

LEGISLATIVE REPORT

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PAGE 78

This issue of Legislative Report contains a summary of bills which directly or indirectly will have an impact on our members or be of interest to our members. It does not include industry specific bills.

Notes:

- Page numbers continue in sequence from the last issue.
- To access the full text of the bills reported in this issue, use the link which appears at the end of the bill summary.
- Unless otherwise shown, the effective date of bills reported is July 1, 2017.
- To review all bills introduced to date or the BDR list, go to www.leg.state.nv.us and click on "Session Information – 2017".

BILLS NEWLY INTRODUCED THIS WEEK

FEES

SB 539 - Prescription Drug Rebates – Requires 2/3 vote

Senators Roberson, et al and referred to the Committee on Health and Human Services (BDR 40-1217)

The bill requires pharmacy benefit managers (PBMs) to be licensed and pay a fee to be determined by regulation promulgated by the Insurance Commissioner. The conditions and requirements for licensure are also to be developed in regulation. It also creates a presumption of fiduciary responsibility between a PBM and its contracted insurance providers. It requires to reimburse insurers at least 80% of any rebate it receives from a manufacturer for prescription drugs used to treat diabetes. It also includes notification and reporting requirements.

<https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB539.pdf>

BUSINESS

SB 538 - Internet Privacy

Senator Ford & Assemblyman Frierson and referred to the Committee on Commerce, Labor & Energy (BDR 52-1216)

The bill requires operators of Internet websites or online service for commercial purpose to make available to its consumers a notice that contains its operating procedures as they relate to the consumer's personal data. The notice must describe its process for notifying consumers if the policy changes, provide consumers with a method of examining and changing their personal information, and disclosing whether a third party may collect covered information about a consumer's individual online activities. The bill provides that failure to remedy a compliance problem as defined in the bill within 30 days is a willful violation and provides that the Attorney General must enforce the act. The AG may impose a civil penalty up to \$5,000 for each violation.

<https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB538.pdf>

STATE GOVERNMENT

AB 513 - General Counsel for Gaming Control Board & Gaming Commission

Assembly Ways and Means and referred to same (BDR 41-1223)

The bill provides for a General Counsel for Gaming Commission and Gaming Control Board, independent of the Attorney General's office. It vests the civil representation with the General Counsel and leaves in place the AG's duty to defend the agencies in a tort action or a waiver of the state's waiver of sovereign immunity.

<https://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB513.pdf>

COURTS**AB 512 - Specialty Court Fee Extension**

Assembly Ways and Means and referred to same (BDR S-1214)

This bill extends the expiration by two years the \$100 additional fee that funds specialty court programs. The bill is effective on passage and approval and expires on June 30, 2019.

<https://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB512.pdf>

AMENDMENTS TO BILLS PREVIOUSLY REPORTED**TAXES: Business and Excise****SB 302, 1st Reprint – Early Implementation of Retail Marijuana (Maintains 2/3s vote requirement) (Issue 4, page 25)**

Clarifies that local land use ordinances must be observed. Adds language clarifying that an excise tax on medical and retail marijuana sales are distinct and do not affect each other.

www.leg.state.nv.us/Session/79th2017/Bills/SB/SB302_R1.pdf

FEES, FINES & PENALTIES**AB 169, 2nd Reprint – County Recorder Fees – Maintains 2/3s vote requirement (Issue 1, page 5; Issue 8, page 62)**

Specifies a fee of \$10 for recording mining claims and no additional fee for additional pages. Amends the proposed fee for recording a document to \$25 total rather than \$10 plus \$1 for each additional page.

www.leg.state.nv.us/Session/79th2017/Bills/AB/AB169_R2.pdf

SB 512, 2nd Reprint – Fees To Use State Lands – Maintains 2/3s requirement (Issue 7, page 50; Issue 8, page 64)

Fee proceeds in excess of \$65,000 (rather than \$50,000) from navigable water use permits are to be used for the Tahoe Basin.

www.leg.state.nv.us/Session/79th2017/Bills/SB/SB512_R2.pdf

BUSINESS ISSUES**AB 280, 1st Reprint – State Purchasing Bidders Preference (Issue 4, page 27)**

Amends the qualifications for receiving preference as a Nevada-based business and clarifies that federal law must be observed in awarding contracts using federal money.

www.leg.state.nv.us/Session/79th2017/Bills/AB/AB280_R1.pdf

GOVERNMENT: State**AB 328, 2nd Reprint – Professional Licensing Boards (Issue 6, page 40)**

Increases from \$75,000 to \$200,000 the threshold of revenue requiring an audit versus a balance sheet filing.

www.leg.state.nv.us/Session/79th2017/Bills/AB/AB328_R2.pdf

SB 394, 1st Reprint – Affordable Care Act Mandates – Unfunded mandate removed (Issue 6, page 41)

Replaces all original language with provisions requiring health maintenance organizations to provide certain employers with periodic claims reports that do not include personal or other identifying information. Requires the Legislative Committee on Health Care to study certain health care issues by September 1, 2018.

www.leg.state.nv.us/Session/79th2017/Bills/SB/SB394_R1.pdf

ELECTIONS

AB 272, 3rd Reprint – Elections – Maintains unfunded mandate (Issue 3, page 23; Issue 8, page 70)

Clarifies the language pertaining to establishing a polling place for early or election day voting within an Indian colony or reservation. Removes language that would have amended the defined formats of voter rosters.

www.leg.state.nv.us/Session/79th2017/Bills/AB/AB272_R3.pdf

Nevada Taxpayers Association ■ 775.882.2697 or 702.457.8442 ■
www.nevadataxpayers.org ■ info@nevadataxpayers.org