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ASSEMBLY BILL NO. 34—COMMITTEE ON NATURAL  
RESOURCES, AGRICULTURE, AND MINING

(ON BEHALF OF THE DIVISION OF STATE LANDS  
OF THE STATE DEPARTMENT OF CONSERVATION  
AND NATURAL RESOURCES)

PREFILED NOVEMBER 16, 2016

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Referred to Committee on Natural Resources,  
Agriculture, and Mining

SUMMARY—Revises provisions relating to government land.  
(BDR 26-179)

FISCAL NOTE: Effect on Local Government: No.  
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 government land; reducing the number of independent appraisals of state land required before such land may be offered for sale or lease; revising certain restrictions on the performance of an appraisal of certain government land by an appraiser; revising provisions relating to the Revolving Account for Land Management; removing an exemption from procedural requirements for the sale or lease of state land for a lease of residential property with a term of 1 year or less; revising provisions relating to the requirement that the Administrator of the Division of State Lands of the State Department of Conservation and Natural Resources develop and make certain information useful to land use planning available to cities and counties; revising provisions relating to the lease of state land for less than fair market value to certain persons who intend to locate or expand a business in this State; repealing obsolete provisions regarding the Lincoln County Pilot Land Development and Disposal Law; and providing other matters properly relating thereto.



\* A B 3 4 R 1 \*

**Legislative Counsel's Digest:**

1 Under existing law, the Division of State Lands of the State Department of  
2 Conservation and Natural Resources must acquire and hold in the name of the State  
3 all land and interests in land owned or required by the State, with certain  
4 exceptions. (NRS 321.001) The Administrator of the Division is, ex officio, the  
5 State Land Registrar. (NRS 321.010)

6 Existing law requires, with certain exceptions, the State Land Registrar to  
7 obtain two independent appraisals of any state land before offering the land for sale  
8 or lease. (NRS 321.007) **Section 1** of this bill decreases to one the number of  
9 independent appraisals that the State Land Registrar is required to obtain before  
10 offering state land for sale or lease.

11 Existing law also prohibits an appraiser from appraising state land if the  
12 appraiser or a person related to the appraiser within the first degree of  
13 consanguinity or affinity has an interest in the land or an adjoining property.  
14 **Section 1** expands the prohibited degree of consanguinity or affinity of the  
15 appraiser's relative to the third degree of consanguinity or affinity.

16 Existing law creates the Revolving Account for Land Management as a special  
17 account in the State General Fund. Money in the Account must be used to pay the  
18 expenses relating to the management of land held by the Division of State Lands,  
19 including, without limitation, expenses for appraisals and surveys, construction of  
20 fences and barriers for vehicles and the cleanup and maintenance of the land. (NRS  
21 321.067) **Section 2** of this bill authorizes money in the Account also to be used to  
22 pay expenses relating to the acquisition of or interests in land. **Section 2** also  
23 provides that the expenses for which money in the Account may be used may  
24 include land surveys, required assessments of the land, including surveys of the  
25 biological, environmental and cultural conditions and resources of the land, and any  
26 required mitigation of the land.

27 Existing law authorizes the State Land Registrar to request an allocation to the  
28 Revolving Account from the Contingency Account in the State General Fund if the  
29 balance in the Revolving Account is below \$5,000. **Section 2** of this bill raises that  
30 amount to \$20,000.

31 Existing law provides procedural requirements for the sale or lease of state land  
32 and exempts from those requirements any lease of residential property with a term  
33 of 1 year or less. (NRS 321.335) **Section 3** of this bill removes that exemption.

34 Existing law requires the Administrator of the Division of State Lands to: (1)  
35 administer the activities of the State Land Use Planning Agency; and (2) develop  
36 and distribute information that is useful to land use planning. Existing law also  
37 gives priority to the activities of the State Land Use Planning Agency in the  
38 provision of technical assistance in areas of this State where such assistance is  
39 requested. (NRS 321.710) **Section 3.5** of this bill limits the entities to which  
40 priority in the provision of technical assistance must be given to counties and cities.

41 Existing law requires the Administrator of the Division of State Lands to  
42 develop and make available to cities and counties certain specified information  
43 useful to land use planning. (NRS 321.720) **Section 4** of this bill removes the  
44 requirement that the Administrator develop and make available to cities and  
45 counties: (1) statewide data relating to population densities and trends, economic  
46 and environmental characteristics and trends, and directions and extent of urban  
47 and rural growth; (2) projections of the nature and quantity of land needed and  
48 suitable for various purposes; and (3) a continuously revised inventory of the  
49 environmental, geological and physical conditions which influence the desirability  
50 of various uses of land. **Section 4** also requires the Administrator, to the extent  
51 practicable, to compile the information developed and make the compilation  
52 available to counties and cities.

53 Existing law authorizes, if certain requirements are fulfilled, the lease of state  
54 land for less than the fair market value of the land for the first year of the lease if



55 the lessee intends to locate or expand a business in this State. (NRS 322.061)  
56 **Section 5** of this bill removes a number of the requirements that must be fulfilled,  
57 including requirements relating to the number of employees of the business, the  
58 capital investment in this State by the business, the average hourly wage paid by the  
59 business to employees in this State and the benefits provided by the business.

60 Existing law prohibits an appraiser who appraises any real property that is  
61 offered for sale or lease by a board of county commissioners or the governing body  
62 of an incorporated city from conducting the appraisal if the appraiser or a person  
63 related to the appraiser within the first degree of consanguinity or affinity has an  
64 interest in the real property or an adjoining property. (NRS 244.2795, 268.059)  
65 **Sections 6 and 7** of this bill expand the prohibited degree of consanguinity or  
66 affinity of the person from the first degree of consanguinity or affinity to the third  
67 degree of consanguinity or affinity and, in certain circumstances, the second degree  
68 of consanguinity or affinity.

69 **Section 9** of this bill repeals obsolete provisions relating to the Lincoln County  
70 Pilot Land Development and Disposal Law. (NRS 321.540-321.590)

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

1 **Section 1.** NRS 321.007 is hereby amended to read as follows:  
2 321.007 1. Except as otherwise provided in subsection 5,  
3 NRS 321.008, 322.061, 322.063, 322.065 or 322.075, except as  
4 otherwise required by federal law, except for land that is sold or  
5 leased to a public utility, as defined in NRS 704.020, to be used for  
6 a public purpose, except for land that is sold or leased to a state or  
7 local governmental entity, except for a lease which is part of a  
8 contract entered into pursuant to chapter 333 of NRS and except for  
9 land that is sold or leased pursuant to an agreement entered into  
10 pursuant to NRS 277.080 to 277.170, inclusive, when offering any  
11 land for sale or lease, the State Land Registrar shall:

12 (a) ~~Except as otherwise provided in this paragraph, obtain two~~  
13 *Obtain an* independent ~~appraisals~~ *appraisal* of the land before  
14 selling or leasing it. ~~If the Interim Finance Committee grants its~~  
15 ~~approval after discussion of the fair market value of the land, one~~  
16 ~~independent appraisal of the land is sufficient before selling or~~  
17 ~~leasing it.]~~ The appraisal ~~for appraisals, as applicable,]~~ must have  
18 been prepared not more than 6 months before the date on which the  
19 land is offered for sale or lease.

20 (b) Notwithstanding the provisions of chapter 333 of NRS,  
21 select ~~the one~~ *an* independent appraiser ~~for two independent~~  
22 ~~appraisers, as applicable,]~~ from the list of appraisers established  
23 pursuant to subsection 2.

24 (c) Verify the qualifications of ~~each~~ *an* appraiser selected  
25 pursuant to paragraph (b). The determination of the State Land  
26 Registrar as to the qualifications of an appraiser is conclusive.



1 2. The State Land Registrar shall adopt regulations for the  
2 procedures for creating or amending a list of appraisers qualified to  
3 conduct appraisals of land offered for sale or lease by the State Land  
4 Registrar. The list must:

5 (a) Contain the names of all persons qualified to act as a general  
6 appraiser in the same county as the land that may be appraised; and

7 (b) Be organized at random and rotated from time to time.

8 3. An appraiser chosen pursuant to subsection 1 must provide a  
9 disclosure statement which includes, without limitation, all sources  
10 of income of the appraiser that may constitute a conflict of interest  
11 and any relationship of the appraiser with the owner of the land or  
12 the owner of an adjoining property.

13 4. An appraiser shall not perform an appraisal on any land  
14 offered for sale or lease by the State Land Registrar if the appraiser  
15 or a person related to the appraiser within the ~~first~~ *third* degree of  
16 consanguinity or affinity has an interest in the land or an adjoining  
17 property.

18 5. If a lease of land is for residential property and the term of  
19 the lease is 1 year or less, the State Land Registrar shall obtain an  
20 analysis of the market value of similar rental properties prepared by  
21 a licensed real estate broker or salesperson when offering such a  
22 property for lease.

23 6. If land is sold or leased in violation of the provisions of this  
24 section:

25 (a) The sale or lease is void; and

26 (b) Any change to an ordinance or law governing the zoning or  
27 use of the land is void if the change takes place within 5 years after  
28 the date of the void sale or lease.

29 **Sec. 2.** NRS 321.067 is hereby amended to read as follows:

30 321.067 1. The Revolving Account for Land Management is  
31 hereby created as a special account in the State General Fund.

32 2. The State Land Registrar shall use the money in the  
33 *Revolving* Account to pay the expenses related to the management  
34 of land held by the Division ~~H~~ *and the acquisition of or interests in*  
35 *land*, including, without limitation, expenses for:

36 (a) Appraisals and *land* surveys;

37 (b) *Required environmental assessments of the land,*  
38 *including, without limitation, surveys of the biological,*  
39 *environmental and cultural conditions and resources of the land;*

40 (c) Construction of fences and barriers for vehicles; ~~and~~

41 ~~—(e) (d)~~ The cleanup and maintenance of the land ~~H~~; and

42 (e) *Any mitigation required of the land.*

43 3. The State Land Registrar shall:

44 (a) Approve any disbursement from the Revolving Account; and

45 (b) Maintain records of any such disbursement.



1 4. The State Land Registrar shall deposit into the Revolving  
2 Account money received by the Division as a donation or as a  
3 reimbursement for or advance payment of an expense paid out of the  
4 Revolving Account.

5 5. The balance of the Revolving Account must be carried  
6 forward at the end of each fiscal year.

7 6. If the balance in the account is below ~~15,000,~~ \$20,000, the  
8 State Land Registrar may request an allocation from the  
9 Contingency Account in the State General Fund pursuant to NRS  
10 353.266, 353.268 and 353.269.

11 **Sec. 3.** NRS 321.335 is hereby amended to read as follows:

12 321.335 1. Except as otherwise provided in NRS 321.008,  
13 321.125, 322.061, 322.063, 322.065 or 322.075, except as otherwise  
14 required by federal law, except for land that is sold or leased to a  
15 public utility, as defined in NRS 704.020, to be used for a public  
16 purpose, except for land that is sold or leased to a state or local  
17 governmental entity, except for a lease which is part of a contract  
18 entered into pursuant to chapter 333 of NRS and except for an  
19 agreement entered into pursuant to the provisions of NRS 277.080  
20 to 277.170, inclusive, ~~for a lease of residential property with a term~~  
21 ~~of 1 year or less,~~ after April 1, 1957, all sales or leases of any lands  
22 that the Division is required to hold pursuant to NRS 321.001,  
23 including lands subject to contracts of sale that have been forfeited,  
24 are governed by the provisions of this section.

25 2. Whenever the State Land Registrar deems it to be in the best  
26 interests of the State of Nevada that any lands owned by the State  
27 and not used or set apart for public purposes be sold or leased, the  
28 State Land Registrar may, with the approval of the State Board of  
29 Examiners and the Interim Finance Committee, cause those lands to  
30 be sold or leased upon sealed bids, or oral offer after the opening of  
31 sealed bids for cash or pursuant to a contract of sale or lease, at a  
32 price not less than the highest appraised value for the lands plus the  
33 costs of appraisal and publication of notice of sale or lease.

34 3. Before offering any land for sale or lease, the State Land  
35 Registrar shall comply with the provisions of NRS 321.007.

36 4. After complying with the provisions of NRS 321.007, the  
37 State Land Registrar shall cause a notice of sale or lease to be  
38 published once a week for 4 consecutive weeks in a newspaper of  
39 general circulation published in the county where the land to be sold  
40 or leased is situated, and in such other newspapers as the State Land  
41 Registrar deems appropriate. If there is no newspaper published in  
42 the county where the land to be sold or leased is situated, the notice  
43 must be so published in a newspaper published in this State having a  
44 general circulation in the county where the land is situated.

45 5. The notice must contain:



- 1 (a) A description of the land to be sold or leased;  
2 (b) A statement of the terms of sale or lease;  
3 (c) A statement that the land will be sold pursuant to subsection  
4 6; and  
5 (d) The place where the sealed bids will be accepted, the first  
6 and last days on which the sealed bids will be accepted, and the time  
7 when and place where the sealed bids will be opened and oral offers  
8 submitted pursuant to subsection 6 will be accepted.
- 9 6. At the time and place fixed in the notice published pursuant  
10 to subsection 4, all sealed bids which have been received must, in  
11 public session, be opened, examined and declared by the State Land  
12 Registrar. Of the proposals submitted which conform to all terms  
13 and conditions specified in the notice published pursuant to  
14 subsection 4 and which are made by responsible bidders, the bid  
15 which is the highest must be finally accepted, unless a higher oral  
16 offer is accepted or the State Land Registrar rejects all bids and  
17 offers. Before finally accepting any written bid, the State Land  
18 Registrar shall call for oral offers. If, upon the call for oral offers,  
19 any responsible person offers to buy or lease the land upon the terms  
20 and conditions specified in the notice, for a price exceeding by at  
21 least 5 percent the highest written bid, then the highest oral offer  
22 which is made by a responsible person must be finally accepted.
- 23 7. The State Land Registrar may reject any bid or oral offer to  
24 purchase or lease submitted pursuant to subsection 6, if the State  
25 Land Registrar deems the bid or offer to be:
- 26 (a) Contrary to the public interest.  
27 (b) For a lesser amount than is reasonable for the land involved.  
28 (c) On lands which it may be more beneficial for the State to  
29 reserve.  
30 (d) On lands which are requested by the State of Nevada or any  
31 department, agency or institution thereof.
- 32 8. Upon acceptance of any bid or oral offer and payment to the  
33 State Land Registrar in accordance with the terms of sale specified  
34 in the notice of sale, the State Land Registrar shall convey title by  
35 quitclaim or cause a patent to be issued as provided in NRS 321.320  
36 and 321.330.
- 37 9. Upon acceptance of any bid or oral offer and payment to the  
38 State Land Registrar in accordance with the terms of lease specified  
39 in the notice of lease, the State Land Registrar shall enter into a  
40 lease agreement with the person submitting the accepted bid or oral  
41 offer pursuant to the terms of lease specified in the notice of lease.
- 42 10. The State Land Registrar may require any person  
43 requesting that state land be sold pursuant to the provisions of this  
44 section to deposit a sufficient amount of money to pay the costs to  
45 be incurred by the State Land Registrar in acting upon the



1 application, including the costs of publication and the expenses of  
2 appraisal. This deposit must be refunded whenever the person  
3 making the deposit is not the successful bidder. The costs of acting  
4 upon the application, including the costs of publication and the  
5 expenses of appraisal, must be borne by the successful bidder.

6 11. If land that is offered for sale or lease pursuant to this  
7 section is not sold or leased at the initial offering of the contract for  
8 the sale or lease of the land, the State Land Registrar may offer the  
9 land for sale or lease a second time pursuant to this section. If there  
10 is a material change relating to the title, zoning or an ordinance  
11 governing the use of the land, the State Land Registrar must ~~+, as~~  
12 ~~applicable,} obtain a new appraisal {or new appraisals} of the land~~  
13 pursuant to the provisions of NRS 321.007 before offering the land  
14 for sale or lease a second time. If land that is offered for sale or  
15 lease pursuant to this section is not sold or leased at the second  
16 offering of the contract for the sale or lease of the land, the State  
17 Land Registrar may list the land for sale or lease at the appraised  
18 value with a licensed real estate broker, provided that the broker or a  
19 person related to the broker within the first degree of consanguinity  
20 or affinity does not have an interest in the land or an adjoining  
21 property.

22 **Sec. 3.5.** NRS 321.710 is hereby amended to read as follows:

23 321.710 1. The Administrator shall administer the activities  
24 of the State Land Use Planning Agency. The Administrator has  
25 authority and responsibility for the development and distribution of  
26 information useful to land use planning.

27 2. The activities of the State Land Use Planning Agency which  
28 have priority are:

29 (a) Provision of technical assistance *to a county or city* in areas  
30 where such assistance is requested;

31 (b) Activities relating to federal lands in this State; and

32 (c) Investigation and review of proposals for designation of  
33 areas of critical environmental concern and the development of  
34 standards and plans therefor.

35 3. In addition to the assistant provided by subsection 3 of NRS  
36 321.010 the Administrator may appoint, subject to the availability of  
37 money, such professional, technical, administrative, clerical and  
38 other persons as the Administrator may require for assistance in  
39 performing his or her land use planning duties.

40 **Sec. 4.** NRS 321.720 is hereby amended to read as follows:

41 321.720 1. The Administrator shall develop and make  
42 available to cities and counties information useful to land use  
43 planning, including:

44 ~~H}~~ (a) Preparation and continuing revision of a statewide  
45 inventory of the land and natural resources of the State;



- 1 ~~12.~~ ~~Compilation and continuing revision of data, on a statewide~~  
2 ~~basis, related to population densities and trends, economic~~  
3 ~~characteristics and projections, environmental conditions and trends,~~  
4 ~~and directions and extent of urban and rural growth;~~  
5 ~~— 3. Projections of the nature and quantity of land needed and~~  
6 ~~suitable for:~~  
7 ~~— (a) Recreation and esthetic appreciation;~~  
8 ~~— (b) Conservation and preservation of natural resources,~~  
9 ~~agriculture, mineral development and forestry;~~  
10 ~~— (c) Industry and commerce, including the development,~~  
11 ~~generation and transmission of energy;~~  
12 ~~— (d) Transportation;~~  
13 ~~— (e) Urban development, including the revitalization of existing~~  
14 ~~communities, the development of new towns, and the economic~~  
15 ~~diversification of existing communities which possess a narrow~~  
16 ~~economic base;~~  
17 ~~— (f) Rural development, taking into consideration future demands~~  
18 ~~for and limitations upon products of the land; and~~  
19 ~~— (g) Health, educational, and other state and local governmental~~  
20 ~~services;~~  
21 ~~— 4. Preparation and continuing revision of an inventory of~~  
22 ~~environmental, geological and physical conditions, including types~~  
23 ~~of soil, which influence the desirability of various uses of land;~~  
24 ~~— 5. (b) Preparation and continuing revision of an inventory of~~  
25 ~~state, local government and private needs and priorities concerning~~  
26 ~~the acquisition and use of federal lands within the State;~~  
27 ~~16. (c) Preparation and continuing revision of an inventory of~~  
28 ~~public and private institutional and financial resources available for~~  
29 ~~land use planning and management within the State and of state and~~  
30 ~~local programs and activities which have a land use impact of more~~  
31 ~~than local concern;~~  
32 ~~17. (d) Provision, where appropriate, of technical assistance~~  
33 ~~and training programs for state and local agency personnel~~  
34 ~~concerned with the development and implementation of state and~~  
35 ~~local land use programs;~~  
36 ~~18. (e) Coordination and exchange of land use planning~~  
37 ~~information and data among state agencies and local governments,~~  
38 ~~with the Federal Government, among the several states and~~  
39 ~~interstate agencies, and with members of the public, including~~  
40 ~~conducting of public hearings, preparation of reports and soliciting~~  
41 ~~of comments on reports concerning information useful to land use~~  
42 ~~planning;~~  
43 ~~19. (f) Coordination of planning for state and local acquisition~~  
44 ~~and use of federal lands within the State, except that in the case of a~~  
45 ~~plan which utilizes both federal and private lands the governing~~





1 body of the area where private lands are to be utilized has final  
2 authority to approve the proposal;

3 ~~H0~~ (g) Provision of assistance to counties to develop  
4 programs to increase the responsibility of local governments for the  
5 management of lands in the State of Nevada that are under federal  
6 management; and

7 ~~H1~~ (h) Consideration of, and consultation with, the relevant  
8 states on the interstate aspects of land use issues of more than local  
9 concern.

10 *2. To the extent practicable, the Administrator shall:*

11 *(a) Compile any information developed pursuant to subsection*  
12 *1; and*

13 *(b) Make the compilation available to cities and counties.*

14 **Sec. 5.** NRS 322.061 is hereby amended to read as follows:

15 322.061 1. The Administrator of the Division of State Lands  
16 of the State Department of Conservation and Natural Resources, as  
17 ex officio State Land Registrar, may lease state land pursuant to  
18 NRS 322.060 for less than the fair market value of the state land for  
19 the first year of the lease, including, without limitation, without the  
20 payment of rent for the first year of the lease, to a person who  
21 intends to locate or expand a business in this State if ~~;~~ ~~except as~~  
22 ~~otherwise provided in subsection 5.~~ the business meets the  
23 requirements of subsection 4.

24 2. Before state land may be leased pursuant to this section, the  
25 following persons must approve the lease and establish the  
26 recommended amount of rent to be received for the state land:

27 (a) The Administrator of the Division of State Lands, as ex  
28 officio State Land Registrar;

29 (b) The Administrator of the State Public Works Division of the  
30 Department of Administration; and

31 (c) The Executive Director of the Office of Economic  
32 Development.

33 3. Any lease entered into pursuant to this section must be for a  
34 term of at least 10 years.

35 4. ~~Except as otherwise provided in subsection 5, the~~ *The*  
36 lease or agreement may not include a discount to the business for  
37 the first year unless:

38 (a) The business is consistent with:

39 (1) The State Plan for Economic Development developed by  
40 the Executive Director of the Office of Economic Development  
41 pursuant to subsection 2 of NRS 231.053; and

42 (2) Any guidelines adopted by the Executive Director of the  
43 Office to implement the State Plan for Economic Development.

44 (b) The business is registered pursuant to the laws of this State  
45 or the person who intends to locate or expand the business in this



1 State commits to obtain a valid business license and all other  
2 permits required by the county, city or town in which the business  
3 operates.

4 ~~[(c) If the business is a new business in a county whose  
5 population is 100,000 or more or a city whose population is 60,000  
6 or more, the business meets at least two of the following  
7 requirements:~~

8 ~~———— (1) The business will have 75 or more full time employees  
9 on the payroll of the business by the fourth quarter that it is in  
10 operation.~~

11 ~~———— (2) Establishing the business will require the business to  
12 make a capital investment of at least \$1,000,000 in this State.~~

13 ~~———— (3) The average hourly wage that will be paid by the new  
14 business to its new employees in this State is at least 100 percent of  
15 the average statewide hourly wage as established by the  
16 Employment Security Division of the Department of Employment,  
17 Training and Rehabilitation on July 1 of each fiscal year and:~~

18 ~~———— (I) The business will provide a health insurance plan for  
19 all employees that includes an option for health insurance coverage  
20 for dependents of the employees; and~~

21 ~~———— (II) The benefits the business provides to its employees in  
22 this State will meet the minimum requirements for benefits  
23 established by the Office.~~

24 ~~———— (d) If the business is a new business in a county whose  
25 population is less than 100,000 or a city whose population is less  
26 than 60,000, the business meets at least two of the following  
27 requirements:~~

28 ~~———— (1) The business will have 15 or more full time employees  
29 on the payroll of the business by the fourth quarter that it is in  
30 operation.~~

31 ~~———— (2) Establishing the business will require the business to  
32 make a capital investment of at least \$250,000 in this State.~~

33 ~~———— (3) The average hourly wage that will be paid by the new  
34 business to its new employees in this State is at least 100 percent of  
35 the average statewide hourly wage or the average countywide hourly  
36 wage, whichever is less, as established by the Employment Security  
37 Division of the Department of Employment, Training and  
38 Rehabilitation on July 1 of each fiscal year and:~~

39 ~~———— (I) The business will provide a health insurance plan for  
40 all employees that includes an option for health insurance coverage  
41 for dependents of the employees; and~~

42 ~~———— (II) The benefits the business provides to its employees in  
43 this State will meet the minimum requirements for benefits  
44 established by the Office.~~



1 ~~—(e) If the business is an existing business, the business meets at~~  
2 ~~least two of the following requirements:~~  
3 ~~—(1) The business will increase the number of employees on~~  
4 ~~its payroll by 10 percent more than it employed in the immediately~~  
5 ~~preceding fiscal year or by six employees, whichever is greater.~~  
6 ~~—(2) The business will expand by making a capital investment~~  
7 ~~in this State in an amount equal to at least 20 percent of the value of~~  
8 ~~the tangible property possessed by the business in the immediately~~  
9 ~~preceding fiscal year. The determination of the value of the tangible~~  
10 ~~property possessed by the business in the immediately preceding~~  
11 ~~fiscal year must be made by the:~~  
12 ~~—(I) County assessor of the county in which the business~~  
13 ~~will expand, if the business is locally assessed; or~~  
14 ~~—(II) The Department of Taxation, if the business is~~  
15 ~~centrally assessed.~~  
16 ~~—(3) The average hourly wage that will be paid by the existing~~  
17 ~~business to its new employees in this State is at least the amount of~~  
18 ~~the average hourly wage required to be paid by businesses pursuant~~  
19 ~~to subparagraph (2) of either paragraph (a) or (b) of subsection 2 of~~  
20 ~~NRS 361.0687, whichever is applicable, and:~~  
21 ~~—(I) The business will provide a health insurance plan for~~  
22 ~~all new employees that includes an option for health insurance~~  
23 ~~coverage for dependents of the employees; and~~  
24 ~~—(II) The benefits the business provides to its new~~  
25 ~~employees in this State will meet the minimum requirements for~~  
26 ~~benefits established by the Office.~~  
27 ~~—(f) In lieu of meeting the requirements of paragraph (c), (d) or~~  
28 ~~(e), if the business furthers the development and refinement of~~  
29 ~~intellectual property, a patent or a copyright into a commercial~~  
30 ~~product, the business meets at least two of the following~~  
31 ~~requirements:~~  
32 ~~—(1) The business will have 10 or more full-time employees~~  
33 ~~on the payroll of the business by the fourth quarter that it is in~~  
34 ~~operation.~~  
35 ~~—(2) Establishing the business will require the business to~~  
36 ~~make a capital investment of at least \$500,000 in this State.~~  
37 ~~—(3) The average hourly wage that will be paid by the new~~  
38 ~~business to its employees in this State is at least the amount of the~~  
39 ~~average hourly wage required to be paid by businesses pursuant to~~  
40 ~~subparagraph (2) of either paragraph (a) or (b) of subsection 2 of~~  
41 ~~NRS 361.0687, whichever is applicable, and:~~  
42 ~~—(I) The business will provide a health insurance plan for~~  
43 ~~all employees that includes an option for health insurance coverage~~  
44 ~~for dependents of the employees; and~~



1 ~~—————(H) The benefits the business provides to its employees in~~  
2 ~~this State will meet with minimum requirements established by the~~  
3 ~~Office.~~

4 ~~—5. The Executive Director of the Office of Economic~~  
5 ~~Development may waive the requirements of subsection 4 for good~~  
6 ~~cause shown if the lease is for state land of less than 25,000 square~~  
7 ~~feet.]~~

8 **Sec. 6.** NRS 244.2795 is hereby amended to read as follows:

9 244.2795 1. Except as otherwise provided in NRS 244.189,  
10 244.276, 244.279, 244.2815, 244.2825, 244.2833, 244.2835,  
11 244.284, 244.287, 244.290, 278.479 to 278.4965, inclusive, and  
12 subsection 3 of NRS 496.080, except as otherwise required by  
13 federal law, except as otherwise required pursuant to a cooperative  
14 agreement entered into pursuant to NRS 277.050 or 277.053 or an  
15 interlocal agreement in existence on or before October 1, 2004,  
16 except if the board of county commissioners is entering into a joint  
17 development agreement for real property owned by the county to  
18 which the board of county commissioners is a party, except for a  
19 lease of residential property with a term of 1 year or less, except for  
20 the sale or lease of real property to a public utility, as defined in  
21 NRS 704.020, to be used for a public purpose, except for the sale or  
22 lease of real property to the State or another governmental entity and  
23 except for the sale or lease of real property larger than 1 acre which  
24 is approved by the voters at a primary or general election or special  
25 election, the board of county commissioners shall, when offering  
26 any real property for sale or lease:

27 (a) Except as otherwise provided in this paragraph, obtain two  
28 independent appraisals of the real property before selling or leasing  
29 it. If the board of county commissioners holds a public hearing on  
30 the matter of the fair market value of the real property, one  
31 independent appraisal of the real property is sufficient before selling  
32 or leasing it. The appraisal or appraisals, as applicable, must have  
33 been prepared not more than 6 months before the date on which the  
34 real property is offered for sale or lease.

35 (b) Select the one independent appraiser or two independent  
36 appraisers, as applicable, from the list of appraisers established  
37 pursuant to subsection 2.

38 (c) Verify the qualifications of each appraiser selected pursuant  
39 to paragraph (b). The determination of the board of county  
40 commissioners as to the qualifications of the appraiser is conclusive.

41 2. The board of county commissioners shall adopt by ordinance  
42 the procedures for creating or amending a list of appraisers qualified  
43 to conduct appraisals of real property offered for sale or lease by the  
44 board. The list must:



1 (a) Contain the names of all persons qualified to act as a general  
2 appraiser in the same county as the real property that may be  
3 appraised; and

4 (b) Be organized at random and rotated from time to time.

5 3. An appraiser chosen pursuant to subsection 1 must provide a  
6 disclosure statement which includes, without limitation, all sources  
7 of income that may constitute a conflict of interest and any  
8 relationship with the real property owner or the owner of an  
9 adjoining real property.

10 4. An appraiser shall not perform an appraisal on any real  
11 property for sale or lease by the board of county commissioners if  
12 ~~that~~ :

13 (a) ~~The appraiser for a person related to the appraiser within the~~  
14 ~~first degree of consanguinity or affinity~~ has an interest in the real  
15 property or an adjoining property ~~+~~;

16 (b) *The real property is located in a county whose population*  
17 *is 45,000 or more and any person who is related to the appraiser*  
18 *has an interest in the real property or an adjoining property and*  
19 *the relationship between the appraiser and the person is within the*  
20 *third degree of consanguinity or affinity; or*

21 (c) *The real property is located in a county whose population is*  
22 *less than 45,000 and any person who is related to the appraiser*  
23 *has an interest in the real property or an adjoining property and*  
24 *the relationship between the appraiser and the person is within the*  
25 *second degree of consanguinity or affinity.*

26 5. If real property is sold or leased in violation of the  
27 provisions of this section:

28 (a) The sale or lease is void; and

29 (b) Any change to an ordinance or law governing the zoning or  
30 use of the real property is void if the change takes place within 5  
31 years after the date of the void sale or lease.

32 **Sec. 7.** NRS 268.059 is hereby amended to read as follows:

33 268.059 1. Except as otherwise provided in NRS 268.048 to  
34 268.058, inclusive, 268.064, 278.479 to 278.4965, inclusive, and  
35 subsection 4 of NRS 496.080, except as otherwise required by  
36 federal law, except as otherwise required pursuant to a cooperative  
37 agreement entered into pursuant to NRS 277.050 or 277.053 or an  
38 interlocal agreement in existence on October 1, 2004, except if the  
39 governing body is entering into a joint development agreement for  
40 real property owned by the city to which the governing body is a  
41 party, except for a lease of residential property with a term of 1 year  
42 or less, except for the sale or lease of real property to a public  
43 utility, as defined in NRS 704.020, to be used for a public purpose,  
44 except for the sale or lease of real property to the State or another  
45 governmental entity and except for the sale or lease of real property



1 larger than 1 acre which is approved by the voters at a primary or  
2 general election, primary or general city election or special election,  
3 the governing body shall, when offering any real property for sale or  
4 lease:

5 (a) Except as otherwise provided in this paragraph, obtain two  
6 independent appraisals of the real property before selling or leasing  
7 it. If the governing body holds a public hearing on the matter of the  
8 fair market value of the real property, one independent appraisal of  
9 the real property is sufficient before selling or leasing it. The  
10 appraisal or appraisals, as applicable, must be based on the zoning  
11 of the real property as set forth in the master plan for the city and  
12 must have been prepared not more than 6 months before the date on  
13 which real property is offered for sale or lease.

14 (b) Select the one independent appraiser or two independent  
15 appraisers, as applicable, from the list of appraisers established  
16 pursuant to subsection 2.

17 (c) Verify the qualifications of each appraiser selected pursuant  
18 to paragraph (b). The determination of the governing body as to the  
19 qualifications of the appraiser is conclusive.

20 2. The governing body shall adopt by ordinance the procedures  
21 for creating or amending a list of appraisers qualified to conduct  
22 appraisals of real property offered for sale or lease by the governing  
23 body. The list must:

24 (a) Contain the names of all persons qualified to act as a general  
25 appraiser in the same county as the real property that may be  
26 appraised; and

27 (b) Be organized at random and rotated from time to time.

28 3. An appraiser chosen pursuant to subsection 1 must provide a  
29 disclosure statement which includes, without limitation, all sources  
30 of income of the appraiser that may constitute a conflict of interest  
31 and any relationship of the appraiser with the property owner or the  
32 owner of an adjoining property.

33 4. An appraiser shall not perform an appraisal on any real  
34 property offered for sale or lease by the governing body if ~~the~~ :

35 (a) ~~The appraiser for a person related to the appraiser within the~~  
36 ~~first degree of consanguinity or affinity~~ has an interest in the real  
37 property or an adjoining property ~~†~~ ;

38 (b) *The real property is located in a city in a county whose*  
39 *population is 45,000 or more and any person who is related to the*  
40 *appraiser has an interest in the real property or an adjoining*  
41 *property and the relationship between the appraiser and the*  
42 *person is within the third degree of consanguinity or affinity; or*

43 (c) *The real property is located in a city in a county whose*  
44 *population is less than 45,000 and any person who is related to the*  
45 *appraiser has an interest in the real property or an adjoining*



1 *property and the relationship between the appraiser and the*  
2 *person is within the second degree of consanguinity or affinity.*

3 5. If real property is sold or leased in violation of the  
4 provisions of this section:

5 (a) The sale or lease is void; and

6 (b) Any change to an ordinance or law governing the zoning or  
7 use of the real property is void if the change takes place within 5  
8 years after the date of the void sale or lease.

9 **Sec. 8.** The amendatory provisions of NRS 244.2795, 268.059  
10 and 321.007, as amended by sections 6, 7 and 1, respectively, of this  
11 act do not apply to an appraisal specified in those sections which is  
12 conducted before July 1, 2017.

13 **Sec. 9.** NRS 321.540, 321.550, 321.560, 321.570, 321.580 and  
14 321.590 are hereby repealed.

15 **Sec. 10.** This act becomes effective on July 1, 2017.

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**LEADLINES OF REPEALED SECTIONS**

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**321.540** Short title.

**321.550** "Department" defined.

**321.560** Acquisition of lands by State Department of  
Conservation and Natural Resources authorized.

**321.570** Powers of State Department of Conservation and  
Natural Resources concerning development of Lincoln County  
lands; sale of lands.

**321.580** Lincoln County Pilot Land Development and  
Disposal Fund: Creation; use.

**321.590** Lincoln County Pilot Land Development and  
Disposal Fund: Receipts to be credited; reimbursement of State  
General Fund.

