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ASSEMBLY BILL NO. 274—ASSEMBLYWOMAN WOODBURY

MARCH 12, 2015

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JOINT SPONSOR: SENATOR HARDY

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Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to the incorporation of a city. (BDR 21-810)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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AN ACT relating to cities; requiring a board of county commissioners and a county clerk to provide certain information to a committee of qualified electors that petitions a county to organize an incorporated city; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law generally establishes a process by which five qualified electors  
2 may, as a committee, petition a county to organize an incorporated city. (NRS  
3 266.016-266.050) This bill requires a board of county commissioners and a county  
4 clerk to provide such a committee with certain advisory and fiscal information after  
5 the committee files a petition to organize an incorporated city. **Section 1** requires a  
6 board, upon receiving a report from the Committee on Local Government Finance  
7 as to the advisability of incorporation and the feasibility of a proposed city, to mail  
8 a copy of the report to the committee of qualified electors within a certain time.  
9 **Section 2** requires a board, upon receiving certain recommendations by a  
10 commission, agency or district that receives a petition, to mail a copy of each  
11 recommendation to the committee of qualified electors within a certain time.  
12 **Section 3** requires a county clerk, upon receiving from the Committee on Local  
13 Government Finance a statement that was prepared by the Department of Taxation  
14 as to the estimated fiscal effect of incorporation and subsequently approved or  
15 revised by the Committee, to mail a copy of the statement to the committee of  
16 qualified electors within a certain time.

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

1     **Section 1.** NRS 266.0261 is hereby amended to read as  
2 follows:

3     266.0261 Upon receipt of a petition that has been certified as  
4 sufficient by the county clerk, the board of county commissioners  
5 shall:

6     1. Within 30 days request a report on the advisability of  
7 incorporation and the feasibility of the proposed city, including, but  
8 not limited to, the factors set forth in NRS 266.0285 and a  
9 determination of whether the requirements set forth in NRS 266.017  
10 have been satisfied, from the Committee on Local Government  
11 Finance. The report must be in writing and be delivered to the board  
12 of county commissioners not later than 90 days after the report is  
13 requested, unless the Committee determines the requirements set  
14 forth in NRS 266.017 have not been satisfied. Upon ~~receipt of~~  
15 *receiving* the report, the board shall :

16     (a) *Not later than 5 business days after receiving the report,*  
17 *mail a copy of the report, free of charge, to the committee at the*  
18 *address filed by the committee with the county clerk pursuant to*  
19 *paragraph (c) of subsection 3 of NRS 266.018 for the purpose of*  
20 *receiving notices relating to the incorporation; and*

21     (b) *Upon request,* supply a copy of the report ~~upon request~~ to  
22 any *other* person for the cost of reproduction.

23     2. Within 30 days transmit a copy of the petition to the  
24 Executive Director of the Department of Taxation.

25     3. Transmit a copy of the petition to any state, county or  
26 regional planning commission or agency that exercises planning  
27 authority over any part of the area proposed to be incorporated and  
28 to every other local government within the county.

29     **Sec. 2.** NRS 266.0262 is hereby amended to read as follows:

30     266.0262 A commission, agency or district that receives a  
31 petition pursuant to subsection 3 of NRS 266.0261 may:

32     1. Review the petition for the proposed incorporation  
33 considering:

34     (a) The operating charter or enabling laws of the commission,  
35 agency or district;

36     (b) The factors set forth in NRS 266.0285; and

37     (c) Any other information in its possession.

38     2. Report its recommendations regarding the proposed  
39 incorporation to the board of county commissioners in writing, not  
40 later than 60 days after it receives the petition.

41     3. *A board of county commissioners shall, not later than 5*  
42 *business days after receiving any recommendations reported to the*



1 *board pursuant to subsection 2, mail a copy of the*  
2 *recommendations, free of charge, to the committee at the address*  
3 *filed by the committee with the county clerk pursuant to paragraph*  
4 *(c) of subsection 3 of NRS 266.018 for the purpose of receiving*  
5 *notices relating to the incorporation.*

6 **Sec. 3.** NRS 266.0263 is hereby amended to read as follows:

7 266.0263 1. The Department of Taxation shall prepare a  
8 concise statement concerning the estimated fiscal effect of the  
9 incorporation on the residents of the proposed city, including an  
10 estimated tax rate and an example of that tax rate applied for 1 year  
11 to a median-priced home in the area of the proposed city compared  
12 to an example of the present tax rate in the area applied for the same  
13 period to the same home.

14 2. Within 30 days after receipt of the petition from the board of  
15 county commissioners, the Department of Taxation shall file with  
16 the Committee on Local Government Finance a statement of  
17 estimated fiscal effect prepared pursuant to subsection 1, and any  
18 explanatory material and calculations.

19 3. The Committee on Local Government Finance shall:

20 (a) Approve or revise and approve the statement of estimated  
21 fiscal effect at a public meeting; and

22 (b) Transmit the statement to the county clerk within 30 days  
23 after receipt of the statement from the Department of Taxation.

24 4. *A county clerk shall, not later than 5 business days after*  
25 *receiving a statement transmitted to the county clerk pursuant to*  
26 *paragraph (b) of subsection 3, mail a copy of the statement, free of*  
27 *charge, to the committee at the address filed by the committee with*  
28 *the county clerk pursuant to paragraph (c) of subsection 3 of NRS*  
29 *266.018 for the purpose of receiving notices relating to the*  
30 *incorporation.*

31 5. The statement of estimated fiscal effect prepared by the  
32 Department of Taxation must not affect any subsequent calculations  
33 made by the Department if the city is incorporated.

