

# LEGISLATIVE REPORT

An electronic publication of the Nevada Taxpayers Association ♦ Serving the citizens of Nevada since 1922

ISSUE 19-10

Through March 22, 2019

March 27, 2019

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, 2019. (The Legislative default date is October 1.)
- ♦ Some bills have a fiscal note, which is not indicated in the summary, as specific fiscal information is not currently provided.
- ♦ To review all bills introduced to date or the BDR list, click [here](#) or go to [www.leg.state.nv.us](http://www.leg.state.nv.us) and click on "Session Information – 80<sup>th</sup> (2019) Session."

## SENATE CONCURRENT RESOLUTION NUMBER 4 Introduction Deadline Extended

Whereas several former legislators resigned from their legislative offices during this legislative session ...

Resolved ... as appropriate for the House of the former Legislator, may allocate or reallocate some or all of the former requests of the former legislator to other legislators or standing committees ... the requests may not be counted against the limitations requested by those Legislators or standing committees ... the last day for introduction is the 54<sup>th</sup> calendar day of this legislative session ... "

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6575/Text>

## TAXES: Administration

### AB 400 – GOED Tax Abatements

Introduced by Assemblywoman Benitez-Thompson and referred to Committee on Taxation. (BDR 18-803)

Prohibits GOED from granting any abatement to a company that has already received one. Prohibits GOED from approving an abatement of the Local School Support Tax.

Effective: October 1, 2019

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6765/Text>

## TAXES: Business

### AB 308 – Modified Business Tax Credit

Introduced by Assemblymen Monroe-Moreno, Fumo, et al and referred to Committee on Taxation. (BDR 32-867)

Authorizes an employer to receive a modified business tax credit when paying for an employee's academic education or vocational training. A qualified employer maintains a place of business in Nevada, employs fewer than 30 full-time or full-time equivalent employees and did less than \$3.5 million in gross revenue over the prior 3 years. Other conditions regarding schools and amount of awards are specified.

Effective: Upon passage and approval for regulations and administrative tasks. January 1, 2020 for all other purposes.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6567/Text>

### SB 325 – Modified Business Tax Credits

Introduced by Senators Settlemeyer, Hansen, et al. Joint Sponsors Assemblymen Wheeler, Titus, et al and referred to Committee on Judiciary. (BDR 11-163)

The Division of Child and Family Services is to establish the Nevada Child Adoption Grant Program to help cover non-recurring adoption costs for Nevada parents. The grant limits are \$25,000 per adoption and \$50,000 per lifetime of the adoptive parent. The program is to be funded by gifts, donations and other contributions. Taxpayers who make donations must apply in advance to the Department of Taxation for approval of a credit against the Modified Business Tax in the amount of the donation. The total amount of allowable tax credits that can be approved in FY 2019-20 is \$500,000 and a maximum of \$550,000 for FY 2020-21. Each year thereafter the maximum is set by formula.

Effective: Upon passage and approval for regulations and administrative tasks. January 1, 2020 for all other purposes.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6594/Text>

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**SB 375 – State Business License: Home Based Businesses**

Introduced by Senator Hansen and referred to Committee on Judiciary. (BDR 7-773)

Redefines the threshold at which a state business license is required for a home-based business to \$60,000 in annual gross earnings.

Effective: Upon passage and approval for making appointments and administrative tasks. July 1, 2019 for all other purposes.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6676/Text>

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**TAXES: Combination**

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**AB 324 – Telecommunications Surcharge and Taxes – Requires 2/3 Majority**

Introduced by Assemblyman Ellison and referred to Committee on Growth and Infrastructure. (BDR 43-47)

Creates the Office of Nevada Statewide 911 Coordinator and the Nevada Public Safety Communications Advisory Committee, establishing the appointment process, responsibilities and funding of both. Requires the County Commissioners in each County to impose a surcharge that does not exceed 75 cents each month on each line of a telecommunication provider, mobile telephone services, and Internet Protocol service; and provide for a schedule of penalties. Imposes a 3 percent excise tax on each retail sale of a prepaid cellular device. Mandates each county commission to impose a 5 cent tax on each \$100 of the gross received from the rental of transient lodging.

Effective: October 1, 2019.

NTA Comment: See also SB12 and SB25, issue 19-1, page 4. Per the Legislative Bill Digest, the Nevada Public Safety Communications Committee (NPSCC) was established by Governor Sandoval in 2014 (Executive Order 2014-01).

**NTA POSITION: OPPOSE** as written. The 3 percent tax would be on top of the sales tax.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6588/Text>

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**AB 385 – Southern Nevada Enterprise Community Economic Development Act**

Introduced by Assemblymen McCurdy and Neal and referred to Committee on Taxation. (BDR S-865)

Creates the Southern Nevada Enterprise Community Advisory Council to approve transferrable tax credits to businesses that expand to the community, assist in workforce development, and promote economic development for the State. The transferable tax credits are the modified business tax, the gross gaming tax and the insurance premium tax. The maximum transferable tax credits approved in any fiscal year may not exceed \$7,600,000; and the total transferable tax credit allowed must not exceed \$38,000,000. Transferable tax credits expire 4 years after the date of issue. Other provisions include, but are not limited to members of the committee to target industries.

Effective: October 1, 2019.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6740/Text>

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**SB 305 – Sales Tax Increase**

Introduced by Senator Harris and referred to Committee on Revenue and Economic Development. (BDR 32-264)

If approved by the voters counties can enact an ordinance imposing a sales tax of one percent on sales of tangible goods for the support of programs for prekindergarten, to assist homeless persons, specialty court programs or diversion programs, or for the development of affordable housing, or any combination including those programs allowed by NRS 377A.030. Additionally, 25% of the revenue collected from the excise tax on retail sales of marijuana is to be deposited to the fund to Support Academic Achievement, administered by the Interim Finance Committee for various purposes.

NTA Comment: The ordinance needs to pass by 2/3s vote and then be approved by a vote of the people. This bill coupled with other legislation seeking to raise the sales tax would be an example of the law of potential diminishing returns, leading to cross border evasion.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6537/Text>

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**SB 410 – Economic Development: Transferable Tax Credits**

Introduced by Senators Kieckhefer, Hansen, et al. Joint Sponsors Assemblymen Benitez-Thompson, Kramer, et al and referred to Committee on Revenue and Economic Development. (BDR 32-881)

Eliminates the authority of GOED to issue the following transferable tax credits; the modified business tax, the gross gaming tax and the insurance premium tax.

Effective: October 1, 2019

NTA Comment: The lead participant in a project may still apply to the Office of Economic Development for the partial abatement of property taxes, employer excise taxes, or local sales and use taxes, or any combination of those taxes. See SB 415 below.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6743/Text>

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**SB 415 – Economic Development: Transferable Tax Credits**

Introduced by Senator Kieckhefer and referred to Committee on Revenue and Economic Development. (BDR 18-879)

Creates the Volens et Potens Investment Fund and Committee to form a nonprofit corporation that makes venture capital investments in businesses located or seeking to locate in Nevada. Two general partners, one north and one south, are to be selected and each is to invest \$1.5 million in the Fund. Donations may be approved for tax credits against the MBT, Commerce, Insurance Premium taxes or the gaming license fee. Tax credits are not to exceed \$7.5 million each for Fiscal Years 2019-20 and 2020-21.

Effective: Upon passage and approval.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6760/Text>

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<b>TAXES: Fuel and Vehicle</b>
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**AB 283 – Fuel Tax Reimbursement**

Introduced by Assemblymen Leavitt, Ellison, et al. Joint Sponsors Senators Hardy, Hammond, et al and referred to Committee on Taxation. (BDR 32-955)

Allows county commissioners by ordinance to establish a reimbursement program for gasoline retailers who are placed at a competitive disadvantage to retailers located in another county or another state because of fuel indexing. Reimbursement will be made by the County Treasurer on a monthly basis from money belonging to the county, but may not be paid from an account receiving distributions through fuel taxes.

Effective: Upon passage and approval for regulations and administrative tasks. January 1, 2020 for all other purposes.

NTA Comment: This bill is identical to SB 281, see issue 19-9, page 54. Wouldn't this same logic also apply to sales tax, particularly with regards to large ticket items which could be purchased in an adjacent county with a lower combined sales tax rate?

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6510/Text>

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**AB 288 – 3<sup>rd</sup> Party Vehicle Registration – Requires 2/3 Majority**

Introduced by Assemblywoman Spiegel and referred to Committee on Growth and Infrastructure. (BDR 43-938)

Authorizes DMV to license a 3<sup>rd</sup>-party to provide registration and titling services. Authorized 3<sup>rd</sup> party must provide DMV with a bond and be fingerprinted for a criminal background check. Requires 3<sup>rd</sup> party to remit all fees due DMV and collected by the 3<sup>rd</sup> party to be remitted daily. Sets forth the portion of each statutory fee that may be retained by the 3<sup>rd</sup> party for its services. Legislative Auditor will conduct an audit of DMV to measure accuracy of 3<sup>rd</sup> party transactions. Requires tow operators to independently verify the registration of a vehicle to be towed from a residential complex due to expired vehicle registration. Requires DMV to have at least one employee fluent in the language of non-English provided voting materials.

Effective: October 1, 2019.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6516/Text>

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**AB 320 – Motor Vehicle Registration by Weight – Requires 2/3 Majority**

Introduced by Assemblyman Carrillo and referred to Committee on Growth and Infrastructure. (BDR 43-255)

Adds an additional tier of vehicle weights, to the extent authorized by federal law, from 80,001 pounds to 131,550 pounds paying a fee of \$1,360, plus \$20 for each 1,000 pounds over 80,000 pounds, with a maximum fee of \$2,391.

Effective: Upon passage and approval.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6583/Text>

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**AB 333 – One October Victims Memorializing License Plate – Requires 2/3 Majority**

Introduced by Assemblymen Cohen, McCurdy, et al and referred to Committee on Growth and Infrastructure. (BDR 43-273)

DMV to design and issue special license plates memorializing the victims of the October 1, 2017 shooting in Las Vegas. The fee for One October license plates is \$35 initially and \$10 for renewal. In addition, an additional issuance fee of \$25 and renewal fee of \$20 is charged and distributed quarterly to the Vegas Strong Resiliency Center to provide resources and referrals to residents, visitors, and responders affected by the One October shooting.

Effective: October 1, 2019

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6616/Text>

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**AB 386- Moulin Rouge License Plate – Requires 2/3 Majority**

Introduced by Assemblyman McCurdy and referred to Committee on Growth and Infrastructure. (BDR 43-320)

DMV to design and issue special license plates commemorating the historic Moulin Rouge Hotel and Casino in Las Vegas. The fee for the Moulin Rouge license plates is \$35 initially and \$10 for renewal. In addition, an additional issuance fee of \$25 and renewal fee of \$20 is charged and distributed quarterly to the Urban Chamber of Commerce to provide support to the historic West Las Vegas neighborhood.

Effective: October 1, 2019.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6741/Text>

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**AB 401 – Vehicle Miles Traveled (VMT) – Requires 2/3 Majority**

Introduced by Assemblymen Assefa, Kramer, et al and referred to Committee on Growth and Infrastructure. (BDR 43-832)

Cars and light duty trucks (under 8,500 pounds) manufactured after 1983 will pay a fee based on VMT which is off-set by fuel tax paid. The VMT fee for FY2020-21 is 1 cent per mile to be increased each subsequent year by DMV based on factors specified in the legislation. The fee is paid the same time the registration is paid.

Effective: Upon passage and approval for regulations and administrative tasks. July 1, 2020 for all other purposes.

NTA Comment: States, local governments and the federal government that rely on fuel taxes for highway, road and bridge building and repair have seen their revenues from fuel taxes decrease. As fuel-powered vehicles have become more fuel efficient and alternate or non-fuel-powered vehicles continue to increase, governments are looking for solutions, other than fuel taxes, to increase their revenues. Alternate or additional revenue sources will have to be found.

**NTA POSITION: OPPOSE.** This bill raises many questions starting with revenue generation. What is the amount of revenue that is expected to be generated vs. what is currently projected to be received from gas tax? What is the projected increase over a five year and ten year period? Will this legislation have any impact on bonding covenants for which fuel tax is the bond payment? Offsetting the fuel tax against the VMT tax is based on what is calculated for each county and applied to each vehicle which is based (registered) in the county for which the VMT tax is owed. The site to be used for the calculation of miles driven is the U.S. Department of Energy: <https://www.fueleconomy.gov/feg/findacar.shtml>. How will the range between city and highway driving be determined?

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6766/Text>

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**SB 356 – Retired Military Vehicles – Requires 2/3 Majority**

Introduced by Senator Hammond. Joint Sponsor Assemblyman Leavitt and referred to Committee on Growth and Infrastructure. (BDR 43-280)

Once the Department of Motor Vehicles has received at least 25 applications for special license plates for retired military vehicles that are at least 20 years old, the DMV is required to produce a special license plate for these vehicles. The vehicles must comply with certain requirements and may not be operated on the state's highways unless certain conditions are met. In lieu of annual registration fees and governmental services tax, an initial fee of \$25 and annual renewal fee of \$10 will be charged.

Effective: Upon passage and approval for regulations and administrative tasks. July 1, 2019 for all other purposes.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6648/Text>

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**SB 402 – STEM License Tags and Appropriations– Requires 2/3 Majority**

Introduced by Senator Woodhouse and referred to Committee on Growth and Infrastructure. (BDR 43-877)

Directs the DMV to design and issue license plates that indicate support for STEM educational programs. The specialty plates are exempt from provisions regarding minimum requests and approval by the Special License Plate Commission. The fee for STEM license plates is \$35 initially and \$10 for renewal. In addition, an additional issuance fee of \$25 and renewal fee of \$20 is charged and distributed quarterly to the Governor's Office of Science, Innovation and Technology. An appropriation from the General Fund to the Office of Science, Innovation and Technology of \$250,000 in each of FY 2019-20 and FY2020-21 is made to benefit the quality of STEM courses. Another \$300,000 in each of those fiscal years is appropriated for a grant program to promote STEM programs.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6731/Text>

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**SB 408 – Trimobile and Moped Licenses – Requires 2/3 Majority**

Introduced by Senators Dondero Loop, Woodhouse, et al and referred to Committee on Growth and Infrastructure. (BDR 43-805)

Extends the \$6 fee for motorcycle safety education to moped and trimobile registrations. Requires riders of mopeds, trimobiles and motorcycles to wear protective headgear with certain exceptions. Revises pedestrian right of way and pedestrian traffic signal provisions and those relating to installation of an ignition interlock device.

Effective: October 1, 2019.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6737/Text>

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**TAXES: Marijuana****AB 409 – Marijuana Consumption Lounge – Requires 2/3 Majority**

Introduced by Assemblyman McCurdy and referred to Committee on Judiciary. (BDR 20-1254)

Allows counties to establish, set fees, and to license marijuana consumption lounges. Authorizes a marijuana consumption lounge to purchase marijuana products from a marijuana retail store for resale and to sell to consumers. A 10 percent excise tax is imposed on each sale of marijuana product by a retail store to the consumption lounge and on each resale by the consumption lounge to the consumer. The lounge is prohibited from selling or allowing the consumption of alcohol or allowing gaming.

Effective: Dates vary from July 1, 2019 to January 2, 2020.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6776/Text>

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**SB 404 – Tax Credits for Scholarship Donations**

Introduced by Senators Hammond, Pickard, et al. Joint Sponsors Assemblymen Hardy, Roberts, et al and referred to Committee on Education. (BDR 34-778)

With preapproval from the Department of Taxation, donations to qualified scholarship organizations that provide grants for early childhood education or career and technical education may earn credits against marijuana taxes due from a cultivation and retail facility. The Department of Taxation may approve up to \$7,500,000 in any fiscal year. Taxpayers may carry forward any excess credit for five years.

Effective: Most provisions are effective July 1, 2019. Provisions relating to marijuana tax credits are effective January 2, 2020.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6733/Text>

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**TAXES: Property****AB 388 – Heavy Equipment Personal Property Tax**

Introduced by Assemblyman Leavitt and referred to Committee on Taxation. (BDR 32-973)

Exempts from personal property tax heavy equipment owned by a person that rents or leases the equipment for use in construction, earthmoving, or industrial purposes.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6745/Text>

**SB 386 – Veteran’s Property Tax Exemption**

Introduced by Senators Settlemeyer, Hardy, et al and referred to Committee on Revenue and Economic Development. (BDR 32-737)

Revises the eligibility requirements for veterans to receive a partial exemption from property tax. Simplifies the eligibility to those who are serving or who served on active duty and received an honorable discharge.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6700/Text>

**SB 419 – Property Tax: Enabling Legislation**

Introduced by Senator Ratti and referred to Committee on Revenue and Economic Development. (BDR 32-741)

SJR 14 of the 2017 Legislature proposes to amend the Nevada Constitution to eliminate, after the first year the property is sold, the partial property tax cap and accrued depreciation. In addition, this Resolution requires the Legislature to enact a “Senior and Disabled Taxpayers Protection Act” to provide to property tax assistance to senior citizens and persons with disabilities. If this Resolution is passed by the 2019 Legislature it will be submitted to the voters in the 2020 general election. This bill will implement those changes if adopted by this Legislature and the voters.

Effective: Dates vary from upon passage and approval to November 24, 2020 to July 1, 2021.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6778/Text>

**TAXES: Sales****SB 426 – Regional Transportation Tax**

Introduced by Committee on Growth and Infrastructure and referred to Committee on Government Affairs. (BDR 22-686)

Extends the authorization of a regional transportation commission to recommend to a county commission the imposition of an additional sales tax to support transportation projects be submitted to the voters. The deadline is extended by four years to December 31, 2024.

Effective: October 1, 2019

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6786/Text>

**MISCELLANEOUS TAXES****AB 368 – Washoe County Room Tax – Requires 2/3 Majority**

Introduced by Assemblyman Yeager and referred to Committee on Taxation. (BDR S-710)

The Washoe County Hotel Surcharge Act of 2019 imposes an additional surcharge of \$1 per night in Washoe County hotels, collected by the Reno-Sparks Convention and Visitors Authority. Proceeds to be used to finance projects to rehabilitate, repair, renovate or improve the Reno-Sparks Convention Authority and Reno-Sparks Livestock Events Center and to expand air service to Washoe County. It is prohibited to use proceeds for operational expenses. Accounting reports to be filed with LCB beginning 2025 and every five years thereafter.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6695/Text>

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**SB 310 – Beverage Container Deposits – Requires 2/3 Majority**

Introduced by Senators Scheible, Parks, et al. Joint Sponsors Assemblymen McCurdy, Peters, et al and referred to Committee on Natural Resources. (BDR 40-752)

Requires a deposit be paid for beverage containers such as water bottles, beer, and malt beverages among other beverages. Containers would be redeemable at redemption centers.

Effective: Upon passage and approval for regulations and administrative tasks. January 1, 2021 for all other purposes.

NTA Comment: This legislation appears to assume that there will be sufficient redemption centers created in each county that make it easy for a consumer to receive their refund.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6545/Text>

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**FEES, FINES & PENALTIES**

*(See Issue 19-1, page 5, NTA's position on fees.)*

**AB 305 – Presettlement Fund Loans – Requires 2/3 Majority**

Introduced by Assemblymen Flores, Benitez-Thompson, et al and referred to Committee on Commerce and Labor. (BDR 52-1060)

Provides for the registration of Presettlement Funding Providers with the Commissioner of Financial Institutions. Requires the commissioner to establish fees by regulation to carry out the provisions of the act. Prohibits transactions with consumers exceeding a 40 percent annual percentage rate, voids contracts in violation.

Effective: October 1, 2019

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6563/Text>

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**AB 316 – Sobriety and Drug Monitoring Program – Requires 2/3 Majority**

Introduced by Assemblymen Tolles, Roberts, et al. Joint Sponsor Senator Seevers Gansert and referred to Committee on Growth and Infrastructure. (BDR 43-312)

Enacts the Nevada 24/7 Sobriety and Drug Monitoring Program Act within the Department of Public Safety for repeat DUI offenders. Any county may elect to participate, designating a law enforcement agency to enforce. Requires the Department to establish fees by regulation to carry out the provisions of the act. Requires law enforcement agency that enforces the program to collect fees and deposit the fees into the local program account.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6576/Text>

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**AB 317 – Licensing of Medical Facilities – Requires 2/3 Majority**

Introduced by Assemblywoman Carlton and referred to Committee on Health and Human Services. (BDR 40-1034)

Requires the Division of Public Behavioral Health to amend the license of any facility offering a new medical service. Prohibits a hospital from operating an ER which is located further than 30 miles from the hospital. Requires the State Board of Health to adopt criteria for designating a center as a Level I, II, III or IV trauma center, while prohibiting the operator of the center from misrepresenting their level of care designation. Requires a hospital to charge a patient for the level of trauma care received. Prohibits a hospital from charging an activation fee for trauma care provided at a Level III or IV. Requires the State Board of Health to license a facility that performs any procedure that involves breaking a person's skin.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6577/Text>

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**AB 319 – Professional Licensing for Criminals – Requires 2/3 Majority**

Introduced by Assemblymen Tolles, Yeager, et al. Joint Sponsors Senators Kieckhefer, Denis, et al and referred to Committee on Commerce and Labor. (BDR 54-314)

Requires a regulatory body to implement a process by which a person can petition for a determination of whether the person's criminal history will disqualify the person from obtaining a license. Authorizes regulatory body to charge a fee of \$25 for the costs of considering the petition. Regulatory body must post information on its website concerning the requirements for obtaining a license and a list of crimes that would disqualify a person for a license. Requires the Sunset Subcommittee to conduct a review of each licensing board and regulatory body to determine whether the restrictions on the criminal history of an applicant for an occupational or professional license are appropriate.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6580/Text>

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**AB 364 – Manufactured Home Certificates of Ownership – Requires 2/3 Majority**

Introduced by Assemblyman Watts and referred to Committee on Commerce and Labor. (BDR 43-801)

An extensive bill that includes, but is not limited to, authorizing a person who is unable to provide satisfactory information to the Housing Division to apply for a certificate of ownership for a manufactured home, mobile home, or commercial coach. Applicant must agree to inspection and file a bond with the Division in an amount equal to the value of the manufactured home, mobile home or commercial coach; bond must be returned by the Division at the end of 3 years unless the Division has been notified of an action to recover on the bond. Provides for the transfer of certificate of ownership to a designated beneficiary upon the death of the owner. Provides for a fee to be charged for the certificate of ownership.

Effective: Upon passage and approval for regulations and administrative tasks. January 1, 2020 for all other purposes.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6682/Text>

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**AB 375 – Adopted Persons Birth Certificate – Requires 2/3 Majority**

Introduced by Assemblymen Hansen and Kramer and referred to Committee on Health and Human Services. (BDR 40-707)

Under certain circumstances, without a court order and upon payment of a fee, allows a Nevada born adopted person to obtain a non-certified copy of their original birth certificate.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6707/Text>

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**AB383 – Student Loan Ombudsman – Requires 2/3 Majority**

Introduced by Assemblyman Frierson and referred to Committee on Commerce and Labor. (BDR 55-880)

Provides for the Commissioner of Financial Institutions to designate a Student Loan Ombudsman and details their powers and duties to assist student loan borrowers. Requires the licensing of student loan servicers, including but not limited to, the payment of a non-refundable license fee of \$1,000 and an investigation fee of \$800.

Effective: Dates vary from upon passage and approval to January 1, 2020.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6730/Text>

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**AB 394 – Unemployment Compensation Fee**

Introduced by Assemblywoman Martinez and referred to Committee on Commerce and Labor. (BDR 53-959)

Requires employers who use self-service devices operated by a customer to pay a quarterly fee for each device in an amount equal to the average unemployment contribution per employee.

**NTA POSITION: OPPOSE.** There is no reason for this bill. Employers pay for unemployment compensation through the rates that are charged to them. The rate the employer pays is based upon their employment history.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6754/Text>

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**AB 402 – Transportation Workers Cooperative: Clark County – Requires 2/3 Majority**

Introduced by Assemblymen Assefa, Monroe-Moreno, et al and referred to Committee on Growth and Infrastructure. (BDR 58-1053)

Adds a new chapter to NRS to provide for a transportation workers cooperative in Clark County to be under the jurisdiction of the Taxicab authority. Establishes the procedures for administering the cooperative, which must have at least 300 members and establishes the qualifications for the drivers. Sets an application fee and a monthly fee of \$250 to be collected by the cooperative from the driver and remitted to the Taxicab Authority at least quarterly. The money must be remitted to the state general fund. The authority is to receive an appropriation from the general fund to cover administration. Provides that the compliance division of the Nevada Transportation Authority can conduct investigations of this chapter and the Administrator, Deputy Administrator and Compliance Enforcement Investigators must be certified category II peace officers

Effective: October 1, 2019.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6769/Text>

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**AB 404 – Transfer of Hunting Tags – Requires 2/3 Majority**

Introduced by Assemblymen Titus, Ellison, et al. Joint Sponsor Senator Settlemeyer and referred to Committee on Natural Resources, Agriculture, and Mining. (BDR 45-1029)

Establishes a program for a person at least 21 years old, upon payment of a fee, to transfer their hunting tag to his/her child, stepchild, grandchild, step-grandchild, or qualified organization.

Effective: Upon passage and approval for regulations and administrative tasks. January 1, 2020 for all other purposes.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6771/Text>

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**SB 347 – Hemp Production – Requires 2/3 Majority**

Introduced by Senators Settlemeyer and Goicoechea. Joint Sponsor Assemblyman Wheeler and referred to Committee on Natural Resources (BDR 49-976)

Changes the definition of “industrial hemp” to “hemp” in addition to other changes to conform with the change in Federal Law. The Department of Agriculture is to establish fees by regulation for the issuance and renewal of a grower, handler or producer. The fees are to include any other service provided by the Department to cover the costs.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6626/Text>

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**SB 360 – Human Trafficking Prevention – Requires 2/3 Majority**

Introduced by Senators Pickard, SeEVERS Gansert, et al. Joint Sponsors Assemblymen Hardy, Leavitt, et al and referred to Committee on Judiciary. (BDR 15-11)

Enacts the Human Trafficking and Child Exploitation Prevention Act. Requires a person who manufactures, sells, leases or distributes obscene materials to charge a \$20 fee to deactivate the digital blocking and remits that fee to the State to help defray costs of upholding decency standards. Additional digital access charges may also be charged to the consumer. Applies to products made available after October 19, 2019.

Effective: October 1, 2019.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6654/Text>

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**SB 366 – Dental Hygienists – Requires 2/3 Majority**

Introduced by Senator Ratti and referred to Committee on Commerce and Labor. (BDR 54-661)

This extensive bill creates a new NRS chapter relating to dental hygienists and the practice of dental hygiene. Creates the Nevada State Board of Dental Hygienists. Board members are to be paid per diem allowance and travel expense and a salary of up to \$150 per day to be set by the Board. Expenses of the Board are to be paid from fees received and not from the General Fund.

Effective: Upon passage and approval for making appointments and administrative tasks. January 1, 2020 for all other purposes. Certain sections expire by limitation in accordance with changes in federal regulations.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6665/Text>

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**SB 372 – School Counselor Licensing – Requires 2/3 Majority**

Introduced by Senator SeEVERS Gansert and referred to Committee on Commerce and Labor. (BDR 54-546)

This is an extensive bill setting the requirements for school psychologists and school counselors to be licensed and pay fees to be set by the Board of Examiners for Marriage and Family Therapists, Clinical Professional Counselors and School Counselors.

Effective: Upon passage and approval for making appointments and administrative tasks. January 1, 2020 for all other purposes.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6672/Text>

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**SB 374 – County Fee for Roads**

Introduced by Senator Hansen and referred to Committee on Natural Resources (BDR 46-1080)

Allows county to charge a fee to maintain public roads used by a small mining project or exploration project. The fee cannot be more than 0.5 percent of annual expenditure.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6675/Text>

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**SB 390 – Poultry Slaughter and Egg Handling – Requires 2/3 Majority**

Introduced by Senator Hansen and referred to Committee on Health and Human Services. (BDR 51-258)

Authorizes the State Quarantine Officer to adopt regulations for an owner or operator of a facility that raise poultry to obtain a license allowing the slaughter and sale of up to 1,000 units in a calendar year. The Officer may also set regulations for the production and sale of eggs. Fees for initial issue and renewal of licenses are to be set by the Quarantine Officer.

Effective: Upon passage and approval for making appointments and administrative tasks. July 1, 2019 for all other purposes.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6713/Text>

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**SB 418 – Raw Milk – Requires 2/3 Majority**

Introduced by Senators Parks and Ohrenschall By Request. Referred to Committee on Health and Human Services. (BDR 51-1073)

Abolishes county milk commissions and moves that authority to the Department of Agriculture. The Director is to set fees and charges, according to the costs of these duties, including labeling, testing, inspections and other duties.

Effective: Upon passage and approval for making appointments and administrative tasks. July 1, 2019 for all other purposes.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6763/Text>

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<b>BUSINESS ISSUES</b>
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**AB 286 – Trusts and Estates**

Introduced by Assemblymen Frierson and Backus and referred to Committee on Judiciary. (BDR 2-1028)

Extensive bill that includes, but is not limited to, revising the Uniform Statutory Rule Against Perpetuities. Does not apply to property interest in certain trusts that were established for eleemosynary purposes. Provides, with exceptions, community property or separate property transferred into a revocable or irrevocable trust of which both spouses are beneficiaries remains community property or separate property. The estate of a decedent may be settled by the district court of any county in which any part of the estate is located or where the decedent was a resident at the time of death. Includes presumptions for the production of a person's lot or destroyed will by a beneficiary. Prohibits a person from bringing an action with respect to the validity of a trust or to its qualification as a spendthrift trust unless the action is commenced within 2 years after the trust is created.

NTA Comment: Per Legislative Counsel's Digest, according to Nevada Supreme Court, 'eleemosynary' is synonymous with 'charitable'.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6514/Text>

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**AB 290- Construction Occupational Safety**

Introduced by Assemblywoman Jauregui and referred to Committee on Commerce and Labor. (BDR 53-286)

Requires the Division of Industrial Relations to establish a registry to track construction workers and trainers who complete an OSHA safety and health hazard course. Requires entertainment industry workers and supervisory employees to complete a course in general industry safety within 15 days of employment.

Effective: Upon passage and approval for regulations and administration tasks. January 1, 2020 for all other purposes.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6528/Text>

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**AB 329 – Adopting Permanent Regulations**

Introduced by Assemblywoman Miller and referred to Committee on Legislative Operations and Elections. (BDR 18-946)

Requires the Legislative Counsel to create a system and monitor the progress of an agency in adopting permanent regulations that the agency is required to adopt pursuant to a Legislative enactment.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6612/Text>

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**AB 339 – Minimum Wage for those with Intellectual or Developmental Disability**

Introduced by Assemblymen Carrillo, Bilbray-Axelrod, et al. Joint Sponsor Senator Ohrenschall and referred to Committee on Health and Human Services. (BDR 39-104).

Requires the Administrator of the Aging and Disability Services Division to set a minimum wage for persons with an intellectual or developmental disability. Prohibits the issuance of a certificate to those who provide jobs and day training service unless they pay the state minimum wage. Prohibits a provider from impairing the rights to whom jobs and day training services are provided from engaging in collective bargaining. Requires annual reporting to the Labor Commissioner of those paid less than the state minimum wage. Deletes the exception provided in federal law that exempts persons with an intellectual or developmental disability from receiving the minimum wage.

Effective: October 1, 2019

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6631/Text>

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**AB 347 – Reinstating a Business**

Introduced by Assemblymen Neal, Flores, et al and referred to Committee on Government Affairs. (BDR 7-554)

Requires the Secretary of State to reinstate a business providing they file additional information and pay at least 25% of the delinquent fees and penalties. All business entities that file with the Secretary of State may enter into a monthly payment plan for the remaining balance of fees and penalties.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6645/Text>

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**AB 370 – Worker’s Compensation**

Introduced by Assemblyman Daly and referred to Committee on Commerce and Labor. (BDR 53-6)

Provides for a 2.3 percent annual increase for permanent total disability which occurred before January 1, 2004, with compensation to increase on January 1, 2020, and on January 1 each year thereafter.

Effective: October 1, 2019

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6701/Text>

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**AB 399 – Nevada Private Employee Retirement Plan – Requires 2/3 Majority**

Introduced by Assemblywoman Spiegel and referred to Committee on Government Affairs. (BDR 31-606)

For purposes of creating a private sector retirement plan a Nevada Savings Administrative Plan is created to be administered by a seven person Board of Trustees, chaired by the Lieutenant Governor. Provisions are extensive and include but are not limited to: the ability to adopt regulations and charge fees; defining eligible employers and covered employees; responsibilities of the board of trustees; investments; and the payment, collection, and remittance of premiums.

Effective: Upon passage and approval.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6764/Text>

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**SB 312 – Mandatory Paid Sick Leave**

Introduced by Senators Woodhouse, Cannizzaro, et al and referred to Committee on Commerce and Labor. (BDR 53-888)

Requires an employer who has 25 or more employees to provide sick leave at a rate no less than 1 hour for every 30 hours worked by the employee. The employer must allow the accrual of sick leave and may limit the employee to 48 hours a year. Exempts non-profits pursuant to 26USC§501(c).

Effective: Upon passage and approval for regulations and administrative tasks. January 1, 2020 for all other purposes.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6553/Text>

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**SB 377 – Workers Compensation**

Introduced by Senator D. Harris and referred to Committee on Commerce and Labor. (BDR 53-1025)

Repeals the provisions which authorize single annual payments to certain claimants and their dependents who had total disability claims prior to 2004 and extends the 2.3 percent annual increase in compensation starting January 1, 2020.

NTA Comment: See AB 370, this issue, page 74. See SB 422, this issue below page 75.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6684/Text>

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**SB 381 – Workers Compensation**

Introduced by Senator Cannizzaro and referred to Committee on Commerce and Labor. (BDR 53-1157)

Affirms that injured employees have a right to choose their health care providers. An insurer's list of providers is to be provided posted on the internet and the extent of the list is prescribed. Extensive amendment of language in the statute replaces reference to specific disciplines with references to "health care providers".

Effective: Upon passage and approval.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6691/Text>

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**SB 422 Industrial Insurance**

Introduced by Senator Ohrenschall and referred to Committee on Commerce and Labor (BDR 53-1085)

A person entitled to receive a permanent total disability caused by an industrial injury from an occupational disease that occurred before January 1, 2004, is entitled to an annual increase in that compensation in the amount of 2.3 percent. The increase is to occur January 1, 2020 and each year thereafter.

NTA Comment: See AB 370, this issue, page 74. See SB 377 this issue above page 75.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6782/Text>

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<b>EDUCATION: K-12</b>
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**AB 304 – Class Size Reduction**

Introduced by Assemblymen Miller, Fumo, et al and referred to Committee on Education. (BDR 34-930)

Requires the State Board to adopt regulations prescribing the maximum percentage of classrooms in an elementary school that are authorized to exceed the maximum ratios of pupils per class. Requires each school to make proportional reductions in pupil-teacher, pupil-counselor, and pupil-librarian ratios every 2 years. School district must provide additional compensation to a teacher who is required to teach a class that maintains class that exceeds the maximum.

Effective: Upon passage and approval for regulations and administrative tasks. Section 2 on July 1, 2018. January 1, 2020 for all other purposes.

NTA Comment: This bill contains an unfunded mandate not requested by the affected local government. It provides the statutory provision (NRS 354.599) that prohibits unfunded mandates to local government does not apply to this bill.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6562/Text>

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**AB 309 – Distributive School Account Formula**

Introduced by Assemblyman Frierson and referred to Committee on Ways and Means. (BDR 34-886)

Revises the formula for calculating the Distributive School Account. Adds the intent of Legislature is to promote transparency and accountability in state funding for public education by accounting for all state financial aid to public schools, both on per pupil and per program basis.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6568/Text>

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**AB 314 – Digital School Day**

Introduced by Assemblywoman Tolles and referred to Committee on Education. (BDR 34-1057)

Establishes Digital Days, competency based lessons sent through electronic means, when the school district closes one or more facilities due to health and safety conditions.

Effective: Upon passage and approval for regulations and administrative tasks. July 1, 2019 for all other purposes.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6573/Text>

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**AB 341 – School Nurse Compensation**

Introduced by Assemblyman Daly and referred to Committee on Ways and Means. (BDR 34-636)

In addition to any other increases to which a school nurse may be entitled, a 5 percent annual increase in the compensation of a school nurse is directed if the nurse has, by September 15 of the school year, submitted evidence of certification as a school nurse by the National Board for Certification of School Nurses.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6639/Text>

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**AB 380 – Eligibility of ESA to Victims of Bullying**

Introduced by Assemblymen Wheeler, Ellison, et al. Joint Sponsors Senators Hammond, Hansen, et al and referred to Committee on Education. (BDR 31-41)

Children who are victims of bullying or cyber-bullying in a public school are immediately eligible for an education savings account.

Effective: Upon passage and approval.

NTA Comment: See also AB396 this issue below, page 76. SB302 of the 78<sup>th</sup> session established the education savings account program. Following a legal challenge, the Nevada Supreme Court held that the appropriation for K-12 public education for the education savings accounts program would violate the Nevada Constitution. In response to the *Schwartz* decision, this bill removes the provisions which were enjoined by the Nevada Supreme Court.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6722/Text>

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**AB 396 – Eligibility of ESA to Victims of Bullying**

Introduced by Assemblyman Edwards and referred to Committee on Education. (BDR 31-615)

Children who are victims of bullying or cyber-bullying in a public school are immediately eligible for an education savings account.

Effective: Upon passage and approval.

NTA Comment: See also AB 380 this issue above, page 76.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6756/Text>

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**SB 314 – Business and Marketing Education**

Introduced by Senators Woodhouse, Denis, et al and referred to Committee on Education. (BDR 34-730)

Requires a school district that has a program of career and technical education to include areas of business and marketing. Establishes a State Seal of Financial Literacy Program to recognize pupils who graduate from public high school.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6555/Text>

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**SB 320 – Gifted Students**

Introduced by Senators Dondero Loop, Woodhouse, et al and referred to Committee on Education. (BDR 34-681)

Requires each public school to establish and carry out a plan to identify pupils in grades 3 to 12 for placement in more rigorous courses in math, English language arts, and social studies.

Effective: Upon passage and approval for regulations and administrative tasks. January 1, 2020 for all other purposes.

NTA Comment: This bill contains an unfunded mandate not requested by affected local government. It provides the statutory provision (NRS 354.599) that prohibits unfunded mandates to local government does not apply to this bill.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6582/Text>

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**SB 321 – Abolishes Achievement School District**

Introduced by Senators Dondero Loop, Woodhouse, et al. Joint Sponsor Assemblyman Thompson and referred to Committee on Education. (BDR 34-682)

Abolishes Achievement School Districts that were established by AB 448 of the 2015 Legislative Session.

Effective: Upon passage and approval.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6586/Text>

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**SB 324 – Teachers’ School Supplies Reimbursement**

Introduced by Senators Dondero Loop, Woodhouse, et al. Joint Sponsor Assemblyman Thompson and referred to Committee on Education. (BDR 34-683)

Allows the special revenue fund to disburse or reimburse a teacher for school supplies. Disbursements may be done in the form of credit or debit cards. Establishes a cap of \$250 per teacher per year.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6593/Text>

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**SB 343 – Continuing Education for Board Members**

Introduced by Senators Seevers Gansert, Settemeyer, et al. Joint Sponsors Assemblymen Tolles, Hardy, et al and referred to Committee on Education. (BDR 34-548)

Requires annual training on issues relating to outcomes, achievements and the well-being of pupils for members of State Boards, members of the State Public Charter School Authority, and school district board of trustees among others. Provides a list of subjects for this continuing education. Requires that conditions considered to be guaranteed to pupils, such as class size, be factored into the formula for determining the basic support guarantee per pupil as well as the annual reports to the Department.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6622/Text>

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<b>EDUCATION: NSHE</b>
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**AB 350 – Administrative Services Office**

Introduced by Assemblywomen Bilbray-Axelrod and Nguyen and referred to Committee on Education. (BDR 34-1054)

Creates Administrative Services Office and will include a Director, Deputy Director, and Assistant Directors over four divisions. This will provide support to the Board of Regents. Replaces Chancellors with Directors.

Effective: November 24, 2020 if AJR 5 of the 79<sup>th</sup> session is passed by 2019 Legislature and approved by the voters at the 2020 general election.

NTA Comment: See SB 354, this issue, page 78.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6649/Text>

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**SB 350 – Nevada Promise Scholarships**

Introduced by Senators Denis, Woodhouse, et al. Joint Sponsors Assemblymen Torres, Thompson, et al and referred to Committee on Education. (BDR 34-308)

Moves administration of the Nevada Promise Scholarships program from community colleges to the Board of Regents. Allows students to be granted a leave of absence from the Nevada Promise Scholarship Program due to financial hardship, illness, and military unit being deployed among other reasons. Allows the Board of Regents to waive eligibility requirements in those circumstances as well. Makes other changes to Nevada Promise Scholarship Program.

Effective: Upon passage and approval for regulations and administrative tasks. July 1, 2019 for all other purposes.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6633/Text>

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**SB 354 – Board of Regents**

Introduced by Senator Woodhouse and referred to Committee on Education. (BDR 34-59)

This is the enabling legislation for AJR5 from 2017. It decreases the number of regents from thirteen to nine. Five members will be voted on by districts determined by Legislature. Four members will be appointed by the Governor. Terms will be 4 years instead of 6. AJR5 of the 79<sup>th</sup> Legislative Session was approved by the 80<sup>th</sup> Legislature. It will now be submitted to the voters at the 2020 general election. If approved by the voters, it will remove the NSHE Board of Regents from the Nevada Constitution. This bill proposes changes in that event.

Effective: November 24, 2020 only if AJR 5 of the 79<sup>th</sup> session is approved by the voters at the 2020 General Election.

NTA Comment: See AB 350, this issue, page 77.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6637/Text>

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**SB 414 – Kenny C. Guinn Memorial Millennium Scholarship**

Introduced by Senator Kieckhefer and referred to Committee on Education. (BDR 34-884)

Increase the number of scholarship recipients from two to four each year, two from the north and two from the south.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6759/Text>

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**GOVERNMENT: State and Local****AB 302 – Emergency Response Employees Mental Health Commission**

Introduced by Assemblymen Cohen, Monroe-Moreno, et al and referred to Committee on Health and Human Services. (BDR 40-274)

Creates Emergency Response Employees Mental Health Commission to establish a toll free hotline for emergency response employees to call if such employees are having mental health issues, establish a network of peer counselors, create a website and a poster.

Effective: Upon passage and approval for appointments and administrative tasks. July 1, 2019 for all other purposes.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6558/Text>

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**SB 334 – Net Neutrality and Governing Bodies**

Introduced by Senator Cannizzaro. Joint Sponsor Assemblywoman Bilbray-Axelrod and referred to Committee on Government Affairs. (BDR 27-68)

Prohibits a governing body from contracting with an internet service provider that engages in paid prioritization, blocks lawful content, services, or applications, or impairs lawful internet traffic among others.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6603/Text>

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**SB 405 - PERS Disability Benefits**

Introduced by Senator Cannizzaro and referred to Committee on Government Affairs. (BDR 23-925)

In the case of catastrophic injury in the line of duty, extends disability retirement eligibility to police and firefighter members of PERS whether or not the member has 5 years of service credit. After a regulatory body adopts any new criteria for approval or denial of licenses, the entity must submit a report on this new criteria and the reasoning behind it to the Committee.

**NTA POSITION: PENDING.**

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6734/Text>

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**SB 416 – PERS Survivor Benefits**

Introduced by Senators Parks, Woodhouse, et al and referred to Committee on Government Affairs. (BDR 23-895)

Requires PERS to continue paying benefits to children of a deceased PERS member after the child is adopted.

Effective: Upon passage and approval.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6761/Text>

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**GOVERNMENT: State****AB 331 – Outdoor Education and Recreation Grant**

Introduced by Assemblyman Yeager and referred to Committee on Natural Resources, Agriculture, and Mining. (BDR 35-89)

Requires the Division of State Parks to develop a program and award grants to public and private entities to conduct education and recreation programs for Nevada pupils. Establishes an advisory committee, members may receive salary, per diem, and travel allowance. Funding may come from gifts, grants, donations, and direct legislative appropriation.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6614/Text>

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**AB 366 – Division of Emergency Management**

Introduced by Assemblyman Edwards. Joint Sponsor Senator Pickard and referred to Committee on Government Affairs. (BDR 36-1077)

Provides assistance to persons and property damaged by any act of a state agency in carrying out the duties or exercising the powers of the state agency.

Effective: Upon passage and approval for regulations and administrative tasks. January 1, 2020 for all other purposes.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6688/Text>

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**AB 382 – State Public Safety Salaries.**

Introduced by Assemblywoman Monroe-Moreno and referred to Committee on Government Affairs. (BDR 23-291)

Requires the Administrator of the Division of Human Resource Management to conduct a salary survey of sworn and dispatch personnel of the Department of Public Safety with three city and two county law enforcement agencies in Nevada. The rates established in the biennial pay plan are to be set forth in the proposed biennial Executive Budget.

NTA Comment: See AB 391 below.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6729/Text>

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**AB 391 – State Peace Officer Salaries**

Introduced by Assemblyman Ellison and referred to Committee on Ways and Means. (BDR 23-654)

Requires that the salary of a peace officer must be at least equal to the fifth highest base salary for a comparable position in five of the largest police or sheriffs' departments in Nevada that employ the largest number of peace officers.

Effective: Upon passage and approval for regulations and administrative tasks. July 1, 2019 for all other purposes.

NTA Comment: The legislative intent stated in the bill is for the retention of well-trained peace officers, instead of losing them to local law enforcement departments. Also see AB 382 above.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6748/Text>

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**SB 409 – Sunset Subcommittee**

Introduced by Senator Seevers Gansert and referred to Committee on Government Affairs. (BDR 18-147)

Requires the Sunset Subcommittee of the Legislative Commission to review every state regulatory body at least once every eight years and provides specific criteria to be examined.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6738/Text>

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**GOVERNMENT: Local****AB 389 – Incorporation of Laughlin**

Introduced by Assemblyman Leavitt. Joint Sponsor Senator Hardy and referred to Committee on Government Affairs. (BDR S-972)

Provides a charter for the City of Laughlin. Clark County is to continue to provide services and receive taxes through June 30, 2021.

Effective: Sections 2 to 15 upon passage and approval. Section 1, July 1, 2021 if approved at the 2020 primary election.

NTA Comments: See also SB213, issue 19-6, page 44. A prior attempt to incorporate failed to meet the statutory requirements. This bill contains an unfunded mandate not requested by affected local government. It provides the statutory provision (NRS 354.599) that prohibits unfunded mandates to local government does not apply to this bill.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6746/Text>

**SB 341 – Enterprise Funds for Telecommunications**

Introduced by Senator Settlemeyer. Joint Sponsor Assemblywoman Titus and referred to Committee on Government Affairs. (BDR 31-1009)

Exempts an enterprise fund created by a local government for the purpose of providing telecommunication services from provisions allowing the fund money to be loaned to the local government.

Effective: Upon passage and approval.

**NTA POSITION: OPPOSE.** Fees should be used only to fund the service for which they are being collected, not to finance general government. See fee statement issue 19-1, page 5.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6619/Text>

**SB 374 – County Fee for Roads**

See Fees this issue, page 73 for information.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6675/Text>

**STATE BUDGET: Appropriations NOT in Executive Budget****AB 296 – Office of Inspector General, Governmental Administration**

Introduced by Assemblyman Edwards and referred to Committee on Government Affairs. (BDR 31-557)

An extensive bill that includes the creation of the Office of Inspector General, process for appointment, defines responsibilities, and designates them as peace officers. Appropriates from the General Fund to the Office of the Inspector General \$1,890,640 for FY2019-20 and \$2,018,979 for FY 2020-21 to employ staff. Appropriates from the General Fund to the Department of Education \$38,672,175 for FY2019-20 and \$32,468,625 for FY2020-21 for the hiring of additional school police officers. Appropriates from the General Fund to the Department of Education \$246,990,000 for FY2019-20 and \$249,980,000 in FY2020-21 to provide \$10,000 to each of Nevada's public school teachers. Appropriates from the General Fund to the Nevada Highway Patrol \$4,890,000 in both FY2019-20 and FY2020-21 to provide \$10,000 to each uniformed peace officer of the Nevada Highway Patrol. Appropriates from the General Fund to the Department of Corrections \$19,320,000 for FY2019-20 to provide \$10,000 to each correctional officer. Prohibits retaliation against those who report fraud, waste, abuse, or corruption in a state agency or local government.

Effective: Dates vary from upon passage and approval to October 1, 2019

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6547/Text>

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**AB 311 – UNLV School of Medicine**

Introduced by Assemblywoman Krasner and referred to Committee on Ways and Means. (BDR S-701)

Appropriates from the General Fund to UNLV School of Medicine \$650,000 for FY2019-20 to support four postgraduate medical residents and \$1,300,000 in FY2020-21 to support eight postgraduate medical residents. Appropriates from the General Fund to UNR School of Medicine \$650,000 for FY2019-20 to support four postgraduate medical residents and \$1,300,000 in FY2020-21 to support eight postgraduate medical residents.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6570/Text>

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**AB 322 – Juvenile Assessment Centers**

Introduced by Assemblymen Monroe-Moreno, Fumo, et al and referred to Committee on Judiciary. (BDR 5-713)

Appropriates \$16,000,000 from the General Fund to the Eighth Judicial District to establish four additional juvenile assessment centers.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6585/Text>

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**AB 326 – Nevada Fresh Food Finance Loans**

Introduced by Assemblymen McCurdy, Peters, et al. Joint Sponsor Senator Cancela and referred to Committee on Government Affairs. (BDR 18-318)

Appropriates \$10,000,000 from the General Fund to the Nevada Fresh Food Financing Initiative Account as a revolving loan account for those who operate or wish to operate a grocery store in an underserved community.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6592/Text>

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**AB 358 – Tomorrow's Doctors**

Introduced by Assemblymen Hafen, Kramer, et al. Joint Sponsor Senator Hammond and referred to Committee on Education. (BDR 34-851)

Appropriates \$250,000 from the General Fund to the Nevada Office of Rural Health for allocation to the Tomorrow's Doctors Program to provide education loan repayment assistance contracts with practitioners. Appropriates \$250,000 from the General Fund to the Office of Finance for allocation to the Nevada Health Service Corps for the purpose of obtaining matching federal funds. Appropriates from the General Fund to the Office of Finance \$10,500,000 in each FY2019-20 and FY2020-21 for the purpose of funding Graduate Medical Education Grants.

Effective: Upon passage and approval.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6673/Text>

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**SB 295 – Nevada National Guard Youth Challenge Program – Requires 2/3 Majority**

Introduced by Senator Spearman and referred to Committee on Government Affairs. (BDR 34-566)

Creates the Nevada National Guard Youth Challenge Program with an appropriation of \$850,000 in FY20 and \$850,000 in FY21.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6525/Text>

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**SB 303 – National Board Certification**

Introduced by Senator Cancela and referred to Committee on Finance. (BDR S-1070)

Makes an appropriation of \$450,000 in FY20 and \$450,000 in FY21 to provide incentives for teachers who have received a national board certification and are employed to teach at Title I schools.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6535/Text>

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**SB 313 – Training in Computer Literacy**

Introduced by Senators Woodhouse, Denis, et al and referred to Committee on Education. (BDR 34-731)

Creates the Account for Computer Literacy to be used for providing or reimbursing the cost of training in computer literacy and computer science. Teachers may request reimbursements from this fund.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6554/Text>

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**SB 349 – Education Savings Accounts**

Introduced by Senators Hammond, Hansen, et al and referred to Committee on Education. (BDR 34-285)

Appropriates \$723,646 in FY20 and \$891,444 in FY21 from the General Fund to the Office of Educational Choice to administer the College Savings Account Program and the Educational Choice Scholarship Program. Appropriates \$24,276,354 in FY20 and \$34,108,556 in FY21 from the General Fund to the Office of Educational Choice to award grants to parents of children with disabilities, low income households among others.

Effective: Dates vary from upon passage and approval to July 1, 2019.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6630/Text>

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**SB 351 – Nevada Educational Choice Scholarship Program**

Introduced by Senators Seevers Gansert, Settlemeyer, et al. Joint Sponsors Assemblymen Hardy, Hafen, et al and referred to Committee on Education. (BDR 34-247)

Add credits against the insurance premium tax to the program and caps the amount of insurance premium tax credits that may be approved at \$7,320,500 for FY2019-20 and \$8,052,550 for FY2020-21. Decreases the amount of modified business tax credits which may be approved annually by the Department of Taxation from \$20,000,000 to \$10,000,000. Requests a quantitative analysis and study of pupils in the Nevada Educational Choice Scholarship Program. Sets out the requirements of the study and appropriates \$30,000 from the General Fund to the Department of Education to contract with an independent evaluator for the study.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6634/Text>

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**SB 380 – Small Business Enterprise Account**

Introduced by Senator Cannizzaro and referred to Committee on Finance. (BDR S-922)

Appropriates \$1,000,000 from the General Fund to the Small Business Enterprise Loan Account.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6690/Text>

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**SB 402 – STEM License Tags and Appropriations– Requires 2/3 Majority**

See Taxes: Fuel and Vehicle, this issue, page 68 for information.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6731/Text>

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**SB 421 – Unmanned Aircraft**

Introduced by Senator Ohrenschall and referred to Committee on Revenue and Economic Development. (BDR 18-31)

Makes an appropriation of \$1,000,000 from the General Fund to the Governor’s Office of Economic Development to facilitate and supervise a program to facilitate the growth and sage integration of unmanned aircraft in the state, including registration, a registry, training, testing and safety guidelines. Any remaining balance on September 17, 2021 reverts to the general fund.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6781/Text>

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<b>ELECTIONS</b>
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**AB282 – Ward Elections**

Introduced by Assemblywomen Spiegel, Cohen, et al and referred to Committee on Legislative Operations and Elections. (BDR 24-939)

An extensive bill that includes, but is not limited to, requiring each incorporated city to be divided into wards where each ward is represented on the governing body of the city by a member who is elected only by the registered voters in the ward. Sets deadlines to limit number of wards, size and boundaries of wards, and equal population of wards.

Effective: Upon passage and approval for administrative tasks. January 1, 2023 for all other purposes.

NTA Comment: This bill contains an unfunded mandate not requested by affected local government. It provides the statutory provision (NRS 354.599) that prohibits unfunded mandates to local government does not apply to this bill.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6509/Text>

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**AB 345 – Same Day Voter Registration**

Introduced by Assemblymen Frierson, Benitez-Thompson, et al and referred to Committee on Legislative Operations and Elections. (BDR 24-873)

This is an extensive bill impacting several provisions of voter registration, polling places, publication of candidate and measure information, early voting and other procedures at the local and state level.

Effective: Dates vary from upon passage and approval to January 1, 2022.

NTA Comment: This bill contains an unfunded mandate not requested by affected local government. It provides the statutory provision (NRS 354.599) that prohibits unfunded mandates to local government does not apply to this bill.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6643/Text>

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**SB 333 – Campaign Contributions**

Introduced by Senators Settlemeyer, Goicoechea, et al and referred to Committee on Legislative Operations and Elections. (BDR 24-738)

Requires an individual to electronically report a monetary contribution in excess of \$1,000 to any one candidate for state or local office to the Secretary of State. Contributions must be made by credit card, cash, money order, check or other written financial instrument. Reporting requirements and filing violation penalties are prescribed.

Effective: Upon passage and approval for regulations and administrative tasks. January 1, 2020 for all other purposes.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6602/Text>

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**SB 335 – Early Voting Places**

Introduced by Senators Settlemeyer, Goicoechea, et al and referred to Committee on Legislative Operations and Elections. (BDR 24-161)

Establishes criteria county clerks must use to determine early voting polling places such as ensuring polling places are near residential areas to the extent possible and ensuring a polling place is located in every geographic area of the county and each assembly district.

Effective: October 1, 2019

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6604/Text>

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**LEGISLATURE****SCR 4 –Extends Deadlines for Legislative Measures**

NTA Comment: See SCR4, this issue, front page for information.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6575/Text>

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**GENERAL INTEREST****AB 291 – Bump Stocks**

Introduced by Assemblywoman Jauregui and referred to Committee on Judiciary. (BDR 15-759)

Makes it unlawful to sell, manufacture, transfer or possess any device that materially increases the rate of fire of a semiautomatic firearm. Reduces allowable blood alcohol from 0.10 to 0.08 when in possession of a firearm.

Effective: October 1, 2019

NTA Comment: See also SB261, issue 19-9, page 62

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6530/Text>

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**AB 299 – Durable Power of Attorney**

Introduced by Assemblywoman Backus and referred to Committee on Judiciary. (BDR 13-691)

Adds a definition of a non-durable power of attorney. Also changes the form for a medical durable power of attorney and allows the Secretary of State to file the medical power attorney in the electronic lock box maintained by the SOS office.

Effective: October 1, 2019

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6550/Text>

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**AB 303 – Kratom Products**

Introduced by Assemblyman Wheeler and referred to Committee on Health and Human Services. (BDR 40-1055)

Kratom is a food product or dietary ingredient containing any part of the leaf of the *Mitragyna Speciosa* plant. The Board of Pharmacy shall adopt regulations governing kratom products. The sale of kratom products to children under 18 is prohibited. Persons in violation shall be punished by a fine not exceeding \$1,000.

NTA Comment: *Mitragyna Speciosa*, commonly known as Kratom, is a tropical evergreen tree in the coffee family native to Southeast Asia. It has opioid properties.

Effective: October 1, 2019

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6559/Text>

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**AB 360 – High Interest Loan Standards and Licensing**

Introduced by Assemblywoman Neal and referred to Committee on Commerce and Labor. (BDR 52-543)

Authorizes and establishes standards and procedures governing high-interest loans that include, but are not limited to, charging an annual percentage rate of more than 40 percent and are for more than \$300 and less than \$2,000. Provides that a person who on, July 1, 2019, holds a valid high-interest loan license is deemed to hold a license to issue traditional installment loans.

Effective: Dates vary from July 1, 2019 to January 1, 2020. Sections 21 and 73 expire by limitation on December 31, 2019.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6678/Text>

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**AB 369 – HOA Liens**

Introduced by Assemblywoman Jauregui and referred to Committee on Government Affairs. (BDR 10-284)

Eliminates HOA super-priority liens. Exempts mandatory mediation to collect sums from which a lien is created, including assessments, construction penalties, fines, fees, charges, later charges, interest and costs of collection a past due obligation. Requires future actions must commence in justice court, treated as small claims, and tried within 45 days after the summons and complaint are served.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6697/Text>

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**SB 330 – Electric Vehicle Infrastructure Demonstration Program**

Introduced by Senator Spearman and referred to Committee on Growth and Infrastructure. (BDR 58-782)

Provides that a public utility may include in its annual plan to promote or incentivize the deployment of electric vehicle infrastructure whereby a public school may receive 75 percent of the cost to install electric vehicle infrastructure or a school district may receive 75 percent of the cost to purchase electric vehicles for transporting students, or a plan for the purchase of an energy storage system by the utility in partnership with the school district.

Effective: July 1, 2019 and expires by limitation on December 31, 2025.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6599/Text>

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**SB 336 – Buffalo Soldiers Day**

Introduced by Senators Harris, Spearman, et al. Joint Sponsors Assemblymen Thompson, Monroe-Moreno, et al and referred to Committee on Government Affairs. (BDR 19-791)

Requires the Governor to proclaim Juneteenth Day (June 19) as Buffalo Soldiers Day as well. Buffalo soldier units consisted of former slaves and African-American soldiers that fought in the Civil War.

Effective: Upon passage and approval.

NTA Comment: Juneteenth Day commemorates the abolition of slavery in the United States.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6605/Text>

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**SB 358 – State Policy Concerning Renewable Energy**

Introduced by Senators Brooks, Cannizzaro, et al and referred to Committee on Growth and Infrastructure. (BDR 58-301)

Declares State policy of Nevada is to encourage and accelerate the development of new renewable energy projects for the economic, health and environmental benefits provided to Nevadans. Become a leader in producing and consuming renewable energy. Defines “renewable energy” to mean biomass, geothermal, solar, waterpower, and wind power.

Effective: Upon passage and approval. Section 3 expires by limitation on December 31, 2025.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6651/Text>

**SB 394 – Rules of the Road**

Introduced by Senator Denis and referred to Committee on Growth and Infrastructure. (BDR 43-826)

Requires the DMV, after each regular Legislative session, to compile a list of any new traffic laws, and changes to existing traffic laws relevant to operating a motor vehicle on Nevada highways. The list is also to be available on the DMV website

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6719/Text>

**STUDIES****AB 323 – Salary and Benefits of State Employees**

Introduced by Assemblymen Ellison, Roberts, et al and referred to Committee on Legislative Operations and Elections. (BDR 17-49)

Directs the Legislative Commission to appoint a committee to study salary and benefits of state employees and to recommend legislation to 81<sup>st</sup> session regarding same. Statements concerning fiscal effect of legislation to expand to separately address the State General Fund and the State Highway Fund.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6587/Text>

**SB 332 – Safe and Respectful Learning Environments**

Introduced by Senator Seevers Gansert and referred to Committee on Legislative Operations and Elections. (BDR S-640)

Directs the Legislative Commission to appoint a committee to conduct an interim study on the elements of a safe and respectful learning environment that is free of bullying, cyber-bullying, and sexual harassment.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6601/Text>

**SB 346 – Marijuana Studies**

Introduced by Senator D. Harris and referred to Committee on Growth and Infrastructure. (BDR 43-1065)

Directs the Legislative Commission to conduct an interim study on marijuana, the levels of intoxication and the laws of this state. The study is to include a review of the laws of this State related to intoxication and a determination of how those laws could be amended to accurately determine the level of intoxication of a person who engages in the lawful use of marijuana. It also requires the Commission on Minority Affairs to conduct an interim study to determine whether disparities and unlawful discrimination exist in the licensure of and employment in marijuana and medical marijuana establishments. This bill also addresses other issues, including, but not limited to, raising the legal amount of marijuana in a person’s system while operating a vehicle.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6625/Text>

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