

SENATE BILL NO. 183—SENATORS PARKS;
MANENDO AND SEGERBLOM

PREFILED FEBRUARY 13, 2017

JOINT SPONSORS: ASSEMBLYMEN BUSTAMANTE ADAMS,
CARRILLO, NEAL AND OHRENSCHALL

Referred to Committee on Government Affairs

SUMMARY—Makes the provisions of the Local Government Budget and Finance Act applicable to housing authorities. (BDR 31-616)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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

AN ACT relating to local financial administration; making the provisions of the Local Government Budget and Finance Act applicable to housing authorities; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law authorizes the governing body of any town, city or county to
2 create by resolution a housing authority to provide various types of housing
3 services for persons of low income in such town, city or county. (NRS 315.140-
4 315.780) Existing law also authorizes two or more housing authorities in a county
5 whose population is 700,000 or more (currently Clark County) to form a regional
6 housing authority. (NRS 315.7805) Existing law further creates the Nevada Rural
7 Housing Authority to provide various types of housing services for persons of low
8 and moderate income in areas of the State which are not included within the
9 corporate limits of a city or town having a population of 150,000 or more. (NRS
10 315.961-315.99874)

11 The Local Government Budget and Finance Act sets forth various
12 requirements, procedures and limitations relating to the financial administration of
13 local governments. (NRS 354.470-354.626) Under existing law, the Act applies to
14 the Nevada Rural Housing Authority for the sole purpose of requiring the Authority
15 to hold a public hearing before making an interfund loan or loaning money to
16 another local government but does not apply to any other type of housing authority.
17 (NRS 315.420, 315.983, 354.474, 354.6118)



18 **Section 1** of this bill amends the definition of “local government” so that the
19 Local Government Budget and Finance Act applies to all housing authorities.
20 **Sections 2 and 3** of this bill make conforming changes.

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

1 **Section 1.** NRS 354.474 is hereby amended to read as follows:
2 354.474 1. Except as otherwise provided in subsections 2 and
3 3, the provisions of NRS 354.470 to 354.626, inclusive, apply to all
4 local governments. For the purpose of NRS 354.470 to 354.626,
5 inclusive †:

6 ~~—(a) “Local”, “local government” means [every] :~~

7 (a) Every political subdivision or other entity which has the
8 right to levy or receive money from ad valorem or other taxes or any
9 mandatory assessments, and includes, without limitation, counties,
10 cities, towns, boards, school districts and other districts organized
11 pursuant to chapters 244A, 309, 318 and 379 of NRS, NRS 450.550
12 to 450.750, inclusive, and chapters 474, 541, 543 and 555 of NRS,
13 and any agency or department of a county or city which prepares a
14 budget separate from that of the parent political subdivision †

15 ~~—(b) “Local government” includes the Nevada Rural Housing~~
16 ~~Authority for the purpose of loans of money from a local~~
17 ~~government in a county whose population is less than 100,000 to the~~
18 ~~Nevada Rural Housing Authority in accordance with NRS~~
19 ~~354.6118. The term does not include the Nevada Rural Housing~~
20 ~~Authority for any other purpose. † ; and~~

21 (b) Every housing authority created by or pursuant to chapter
22 315 of NRS.

23 2. An irrigation district organized pursuant to chapter 539 of
24 NRS shall fix rates and levy assessments as provided in NRS
25 539.667 to 539.683, inclusive. The levy of such assessments and the
26 posting and publication of claims and annual financial statements as
27 required by chapter 539 of NRS shall be deemed compliance with
28 the budgeting, filing and publication requirements of NRS 354.470
29 to 354.626, inclusive, but any such irrigation district which levies an
30 ad valorem tax shall comply with the filing and publication
31 requirements of NRS 354.470 to 354.626, inclusive, in addition to
32 the requirements of chapter 539 of NRS.

33 3. An electric light and power district created pursuant to
34 chapter 318 of NRS shall be deemed to have fulfilled the
35 requirements of NRS 354.470 to 354.626, inclusive, for a year in
36 which the district does not issue bonds or levy an assessment if the
37 district files with the Department of Taxation a copy of all
38 documents relating to its budget for that year which the district



1 submitted to the Rural Utilities Service of the United States
2 Department of Agriculture.

3 **Sec. 2.** NRS 354.536 is hereby amended to read as follows:

4 354.536 “Governing body” means the board, council,
5 commission or other body in which the general legislative and fiscal
6 powers of the local government are vested. *The term includes,*
7 *without limitation, a housing authority created by or pursuant to*
8 *chapter 315 of NRS.*

9 **Sec. 3.** NRS 315.983 is hereby amended to read as follows:

10 315.983 1. Except as otherwise provided in NRS ~~354.474~~
11 ~~and~~ 377.057, the Authority:

12 (a) Shall be deemed to be a public body corporate and politic,
13 and an instrumentality, local government and political subdivision
14 of the State, exercising public and essential governmental functions,
15 and having all the powers necessary or convenient to carry out the
16 purposes and provisions of NRS 315.961 to 315.99874, inclusive,
17 but not the power to levy and collect taxes or special assessments.

18 (b) Is not an agency, board, bureau, commission, council,
19 department, division, employee or institution of the State.

20 2. The Authority may:

21 (a) Sue and be sued.

22 (b) Have a seal.

23 (c) Have perpetual succession.

24 (d) Make and execute contracts and other instruments necessary
25 or convenient to the exercise of its powers.

26 (e) Deposit money it receives in any insured state or national
27 bank, insured credit union, insured savings and loan association, or
28 in the Local Government Pooled Long-Term Investment Account
29 created by NRS 355.165 or the Local Government Pooled
30 Investment Fund created by NRS 355.167.

31 (f) Adopt bylaws, rules and regulations to carry into effect the
32 powers and purposes of the Authority.

33 (g) Create a nonprofit organization which is exempt from
34 taxation pursuant to 26 U.S.C. § 501(c)(3) and which has as its
35 principal purpose the development of housing projects.

36 (h) Enter into agreements or other transactions with, and accept
37 grants from and cooperate with, any governmental agency or other
38 source in furtherance of the purposes of NRS 315.961 to 315.99874,
39 inclusive.

40 (i) Enter into an agreement with a local government in a county
41 whose population is less than 100,000 to receive a loan of money
42 from the local government in accordance with NRS 354.6118.

43 (j) Acquire real or personal property or any interest therein, by
44 gift, purchase, foreclosure, deed in lieu of foreclosure, lease, option
45 or otherwise.



1 **Sec. 4.** This act becomes effective on July 1, 2017.

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