidence or a written affirmation by the parent or legal guardian of the pupil that the pupil was physically or mentally unable to attend school on the day of the absence; and~~

~~(b) The pupil has completed course work requirements.~~

~~4.] with documentation that the pupil has complied with the attendance requirements prescribed pursuant to subsection 1 by attending school, either in person or through an alternative program of education or a program of distance education approved by the Department. If the documentation is accurate and the principal or principal's designee finds that any absence of the pupil was entered in error, the error must be corrected and the absences of the pupil must be recalculated for the purposes of determining whether the pupil may obtain credit or be promoted to the next higher grade.~~

3. A pupil and the pupil's parent or legal guardian may appeal a decision of a principal or the principal's designee pursuant to subsection ~~{3}~~ 2 to the board of trustees of the school district in which the pupil is enrolled.

~~{5. The board of trustees of a school district may adopt a policy to exempt pupils who are physically or mentally unable to attend school from the limitations on absences set forth in subsection 1. If a board of trustees adopts a policy pursuant to this subsection:~~

~~—(a) A pupil who receives an exemption pursuant to this subsection is not exempt from the minimum number of days of attendance prescribed pursuant to subsection 1.~~

~~—(b) The days on which a pupil is physically or mentally unable to attend school must be credited towards the required days of attendance if the pupil has completed course work requirements.~~

~~—(c) The procedure for review of absences set forth in subsection 3 does not apply to days on which the pupil is absent because the pupil is physically or mentally unable to attend school.~~

~~—6.]~~ **4.** A school shall inform the parents or legal guardian of each pupil who is enrolled in the school that the parents or legal guardian and the pupil are required to comply with the provisions governing the *enrollment*, attendance and truancy of pupils set forth in NRS 392.040 to 392.160, inclusive, and any other rules concerning attendance and truancy adopted by the board of trustees of the school district.

**Sec. 19.** NRS 392.126 is hereby amended to read as follows:

392.126 1. There is hereby created in each county at least one advisory board to review school attendance. The membership of each such board *must, to the greatest extent possible, reflect the ethnic and geographic diversity of the county and* may consist of:

(a) One probation officer in the county who works on cases relating to juveniles, appointed by the judge or judges of the juvenile court of the county;

(b) One representative of a law enforcement agency in the county who works on cases relating to juveniles, appointed by the judge or judges of the juvenile court of the county;

(c) One representative of the district attorney for the county, appointed by the district attorney;

(d) One parent or legal guardian of a pupil who is enrolled in a public school in the county, or his or her designee or alternate who is also a parent or legal guardian, appointed by the president of the board of trustees of the school district;

(e) One member of the board of trustees of the school district, appointed by the president of the board of trustees;

(f) One school counselor or school teacher employed by the school district, appointed by an organization or association that represents licensed educational personnel in the school district;

(g) One deputy sheriff in the county, appointed by the sheriff of the county; and

(h) One representative of the agency which provides child welfare services, as defined in NRS 432B.030.

2. The members of each such board shall elect a chair from among their membership.

3. Each member of such a board must be appointed for a term of 2 years. A vacancy in the membership of the board must be filled in the same manner as the original appointment for the remainder of the unexpired term.

4. Each member of such a board serves without compensation, except that, for each day or portion of a day during which a member of the board attends a meeting of the board or is otherwise engaged in the business of the board, the member is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally. The board of trustees of the school district shall pay the per diem allowance and travel expenses from the general fund of the school district.

**Sec. 20.** NRS 392.130 is hereby amended to read as follows:

392.130 1. Within the meaning of this chapter, a pupil shall be deemed a truant who is absent from school without the written approval of the pupil's teacher or the principal of the school, unless the pupil is physically or mentally unable to attend school. ~~{The}~~

2. *Upon the request of a parent or legal guardian of a pupil, made during the absence or within the 3 days immediately preceding or the 3 days immediately following the requested absence, a* teacher or principal ~~{shall}~~ *may* give his or her written approval for ~~{a}~~ *the* pupil to be absent if an emergency exists ~~{or upon the request of a parent or legal guardian of the pupil.}~~, *including, without limitation, a medical emergency concerning a member of his or her family, compliance with a court order, a funeral or similar event of grieving, a family emergency, temporary homelessness and a religious observance. A teacher or principal may not approve absences pursuant to this subsection in excess of 10 percent of the number of school days in the school year.*

3. Before a pupil may attend or otherwise participate in school activities outside the classroom during regular classroom hours, the pupil must receive the approval of the teacher or principal.

~~{2.}~~ 4. An unapproved absence for at least one period, or the equivalent of one period for the school, of a school day may be deemed a truancy for the purposes of this section.

~~{3.}~~ 5. If a pupil is physically or mentally unable to attend school, the parent or legal guardian or other person having control or charge of the pupil shall notify the teacher or principal of the school orally or in writing, in accordance with the policy established by the board of trustees of the school district, within 3 days after the pupil returns to school.

~~{4.}~~ 6. An absence which has not been approved pursuant to ~~{subsection 4 or 3}~~ *this section* shall be deemed an unapproved absence. In the event of an unapproved absence, the teacher, attendance officer or other school official shall deliver or cause to be delivered a written *or electronic* notice of truancy to the parent, legal guardian or other person having control or charge of the child. The written *or electronic* notice must be delivered to the parent, legal guardian or other person who has control of the child. The written *or electronic* notice must inform the parents or legal guardian of such absences in a form specified by the Department.



~~{5-}~~ 7. *Except as otherwise provided in subsection 2 of NRS 392.122, all approved and unapproved absences must be counted for the purpose of determining whether a pupil is chronically absent.*

8. *The board of trustees of each school district and the governing body of each charter school and university school for profoundly gifted pupils shall:*

(a) *Communicate through various means, in a format and, to the extent practicable, in a language that parents and legal guardians can understand, the truancy policy and the definition of chronic absenteeism adopted by the Department pursuant to NRS 392.150; and*

(b) *Provide a parent or legal guardian of a pupil notice when the pupil is approaching the limit of 10 percent in the number of absences that may be approved pursuant to subsection 2.*

9. The provisions of this section apply to all pupils who are required to **enroll in and** attend school pursuant to NRS 392.040.

~~{6-}~~ 10. As used in this section, “physically or mentally unable to attend” does not include a physical or mental condition for which a pupil is excused pursuant to NRS 392.050.

**Sec. 21.** NRS 392.140 is hereby amended to read as follows:

392.140 1. Any child who has been declared a truant three or more times within one school year must be declared a habitual truant.

2. Any child who has once been declared a habitual truant and who in an immediately succeeding year is absent from school without the written ~~{~~

~~(a) Approval~~ **approval** of the child’s teacher or the principal of the school pursuant to subsection 1 **or 2** of NRS 392.130 ~~{; or~~

~~(b) Notice of his or her parent or legal guardian or other person who has control or charge over the pupil pursuant to subsection 3 of NRS 392.130,~~

~~{~~ may again be declared a habitual truant ~~{;}~~, **unless the child is physically or mentally unable to attend school as provided in NRS 392.130.**

3. The provisions of this section apply to all pupils who are required to **enroll in and** attend school pursuant to NRS 392.040.

**Sec. 22.** NRS 392.141 is hereby amended to read as follows:

392.141 The provisions of NRS 392.144 to 392.148, inclusive, apply to all pupils who are required to **enroll in and** attend school pursuant to NRS 392.040.

**Sec. 23.** NRS 392.144 is hereby amended to read as follows:

392.144 1. If a pupil has ~~{one or more unapproved absences}~~ **been truant** from school, the school in which the pupil is enrolled shall take reasonable actions designed, as applicable, to encourage, enable or convince the pupil to attend school.

2. If a pupil is a habitual truant pursuant to NRS 392.140, or if a pupil who is a habitual truant pursuant to NRS 392.140 is again declared truant pursuant to NRS 392.130 in the same school year after being declared a habitual truant, the principal of the school shall:

(a) Report the pupil to an attendance officer, a school police officer or the local law enforcement agency for investigation and issuance of a citation, if warranted, in accordance with NRS 392.149;

(b) If the parent or legal guardian of a pupil has signed a written *or electronic* consent pursuant to subsection 4, submit a written *or electronic* referral of the pupil to the advisory board to review school attendance in the county in accordance with NRS 392.146; or

(c) Refer the pupil for the imposition of administrative sanctions in accordance with NRS 392.148.

3. The board of trustees of each school district shall adopt criteria to determine whether the principal of a school shall:

(a) Report a pupil to an attendance officer, a school police officer or the law enforcement agency pursuant to paragraph (a) of subsection 2;

(b) Refer a pupil to an advisory board to review school attendance pursuant to paragraph (b) of subsection 2; or

(c) Refer a pupil for the imposition of administrative sanctions pursuant to paragraph (c) of subsection 2.

4. If the principal of a school makes an initial determination to submit a written *or electronic* referral of a pupil to the advisory board to review school attendance, the principal shall notify the parent or legal guardian of the pupil and request the parent or legal guardian to sign a written *or electronic* consent that authorizes the school and, if applicable, the school district to release the records of the pupil to the advisory board to the extent that such release is necessary for the advisory board to carry out its duties pursuant to NRS 392.146 and 392.147. The written consent must comply with the applicable requirements of 20 U.S.C. § 1232g(b) and 34 C.F.R. Part 99. If the parent or legal guardian refuses to sign the consent, the principal shall:

(a) Report the pupil to an attendance officer, a school police officer or the local law enforcement agency pursuant to paragraph (a) of subsection 2; or

(b) Refer the pupil for the imposition of administrative sanctions pursuant to paragraph (c) of subsection 2.

**Sec. 24.** NRS 392.146 is hereby amended to read as follows:

392.146 A written *or electronic* referral of a pupil to an advisory board to review school attendance must include the dates on which the pupil was truant from school and all action taken by the school to assist the pupil to attend school. The advisory board may request clarification of any information contained in the written *or electronic* referral or any additional information that the advisory board considers necessary. The school shall provide written *or electronic* notice of the referral to the parents or legal guardian of the pupil. The written *or electronic* notice must include, without limitation:

1. The name and address of the pupil referred;
2. A written *or electronic* explanation of the reason for the referral;
3. A summary of the provisions of NRS 392.147; and
4. The address and telephone number of the advisory board to review school attendance.

**Sec. 25.** NRS 392.147 is hereby amended to read as follows:

392.147 1. If an advisory board to review school attendance receives a written *or electronic* referral of a pupil pursuant to NRS 392.146, the advisory board shall set a date, time and place for a hearing. The pupil and the pupil's parents or legal guardian shall attend the hearing held by the advisory board. The hearing must be closed to the public. The chair of an advisory board to review school attendance may request that subpoenas for a hearing conducted pursuant to this section be issued to:

(a) The parent or legal guardian of a pupil who has been referred to the advisory board or any other person that the advisory board considers necessary to the hearing.

(b) A pupil who has been referred to the advisory board.

2. If a pupil and the pupil's parents or legal guardian do not attend the hearing, the chair of the advisory board shall:

(a) Report the pupil to an attendance officer, a school police officer or the appropriate local law enforcement agency for investigation and issuance of a citation, if warranted in accordance with NRS 392.149; or

(b) Refer the pupil for the imposition of administrative sanctions in accordance with NRS 392.148.

3. If an advisory board to review school attendance determines that the status of a pupil as a habitual truant can be adequately addressed through participation by the pupil in programs and services available in the community, the advisory board shall order the pupil to participate in such programs and services. If the pupil does not agree to participate in such programs and services, the chair of the advisory board shall report the pupil to an attendance officer, a school police officer or the appropriate local law enforcement agency for investigation and issuance of a citation, if warranted in accordance with NRS 392.149, or refer the pupil for the imposition of administrative sanctions in accordance with NRS 392.148. If the pupil agrees to participate in such programs and services, the advisory board, the pupil and the parents or legal guardian of the pupil shall enter into a written *or electronic* agreement that:

(a) Sets forth the findings of the advisory board;

(b) Sets forth the terms and conditions of the pupil's participation in the programs and services designated by the advisory board; and

(c) Adequately informs the pupil and the pupil's parents or legal guardian that if the pupil or his or her parents or legal guardian do not comply with the terms of the written *or electronic* agreement, the chair of the advisory board is legally obligated to report the pupil to an attendance officer, a school police officer or the appropriate local law enforcement agency for investigation and issuance of a citation, if warranted in accordance with NRS 392.149, or refer the pupil for the imposition of administrative sanctions in accordance with NRS 392.148.

↪ The parents or legal guardian of the pupil shall, upon the request of the advisory board, provide proof satisfactory to the advisory board that the pupil

is participating in the programs and services set forth in the written *or electronic* agreement.

4. The chair of an advisory board to review school attendance shall report a pupil to an attendance officer, a school police officer or the appropriate local law enforcement agency or refer the pupil for the imposition of administrative sanctions in accordance with NRS 392.148 if:

(a) The pupil and the pupil's parents or legal guardian fail to attend a hearing set by the advisory board pursuant to subsection 1;

(b) The advisory board determines that the status of a pupil as a habitual truant cannot be adequately addressed by requiring the pupil to participate in programs and services available in the community;

(c) The pupil does not consent to participation in programs and services pursuant to subsection 3; or

(d) The pupil or the pupil's parents or legal guardian violates the terms of the written *or electronic* agreement entered into pursuant to subsection 3.

5. If the chair of an advisory board makes a report to an attendance officer, a school police officer or the local law enforcement agency pursuant to subsection 4, the chair shall:

(a) Submit to the attendance officer, school police officer or law enforcement agency, as applicable, written *or electronic* documentation of all efforts made by the advisory board to address the status of the pupil as a habitual truant; and

(b) Make recommendations to the attendance officer, school police officer or law enforcement agency, as applicable, regarding the appropriate disposition of the case.

6. If the chair of an advisory board refers a pupil for the imposition of administrative sanctions pursuant to subsection 4, the chair shall:

(a) Provide written *or electronic* documentation of all efforts made by the advisory board to address the status of the pupil as a habitual truant; and

(b) Make recommendations regarding the appropriate disposition of the case.

7. If the parents or legal guardian of a pupil enter into a written *or electronic* agreement pursuant to this section, the parents or legal guardian may appeal to the board of trustees of the school district a determination made by the advisory board concerning the contents of the written *or electronic* agreement. Upon receipt of such a request, the board of trustees of the school district shall review the determination in accordance with the procedure established by the board of trustees for such matters.

8. The board of trustees of each school district shall adopt policies and rules to protect the confidentiality of the deliberations, findings and determinations made by an advisory board and information concerning a pupil and the family of a pupil. An advisory board shall not disclose information concerning the records of a pupil or services provided to a pupil or the pupil's family unless the disclosure is specifically authorized by statute or by the

policies and rules of the board of trustees and is necessary for the advisory board to carry out its duties.

**Sec. 26.** NRS 392.148 is hereby amended to read as follows:

392.148 1. Upon receipt of a report pursuant to NRS 392.144 or 392.147, a school police officer or a person designated pursuant to subsection 6 shall conduct an investigation, set a date for a hearing and provide a written *or electronic* notice of the hearing to the parent or legal guardian of the pupil. If it appears after investigation and a hearing that a pupil is a habitual truant, a school police officer or a person designated pursuant to subsection 6 may issue an order imposing the following administrative sanctions against a pupil:

(a) If it is the first time that administrative sanctions have been issued pursuant to this section because the pupil is a habitual truant, and the pupil is 14 years of age or older, order the suspension of the driver's license of the pupil for at least 30 days but not more than 6 months. If the pupil does not possess a driver's license, the order must provide that the pupil is prohibited from applying for a driver's license for 30 days:

(1) Immediately following the date of the order if the pupil is eligible to apply for a driver's license; or

(2) After the date the pupil becomes eligible to apply for a driver's license if the pupil is not eligible to apply for a driver's license.

(b) If it is the second time or any subsequent time that administrative sanctions have been issued pursuant to this section because the pupil is a habitual truant, and the pupil is 14 years of age or older, order the suspension of the driver's license of the pupil for at least 60 days but not more than 1 year. If the pupil does not possess a driver's license, the order must provide that the pupil is prohibited from applying for a driver's license for 60 days immediately following:

(1) The date of the order if the pupil is eligible to apply for a driver's license; or

(2) The date the pupil becomes eligible to apply for a driver's license if the pupil is not eligible to apply for a driver's license.

2. If a pupil applies for a driver's license, the Department of Motor Vehicles shall:

(a) Notify the pupil of the provisions of this section that authorize the suspension of the driver's license of the pupil; and

(b) Require the pupil to sign an affidavit acknowledging that the pupil is aware that his or her driver's license may be suspended pursuant to this section.

3. If an order is issued pursuant to this section delaying the ability of the pupil to receive a driver's license, a copy of the order must be forwarded to the Department of Motor Vehicles not later than 5 days after the order is issued.

4. If an order is issued pursuant to this section suspending the driver's license of a pupil:

(a) The pupil shall surrender his or her driver's license to the school police officer or the person designated pursuant to subsection 6.

(b) Not later than 5 days after issuing the order, the school police officer or the designated person shall forward to the Department of Motor Vehicles a copy of the order and the driver's license of the pupil.

(c) The Department of Motor Vehicles:

(1) Shall report the suspension of the driver's license of the pupil to an insurance company or its agent inquiring about the pupil's driving record, but such a suspension must not be considered for the purpose of rating or underwriting.

(2) Shall not treat the suspension in the manner statutorily required for moving traffic violations.

(3) Shall not require the pupil to submit to the tests and other requirements which are adopted by regulation pursuant to subsection 1 of NRS 483.495 as a condition of reinstatement or reissuance after the suspension of a driver's license.

5. The parent or legal guardian of a pupil may request a hearing before a person designated by the board of trustees of the school district in which the pupil is enrolled to appeal the imposition of any administrative sanctions pursuant to this section. The person designated by the board of trustees shall, not later than 30 days after receipt of the request, hold a hearing to review the reason for the imposition of any administrative sanctions. Not later than 30 days after the hearing, the person designated by the board of trustees shall issue a written decision affirming, denying or modifying the decision to impose administrative sanctions and mail a copy of the decision to the parent or legal guardian of the pupil.

6. If a public school does not have a school police officer assigned to it, the principal of the school may designate a qualified person to carry out the requirements of this section.

**Sec. 27.** NRS 392.149 is hereby amended to read as follows:

392.149 1. Upon receipt of a report pursuant to NRS 392.144 or 392.147, if it appears after investigation that a pupil is a habitual truant, the attendance officer, school police officer or law enforcement agency to whom the report is made shall prepare manually or electronically a citation directing the pupil to appear in the proper juvenile court.

2. A copy of the citation must be delivered to the pupil and to the parent, guardian or any other person who has control or charge of the pupil by:

(a) The local law enforcement agency;

(b) A school police officer employed by the board of trustees of the school district; or

(c) An attendance officer appointed by the board of trustees of the school district.

3. The citation must be in the form prescribed for misdemeanor citations in NRS 171.1773.

4. The provisions of this section apply to all pupils who are required to *enroll in and* attend school pursuant to NRS 392.040.

**Sec. 28.** NRS 392.150 is hereby amended to read as follows:

392.150 1. The board of trustees of a school district may appoint an attendance officer for the school district, who need not be a licensed employee of the school district, except that in any school district where a system of classified employment is in effect, attendance officers must be classified employees of the school district. If the board of trustees appoints an attendance officer for the school district, the board of trustees may:

- (a) Fix the compensation of the attendance officer;
- (b) Prescribe the duties of the attendance officer; and
- (c) Adopt regulations not inconsistent with law for the performance of the duties of the attendance officer.

2. The board of trustees of each school district shall:

(a) Establish procedures to monitor the attendance, *chronic absenteeism* and truancy of pupils, including, without limitation, a standard method for reporting the *chronic absenteeism and* truancy of pupils and a standard method for reporting excessive absences of pupils throughout the school district;

(b) Coordinate efforts to refer pupils who are truant to appropriate providers of community services; and

(c) Determine, based on the attendance, *chronic absenteeism* and truancy of pupils at each school within the school district, whether to employ an attendance clerk for a particular school or group of schools whose primary responsibility is to monitor the attendance and truancy of pupils.

**3. *The Department shall adopt by regulation a definition of the term "chronic absenteeism." The board of trustees of each school district shall ensure that the actions taken pursuant to subsection 2 are consistent with such a definition.***

**Sec. 29.** NRS 392.170 is hereby amended to read as follows:

392.170 Upon the written complaint of any person, the board of trustees of a school district or the governing body of a charter school shall:

1. Make a full and impartial investigation of all charges against parents, guardians or other persons having control or charge of any child who is under 18 years of age and required to *enroll in and* attend school pursuant to NRS 392.040 for violation of any of the provisions of NRS 392.040 to ~~392.110,~~ **392.075**, inclusive, or 392.130 to 392.160, inclusive.

2. Make and file a written *or electronic* report of the investigation and the findings thereof in the records of the board.

**Sec. 30.** NRS 392.180 is hereby amended to read as follows:

392.180 If it appears upon investigation that any parent, guardian or other person having control or charge of any child who is under 18 years of age and required to *enroll in and* attend school pursuant to NRS 392.040 has violated any of the provisions of NRS 392.040 to ~~392.110,~~ **392.075**, inclusive, or 392.130 to 392.160, inclusive, the clerk of the board of trustees or the governing body of a charter school in which the child is enrolled, except as otherwise provided in NRS 392.190, shall make and file in the proper court a

criminal complaint against the parent, guardian or other person, charging the violation, and shall see that the charge is prosecuted by the proper authority.

**Sec. 31.** NRS 392.200 is hereby amended to read as follows:

392.200 Any taxpayer, school administrator, school officer or deputy school officer in the State of Nevada may make and file in the proper court a criminal complaint against a parent, guardian or other person who has control or charge of any child who is under 18 years of age and required to *enroll in and* attend school pursuant to NRS 392.040 and who violates any of the provisions of law requiring the *enrollment and* attendance of children in the public schools of this State.

**Sec. 32.** NRS 392.210 is hereby amended to read as follows:

392.210 1. Except as otherwise provided in subsection 2, a parent, guardian or other person who has control or charge of any child and to whom notice has been given of the child's truancy as provided in NRS 392.130, ~~and 392.140,~~ and who fails to prevent the child's subsequent truancy within that school year, is guilty of a misdemeanor.

2. A person who is licensed pursuant to NRS 424.030 to conduct a foster home is liable pursuant to subsection 1 for a child in his or her foster care only if the person has received notice of the truancy of the child as provided in NRS 392.130, ~~and 392.140,~~ and negligently fails to prevent the subsequent truancy of the child within that school year.

**Sec. 33.** NRS 392.215 is hereby amended to read as follows:

392.215 Any parent, guardian or other person who, with intent to deceive under NRS 392.040 to ~~392.140,~~ **392.075**, inclusive, or 392.130 to 392.165, inclusive:

1. Makes a false statement concerning the age or attendance at school;
  2. Presents a false birth certificate or record of attendance at school; or
  3. Refuses to furnish a suitable identifying document, record of attendance at school or proof of change of name, upon request by a local law enforcement agency conducting an investigation in response to notification pursuant to subsection 4 of NRS 392.165,
- ↪ of a child under 18 years of age who is under his or her control or charge, is guilty of a misdemeanor.

**Sec. 34.** NRS 392.264 is hereby amended to read as follows:

392.264 1. If a superintendent of a school district receives notification and a victim identified in the notification is a pupil in the school district, the superintendent shall not permit an offender who is subject to the provisions of NRS 62F.100 to 62F.150, inclusive, to *enroll in or* attend a public school that a victim is *enrolled in or* attending unless:

(a) An alternative plan of supervision is approved by the court pursuant to NRS 62F.130; or

(b) An alternative plan of attendance is approved by the court pursuant to NRS 62F.140.

2. If the court does not approve an alternative plan of supervision or an alternative plan of attendance for the offender and the school district in which



the offender resides does not have another public school in the district for the offender to *enroll in and* attend, the superintendent of the school district shall negotiate an agreement with:

(a) The superintendent of an adjoining school district within this state for the offender to *enroll in and* attend a public school in that adjoining school district; or

(b) The superintendent, or another appropriate administrator, of an adjoining school district in an adjoining state for the offender to *enroll in and* attend a public school in that adjoining school district.

3. The superintendent of the school district in which the offender resides shall inform the person with whom the superintendent is negotiating that the offender has been adjudicated delinquent for a sexual offense or a sexually motivated act, but the superintendent shall not disclose the name of a victim.

4. An agreement which is made pursuant to this section and which is presented to a board of trustees for approval:

(a) Must not contain the name of a victim;

(b) Must comply with the provisions of subsections 2 and 3 of NRS 392.010; and

(c) Must be approved by the Superintendent of Public Instruction.

5. A board of trustees may terminate an agreement entered into pursuant to this section if, because of a change in circumstances, the offender is able to *enroll in and* attend a public school in the school district in which the offender resides without violating subsection 1.

**Sec. 35.** NRS 392.268 is hereby amended to read as follows:

392.268 If a school district incurs additional costs for transporting an offender because the offender is prohibited from *enrolling in or* attending a public school that a victim is *enrolled in or* attending, the school district is entitled to reimbursement of all or part of those costs from the parents or guardians of the offender to the extent ordered by the court pursuant to NRS 62F.110. The superintendent of the school district or the parents or guardians of the offender may petition the court to reconsider the amount of reimbursement ordered by the court.

**Sec. 36.** NRS 394.098 is hereby amended to read as follows:

394.098 “Postsecondary education” is limited to education or educational services offered by an institution which is privately owned to persons who have completed or terminated their elementary and secondary education or who are beyond the age of compulsory school *enrollment and* attendance for the attainment of academic, professional or vocational objectives.

**Sec. 37.** NRS 394.103 is hereby amended to read as follows:

394.103 “Private schools” means private elementary and secondary educational institutions. The term does not include a home in which instruction is provided to a child who is excused from compulsory *enrollment and* attendance pursuant to NRS 392.070.

**Sec. 38.** NRS 62A.240 is hereby amended to read as follows:

62A.240 “Private school” includes private elementary and secondary educational institutions. The term does not include a home in which instruction is provided to a child who is excused from compulsory *enrollment and attendance* pursuant to NRS 392.070 or a school or educational program that is conducted exclusively for children who have been adjudicated delinquent.

**Sec. 39.** NRS 62B.320 is hereby amended to read as follows:

62B.320 1. Except as otherwise provided in this title, the juvenile court has exclusive original jurisdiction in proceedings concerning any child living or found within the county who is alleged or adjudicated to be in need of supervision because the child:

(a) Is subject to compulsory school *enrollment and attendance* and is a habitual truant from school;

(b) Habitually disobeys the reasonable and lawful demands of the parent or guardian of the child and is unmanageable;

(c) Deserts, abandons or runs away from the home or usual place of abode of the child and is in need of care or rehabilitation;

(d) Uses an electronic communication device to transmit or distribute a sexual image of himself or herself to another person or to possess a sexual image in violation of NRS 200.737;

(e) Transmits or distributes an image of bullying committed against a minor in violation of NRS 200.900;

(f) Violates a county or municipal ordinance imposing a curfew on a child;

(g) Violates a county or municipal ordinance restricting loitering by a child;

(h) Commits an offense related to tobacco; or

(i) Commits an alcohol or marijuana offense that is punishable pursuant to paragraph (a) of subsection 1 of NRS 62E.173.

2. A child who is subject to the jurisdiction of the juvenile court pursuant to this section must not be considered a delinquent child.

3. The provisions of subsection 1 do not prohibit the imposition of administrative sanctions pursuant to NRS 392.148 against a child who is subject to compulsory school *enrollment and attendance* and is a habitual truant from school.

4. As used in this section:

(a) “Alcohol or marijuana offense” has the meaning ascribed to it in NRS 62E.173.

(b) “Bullying” means a willful act which is written, verbal or physical, or a course of conduct on the part of one or more persons which is not otherwise authorized by law and which exposes a person one time or repeatedly and over time to one or more negative actions which is highly offensive to a reasonable person and:

(1) Is intended to cause or actually causes the person to suffer harm or serious emotional distress;

(2) Poses a threat of immediate harm or actually inflicts harm to another person or to the property of another person;

(3) Places the person in reasonable fear of harm or serious emotional distress; or

(4) Creates an environment which is hostile to a pupil by interfering with the education of the pupil.

(c) “Electronic communication device” has the meaning ascribed to it in NRS 200.737.

(d) “Sexual image” has the meaning ascribed to it in NRS 200.737.

**Sec. 40.** NRS 129.090 is hereby amended to read as follows:

129.090 1. A petition filed pursuant to NRS 129.080 must be in writing, verified by the petitioner and set forth:

(a) The name, age and address of the minor;

(b) The names and addresses of the parents of the minor;

(c) The name and address of any legal guardian of the minor;

(d) If no parent or guardian can be found, the name and address of the child’s nearest known relative residing within this state;

(e) Facts relating to the minor’s education, employment, and length of residence apart from his or her parents or guardian;

(f) That the minor willingly lives apart from his or her parents or legal guardian with the consent or acquiescence of his or her parents or legal guardian;

(g) That the minor is managing his or her own financial affairs;

(h) That the source of the minor’s income is not derived from any activity declared to be a crime by the laws of this state or the United States; and

(i) That the minor is attending school or has been excused from *enrolling in and* attending school pursuant to NRS 392.040 to 392.125, inclusive.

2. If any of the facts required by subsection 1 are not known, the petition must so state.

3. For filing the petition, the clerk of the district court shall charge the fees prescribed by law for the commencement of civil actions or proceedings generally.

**Sec. 41.** NRS 361.068 is hereby amended to read as follows:

361.068 1. The following personal property is exempt from taxation:

(a) Personal property held for sale by a merchant;

(b) Personal property held for sale by a manufacturer;

(c) Raw materials and components held by a manufacturer for manufacture into products, and supplies to be consumed in the process of manufacture;

(d) Tangible personal property purchased by a business which will be consumed during the operation of the business;

(e) Livestock;

(f) Colonies of bees;

(g) Pipe and other agricultural equipment used to convey water for the irrigation of legal crops;

(h) All boats;

(i) Slide-in campers and camper shells;

(j) Except as otherwise provided in NRS 361.186, fine art for public display; and

(k) All personal property that is:

(1) Owned by a person who is not a resident of this state; and

(2) Located in this state solely for the purposes of:

(I) An exhibit that is used in a convention or tradeshow that is located in this State; or

(II) A display, exhibition, carnival, fair or circus that is transient in nature and is located in this State for not more than 30 days.

2. The Nevada Tax Commission may exempt from taxation that personal property for which the annual taxes would be less than the cost of collecting those taxes. If such an exemption is provided, the Nevada Tax Commission shall annually determine the average cost of collecting property taxes in this state which must be used in determining the applicability of the exemption.

3. A person claiming the exemption provided for in paragraph (j) of subsection 1 shall:

(a) On or before June 15 for the next ensuing fiscal year, file with the county assessor an affidavit declaring that the fine art will, during that ensuing fiscal year, meet all the criteria set forth in paragraph (b) of subsection 4; and

(b) During any fiscal year in which the person claims the exemption, make available for educational purposes and not for resale, upon written request and without charge to any public school as defined in NRS 385.007, private school as defined in NRS 394.103 and parent of a child who receives instruction in a home pursuant to NRS 392.070, one copy of a poster depicting the fine art that the facility has on public display if such a poster is available for purchase by the public at the time of the request.

4. As used in this section:

(a) “Boat” includes any vessel or other watercraft, other than a seaplane, used or capable of being used as a means of transportation on the water.

(b) “Fine art for public display”:

(1) Except as otherwise provided in subparagraph (2), means a work of art which:

(I) Is an original painting in oil, mineral, water colors, vitreous enamel, pastel or other medium, an original mosaic, drawing or sketch, an original sculpture of clay, textiles, fiber, wood, metal, plastic, glass or a similar material, an original work of mixed media or a lithograph;

(II) Was purchased in an arm’s length transaction for \$25,000 or more, or has an appraised value of \$25,000 or more;

(III) Is on public display in a public or private art gallery, museum or other building or area in this state for at least 20 hours per week during at least 35 weeks of each year for which the exemption is claimed or, if the facility displaying the fine art disposes of it before the end of that year, during at least two-thirds of the full weeks during which the facility had possession of it, or if the gallery, museum or other building or area in which the fine art will be displayed will not be opened until after the beginning of the fiscal year for

which the exemption is claimed, these display requirements must be met for the first full fiscal year after the date of opening, and the date of opening must not be later than 2 years after the purchase of the fine art being displayed; and

(IV) Is on display in a facility that is available for group tours by pupils or students for at least 5 hours on at least 60 days of each full year for which the exemption is claimed, during which the facility in which it is displayed is open, by prior appointment and at reasonable times, without charge; and

(2) Does not include:

(I) A work of fine art that is a fixture or an improvement to real property;

(II) A work of fine art that constitutes a copy of an original work of fine art, unless the work is a lithograph that is a limited edition and that is signed and numbered by the artist;

(III) Products of filmmaking or photography, including, without limitation, motion pictures;

(IV) Literary works;

(V) Property used in the performing arts, including, without limitation, scenery or props for a stage; or

(VI) Property that was created for a functional use other than, or in addition to, its aesthetic qualities, including, without limitation, a classic or custom-built automobile or boat, a sign that advertises a business, and custom or antique furniture, lamps, chandeliers, jewelry, mirrors, doors or windows.

(c) “Personal property held for sale by a merchant” includes property that:

(1) Meets the requirements of sub-subparagraphs (I) and (II) of subparagraph (1) of paragraph (b);

(2) Is made available for sale within 2 years after it is acquired; and

(3) Is made available for viewing by the public or prospective purchasers, or both, within 2 years after it is acquired, whether or not a fee is charged for viewing it and whether or not it is also used for purposes other than viewing.

(d) “Public display” means the display of a work of fine art where members of the public have access to the work of fine art for viewing during publicly advertised hours. The term does not include the display of a work of fine art in an area where the public does not generally have access, including, without limitation, a private office, hallway or meeting room of a business, a room of a business used for private lodging and a private residence.

(e) “Pupil” means a person who:

(1) Is enrolled for the current academic year in a public school as defined in NRS 385.007 or a private school as defined in NRS 394.103; or

(2) Receives instruction in a home and is excused from compulsory **enrollment and** attendance pursuant to NRS 392.070.

(f) “Student” means a person who is enrolled for the current academic year in:

(1) A community college or university; or

(2) A licensed postsecondary educational institution as defined in NRS 394.099 and a course concerning fine art.

**Sec. 42.** NRS 483.2521 is hereby amended to read as follows:

483.2521 1. Except as otherwise provided in subsection 4, the Department may issue a driver's license to a person who is 16 or 17 years of age if the person:

(a) Except as otherwise provided in subsection 2, has completed:

(1) A course in automobile driver education pursuant to NRS 389.090; or

(2) A course provided by a school for training drivers which is licensed pursuant to NRS 483.700 to 483.780, inclusive, and which complies with the applicable regulations governing the establishment, conduct and scope of automobile driver education adopted by the State Board of Education pursuant to NRS 389.090;

(b) Except as otherwise provided in subsection 3, has at least 50 hours of supervised experience in driving a motor vehicle with a restricted license, instruction permit or restricted instruction permit issued pursuant to NRS 483.267, 483.270 or 483.280, including, without limitation, at least 10 hours of experience in driving a motor vehicle during darkness;

(c) Except as otherwise provided in subsection 3, submits to the Department, on a form provided by the Department, a log which contains the dates and times of the hours of supervised experience required pursuant to this section and which is signed:

(1) By his or her parent or legal guardian; or

(2) If the person applying for the driver's license is an emancipated minor, by a licensed driver who is at least 21 years of age or by a licensed driving instructor,

↪ who attests that the person applying for the driver's license has completed the training and experience required pursuant to paragraphs (a) and (b);

(d) Submits to the Department:

(1) A written statement signed by the principal of the public school in which the person is enrolled or by a designee of the principal and which is provided to the person pursuant to NRS 392.123;

(2) A written statement signed by the parent or legal guardian of the person which states that the person is excused from compulsory *enrollment and* attendance pursuant to NRS 392.070;

(3) A copy of the person's high school diploma or certificate of attendance; or

(4) A copy of the person's certificate of general educational development or an equivalent document;

(e) Has not been found to be responsible for a motor vehicle crash during the 6 months before applying for the driver's license;

(f) Has not been convicted of or found by a court to have committed a moving traffic violation or convicted of a crime involving alcohol or a controlled substance during the 6 months before applying for the driver's license; and

(g) Has held an instruction permit for not less than 6 months before applying for the driver's license.

2. If a course described in paragraph (a) of subsection 1 is not offered within a 30-mile radius of a person's residence, the person may, in lieu of completing such a course as required by that paragraph, complete an additional 50 hours of supervised experience in driving a motor vehicle in accordance with paragraph (b) of subsection 1.

3. In lieu of the supervised experience required pursuant to paragraph (b) of subsection 1, a person applying for a Class C noncommercial driver's license may provide to the Department proof that the person has successfully completed:

(a) The training required pursuant to paragraph (a) of subsection 1; and

(b) A hands-on course in defensive driving that has been approved by the Department pursuant to NRS 483.727.

4. A person who is 16 or 17 years of age, who has held an instruction permit issued pursuant to subsection 4 of NRS 483.280 authorizing the holder of the permit to operate a motorcycle and who applies for a driver's license pursuant to this section that authorizes him or her to operate a motorcycle must comply with the provisions of paragraphs (d) to (g), inclusive, of subsection 1 and must:

(a) Except as otherwise provided in subsection 5, complete a course of motorcycle safety approved by the Department;

(b) Have at least 50 hours of experience in driving a motorcycle with an instruction permit issued pursuant to subsection 4 of NRS 483.280; and

(c) Submit to the Department, on a form provided by the Department, a log which contains the dates and times of the hours of experience required pursuant to paragraph (b) and which is signed by his or her parent or legal guardian who attests that the person applying for the motorcycle driver's license has completed the training and experience required pursuant to paragraphs (a) and (b).

5. If a course described in paragraph (a) of subsection 4 is not offered within a 30-mile radius of a person's residence, the person may, in lieu of completing the course, complete an additional 50 hours of experience in driving a motorcycle in accordance with paragraph (b) of subsection 4.

**Sec. 43.** NRS 483.267 is hereby amended to read as follows:

483.267 1. The Department may issue a restricted license to any applicant between the ages of 14 and 18 years which entitles the applicant to drive a motor vehicle upon a highway if a member of his or her household has a medical condition which renders that member unable to operate a motor vehicle, and a hardship exists which requires the applicant to drive.

2. An application for a restricted license under this section must:

(a) Be made upon a form provided by the Department.

(b) Contain a statement that a person living in the same household with the applicant suffers from a medical condition which renders that person unable to operate a motor vehicle and explaining the need for the applicant to drive.

(c) Be signed and verified as provided in NRS 483.300.

(d) Include:

(1) A written statement signed by the principal of the public school in which the applicant is enrolled or by a designee of the principal and which is provided to the applicant pursuant to NRS 392.123;

(2) A written statement signed by the parent or legal guardian of the applicant which states that the applicant is excused from compulsory school *enrollment and* attendance pursuant to NRS 392.070;

(3) A copy of the applicant's high school diploma or certificate of attendance; or

(4) A copy of the applicant's certificate of general educational development or an equivalent document.

(e) Contain such other information as may be required by the Department.

3. A restricted license issued pursuant to this section:

(a) Is effective for the period specified by the Department;

(b) Authorizes the licensee to operate a motor vehicle on a street or highway only under conditions specified by the Department; and

(c) May contain other restrictions which the Department deems necessary.

4. No license may be issued under this section until the Department is satisfied fully as to the applicant's competency and fitness to drive a motor vehicle.

**Sec. 44.** NRS 483.270 is hereby amended to read as follows:

483.270 1. The Department may issue a restricted license to any pupil between the ages of 14 and 18 years who is attending:

(a) A public school in a school district in this State in a county whose population is less than 55,000 or in a city or town whose population is less than 25,000 when transportation to and from school is not provided by the board of trustees of the school district, if the pupil meets the requirements for eligibility adopted by the Department pursuant to subsection 5; or

(b) A private school meeting the requirements for approval under NRS 392.070 when transportation to and from school is not provided by the private school,

↪ and it is impossible or impracticable to furnish such pupil with private transportation to and from school.

2. An application for the issuance of a restricted license under this section must:

(a) Be made upon a form provided by the Department.

(b) Be signed and verified as provided in NRS 483.300.

(c) Include a written statement signed by the:

(1) Principal of the public school in which the pupil is enrolled or by a designee of the principal and which is provided to the applicant pursuant to NRS 392.123; or

(2) Parent or legal guardian of the pupil which states that the pupil is excused from compulsory school *enrollment and* attendance pursuant to NRS 392.070.

(d) Contain such other information as may be required by the Department.

3. Any restricted license issued pursuant to this section:



(a) Is effective only for the school year during which it is issued or for a more restricted period.

(b) Authorizes the licensee to drive a motor vehicle on a street or highway only while going to and from school, and at a speed not in excess of 55 miles per hour.

(c) May contain such other restrictions as the Department may deem necessary and proper.

(d) May authorize the licensee to transport as passengers in a motor vehicle driven by the licensee, only while the licensee is going to and from school, members of his or her immediate family, or other minor persons upon written consent of the parents or guardians of such minors, but in no event may the number of passengers so transported at any time exceed the number of passengers for which the vehicle was designed.

4. No restricted license may be issued under the provisions of this section until the Department is satisfied fully as to the applicant's competency and fitness to drive a motor vehicle.

5. The Department shall adopt regulations that set forth the requirements for eligibility of a pupil to receive a restricted license pursuant to paragraph (a) of subsection 1.

**Sec. 45.** NRS 644A.700 is hereby amended to read as follows:

644A.700 1. Any person desiring to conduct a school of cosmetology in which any one or any combination of the occupations of cosmetology are taught must apply to the Board for a license, through the owner, manager or person in charge, upon forms prepared and furnished by the Board. Each application must contain proof of the particular requisites for a license provided for in this chapter, and the applicant must certify that all the information contained in the application is truthful and accurate. The forms must be accompanied by:

(a) A detailed floor plan of the proposed school;

(b) The name, address and number of the license of the manager or person in charge and of each instructor;

(c) Evidence of financial ability to provide the facilities and equipment required by regulations of the Board and to maintain the operation of the proposed school for 1 year;

(d) Proof that the proposed school will commence operation with an enrollment of a number of students acceptable to the Board;

(e) The applicable fee for a license;

(f) A copy of the contract for the enrollment of a student in a program at the school of cosmetology; and

(g) The name and address of the person designated to accept service of process.

2. Upon receipt by the Board of the application, the Board shall, before issuing a license, determine whether the proposed school:

(a) Is suitably located.

(b) Contains adequate floor space and adequate equipment.

(c) Has a contract for the enrollment of a student in a program at the school of cosmetology that is approved by the Board.

(d) Admits as regular students only persons who have received a certificate of graduation from high school, or the recognized equivalent of such a certificate, or who are beyond the age of compulsory school *enrollment and attendance*.

(e) Meets all requirements established by regulations of the Board.

3. The fee for issuance of a license for a school of cosmetology is:

(a) For 2 years, not less than \$500 and not more than \$800.

(b) For 4 years, not less than \$1,000 and not more than \$1,600.

4. If the proposed school meets all requirements established by this chapter and the regulations adopted pursuant thereto, the Board shall issue a license to the proposed school. The license must contain:

(a) The name of the proposed school;

(b) A statement that the proposed school is authorized to operate educational programs beyond secondary education; and

(c) Such other information as the Board considers necessary.

5. If the ownership of the school changes or the school moves to a new location, the school may not be operated until a new license is issued by the Board.

6. The Board shall, by regulation, prescribe:

(a) The minimum enrollment of students required by paragraph (d) of subsection 1; and

(b) The amount of floor space required by paragraph (b) of subsection 2.

7. After a license has been issued for the operation of a school of cosmetology, the licensee must obtain the approval of the Board before making any changes in the physical structure of the school.

**Sec. 46.** NRS 392.080 and 392.110 are hereby repealed.

**Sec. 47.** This act becomes effective on July 1, 2023.

#### **TEXT OF REPEALED SECTIONS**

##### **392.080 Attendance excused for distant residence from nearest school.**

Attendance required by the provisions of NRS 392.040 shall be excused when the Superintendent of Public Instruction has determined that the child's residence is located at such distance from the nearest public school as to render attendance unsafe or impractical, and the child's parent or guardian has notified the board of trustees to that effect in writing.

##### **392.110 Attendance excused for child between 15 and 18 years of age who has completed eighth grade to enter employment or apprenticeship; written permit required.**

1. Any child between the ages of 15 and 18 years who has completed the work of the first eight grades may be excused from full-time school attendance and may be permitted to enter proper employment or apprenticeship, by the written authority of the board of trustees excusing the child from such

attendance. The board's written authority must state the reason or reasons for such excuse.

2. In all such cases, no employer or other person shall employ or contract for the services or time of such child until the child presents a written permit therefor from the attendance officer or board of trustees. The permit must be kept on file by the employer and, upon the termination of employment, must be returned by the employer to the board of trustees or other authority issuing it.

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. 71.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources:

Amendment No. 112.

AN ACT relating to environmental justice; requiring the Division of Environmental Protection of the State Department of Conservation and Natural Resources to conduct an interim study concerning environmental justice; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

**Section 9** of this bill directs the Division of Environmental Protection of the State Department of Conservation and Natural Resources to conduct an interim study concerning environmental justice. In conducting the study, **section 9** requires the Division to identify: (1) the communities in this State that face the greatest cumulative environmental burdens; (2) methods for preventing the increase of the cumulative environmental burdens of such communities; and (3) strategies to decrease the cumulative environmental burdens of such communities. **Section 9** authorizes the Division to contract with a private entity to conduct the study.

**Sections 1-8** of this bill define various terms relating to environmental justice and the interim study required by **section 9**.

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

**Section 1.** As used in this act, unless the context otherwise requires, the words and terms defined in sections 2 to 8, inclusive, of this act have the meanings ascribed to them in those sections.

**Sec. 2.** "Cumulative environmental burden" means the overlap and amplification of environmental burdens in a manner that disproportionately impacts a given geographic area.

**Sec. 3.** “Division” means the Division of Environmental Protection of the State Department of Conservation and Natural Resources.

**Sec. 4.** “Environmental burden” means any significant impact to clean air, water and land, including, without limitation, any destruction, damage or impairment of natural resources resulting from intentional or reasonably foreseeable causes. The term includes, without limitation:

1. The impacts of climate change and any resulting exposure to extreme temperatures;
2. Air and water pollution;
3. Improper sewage disposal and improper handling of solid wastes and other noxious substances;
4. Excessive noise;
5. Inadequate remediation of pollution;
6. The reduction of groundwater levels;
7. Increased flooding or storm water flows;
8. Home and building hazards, including, without limitation, lead paint, lead plumbing, asbestos and mold;
9. Excessive energy costs and increased energy outages;
10. Damage to inland waterways and waterbodies, wetlands, forests, green spaces or recreational facilities and other venues;
11. Activities that limit access to green spaces, nutritious foods, Indigenous foods or cultural resources or recreational facilities and other venues; and
12. Limited access to health care and higher rates of complicating health conditions.

**Sec. 5.** “Environmental justice” means, with respect to the development, implementation and enforcement of environmental laws and regulations, the fair treatment and meaningful involvement of all people regardless of race, color, national origin, English language proficiency or income.

**Sec. 6.** “Fair treatment” means that no group of people bear a disproportionate share of the negative consequences resulting from industrial, governmental or commercial operations or policies.

**Sec. 7.** “Historically underserved community” has the meaning ascribed to it in NRS 445B.834.

**Sec. 8.** “Meaningful involvement” means:

1. All persons have the opportunity to participate in decisions about activities that may affect the health and environment of the public;
2. The concerns of the public are considered during the decision-making process of a state agency and can influence the decision-making of the state agency; and
3. The state agency seeks out and facilitates the involvement of any persons potentially affected by a decision when making decisions.

**Sec. 9.** 1. The Division shall conduct an interim study concerning environmental justice issues. The study must:

- (a) Identify:

(1) The communities facing the greatest cumulative environmental burdens in this State;

(2) Methods to prevent an increase in the cumulative environmental burdens on the communities identified by the study; and

(3) Strategies to decrease any existing cumulative environmental burdens that are identified by the study.

(b) Prioritize historically underserved communities in evaluating the cumulative environmental burdens of communities in this State.

2. The Division may ~~fr~~

~~(a) Contract~~ **contract** with a private entity to conduct the study. ~~fr and~~

~~(b) Coordinate~~

**3. In carrying out the study, the Division shall coordinate and collaborate with ~~other state~~ governmental agencies, affected communities, the public and ~~research~~ other interested stakeholders, including, without limitation:**

**(a) Federal, state and local governmental agencies that oversee laws relating to air quality, environmental protection, public health, natural resources and transportation;**

**(b) Tribal governments;**

**(c) Research institutions ~~in this State, as appropriate, in carrying out the study.~~**

**(d) Representatives of environmental organizations;**

**(e) Representatives of the business community; and**

**(f) Representatives of community organizations, including, without limitation, community organizations of indigent populations and underserved communities.**

~~3.4~~ **4.** If the Division contracts with a private entity to conduct the study pursuant to subsection 2, all state agencies must collaborate with the private entity in conducting the study, as necessary, and provide the private entity with any information requested by the private entity to such extent as is consistent with their other lawful duties.

~~4.4~~ **5.** On or before December 31, 2024, the Division shall submit a report of its findings, including, without limitation, any recommendations for legislation, to the Director of the Legislative Counsel Bureau for transmittal to:

(a) The 83rd Session of the Legislature;

(b) The Chair of the Senate Committee on Natural Resources during the 83rd Session of the Legislature; and

(c) The Chair of the Assembly Committee on Natural Resources during the 83rd Session of the Legislature.

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

Assemblywoman Cohen moved the adoption of the amendment.

Remarks by Assemblywoman Cohen.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 74.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 50.

AN ACT relating to higher education; authorizing the Board of Regents of the University of Nevada to enter into an agreement to affiliate with a public or private entity for certain purposes; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires the Board of Regents of the University of Nevada to establish policies governing the contracts that faculty members and employees of the Nevada System of Higher Education may enter into or benefit from. (NRS 396.255) Existing law also authorizes certain faculty members of the System to bid or enter into a contract with a governmental agency if the contract complies with the policies established by the Board of Regents. (NRS 281.221)

**Existing law requires that mechanics and workers employed on certain public construction projects be paid at least the wage then prevailing for the type of work that the mechanic or worker performs in the region in which the public work is located. (NRS 338.020) Under existing law, any contract for construction work of the System for which the estimated cost exceeds \$100,000 is subject to the prevailing wage requirements. (NRS 338.075)**

**Section 1** of this bill authorizes the Board of Regents to enter into an agreement with a public or private entity, whether for profit or not for profit, to promote and enhance an educational program **or student life** at ~~the university~~ **an institution within the System.** **Section 1** requires that such an agreement include certain provisions ~~and~~ **, including, without limitation, a provision stating that the prevailing wage requirements apply to any construction work performed under the agreement.** **Section 2** of this bill establishes that any such agreement is subject to the policies established by the Board of Regents governing contracts that faculty members and employees of the System may enter into or benefit from.

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 a new section to read as follows:

**1. *The Board of Regents may enter into an agreement to affiliate with a publicly or privately owned entity, whether for profit or not for profit, to further promote and enhance an educational program or student life at ~~the university~~ an institution within the System.***

2. An agreement entered into pursuant to this section must include, without limitation:

- (a) Standards that must be met by the entity; ~~and~~
- (b) An allocation of any costs or profits that must be shared between the entity and the ~~university,~~ institution;
- (c) Identification of shared goals and responsibilities;
- (d) Provisions governing the joint employment and supervision of employees, if applicable;
- (e) Provisions governing the shared review and allocation of the use of facilities, resources and employees, if applicable; and
- (f) A provision stating that the requirements of NRS 338.020 to 338.090, inclusive, apply to any construction work performed under the agreement even if the construction work does not qualify as a public work, as defined in NRS 338.010.

Sec. 2. NRS 396.255 is hereby amended to read as follows:

396.255 The Board of Regents shall, to carry out the purposes of subsection 3 of NRS 281.221, subsection 3 of NRS 281.230, subsection 3 of NRS 281A.430 and NRS 396.1215, **and section 1 of this act**, establish policies governing the contracts that faculty members and employees of the System may enter into or benefit from.

Sec. 3. 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. 99.

Bill read second time.

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

Amendment No. 64.

~~AN ACT relating to Medicaid; ~~requiring the Director of the Department of Health and Human Services to take any action necessary to increase certain federally approved rates under certain circumstances;~~~~

**requiring the Division of Health Care Financing and Policy of the Department of Health and Human Services to report certain information to the Legislature;** providing for ~~the annual consideration of~~ **a study on** cost-of-living increases to rates of reimbursement **provided to certain providers** under Medicaid; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires the Department of Health and Human Services to administer the Medicaid program. (NRS 422.270) As a condition of receiving federal financial participation in the Medicaid program of a state, existing federal law requires the state to obtain the approval of the United States Secretary of Health and Human Services of the state plan for Medicaid. (42

U.S.C. § 1396a) ~~[Section 1 of this bill requires the Director of the Department, upon approving an increase in the rate of reimbursement paid for a service or item under Medicaid to an amount greater than the maximum reimbursement rate approved by the Secretary for that service or item, to take any action necessary to obtain a corresponding increase in the maximum federally approved reimbursement rate for that service or item. Section 1 also requires that the Division of Health Care Financing and Policy of the Department annually consider cost of living increases to Medicaid rates of reimbursement. Section 2 of this bill makes a conforming change to indicate the proper placement of section 1 in the Nevada Revised Statutes.] Existing law requires the Division of Health Care Financing and Policy of the Department to review the adequacy of Medicaid reimbursement rates every 4 years and, if the current rate does not reflect the actual cost of providing the service or item, calculate the rate of reimbursement that accurately reflects the actual cost of providing the service or item. (NRS 422.2704) Section 2.3 of this bill requires the Division to submit a report concerning each such review to the Legislature. Section 2.6 of this bill requires the Division to conduct a study during the 2023-2024 legislative interim to determine the cost to the State General Fund of providing: (1) a one-time cost-of-living increase to the rates of reimbursement under Medicaid for certain long-term care providers; and (2) an annual cost-of-living increase to such rates of reimbursement.~~

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

Section 1. ~~[Chapter 422 of NRS is hereby amended by adding thereto a new section to read as follows:~~

~~—1. If the Director approves an increase in the rate of reimbursement for a service or item provided under the State Plan for Medicaid to an amount that is greater than the maximum rate of reimbursement approved by the Secretary of Health and Human Services for that service or item, the Director shall take any action necessary, including, where applicable, applying to amend a federal waiver, to increase the maximum rate of reimbursement approved by the Secretary to an amount equal to or greater than the rate of reimbursement approved by the Director.~~

~~—2. The Division shall annually review whether the rate of reimbursement for each service or item provided under the State Plan for Medicaid should be increased to compensate for an increase in the cost of living.] (Deleted by amendment.)~~

Sec. 2. ~~[NRS 232.320 is hereby amended to read as follows:~~

~~232.320 1. The Director:~~

~~(a) Shall appoint, with the consent of the Governor, administrators of the divisions of the Department, who are respectively designated as follows:~~

~~—(1) The Administrator of the Aging and Disability Services Division;~~



~~(2) The Administrator of the Division of Welfare and Supportive Services;~~

~~(3) The Administrator of the Division of Child and Family Services;~~

~~(4) The Administrator of the Division of Health Care Financing and Policy; and~~

~~(5) The Administrator of the Division of Public and Behavioral Health.~~

~~(b) Shall administer, through the divisions of the Department, the provisions of chapters 63, 424, 425, 427A, 432A to 442, inclusive, 446 to 450, inclusive, 458A and 656A of NRS, NRS 127.220 to 127.310, inclusive, 422.001 to 422.410, inclusive, and section 1 of this act, 422.580, 432.010 to 432.133, inclusive, 432B.6201 to 432B.626, inclusive, 444.002 to 444.430, inclusive, and 445A.010 to 445A.055, inclusive, and all other provisions of law relating to the functions of the divisions of the Department, but is not responsible for the clinical activities of the Division of Public and Behavioral Health or the professional line activities of the other divisions.~~

~~(c) Shall administer any state program for persons with developmental disabilities established pursuant to the Developmental Disabilities Assistance and Bill of Rights Act of 2000, 42 U.S.C. §§ 15001 et seq.~~

~~(d) Shall, after considering advice from agencies of local governments and nonprofit organizations which provide social services, adopt a master plan for the provision of human services in this State. The Director shall revise the plan biennially and deliver a copy of the plan to the Governor and the Legislature at the beginning of each regular session. The plan must:~~

~~(1) Identify and assess the plans and programs of the Department for the provision of human services, and any duplication of those services by federal, state and local agencies;~~

~~(2) Set forth priorities for the provision of those services;~~

~~(3) Provide for communication and the coordination of those services among nonprofit organizations, agencies of local government, the State and the Federal Government;~~

~~(4) Identify the sources of funding for services provided by the Department and the allocation of that funding;~~

~~(5) Set forth sufficient information to assist the Department in providing those services and in the planning and budgeting for the future provision of those services; and~~

~~(6) Contain any other information necessary for the Department to communicate effectively with the Federal Government concerning demographic trends, formulas for the distribution of federal money and any need for the modification of programs administered by the Department.~~

~~(e) May, by regulation, require nonprofit organizations and state and local governmental agencies to provide information regarding the programs of those organizations and agencies, excluding detailed information relating to their budgets and payrolls, which the Director deems necessary for the performance of the duties imposed upon him or her pursuant to this section.~~

~~(f) Has such other powers and duties as are provided by law.~~

~~2. Notwithstanding any other provision of law, the Director, or the Director's designee, is responsible for appointing and removing subordinate officers and employees of the Department. (Deleted by amendment.)~~

**Sec. 2.3. NRS 422.2704 is hereby amended to read as follows:**

422.2704 1. On or before January 1, 2018, and every 4 years thereafter, the Division shall:

~~1.1~~ **(a)** Review the rate of reimbursement for each service or item provided under the State Plan for Medicaid to determine whether the rate of reimbursement accurately reflects the actual cost of providing the service or item; and

~~1.2~~ **(b)** If the Division determines that the rate of reimbursement for a service or item does not accurately reflect the actual cost of providing the service or item, calculate the rate of reimbursement that accurately reflects the actual cost of providing the service or item and recommend that rate to the Director for possible inclusion in the State Plan for Medicaid.

2. On or before January 31, 2026, and every 4 years thereafter, the Division shall:

(a) Compile a report on the most recent reviews conducted pursuant to subsection 1, including, without limitation, each rate of reimbursement calculated pursuant to paragraph (b) of subsection 1; and

(b) Submit the report to the Director of the Legislative Counsel Bureau for transmittal to the Interim Finance Committee and the Joint Interim Standing Committee on Health and Human Services.

**Sec. 2.6. 1. During the 2023-2024 interim, the Division of Health Care Financing and Policy of the Department of Health and Human Services shall conduct a study to determine the cost to the State General Fund of:**

(a) Increasing the rates of reimbursement provided to long-term care providers under Medicaid to account for any increase in the cost of living that has occurred since the date on which the rate of reimbursement was most recently established for such providers; and

(b) Annually adjusting the rates of reimbursement provided to long-term care providers under Medicaid to account for increases in the cost of living.

2. On or before November 15, 2024, the Division of Health Care Financing and Policy of the Department of Health and Human Services shall:

(a) Compile a report of the results of the study conducted pursuant to subsection 1 and any recommendations for legislation resulting from the study; and

(b) Submit the report to the Director of the Legislative Counsel Bureau for transmittal to the Interim Finance Committee and the 83rd Session of the Legislature.

3. As used in this section, "long-term care provider" means a provider providing services pursuant to the home and community-based services

**waiver granted pursuant to 42 U.S.C. § 1396n, including, without limitation, home health services and private duty nursing services.**

**Sec. 2.9. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.**

**Sec. 3.** 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. 100.

Bill read second time.

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

Amendment No. 65.

**SUMMARY—Provides for ~~[various programs and studies]~~ certain assessments relating to caregivers. (BDR S-562)**

AN ACT relating to caregivers; requiring the Department of Health and Human Services to develop and implement a pilot program to administer certain assessments to family caregivers ~~[; directing the Department to conduct certain studies relating to caregivers;]~~ **and report the results of the pilot program to certain entities;** and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law establishes various programs to provide services to aging persons and persons with disabilities. (Chapter 427A of NRS) ~~[Section 1 of this]~~ **This** bill requires the Department of Health and Human Services, during the 2023-2024 interim, to: (1) develop evidence-based and culturally sensitive assessments to be administered to family caregivers for persons with disabilities or health conditions; and (2) implement a pilot program to administer those assessments to family caregivers. ~~[Section 1]~~ **This bill** requires those assessments to measure certain factors related to the capabilities, needs and quality of life of such family caregivers. ~~[Section 1]~~ **This bill** requires the Department to **: (1)** annually report on the progress and results of the pilot program to **the Legislature and** certain entities that provide or oversee services for persons with disabilities in this State **;** and **(2)** publish the report on an Internet website maintained by the Department.

~~[Existing law authorizes a patient, the representative of a patient or the parent or guardian of a patient to designate a caregiver for the patient before the patient is discharged from a hospital. (NRS 449A.315) Existing law requires a hospital to attempt to: (1) notify a caregiver before the patient is discharged or transferred from a hospital; (2) provide the caregiver with a copy of the discharge plan for the patient; and (3) consult with the caregiver concerning the aftercare set forth in such a discharge plan. (NRS 449A.321, 449A.324)]~~

~~Section 2 of this bill requires the Department to conduct two separate studies relating to caregivers during the 2023-2024 interim. Specifically, section 2 directs the Department to study: (1) the feasibility, costs and benefits of requiring hospitals to assess the capacity of such caregivers; and (2) the potential to obtain reimbursement from insurers under a certain medical billing code for assessing the knowledge and needs of various types of caregivers, social supports for such caregivers, the willingness of such caregivers to undertake caregiving tasks and the ability of such caregivers to provide care.]~~

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

**Section 1.** 1. The Department of Health and Human Services shall, during the 2023-2024 interim:

(a) Develop evidence-based and culturally sensitive assessments to be administered to family caregivers by ~~[hospitals, managed care organizations that provide services to recipients of Medicaid, other providers of publicly funded services for older persons and persons with disabilities and providers of health care.]~~ **the Department.** Such assessments must:

(1) Determine the willingness and ability of a family caregiver to provide long-term services and supports to a person with a disability or health condition and the needs of such family caregivers;

(2) Measure the extent, quality, value and effect of social determinants of health, specific risk factors related to stress and depression and environmental and cultural barriers on family caregivers; ~~and]~~

(3) Measure the efficacy of referrals linking family caregivers to local community resources ~~];~~

**(4) Assess the capacity of each family caregiver to provide all necessary care, including, without limitation, any activities of daily living and instrumental activities of daily living; and**

**(5) Identify the knowledge and needs of family caregivers, social supports for family caregivers, the willingness of family caregivers to undertake caregiving tasks and the ability of family caregivers to provide care.**

(b) Establish a process for gathering data collected through the assessments developed pursuant to paragraph (a).

(c) Develop and implement a pilot program to administer the assessments developed pursuant to paragraph (a) and collect data from the assessments using the process established pursuant to paragraph (b), emphasizing the collection of data necessary to:

(1) Identify unmet demand for community resources to assist caregivers; and

(2) Develop resources to meet that demand.

(d) ~~[Except to the extent that doing so would conflict with contractual obligations existing on July 1, 2023, require any person or entity.]~~ **Recruit persons and entities** who directly or indirectly ~~[receives]~~ **receive** money from

the Department or any Division thereof to provide services for older persons or persons with disabilities or health care services to **voluntarily** participate in the pilot program developed pursuant to paragraph (c).

2. On or before June 30, 2024, and June 30, 2025, the Department of Health and Human Services shall:

(a) Compile a report concerning the progress and results of the activities conducted pursuant to subsection 1. The report must include, without limitation, data concerning the factors assessed pursuant to subparagraphs (1) ~~[(2) and (3)]~~ **to (5), inclusive**, of paragraph (a) of subsection 1.

(b) Publish the report on an Internet website maintained by the Department.

(c) Submit the report to:

(1) The Nevada Lifespan Respite Care Coalition;

(2) The Nevada Commission on Aging created by NRS 427A.032;

(3) The statewide independent living council established in this State pursuant to 29 U.S.C. § 796d; ~~and~~

(4) The Nevada Commission on Services for Persons with Disabilities created by NRS 427A.1211 ~~[(4)]~~; **and**

**(5) The Director of the Legislative Counsel Bureau for transmittal to the Joint Interim Standing Committee on Health and Human Services and the Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs.**

3. As used in this section ~~[(a)~~

~~[(a)]~~ ~~“Family”~~, **“family** caregiver” means a member of the family of a person with a disability or a health condition who provides regular care for that person on a full-time or part-time basis.

~~[(b)]~~ ~~“Hospital”~~ has the meaning ascribed to it in NRS 449.012.

~~[(c)]~~ ~~“Managed care organization”~~ has the meaning ascribed to it in NRS 695C.050.

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

~~Sec. 2. [(1) The Department of Health and Human Services shall, during the 2023-2024 interim:~~

~~[(a) Conduct a study which includes, without limitation, the collection of data from hospitals, concerning the feasibility, costs and benefits of including in the process established by NRS 449A.300 to 449A.330, inclusive, a requirement that, upon discharge of a patient from a hospital, the hospital administer an assessment of the capacity of each caregiver designated pursuant to NRS 449A.315 to provide all necessary aftercare, including, without limitation, any activities of daily living and instrumental activities of daily living.~~

~~[(b) Conduct a study which includes, without limitation, the collection of data from hospitals, other medical facilities and providers of health care, concerning the potential to obtain reimbursement under code 99483 in Current Procedural Terminology published by the American Medical Association from public and private insurers for the cost of assessments to identify the~~

~~knowledge and needs of caregivers, social supports for caregivers, the willingness of caregivers to undertake caregiving tasks and the ability to of the caregivers to provide care. As used in this paragraph, “caregiver” includes, without limitation:~~

~~— (1) Family caregivers; and~~

~~— (2) Caregivers designated pursuant to NRS 449A.315.~~

~~2. On or before February 1, 2025, the Department of Health and Human Services shall compile a report concerning the results of each study conducted pursuant to subsection 1 and post the report on an Internet website maintained by the Department.~~

~~3. As used in this section:~~

~~(a) “Family caregiver” means a member of the family of a person with a disability or a health condition who provides regular care for that person on a full-time or part-time basis.~~

~~(b) “Hospital” has the meaning ascribed to it in NRS 449.012.~~

~~(c) “Medical facility” has the meaning ascribed to it in NRS 449.0151.~~

~~(d) “Provider of health care” has the meaning ascribed to it in NRS 629.034.] (Deleted by amendment.)~~

**Sec. 3.** 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. 113.

Bill read second time.

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

Amendment No. 132.

AN ACT relating to children; creating the Office of Early Childhood Systems within the Office of the Governor; prescribing the duties of the Office of Early Childhood Systems; **authorizing the Office of Early Childhood Systems to request one legislative measure for each regular session of the Legislature;** making an appropriation; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law creates various offices within the Office of the Governor, including, without limitation, the Office of Finance, the Office of Federal Assistance, the Office of Science, Innovation and Technology, the Office for New Americans and the Public Health Resource Office. (NRS 223.400-223.950) **Section 1** of this bill: (1) creates the Office of Early Childhood Systems within the Office of the Governor; and (2) requires the Governor to appoint the Director of the Office of Early Childhood Systems. The Office of Early Childhood Systems is required to: (1) analyze whether the existing early childhood system meets the needs of this State; (2) evaluate the effectiveness

of the relationships between certain persons and governmental entities that provide early childhood services; and (3) identify and make certain recommendations to the Governor, the Legislature and certain other persons and governmental entities relating to early childhood services. **Section 1 further requires: (1) each agency, board, commission, department, officer, employee or agent of this State or a local government to provide the Office with certain assistance; and (2) the Office to submit a report annually to the Governor and the Director of the Legislative Counsel Bureau regarding the activities of the Office and any recommendations for improvements to the early childhood system in this State.**

Existing law authorizes the Governor, within the limits of available money, to employ such persons as he or she deems necessary to provide an appropriate staff for the Office of the Governor, including, without limitation, certain other offices that are created within the Office of the Governor. (NRS 223.085) **Section 2** of this bill authorizes the Governor, within the limits of available money, to also employ such persons as he or she deems necessary to provide appropriate staff for the Office of Early Childhood Systems.

**Existing law prescribes the number of legislative measures which may be requested by various departments, agencies and other entities of this State for each regular session of the Legislature. (NRS 218D.100-218D.220) Section 2.4 of this bill authorizes the Office of Early Childhood Systems to request, for each regular session of the Legislature, the drafting of not more than 1 legislative measure which relates to matters within the scope of the Office. Section 2.8 of this bill makes a conforming change to indicate the proper placement of section 2.4 in the Nevada Revised Statutes.**

**Section 3** of this bill makes an appropriation for the personnel, travel, operating and equipment costs for the Office of Early Childhood Systems to perform its duties.

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

**Section 1.** Chapter 223 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. The Office of Early Childhood Systems is hereby created in the Office of the Governor.*

*2. The Governor shall appoint a person ~~who is knowledgeable in the field of early childhood systems~~ from a list of three persons recommended to the Governor by the Nevada Early Childhood Advisory Council established pursuant to NRS 432A.076 to serve as the Director of the Office of Early Childhood Systems. The Director is not in the classified or unclassified service of the State and serves at the pleasure of the Governor.*

*3. The Office of Early Childhood Systems may accept gifts, grants and donations to support its duties.*

*4. The Office of Early Childhood Systems shall:*

(a) Analyze whether the existing early childhood system meets the needs of this State;

(b) Evaluate the effectiveness of the relationships between persons and governmental entities that provide early childhood services, including, without limitation, the Department of Health and Human Services, the Department of Education, the State Department of Agriculture, the Nevada System of Higher Education, the Department of Public Safety, the Department of Employment, Training and Rehabilitation, the Nevada Early Childhood Advisory Council established pursuant to NRS 432A.076, the Advisory Board on Maternal and Child Health created pursuant to NRS 442.133, nonprofit organizations, providers of early childhood learning and providers of health care; and

(c) Identify and make recommendations to the Governor, the Legislature and the persons and governmental entities described in paragraph ~~(a)~~ (b) relating to:

(1) Unmet needs for comprehensive early childhood services, including, without limitation, early learning, maternal and early childhood health, mental and behavioral health, safety and economic security;

(2) Opportunities to obtain federal or private funding to support comprehensive early childhood services in this State;

(3) Ways in which to improve coordination between state and local governmental entities, providers of early learning, providers of health care and parents and other family members;

(4) Policies, practices and funding mechanisms to maximize efficiency in the delivery of early childhood services; ~~and~~

(5) Opportunities to integrate parents and other family members in leadership and decision-making roles in the early childhood system ~~+~~;

(6) Strategies to address disparities in equitable access to early childhood services and programs; and

(7) Development and implementation of an early childhood integrated data system.

5. Each agency, board, commission, department, officer, employee or agent of this State or a local government of this State shall provide the Office of Early

Childhood Systems or any representative of the Office such assistance as the functions and operations of the Office may require if that assistance is within the scope of duties of the person or entity.

6. On or before December 1 of each year, the Director of the Office of Early Childhood Systems shall submit a report to the Governor and to the Director of the Legislative Counsel Bureau for transmittal to the Legislature or, if the Legislature is not in session, to the Joint Interim Standing Committee on Government Affairs. The report must include, without limitation, a summary of the activities of the Office of Early Childhood Systems and any recommendations identified pursuant to paragraph (c) of subsection 4 for improvements to the early childhood system in this State,



established in cooperation with the Nevada Early Childhood Advisory Council.

7. As used in this section, unless the context otherwise requires:

(a) “Early childhood” means the period of a child’s life beginning with the prenatal period and through 8 years of age.

(b) “Early childhood system” means the governmental structure of the State and its political subdivisions that provide early childhood services relating to nutrition, health care, mental and behavioral health, protection and play and early learning that stimulate a child’s physical, cognitive, linguistic, social and emotional development.

**Sec. 2.** NRS 223.085 is hereby amended to read as follows:

223.085 1. The Governor may, within the limits of available money, employ such persons as he or she deems necessary to provide an appropriate staff for the Office of the Governor, including, without limitation, the Office of Economic Development, the Office of Federal Assistance, the Office of Science, Innovation and Technology, the Public Health Resource Office, *the Office of Early Childhood Systems* and the Governor’s mansion. Except as otherwise provided by specific statute, such employees are not in the classified or unclassified service of the State and, except as otherwise provided in NRS 231.043 and 231.047, serve at the pleasure of the Governor.

2. Except as otherwise provided by specific statute, the Governor shall:

(a) Determine the salaries and benefits of the persons employed pursuant to subsection 1, within limits of money available for that purpose; and

(b) Adopt such rules and policies as he or she deems appropriate to establish the duties and employment rights of the persons employed pursuant to subsection 1.

3. The Governor may:

(a) Appoint a Chief Information Officer of the State; or

(b) Designate the Administrator as the Chief Information Officer of the State.

↪ If the Administrator is so appointed, the Administrator shall serve as the Chief Information Officer of the State without additional compensation.

4. As used in this section, “Administrator” means the Administrator of the Division of Enterprise Information Technology Services of the Department of Administration.

**Sec. 2.4. Chapter 218D of NRS is hereby amended by adding thereto a new section to read as follows:**

**1. For a regular session, the Office of Early Childhood Systems created by section 1 of this act may request the drafting of not more than 1 legislative measure which relates to matters within the scope of the Office. The request must be submitted to the Legislative Counsel on or before September 1 preceding the regular session.**

**2. A request made pursuant to this section must be on a form prescribed by the Legislative Counsel. A legislative measure requested pursuant to this section must be prefiled on or before the third Wednesday in November**

**preceding the regular session. A legislative measure that is not prefiled on or before that day shall be deemed withdrawn.**

**Sec. 2.8. NRS 218D.050 is hereby amended to read as follows:**

218D.050 1. The Legislative Counsel and the Legal Division shall not prepare or assist in the preparation of legislative measures for or during a regular session unless:

(a) Authorized by NRS 218D.100 to 218D.220, inclusive, **and section 2.4 of this act**, another specific statute, a joint rule or a concurrent resolution; or

(b) Directed by the Legislature or the Legislative Commission.

2. The Legislative Counsel and the Legal Division shall not prepare or assist in the preparation of legislative measures for or during a special session unless:

(a) Authorized by a joint rule or concurrent resolution; or

(b) Directed by the Legislature or the Legislative Commission.

3. During a regular or special session, the Legislative Counsel and the Legal Division shall provide the Legislature with legal, technical and other appropriate services concerning any legislative measure properly before the Legislature or any committee of the Legislature for consideration.

**Sec. 3.** 1. There is hereby appropriated from the State General Fund to the Office of Early Childhood Systems within the Office of the Governor created by section 1 of this act for personnel, travel, operating and equipment the following sums:

For the Fiscal Year 2023-2024..... \$148,667

For the Fiscal Year 2024-2025 ..... \$150,719

2. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 20, 2024, and September 19, 2025, respectively, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 20, 2024, and September 19, 2025, respectively.

**Sec. 3.5. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.**

**Sec. 4.** 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. 118.

Bill read second time and ordered to third reading.

Assembly Bill No. 161.

Bill read second time.

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

Amendment No. 14.

~~[ASSEMBLYMAN]~~ ASSEMBLYMEN C.H. MILLER AND BILBRAY-AXELROD

SUMMARY—Revises provisions governing ~~[drivers' licenses.]~~ the identification of persons. (BDR 43-635)

AN ACT relating to ~~[drivers' licenses.]~~ governmental administration; requiring, under certain circumstances, that the Department of Motor Vehicles place a designation on a vehicle registration, driver's license or identification card for ~~[certain persons]~~ a person with ~~[autism.]~~ a communication impairment; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law authorizes the Department of Motor Vehicles to adopt regulations establishing a program for the imprinting of a symbol or other indicator of a medical condition on a driver's license ~~[.]~~ or identification card. (NRS 483.3485 ~~[.]~~ , 483.863) Existing law further requires, upon the application of a person with a disability which limits or impairs the ability to walk, that the Department place a designation on any driver's license or identification card issued to the person indicating that the person is a person with such disability. (NRS 483.349 ~~[.]~~ Section , 483.865) Existing law: (1) authorizes the Director of the Department to adopt and enforce certain regulations relating to the registration of motor vehicles; and (2) requires, with certain exceptions, every owner of a motor vehicle, trailer or semitrailer to apply to the Department or a registered dealer for registration thereof. (NRS 482.160, 482.205) Sections 1, 1.5 and 1.7 of this bill ~~[requires.]~~ require, upon the application of a person with ~~[autism.]~~ a communication impairment, that the Department place on any vehicle registration, driver's license or identification card issued to the person a designation indicating that the person is a person with ~~[autism.]~~ a communication impairment. ~~The application must include a statement from a licensed physician or an advanced practice registered nurse certifying that the applicant is a person with autism.]~~ Sections 1, 1.5 and 1.7 further prohibit the Department from requiring any person to disclose that the person is a person with a communication impairment.

As used in sections 1, 1.5 and 1.7, the term "a person with a communication impairment" means a person who: (1) is deaf; (2) has a speech disorder; (3) has a language disorder; (4) has an auditory processing disorder; (5) is neurodivergent; or (6) has any other condition that impairs the ability of the person to comprehend language.

Sections 2 and 3 of this bill make conforming changes to indicate the proper placement of section ~~[.]~~ 1.5 in the Nevada Revised Statutes.

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

**Section 1. Chapter 482 of NRS is hereby amended by adding thereto a new section to read as follows:**

**1. Upon the application of a person with a communication impairment, the Department shall place on any vehicle registration issued to the person pursuant to the provisions of this chapter a designation that the person is a person with a communication impairment.**

**2. The Department shall not require any person to disclose that the person is a person with a communication impairment.**

**3. As used in this section, “a person with a communication impairment” means a person who:**

**(a) Is deaf, as defined in NRS 426.084;**

**(b) Has a speech disorder that impairs the ability of the person to articulate speech sounds, speak fluently or use the person’s voice;**

**(c) Has a language disorder that impairs the ability of the person to comprehend language;**

**(d) Has an auditory processing disorder that impairs the ability of the person to comprehend language;**

**(e) Is neurodivergent; or**

**(f) Has any other condition that impairs the ability of the person to comprehend language.**

**Sec. 1.3. Chapter 483 of NRS is hereby amended by adding thereto ~~a new section to read as follows:~~ the provisions set forth as sections 1.5 and 1.7 of this act.**

**Sec. 1.5. 1. Upon the application of a person with ~~autism,~~ a communication impairment, the Department shall place on any driver’s license issued to the person pursuant to the provisions of this chapter a designation that the person is a person with ~~autism. The application must include a statement from a licensed physician or an advanced practice registered nurse certifying that the applicant is a person with autism.~~ a communication impairment.**

**2. The Department shall not require any person to disclose that the person is a person with a communication impairment.**

**3. As used in this section, “a person with a communication impairment” has the meaning ascribed to it in section 1 of this act.**

**Sec. 1.7. 1. Upon the application of a person with a communication impairment, the Department shall place on any identification card issued to the person pursuant to the provisions of NRS 483.810 to 483.890, inclusive, a designation that the person is a person with a communication impairment.**

**2. The Department shall not require any person to disclose that the person is a person with a communication impairment.**

**3. As used in this section, “a person with a communication impairment” has the meaning ascribed to it in section 1 of this act.**

**Sec. 2.** NRS 483.015 is hereby amended to read as follows:

483.015 Except as otherwise provided in NRS 483.330, the provisions of NRS 483.010 to 483.630, inclusive, **and section ~~1.5~~ 1.5 of this act** apply only with respect to noncommercial drivers' licenses.

**Sec. 3.** NRS 483.020 is hereby amended to read as follows:

483.020 As used in NRS 483.010 to 483.630, inclusive, **and section ~~1.5~~ 1.5 of this act**, unless the context otherwise requires, the words and terms defined in NRS 483.030 to 483.190, inclusive, have the meanings ascribed to them in those sections.

**Sec. 4.** 1. This section becomes effective upon passage and approval.

2. Sections 1, ~~2~~ and 3, **inclusive**, of this act become effective:

(a) Upon passage and approval for the purpose 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.

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. 172.

Bill read second time.

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

Amendment No. 56.

AN ACT relating to collective bargaining; requiring each local government employer to semiannually provide each employee organization recognized by the local government employer certain information relating to each employee of the bargaining unit represented by the employee organization; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires each employee organization recognized by a local government employer in this State to file a report with the Government Employee-Management Relations Board each year containing certain information, including, without limitation, the total number of persons in each bargaining unit represented by the employee organization. (NRS 288.165) **Section 1** of this bill requires **, with certain exception, that** each local government employer ~~(to)~~ provide each employee organization recognized by the local government employer the **name**, address, **email address**, telephone number, work contact information and work location of each employee in the bargaining unit represented by the employee organization **at least** on a semiannual basis. **Section 1 further provides that if a local government employee notifies his or her employer in writing that he or she does not want the employer to provide his or her information to the employee organization, the local government employer: (1) must still provide the**

**information to the employee organization twice per year, but must not provide the information to the employee organization more often; and (2) must still provide the information to the Government Employee-Management Relations Board when requested by order of the Board. Section 1 also provides that information about any local government employee provided to an employee organization or the Board is confidential and is not a public record. Section 3 of this bill makes a conforming change relating to making such information confidential and not a public record.**

Section 2 of this bill makes a conforming change to indicate the proper placement of **section 1** in the Nevada Revised Statutes.

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

**Section 1.** Chapter 288 of NRS is hereby amended by adding thereto a new section to read as follows:

**1. ~~On~~ Except as otherwise provided in subsection 3, at least twice each year, on or before January 1 and July 1, ~~of each year,~~ each local government employer shall provide each employee organization recognized by the local government employer the name, address, email address, telephone number, work contact information and work location of each local government employee of the bargaining unit represented by the employee organization.**

**2. A local government employer is required to provide an employee organization with the information about a local government employee pursuant to subsection 1 regardless of whether the employee has joined the employee organization.**

**3. If a local government employee notifies his or her employer in writing that he or she does not want the employer to provide any of his or her information to the employee organization recognized by the local government employer, the local government employer:**

**(a) Must still provide the information set forth in subsection 1 to the employee organization on or before January 1 and July 1 of each year but must not provide the information set forth in subsection 1 to the employee organization more often; and**

**(b) Must still provide the information set forth in subsection 1 to the Government Employee-Management Relations Board when requested by the order of the Board.**

**4. Information about any local government employee that is provided pursuant to this section to an employee organization or the Government Employee-Management Relations Board is confidential and is not a public record.**

**Sec. 2.** NRS 288.131 is hereby amended to read as follows:

288.131 As used in NRS 288.131 to 288.280, inclusive, **and section 1 of this act**, unless the context otherwise requires, the words and terms defined in

NRS 288.132 to 288.138, inclusive, have the meanings ascribed to them in those sections.

**Sec. 3. 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 1 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.

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. 191.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources:

Amendment No. 111.

AN ACT relating to water; revising provisions relating to a plan of water conservation and plan for incentives relating to water conservation; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law requires each supplier of water to: (1) adopt a plan of water conservation and update the plan every 5 years; (2) include with the plan of water conservation a water loss audit or certain water loss calculations; and (3) adopt a plan to provide certain incentives relating to water conservation. Existing law defines a “supplier of water” to include any public or private entity that supplies water for municipal, industrial or domestic purposes. (NRS 540.121-540.151) This bill revises the definition of “supplier of water” to exclude a **public or** private entity ~~[with a water right of 3 acre feet or less per year]~~ that **: (1) has less than 15 service connections; (2) serves year-round residents; and (3) supplies water for municipal ~~[, industrial] or [domestic]~~ **quasi-municipal** purposes. As a result of the change to the definition of “supplier of water,” this bill removes the requirement for such ~~[a private]~~ **an** entity to adopt and update a plan of water conservation, conduct a water loss audit or calculate water losses or adopt a plan to provide certain incentives relating to water conservation.**

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

**Section 1.** NRS 540.121 is hereby amended to read as follows:

540.121 **1.** As used in NRS 540.121 to 540.151, inclusive, “supplier of water” includes, but is not limited to:

~~{1}~~ **(a)** Any county, city, town, local improvement district, general improvement district and water conservancy district;

~~{2}~~ **(b)** Any water district, water system, water project or water planning and advisory board created by a special act of the Legislature; and

~~{3}~~ **(c)** Any other public or private entity,  
↳ that supplies water for municipal, industrial or domestic purposes.

**2.** The term does not include ~~{a}~~:

**(a)** A public utility required to adopt a plan of water conservation pursuant to NRS 704.662 ~~{1}~~; **or**

**(b)** ~~A public or private entity that holds a water right for the use of 3 acre feet or less of water per year that supplies~~ :

~~(1) Has less than 15 service connections, as defined in NRS 445A.843;~~

~~(2) Serves year-round residents; and~~

~~(3) Supplies water for municipal~~ ~~[, industrial or domestic]~~ **or quasi-municipal purposes.**

Assemblywoman Cohen moved the adoption of the amendment.

Remarks by Assemblywoman Cohen.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 202.

Bill read second time.

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

Amendment No. 69.

AN ACT relating to medical facilities; authorizing a patient in a facility for skilled nursing or his or her representative to request the installation and use of an electronic communication device in the living quarters of the patient; prescribing requirements for the selection and operation of such a device; prohibiting a person from taking certain actions concerning such a device or the images and sounds broadcast by such a device; prohibiting a facility for skilled nursing or an employee of such a facility from taking certain additional actions; providing penalties; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law establishes certain duties of a medical facility, including a facility for skilled nursing, and specific rights of a patient in such a facility. (NRS 449A.100-449A.124) **Sections 3-7** of this bill define certain terms. **Section 9** of this bill authorizes a patient in a facility for skilled nursing or the representative of such a patient to request the installation and use of an electronic communication device in the living quarters of the patient under certain circumstances. Among other requirements, **section 9** requires the patient or representative of the patient to: (1) agree to waive the right to privacy of the patient; and (2) obtain the consent of the roommate of the patient or his or her representative, if applicable. **Section 8** of this bill prescribes the requirements to act as the representative of a patient or roommate for those purposes. **Section 9** requires a facility for skilled nursing to make reasonable efforts to accommodate a patient whose roommate fails to provide such consent. **Section 9** also authorizes a patient, representative or roommate to revoke a request for, or consent to, the installation and use of an electronic communication device.

**Section 9** requires a facility for skilled nursing to approve a request for the installation and use of an electronic communication device if the applicable requirements are met. If such approval is granted, **section 10** of this bill provides that the patient or his or her representative is responsible for: (1) choosing the electronic communication device, subject to certain limitations; and (2) the cost of installing, maintaining and removing the electronic communication device.

**Section 11** of this bill generally prohibits a person other than the patient or the representative for the patient who has requested the installation and use of an electronic communication device from intentionally: (1) obstructing, tampering with or destroying any such device or recording made by such a device; and (2) viewing or listening to any images or sounds which are displayed, broadcast or recorded by any such device except as otherwise authorized. **Section 11** authorizes an attorney for a patient or certain government officials to view or listen to any images or sounds which are displayed, broadcast or recorded by an electronic communication device or to

temporarily disable or turn off such a device. **Sections 9 and 11** authorize a patient or the representative of a patient to authorize additional persons to view or listen to images or sounds which are displayed, broadcast or recorded by an electronic communication device. **Section 11** prohibits a facility for skilled nursing from denying admission to or discharging a patient from the facility or otherwise discriminating or retaliating against a patient because of a decision to request the installation and use of an electronic communication device. **Section 12** of this bill subjects a person or entity who violates the provisions of **section 11** to certain civil and criminal penalties, and **section 1** of this bill subjects a facility for skilled nursing that violates the provisions of **sections 3-14** of this bill to disciplinary action. **Section 13** of this bill: (1) authorizes a facility for skilled nursing to post a notice in a conspicuous place at the entrance to the living quarters of a patient which contains an electronic communication device stating that such a device is in use in that living quarters; and (2) prohibits an employee at a facility for skilled nursing from refusing to enter the living quarters of a patient or fail to perform any of the duties of the employee on the grounds that an electronic communication device is in use in the living quarters. **Section 14** of this bill: (1) authorizes the State Board of Health to adopt regulations necessary to carry out the provisions of **sections 3-14**; and (2) makes the provisions of **sections 3-14** inapplicable to an electronic communication device that is installed by a law enforcement agency and used solely for a legitimate law enforcement purpose.

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

**Section 1.** NRS 449.160 is hereby amended to read as follows:

449.160 1. The Division may deny an application for a license or may suspend or revoke any license issued under the provisions of NRS 449.029 to 449.2428, inclusive, upon any of the following grounds:

(a) Violation by the applicant or the licensee of any of the provisions of NRS 439B.410 or 449.029 to 449.245, inclusive, or of any other law of this State or of the standards, rules and regulations adopted thereunder.

(b) Aiding, abetting or permitting the commission of any illegal act.

(c) Conduct inimical to the public health, morals, welfare and safety of the people of the State of Nevada in the maintenance and operation of the premises for which a license is issued.

(d) Conduct or practice detrimental to the health or safety of the occupants or employees of the facility.

(e) Failure of the applicant to obtain written approval from the Director of the Department of Health and Human Services as required by NRS 439A.100 or as provided in any regulation adopted pursuant to NRS 449.001 to 449.430, inclusive, and 449.435 to 449.531, inclusive, and chapter 449A of NRS if such approval is required.

(f) Failure to comply with the provisions of NRS 441A.315 and any regulations adopted pursuant thereto or NRS 449.2486.

(g) Violation of the provisions of NRS 458.112.

**(h) *Failure to comply with the provisions of sections 3 to 14, inclusive, of this act and any regulation adopted pursuant thereto.***

2. In addition to the provisions of subsection 1, the Division may revoke a license to operate a facility for the dependent if, with respect to that facility, the licensee that operates the facility, or an agent or employee of the licensee:

(a) Is convicted of violating any of the provisions of NRS 202.470;

(b) Is ordered to but fails to abate a nuisance pursuant to NRS 244.360, 244.3603 or 268.4124; or

(c) Is ordered by the appropriate governmental agency to correct a violation of a building, safety or health code or regulation but fails to correct the violation.

3. The Division shall maintain a log of any complaints that it receives relating to activities for which the Division may revoke the license to operate a facility for the dependent pursuant to subsection 2. The Division shall provide to a facility for the care of adults during the day:

(a) A summary of a complaint against the facility if the investigation of the complaint by the Division either substantiates the complaint or is inconclusive;

(b) A report of any investigation conducted with respect to the complaint; and

(c) A report of any disciplinary action taken against the facility.

↪ The facility shall make the information available to the public pursuant to NRS 449.2486.

4. On or before February 1 of each odd-numbered year, the Division shall submit to the Director of the Legislative Counsel Bureau a written report setting forth, for the previous biennium:

(a) Any complaints included in the log maintained by the Division pursuant to subsection 3; and

(b) Any disciplinary actions taken by the Division pursuant to subsection 2.

**Sec. 2.** Chapter 449A of NRS is hereby amended by adding thereto the provisions set forth as sections 3 to 14, inclusive, of this act.

**Sec. 3.** *As used in sections 3 to 14, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 4 to 7, inclusive, of this act have the meanings ascribed to them in those sections.*

**Sec. 4.** *“Facility for skilled nursing” has the meaning ascribed to it in NRS 449.0039.*

**Sec. 5.** *“Guardian” has the meaning ascribed to it in NRS 159.017.*

**Sec. 6.** *“Living quarters” means the room in which a patient resides.*

**Sec. 7.** *“Representative” means a person who is authorized to serve as the representative of a patient pursuant to section 8 of this act.*

**Sec. 8.** *A person may serve as the representative of a patient in a facility for skilled nursing, including, without limitation, a patient who is the roommate of a patient who wishes to submit or has submitted a request pursuant to section 9 of this act, for the purposes of sections 3 to 14, inclusive, of this act if the person:*

1. ~~Is the guardian of the patient whom he or she is representing and ~~the representation~~;~~

(a) The power to make decisions on behalf of the patient pursuant to sections 3 to 14, inclusive, of this act is ~~within the scope of~~ specifically authorized under the existing guardianship; or

(b) The guardian has separately petitioned for and been granted such power by the court that has jurisdiction over the guardianship; or

2. Has been given power of attorney to make decisions concerning health care for the patient pursuant to NRS 162A.700 to 162A.870, inclusive, and the power to make decisions on behalf of the patient pursuant to sections 3 to 14, inclusive, of this act is specifically delegated to the person in the power of attorney.

Sec. 9. 1. A patient in a facility for skilled nursing or the representative of the patient may request the installation and use of an electronic communication device in the living quarters of the patient by submitting to the facility for skilled nursing:

(a) A completed form prescribed by the facility pursuant to subsection 3; or

(b) If the facility has not prescribed a form pursuant to subsection 3, a written request that meets the requirements of subsection 2.

2. A request submitted pursuant to subsection 1 must include or be accompanied by:

(a) Information regarding the type, function and expected use of the electronic communication device which will be installed and used;

(b) The name and contact information for any person other than the patient or his or her representative who is authorized to view or listen to the images or sounds which are displayed, broadcast or recorded by the electronic communication device pursuant to subsection 3 of section 11 of this act;

(c) An agreement by the patient or the representative of the patient to, except as otherwise provided by section 11 of this act:

(1) Waive the patient's right to privacy in connection with use of the electronic communication device; and

(2) Release the facility for skilled nursing and any employee of the facility from any administrative, civil or criminal liability for a violation of the patient's right to privacy in connection with use of the electronic communication device;

(d) If the patient has a roommate:

(1) The written consent of the roommate or the representative of the roommate to the installation and use of an electronic communication device in the living quarters of the patient; and

(2) An agreement by the roommate or the representative of the roommate to, except as otherwise provided in section 11 of this act:

(1) Waive the roommate's right to privacy in connection with use of the electronic communication device; and

*(II) Release the facility for skilled nursing and any employee of the facility from any administrative, civil or criminal liability for a violation of the roommate's right to privacy in connection with use of the electronic communication device; and*

*(e) If the request is submitted by the representative of the patient, proof that the representative of the patient meets the requirements of section 8 of this act.*

*3. A facility for skilled nursing may prescribe a form for use by a patient or the representative of a patient to request to install and use an electronic communication device in the living quarters of the patient. Such a form must include, without limitation:*

*(a) An explanation of the provisions of sections 3 to 14, inclusive, of this act; and*

*(b) Places to record the information, agreements and consent described in paragraphs (a) to (d), inclusive, of subsection 2.*

*4. A facility for skilled nursing shall approve a request by a patient or the representative of a patient pursuant to this section if the request meets the requirements of this section.*

*5. If the roommate or the representative of the roommate of a patient who wishes to submit a request pursuant to subsection 1, or whose representative wishes to submit such a request, refuses to provide consent and enter into the agreement required by paragraph (d) of subsection 2, the facility for skilled nursing shall make reasonable attempts to accommodate the patient. Such reasonable attempts may include, without limitation, moving either the patient or his or her roommate to different living quarters with the consent of the person being moved or his or her representative.*

*6. A patient or the representative of a patient who has submitted a request pursuant to subsection 1, a roommate who has provided consent pursuant to paragraph (d) of subsection 2 or the representative of such a roommate may withdraw the request or consent at any time, including, without limitation, after the request has been approved or after an electronic communication device has been installed, by submitting a written revocation to the facility for skilled nursing. Upon the submission of such a written revocation, the facility for skilled nursing shall cause the removal of any electronic communication device that has been installed.*

*Sec. 10. 1. If a facility for skilled nursing approves a request to install and use an electronic communication device in the living quarters of a patient pursuant to section 9 of this act, the patient or the representative of the patient is solely responsible for:*

*(a) Choosing the electronic communication device, subject to the limitations prescribed by subsection 2; and*

*(b) The cost of the electronic communication device and the cost of installing, maintaining and removing the electronic communication device, if applicable, other than the cost of electricity used to power the electronic communication device.*

2. *An electronic communication device chosen by a patient or the representative of a patient pursuant to subsection 1 must:*

- (a) Be capable of being temporarily disabled or turned on and off; and*
- (b) If the device communicates using video or other visual transmission, to the greatest extent practicable, be installed:*
  - (1) With a fixed viewpoint of the living quarters; or*
  - (2) In a manner that avoids capturing images of activities such as bathing, dressing and toileting.*

**Sec. 11. 1.** *Except as otherwise provided in this section, a person other than the patient or the representative of the patient who has requested the installation and use of an electronic communication device pursuant to section 9 of this act shall not intentionally:*

- (a) Obstruct, tamper with or destroy the electronic communication device or any recording made by the electronic communication device; or*
- (b) View or listen to any images or sounds which are displayed, broadcast or recorded by the electronic communication device.*

2. *The following persons may view or listen to the images or sounds which are displayed, broadcast or recorded by an electronic communication device installed and used pursuant to section 9 of this act or temporarily disable or turn off such a device:*

- (a) A representative of a law enforcement agency who is conducting an investigation;*
- (b) A representative of the Aging and Disability Services Division or the Division of Public and Behavioral Health of the Department of Health and Human Services who is conducting an investigation;*
- (c) The State Long-Term Care Ombudsman; and*
- (d) An attorney who is representing the patient or a roommate of the patient and acting within the scope of that representation.*

3. *A patient or the representative of the patient who has requested the installation and use of an electronic communication device pursuant to section 9 of this act may authorize a person other than a person described in subsection 2 to view or listen to the images or sounds which are displayed, broadcast or recorded by the electronic communication device. Any such authorization must be made in writing.*

4. *A person who temporarily disables or turns off an electronic communication device pursuant to subsection 2 shall ensure that the functions of the electronic communication device are appropriately enabled or turned back on before exiting the living quarters of the patient.*

5. *A facility for skilled nursing shall not deny admission to or discharge a patient from the facility or otherwise discriminate or retaliate against a patient because of a decision to request the installation and use of an electronic communication device in the living quarters of the patient pursuant to section 9 of this act.*

**Sec. 12. 1.** *A natural person who violates subsection 1 of section 11 of this act:*



(a) *For a first offense, is liable for a civil penalty not to exceed \$5,000.*

(b) *For a second and any subsequent offense:*

(1) *Is liable for a civil penalty not to exceed \$10,000 for each violation;*  
*and*

(2) *Is guilty of a misdemeanor.*

2. *In addition to any disciplinary action imposed pursuant to chapter 449 of NRS, a facility for skilled nursing or any person, partnership, association or corporation establishing, conducting, managing or operating a facility for skilled nursing who violates subsection 1 or 5 of section 11 of this act:*

(a) *For a first offense, is liable for a civil penalty not to exceed \$10,000.*

(b) *For a second and any subsequent offense:*

(1) *Is liable for a civil penalty not to exceed \$20,000 for each violation;*  
*and*

(2) *Is guilty of a misdemeanor.*

3. *The Attorney General or any district attorney may recover any civil penalty assessed pursuant to this section in a civil action brought in the name of the State of Nevada in any court of competent jurisdiction.*

Sec. 13. 1. *A facility for skilled nursing may post a notice in a conspicuous place at the entrance to the living quarters of a patient which contains an electronic communication device stating that such a device is in use in that living quarters.*

2. *An employee of a facility of skilled nursing shall not refuse to enter the living quarters of a patient which contains an electronic communication device installed pursuant to section 9 of this act or fail to perform any of the duties of the employee on the grounds that such a device is in use.*

Sec. 14. 1. *The State Board of Health may adopt regulations necessary to carry out the provisions of sections 3 to 14, inclusive, of this act.*

2. *The provisions of sections 3 to 14, inclusive, of this act do not apply if an electronic communication device is installed by a law enforcement agency and used solely for a legitimate law enforcement purpose.*

Sec. 15. 1. *This section becomes effective upon passage and approval.*

2. *Sections 1 to 14, inclusive, of this act become effective:*

(a) *Upon passage and approval for the purpose 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 October 1, 2023, for all other purposes.*

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. 260.

Bill read second time and ordered to third reading.

Assembly Bill No. 262.

Bill read second time.

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

Amendment No. 29.

AN ACT relating to state purchasing; requiring, to the extent practicable, certain state agencies to give preference to the purchase of certain vehicles and fuels; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law sets forth certain requirements for the purchase of automobiles by any department, office, bureau, officer or employee of the State. (NRS 334.010) Existing law establishes the Fleet Services Division of the Department of Administration and authorizes the Governor to assign any state-owned vehicle to the Division. (NRS 232.213, 336.060) **Section 1** of this bill requires, to the extent practicable, each department, office, bureau, officer or employee of the State, when purchasing an automobile, to give preference to automobiles that minimize: (1) emissions; and (2) the total cost of the automobile over the service life of the automobile.

**Section 1** also requires each department, office, bureau, officer or employee of the State to: (1) give preference to the purchase of motor vehicle fuel blended with ethanol, to the extent practicable; (2) if purchasing an automobile that uses diesel fuel, ensure that the automobile is capable of using biodiesel fuel blends containing not less than 20 percent by volume of biodiesel fuel; and (3) maintain records on the type of fuel used by each automobile purchased by the department, office, bureau, officer or employee. **Section 2** of this bill also requires the Executive Officer of the Division to maintain such records for all state-owned vehicles assigned to the Division.

**Section 2.5 of this bill declares that it is the policy of this State to pursue and support a transition of all publicly-owned vehicles to vehicles which emit zero tailpipe emissions by 2050.**

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

**Section 1.** NRS 334.010 is hereby amended to read as follows:

334.010 1. No automobile may be purchased by any department, office, bureau, officer or employee of the State without prior written consent of the State Board of Examiners.

2. All such automobiles must be used for official purposes only.

3. All such automobiles, except:

(a) Automobiles maintained for and used by the Governor;

(b) Automobiles used by or under the authority and direction of the Chief Parole and Probation Officer, the State Contractors' Board and auditors, the State Fire Marshal, the Investigation Division of the Department of Public Safety, the investigators of the Nevada Gaming Control Board, the

investigators of the Securities Division of the Office of the Secretary of State and the investigators of the Attorney General;

- (c) One automobile used by the Department of Corrections;
- (d) Two automobiles used by the Caliente Youth Center;
- (e) Three automobiles used by the Nevada Youth Training Center; and
- (f) Four automobiles used by the Youth Parole Bureau of the Division of

Child and Family Services of the Department of Health and Human Services, must be labeled by painting the words “State of Nevada” and “For Official Use Only” on the automobiles in plain lettering. The Director of the Department of Administration or a representative of the Director shall prescribe the size and location of the label for all such automobiles.

4. *In accordance with the provisions of chapter 333 of NRS, each department, office, bureau, officer or employee of the State shall:*

(a) *To the extent practicable, give preference to the purchase of automobiles which minimize:*

(1) *Emissions from the automobile; and*

(2) *The total costs of the automobile over the service life of the automobile, which may include, without limitation, fuel costs, maintenance costs and any rebates or financial incentives offered for the purchase of the automobile;*

(b) *To the extent practicable, purchase motor vehicle fuel blended with ethanol, including, without limitation, gasoline, biodiesel and biomass-based diesel blends for use in the automobile; and*

(c) *If purchasing an automobile powered by diesel fuel, ensure that the vehicle is capable of using biodiesel fuel blends comprised of not less than 20 percent by volume of biodiesel fuel.*

5. *Each department, office, bureau, officer or employee of the State shall maintain records on the type of fuel used by each automobile purchased by the department, office, bureau, officer or employee, which may include, without limitation, electric, gasoline, compressed natural gas, diesel, hydrogen or hybrid fuel sources.*

6. Any officer or employee of the State of Nevada who violates any provision of ~~this section~~ **subsection 1, 2 or 3** is guilty of a misdemeanor.

7. *As used in this section:*

(a) *“Biodiesel” has the meaning ascribed to it in NRS 590.070.*

(b) *“Biomass-based diesel blend” has the meaning ascribed to it in NRS 590.070.*

**Sec. 2.** NRS 336.080 is hereby amended to read as follows:

336.080 The Executive Officer shall:

1. Be responsible for proper maintenance and storage of all vehicles assigned to the Fleet Services Division.

2. Maintain records ~~to~~:

(a) *To show the location and operating and maintenance costs of vehicles assigned to the Fleet Services Division ~~to~~; and*

*(b) Of the type of fuel used by each vehicle assigned to the Fleet Services Division, which may include, without limitation, electric, gasoline, compressed natural gas, diesel, hydrogen or hybrid fuel sources.*

**Sec. 2.5. 1. The Legislature hereby finds and declares that:**

**(a) The “Nevada Statewide Greenhouse Gas Emissions Inventory and Projections, 1990-2042” indicates that the transportation sector is the top source of greenhouse gas emissions in this State, making up nearly 32 percent of Nevada’s emissions in 2020.**

**(b) The American Lung Association’s annual report, “State of the Air.” has repeatedly ranked Las Vegas and Reno among the top 25 most polluted cities in terms of air quality, and transportation is a primary contributor to smog-forming pollution and particulate matter linked to lung disease and other serious health conditions.**

**(c) The State of Nevada spends billions of dollars each year to purchase out-of-state fossil fuels, which makes residents of this State vulnerable to the volatility of oil prices and increases the risk of disruptions in the event of a natural disaster.**

**(d) Nevada has immense potential to use local clean energy resources to power transportation in this State, furthering its energy independence.**

**(e) Zero emissions technologies now provide a viable, cost-effective alternative to many vehicles that run on fossil fuels, and prices are continuing to decline as these technologies mature.**

**(f) For publicly-owned transportation fleets, the transition to electric vehicles can bring considerable cost savings to taxpayers due to lower costs to operate and maintain such vehicles over their lifetimes.**

**2. It is the policy of this State to pursue and support a transition of all publicly-owned, light-duty vehicles to vehicles which emit zero tailpipe emissions by the year 2040, and to transition all publicly-owned medium- and heavy-duty vehicles to vehicles which emit zero tailpipe emissions by the year 2050.**

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. 302.

Bill read second time and ordered to third reading.

Assembly Bill No. 304.

Bill read second time and ordered to third reading.

Assembly Bill No. 325.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources:

Amendment No. 109.

AN ACT relating to water; providing that certain temporary changes to the place of diversion, manner of use or place of use of **surface** water are not required to be approved by the State Engineer under certain circumstances; authorizing the State Engineer to accept certain nonconforming maps under certain circumstances; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law requires, with certain exceptions: (1) any person who wishes to change the place of diversion, manner of use or place of use of water already appropriated to apply to the State Engineer for a permit to do so; and (2) for a temporary change of the place of diversion, manner of use or place of use of water already appropriated, the State Engineer to approve such an application for a temporary change if the State Engineer determines the temporary change is in the public interest and does not impair the water rights held by other persons. (NRS 533.325, 533.345) **Section 2** of this bill creates an exception from these requirements to allow a person to temporarily change the place of diversion, manner of use or place of use of **surface** water already appropriated if: (1) the temporary change occurs within the boundaries of an irrigation district within a federal reclamation project; (2) the irrigation district approves the temporary change; and (3) the temporary change does not exceed 1 year. **Section 5** of this bill provides that the definition of the term “water already appropriated” applies to **section 2**. **Section 6** of this bill makes a conforming change to provide that the provisions of **section 2** are an exception to the requirement for the State Engineer to approve a temporary change.

Existing law requires certain applications relating to water to be accompanied by a map which must meet certain requirements. (NRS 533.350, 533.355, 533.405, 533.415) **Section 3** of this bill authorizes the State Engineer to accept a map which does not meet such requirements if: (1) the map is filed in connection with an application to appropriate **surface** water or to change the place of diversion, manner of use or place of use of **surface** water that is subject to the control of an irrigation district within a federal reclamation project; and (2) the irrigation district approves the map. **Section 7** of this bill makes a conforming change to provide that the provisions of **section 3** are an exception to the requirement that a map filed in connection with a proof of application of water to beneficial use conform to the rules and regulations of the State Engineer.

Existing law provides that a water right acquired for use in a federal reclamation project is governed by, with certain exceptions, the applicable law of this State in effect on the date on which the United States appropriated water for initiation of the project. (NRS 533.037) **Section 4** of this bill makes a conforming change to provide that a water right acquired for use in a federal reclamation project is subject to the provisions of **sections 2 and 3**.

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

**Section 1.** Chapter 533 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

**Sec. 2.** *A person is not required to file an application for a temporary change of the point of diversion, manner of use or place of use for water already appropriated pursuant to NRS 533.345 if the request is for a temporary change for surface water in which:*

1. *The temporary change occurs within the boundaries of an irrigation district within a federal reclamation project;*
2. *The irrigation district approves the temporary change; and*
3. *The temporary change does not exceed 1 year.*

**Sec. 3.** *The State Engineer may, in his or her discretion, accept a map that does not conform with the requirements of chapter 533 of NRS and any regulations adopted pursuant thereto if:*

1. *The map is filed in connection with an application to appropriate surface water or to change the point of diversion, manner of use or place of use of surface water that is subject to the control of an irrigation district within a federal reclamation project; and*
2. *The irrigation district in which the water is located has approved the map.*

**Sec. 4.** NRS 533.037 is hereby amended to read as follows:

533.037 1. The priority of a water right acquired by a person for use in a federal reclamation project is determined according to the date on which the United States appropriated water for initiation of the project. Notwithstanding the fact that the water right so appropriated and acquired may ultimately vest in the name of the person at a later date, **and except as otherwise provided in sections 2 and 3 of this act**, all such water rights so acquired are governed by the applicable law of this State in effect on the date on which the United States appropriated water for initiation of the project, unless the water rights vested under the law in this State before the time the United States first appropriated or otherwise acquired the water for initiation of the project. If the water right vested under the law in this State before appropriation or acquisition by the United States, the date of initiation of the water right is determined according to the date on which the water was first diverted under that appropriation or acquisition by the United States.

2. No water rights, in addition to those allocated under applicable court decrees, are granted, stated or implied by the determination of the date of priority pursuant to subsection 1.

**Sec. 5.** NRS 533.324 is hereby amended to read as follows:

533.324 As used in NRS 533.325, 533.345 and 533.425, **and section 2 of this act**, “water already appropriated” includes water for whose appropriation the State Engineer has issued a permit but which has not been applied to the intended use before an application to change the place of diversion, manner of use or place of use is made.

**Sec. 6.** NRS 533.325 is hereby amended to read as follows:

533.325 Except as otherwise provided in NRS 533.027, 533.028 and 534.065, **and section 2 of this act**, any person who wishes to appropriate any of the public waters, or to change the place of diversion, manner of use or place of use of water already appropriated, shall, before performing any work in connection with such appropriation, change in place of diversion or change in manner or place of use, apply to the State Engineer for a permit to do so.

**Sec. 7.** NRS 533.405 is hereby amended to read as follows:

533.405 1. The State Engineer may, in his or her discretion, request that the statement required by NRS 533.400 be accompanied by a map on tracing linen on a scale of not less than 1,000 feet to the inch, which shall show with substantial accuracy the following:

(a) The point of diversion by legal subdivisions or by metes and bounds from some corner, when possible, from the source of supply.

(b) The traverse of the ditch or other conduit, together with cross sections of the same.

(c) The legal subdivisions of the land embraced in the application for the permit and the outline by metes and bounds of the irrigated area, with the amount thereof.

(d) The average grade and the difference in elevation of the termini of the conduit, and the carrying capacity of the same.

(e) The actual quantity of water flowing in the canal or conduit during the time the survey was being made.

2. The map must bear the affidavit of the surveyor or engineer making such survey and map. If the survey and map are made by different persons the affidavit of each must be on the map, showing that the map as compiled agrees with the survey.

3. ~~The~~ **Except as otherwise provided in section 3 of this act, the** map shall conform with such rules and regulations as the State Engineer shall make, which rules shall not be in conflict herewith.

Assemblywoman Cohen moved the adoption of the amendment.

Remarks by Assemblywoman Cohen.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 350.

Bill read second time and ordered to third reading.

Assembly Bill No. 388.

Bill read second time and ordered to third reading.

Assembly Bill No. 424.

Bill read second time and ordered to third reading.

Assembly Bill No. 443.

Bill read second time and ordered to third reading.

Assembly Bill No. 457.

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. 71, 99, 113, and 161 be rereferred to the Committee on Ways and Means.

Motion carried.

Assemblywoman Monroe-Moreno moved that Assembly Bills Nos. 260, 302, 304, 388, 443, and 457 be taken from the General File and rereferred to the Committee on Ways and Means.

Motion carried.

Assemblywoman Jauregui moved that upon return from the printer, Assembly Bill No. 325 be placed on the Chief Clerk's Desk.

Motion carried.

Assemblywoman Jauregui moved that Assembly Bill No. 146 be taken from the General File and placed on the Chief Clerk's Desk.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 23.

Bill read third time.

Remarks by Assemblyman Carter.

ASSEMBLYMAN CARTER:

Assembly Bill 23 creates an additional informal process for the resolution of an administrative citation issued by the State Contractors' Board. A person who is issued such a citation may submit a written request to the Executive Officer of the Board for an informal citation conference within 15 business days after the citation was served. The Executive Officer is required to conduct an informal citation conference within 60 business days after receiving such a request and must affirm, modify, or dismiss the citation.

A person may contest the Executive Officer's decision within 15 business days after the informal citation conference. If a person submits written notice of his or her intent to contest the citation within that period, or if that period is extended by the Board, the Board is required to hold a hearing on the matter. An affirmed or modified citation is a final order of the Board and is not subject to review by a court or agency. The failure of a person to comply with a final order constitutes cause for disciplinary action by the Board.

Roll call on Assembly Bill No. 23:

YEAS—42.

NAYS—None.

Assembly Bill No. 23 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.



Assembly Bill No. 27.

Bill read third time.

Remarks by Assemblywoman Torres.

ASSEMBLYWOMAN TORRES:

Assembly Bill 27 requires a general building contractor who provides management and counseling services on a construction project for a professional fee to have an active license in the same classifications or subclassifications that are required to be held by the prime contractor on the construction project.

Roll call on Assembly Bill No. 27:

YEAS—33.

NAYS—Dickman, Gallant, Gray, Gurr, Hafen, Hansen, Hibbetts, McArthur, O'Neill—9.

Assembly Bill No. 27 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 35.

Bill read third time.

Remarks by Assemblywoman Mosca.

ASSEMBLYWOMAN MOSCA:

Assembly Bill 35 removes statutory provisions authorizing offenders to have access to a telecommunications device and instead requires the Director of the Department of Corrections to adopt regulations authorizing an offender to possess and use a telecommunications device for certain purposes, including communicating with his or her child, appearing in court, receiving medical care, applying for a governmental program, performing legal research, and obtaining educational training.

This bill is effective upon passage and approval for the purposes of adopting regulations and performing any other necessary preparatory administrative tasks, and on January 1, 2024, for all other purposes.

Roll call on Assembly Bill No. 35:

YEAS—42.

NAYS—None.

Assembly Bill No. 35 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 39.

Bill read third time.

Remarks by Assemblywoman Hardy.

ASSEMBLYWOMAN HARDY:

Assembly Bill 39 authorizes the State Contractors' Board to adopt regulations establishing certain requirements pertaining to contracts used by a residential contractor and the owner of a completed single-family residence who occupies the single-family residence for any construction, remodeling, repair, or improvement to the single-family residence or any activity for the supervision of such work. The measure also sets forth certain information that must be included in such a contract. A contractor's failure to comply with the requirements for contracts for work concerning a residential improvement or regulations adopted by the Board is subject to disciplinary action.

This bill is effective on October 1, 2023.

Roll call on Assembly Bill No. 39:

YEAS—33.

NAYS—Backus, DeLong, Dickman, Gallant, Gray, Hafen, Hansen, McArthur, O'Neill—9.

Assembly Bill No. 39 having received a constitutional majority,  
Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 40.

Bill read third time.

Remarks by Assemblywoman Newby.

ASSEMBLYWOMAN NEWBY:

Assembly Bill 40 authorizes the inclusion of an electronic mail address in an application to a health authority for a permit to operate a food establishment by which the health authority may communicate with the applicant and send any inspection report form or other notice. The bill authorizes a health authority to furnish an electronic original food inspection report form after such an inspection and to serve an inspection report form or other written notice on a permit holder by sending the notice to the electronic mail address provided by the permit holder. The exceptions are notices related to the suspension or revocation of permits, which shall not be provided via electronic communication.

Roll call on Assembly Bill No. 40:

YEAS—42.

NAYS—None.

Assembly Bill No. 40 having received a constitutional majority,  
Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 44.

Bill read third time.

Remarks by Assemblywoman Thomas.

ASSEMBLYWOMAN THOMAS:

Assembly Bill 44 revises the titles of the deputy directors of the Department of Veterans Services and certain duties of the Director of the Department. The measure requires the Director to provide quarterly training to veterans service officers employed by the Department and to additionally offer the training to representatives of veterans service organizations who are accredited by the United States Department of Veterans Affairs located in this state.

Roll call on Assembly Bill No. 44:

YEAS—42.

NAYS—None.

Assembly Bill No. 44 having received a constitutional majority,  
Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 51.

Bill read third time.

Remarks by Assemblywoman Hardy.

ASSEMBLYWOMAN HARDY:

Assembly Bill 51 revises the period for the mandatory and discretionary arrest of a person suspected of committing a battery which constitutes domestic violence. The bill requires a peace

officer to arrest a person suspected of such a crime if the peace officer encounters the person while responding to the initial request for assistance relating to the battery; within 24 hours after the alleged battery; or if the peace officer did not encounter the person while responding to the initial request, within seven days after the alleged battery. Lastly, this bill prohibits a court from granting probation to, or suspending the sentence of, a person who is charged with committing a battery which constitutes domestic violence that is punishable as a felony.

This bill is effective on October 1, 2023.

Roll call on Assembly Bill No. 51:

YEAS—42.

NAYS—None.

Assembly Bill No. 51 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 52.

Bill read third time.

Remarks by Assemblyman Nguyen.

ASSEMBLYMAN NGUYEN:

Assembly Bill 52 makes various changes to the Open Meeting Law, including clarifying what constitutes a meeting of a public body. The bill clarifies that nonvoting members are not counted for purposes of determining a quorum of that public body, and if a vacancy occurs in the voting membership of a public body, the necessary quorum and number of votes necessary to act on a matter is reduced as though the voting membership does not include the vacancy. The bill changes the notice requirements for a meeting to consider administrative action against a person and provides that a quorum reduction provision in the Nevada Ethics in Government Law applies to all public bodies in the state. The bill makes conforming changes to include remote technology systems as one means by which public bodies may conduct meetings and exempts from the Open Meeting Law committees of private citizens created by city councils or the Secretary of State to draft the background for ballot questions.

Finally, it provides that library foundations, parent-teacher associations, and certain university foundations are not subject to the Open Meeting Law unless they otherwise meet a certain definition of a public body.

Roll call on Assembly Bill No. 52:

YEAS—31.

NAYS—DeLong, Dickman, Gallant, Gray, Gurr, Hafen, Hansen, Hibbetts, Kasama, McArthur, O'Neill—11.

Assembly Bill No. 52 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 56.

Bill read third time.

Remarks by Assemblyman C.H. Miller.

ASSEMBLYMAN C.H. MILLER:

Assembly Bill 56 authorizes drivers of certain vehicles to travel for more than 200 feet to overtake and pass another vehicle on a paved shoulder of a highway where lawfully placed signage allows this, although the driver may not, upon the immediate approach of an authorized emergency vehicle that is using certain flashing lights, drive to and stop on such a highway shoulder. Additionally, the bill authorizes drivers of certain vehicles to drive on a paved shoulder of a controlled-access highway where lawfully placed signage allows this.

Roll call on Assembly Bill No. 56:

YEAS—42.

NAYS—None.

Assembly Bill No. 56 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 57.

Bill read third time.

Remarks by Assemblywoman Summers-Armstrong.

ASSEMBLYWOMAN SUMMERS-ARMSTRONG:

Assembly Bill 57 provides that if a person is unable to sell a vehicle with a lien at a public auction at fair market value, the person may satisfy the lien by selling the vehicle by private sale directly to a third-party purchaser in an arm's-length transaction. The bill also removes the requirement that a sale must be held at or near the place where the lien was acquired. The bill revises the Department of Motor Vehicles' reporting requirement concerning garages, garage operators, and body shops.

Lastly, the bill repeals the authority for the issuance of a special license plate to an honorary consul of a foreign country, thereby terminating the production and distribution of such plates.

The effective date is July 1, 2023.

Roll call on Assembly Bill No. 57:

YEAS—42.

NAYS—None.

Assembly Bill No. 57 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 97.

Bill read third time.

Remarks by Assemblywoman Hardy.

ASSEMBLYWOMAN HARDY:

Assembly Bill 97 precludes certain government entities from adopting a building code or taking any other action prohibiting or limiting the use of refrigerants designated by the United States Environmental Protection Agency as a refrigerant alternative or substitute if equipment installation complies with certain industry standards. The bill authorizes the governing body of any city, county, or other governmental entity to adopt a building code or ordinance or take any other action to prohibit the construction or use of evaporative cooling mechanisms or restrict water service to properties utilizing these mechanisms.

Finally, the bill voids any currently existing building codes or other actions adopted by the governing body of a city, county, or other governmental entity limiting or prohibiting refrigerant alternatives or substitutes.

This bill is effective upon passage and approval.

Roll call on Assembly Bill No. 97:

YEAS—42.

NAYS—None.

Assembly Bill No. 97 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 101.

Bill read third time.

Remarks by Assemblywoman González.

ASSEMBLYWOMAN GONZÁLEZ:

Assembly Bill 101 requires each office of a prosecuting attorney to maintain complete and systematic records of cases prosecuted by the office in which testimony is provided by an informant pursuant to a cooperation agreement. Such records are confidential and not considered public books or records. If a prosecuting attorney intends to use testimony provided by an informant in a trial, the prosecuting attorney is required to disclose certain information or material to the defendant as soon as practicable before a trial, but not later than 30 days before the trial, unless the court revises the deadline. In addition, if a court finds that making the disclosures may result in substantial bodily harm to the informant, the court may order the disclosures to only be made to the attorney for the defendant and not to the defendant or any other party. Lastly, a court is required to instruct the jury to consider certain information in assessing the credibility of an informant.

Roll call on Assembly Bill No. 101:

YEAS—42.

NAYS—None.

Assembly Bill No. 101 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 121.

Bill read third time.

Remarks by Assemblywoman Considine.

ASSEMBLYWOMAN CONSIDINE:

Assembly Bill 121 revises provisions related to incarcerated persons. The Department of Corrections is required to provide an offender with the original physical copy of any mail addressed to the offender that they are entitled and allowed to receive. The Department and city or county jails and detention facilities are required to provide notification within 24 hours to certain persons concerning an incarcerated person's critical medical condition if the incarcerated person was required to stay in a medical facility overnight. If the incarcerated person's medical condition does not require an overnight stay in a medical facility, the Department and city or county jails and detention facilities are required to provide the incarcerated person with the opportunity to make a telephone call to a friend, relative, or other person regarding their health status within 4 hours after their return to the facility where they are incarcerated. Lastly, this bill requires the Department to ensure that if an offender requires prescription medication, the prescription will be filled in a timely manner.

Roll call on Assembly Bill No. 121:

YEAS—42.

NAYS—None.

Assembly Bill No. 121 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 122.

Bill read third time.

Remarks by Assemblyman Hafen.

ASSEMBLYMAN HAFEN:

Assembly Bill 122 provides an exception to the age verification requirement governing the sale, distribution, or offering for sale of tobacco products for a face-to-face transaction that occurs within areas of a casino where persons under 21 years of age are already prohibited from loitering.

Roll call on Assembly Bill No. 122:

YEAS—42.

NAYS—None.

Assembly Bill No. 122 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 143.

Bill read third time.

Remarks by Assemblyman O’Neill.

ASSEMBLYMAN O’NEILL:

Assembly Bill 143 authorizes a board of county commissioners to convey, without consideration and without complying with certain requirements in existing law, real property that the county acquired directly from the federal government for the purpose of clearing title to the property. The real property must be conveyed, as prescribed, to the person or persons, as applicable, who have an interest in the property. The county recorder of any county in which the board of county commissioners conveys any real property per the provisions of this bill between October 1, 2023, and June 30, 2024, must report on or before July 1, 2024, to the Joint Interim Standing Committee on Government Affairs the number of such conveyances initiated or completed.

This bill sunsets on June 30, 2025.

Roll call on Assembly Bill No. 143:

YEAS—42.

NAYS—None.

Assembly Bill No. 143 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 144.

Bill read third time.

Remarks by Assemblywoman La Rue Hatch.

ASSEMBLYWOMAN LA RUE HATCH:

Assembly Bill 144 prohibits the sale and distribution of certain mercury-containing fluorescent lamps by 2025 and 2026 and authorizes the Attorney General to bring civil action to enforce the provisions of the bill.

Roll call on Assembly Bill No. 144:

YEAS—28.

NAYS—DeLong, Dickman, Gallant, Gray, Gurr, Hafen, Hansen, Hardy, Hibbetts, Kasama, Koenig, McArthur, O’Neill, Yurek—14.

Assembly Bill No. 144 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 145.

Bill read third time.

Remarks by Assemblywoman Marzola.

ASSEMBLYWOMAN MARZOLA:

Assembly Bill 145 requires a peace officer to arrest a person, whether or not a warrant has been issued, if there is probable cause to believe that the person has violated the prohibition of a customer engaging in prostitution or solicitation for prostitution except in a licensed house of prostitution. The minimum fine for the first offense is increased to not less than \$800 from \$400, and the civil penalty for any offense is increased to \$600 from \$200. Lastly, a person is authorized to petition the court two years after the person is discharged and the proceedings against the person are dismissed for the sealing of all records relating to the discharge and dismissal.

This bill is effective on July 1, 2023.

Roll call on Assembly Bill No. 145:

YEAS—42.

NAYS—None.

Assembly Bill No. 145 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 183.

Bill read third time.

Remarks by Assemblyman Orentlicher.

ASSEMBLYMAN ORENTLICHER:

Assembly Bill 183 relates to the commercial sexual exploitation of children. It applies to a local facility for the detention of children, a regional facility for the treatment and rehabilitation of children, and a state facility for the detention of children. The facilities are required to screen each child as long as there is a valid screening tool to determine whether the child is a victim of commercial sexual exploitation. Facilities must report commercial sexual exploitation of a child to an agency that provides child welfare services if the results of the screening indicate that the child is a victim.

Roll call on Assembly Bill No. 183:

YEAS—42.

NAYS—None.

Assembly Bill No. 183 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 251.

Bill read third time.

Remarks by Assemblyman Nguyen.

ASSEMBLYMAN NGUYEN:

Assembly Bill 251 removes the requirement for the State Board of Pharmacy to adopt regulations prescribing every language in which certain information about a prescription is required to be provided based on demographic trends and projections, and instead requires each pharmacy to provide such information in any of the ten languages most commonly spoken at home in this state, as determined by the most recent decennial census. The measure authorizes a pharmacy to provide the specific directions for use given by the prescribing practitioner in English and the other language in a separate document if it is impractical to include that information on the label or other device affixed to the container of the prescription in English only.

Roll call on Assembly Bill No. 251:

YEAS—33.

NAYS—DeLong, Dickman, Gallant, Gurr, Hafen, Hansen, Kasama, McArthur, O’Neill—9.

Assembly Bill No. 251 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 366.

Bill read third time.

Remarks by Assemblyman D’Silva.

ASSEMBLYMAN D’SILVA:

Assembly Bill 366 moves the Keep Nevada Working Task Force from the Office of the Lieutenant Governor to the Office of the Secretary of State and revises the membership of the Task Force.

Roll call on Assembly Bill No. 366:

YEAS—42.

NAYS—None.

Assembly Bill No. 366 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblywoman Cohen, the privilege of the floor of the Assembly Chamber for this day was extended to Brian McAnallen.

On request of Assemblyman D’Silva, the privilege of the floor of the Assembly Chamber for this day was extended to Fernando Herrera and Luis Herrera.

On request of Assemblywoman Duran, the privilege of the floor of the Assembly Chamber for this day was extended to Benjamin Mendez and Ericka Aviles.

On request of Assemblyman Gray, the privilege of the floor of the Assembly Chamber for this day was extended to Cindy Olivieri and Janie Mielcarek.

On request of Assemblyman Gurr, the privilege of the floor of the Assembly Chamber for this day was extended to Amber Lee Peterson-Brunjes and Jonathan Brunjes.

On request of Assemblyman Hafen, the privilege of the floor of the Assembly Chamber for this day was extended to Idania Munoz and Tony Munoz.

On request of Assemblywoman Hansen, the privilege of the floor of the Assembly Chamber for this day was extended to Winnie Dowling.

On request of Assemblywoman Hardy, the privilege of the floor of the Assembly Chamber for this day was extended to the following students,



teachers, and chaperones from Henderson International School: Abigail Dror, Addison Lavietes, Albert Wang, Alicia Ford, Amelia Forstrom, Andrew Rice, Arielle Mengistu, Asher Stone, Aurora Young, Avonni Baker, Ayva Swanson, Bryton Bohn, Caleb Chou, Callan Primmer, Cameron Cabaud, Chloe Sissener, Cosette Gabroy, David Ford, David Ranck, Dylan Hawkins, Emmett James, Ethan Lerner-Payne, Fischer Cox, Freya Sissener, Hailey Baldwin, Hayes Taplin, Hudson Miller, Isabella Wilson, Isla Rayl, Jack Trippiedi, Jarek Zukowski, Jorgen Van Den Bos, Justice Fargas, Kennedy Schaefer, Kensey Waits, Kieran Seink, Kimaya Garg, Krew Findlay, Lauren Walter, Maddalena Guerrieri, Madison Henderson, Mark Mundson, Mateo Tagle, Meleena Tran, Michael Korovin, Michael Ming, Mila Ledell, Nathan Farrell, Nathan Perry, Olivia Lee, Reina Zuber, Shayden Chopra, Sloan Crighton, Sophia Howard, Sophia Labuz, Tom Moreau, Valentino Guadagna, Violet Stone, Winter Rini, Zachary Jones, and Zaira Wang.

On request of Assemblyman Hibbetts, the privilege of the floor of the Assembly Chamber for this day was extended to Leslie Mujica.

On request of Assemblywoman Jauregui, the privilege of the floor of the Assembly Chamber for this day was extended to Juan Mendez and Peter Guzman.

On request of Assemblyman Koenig, the privilege of the floor of the Assembly Chamber for this day was extended to Carlos Gomez.

On request of Assemblywoman Marzola, the privilege of the floor of the Assembly Chamber for this day was extended to Alex Vazquez and Maggie Petrel.

On request of Assemblywoman Monroe-Moreno, the privilege of the floor of the Assembly Chamber for this day was extended to Damon Schilling.

On request of Assemblywoman Newby, the privilege of the floor of the Assembly Chamber for this day was extended to Luis Bobbys.

On request of Assemblywoman Peters, the privilege of the floor of the Assembly Chamber for this day was extended to Esmeralda da Villeda.

On request of Assemblywoman Taylor, the privilege of the floor of the Assembly Chamber for this day was extended to Adriana Pereda.

On request of Assemblywoman Torres, the privilege of the floor of the Assembly Chamber for this day was extended to Jorge Soto, Olivia Ngo, and Zoila Sanchez.

Assemblywoman Jauregui moved that the Assembly adjourn until Friday, April 14, 2023, at 11:30 a.m.

Motion carried.

Assembly adjourned at 1:19 p.m.

Approved:

STEVE YEAGER  
*Speaker of the Assembly*

Attest: SUSAN FURLONG  
*Chief Clerk of the Assembly*