

Committee Action:
Do Pass _____
Amend & Do Pass _____
Other _____

Senate Committee on Government Affairs

This measure may be considered for action during today's work session.

SENATE BILL 391

Revises provisions relating to governmental entities. (BDR 20-936)

Sponsored By: Senator Harris and Assembly Members Watts and Backus

Date Heard: April 5, 2023

Fiscal Notes: Effect on Local Government: No.

Effect on the State: No.

Senate Bill 391 prohibits a county, a city, and an unincorporated town from sounding a siren, bell, or alarm for a purpose other than: (1) alerting persons to an emergency; (2) testing the siren, bell, or alarm at reasonable time intervals; or (3) celebrating or recognizing a legal holiday. The bill further authorizes the Attorney General to bring a civil action to collect a monetary penalty from a county, city, or unincorporated town for each violation. Finally, the bill prohibits a county, city, or unincorporated town from taking adverse employment action against an employee for reporting such a violation to the Attorney General.

Amendments: There is one amendment proposed for this measure.

Senator Harris proposes to amend the bill to limit the testing of a siren, bell, or alarm to not more than once every six months.

MOCK-UP

PROPOSED AMENDMENT 3586 TO SENATE BILL NO. 391

PREPARED FOR SENATOR HARRIS
APRIL 9, 2023

PREPARED BY THE LEGAL DIVISION

NOTE: THIS DOCUMENT SHOWS PROPOSED AMENDMENTS IN CONCEPTUAL FORM. THE LANGUAGE AND ITS PLACEMENT IN THE OFFICIAL AMENDMENT MAY DIFFER.

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of **green bold underlining** is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

Legislative Counsel's Digest:

Existing law prohibits a county, city or town in this State from sounding a siren, bell or alarm that was previously sounded on certain days or times in association with an ordinance enacted by the county, city or town which required persons of a particular race, ethnicity, ancestry, national origin or color to leave the county or a city, town or township within the county by a certain time. (NRS 244.159, 268.0199, 269.234)

This bill revises these provisions by prohibiting a county, a city and an unincorporated town from sounding a siren, bell or alarm for a purpose other than: (1) alerting persons to an emergency; (2) testing the siren, bell or alarm at reasonable time intervals **of not more than once every six months**; or (3) celebrating or recognizing a legal holiday on the day of the legal holiday or the day on which the legal holiday is recognized by existing law. This bill authorizes the Attorney General to bring a civil action to collect a monetary penalty from a county, city or unincorporated town for each violation. This bill prohibits a county, city or unincorporated town from taking adverse employment action against the employee for reporting such a violation to the Attorney General.

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

1 **Section 1.** NRS 244.159 is hereby amended to read as follows:
2 244.159 *1.* A county in this State may not sound a siren, bell or
3 alarm ~~at a time during which the siren, bell or alarm was previously~~

1 ~~sounded on specific days or times in association with an ordinance enacted~~
2 ~~by the county which required persons of a particular race, ethnicity,~~
3 ~~ancestry, national origin or color to leave the county or a city, town or~~
4 ~~township within the county by a specific time.] for a purpose other than:~~

5 (a) Alerting persons to an emergency;

6 (b) Testing the siren, bell or alarm at reasonably scheduled intervals

7 ~~††~~ of not more than once every six months; or

8 (c) Celebrating or recognizing a day declared to be a legal holiday
9 pursuant to NRS 236.015 on the day of the legal holiday or the day on
10 which the legal holiday is recognized.

11 2. Any county that sounds a siren, bell or alarm in violation of
12 subsection 1 is subject to a penalty of not more than \$50,000 for each
13 violation. The Attorney General may recover the penalty in a civil action
14 brought in the name of the State of Nevada in any court of competent
15 jurisdiction. Such an action must be commenced within 1 year after the
16 violation.

17 3. A county shall not take adverse employment action against an
18 employee who reports a violation of this section to the Office of the
19 Attorney General.

20 **Sec. 2.** NRS 268.0199 is hereby amended to read as follows:

21 268.0199 1. A city in this State may not sound a siren, bell or alarm
22 ~~[at a time during which the siren, bell or alarm was previously sounded on~~
23 ~~specific days or times in association with an ordinance enacted by the city~~
24 ~~which required persons of a particular race, ethnicity, ancestry, national~~
25 ~~origin or color to leave the city by a specific time.] for a purpose other~~
26 ~~than:~~

27 (a) Alerting persons to an emergency;

28 (b) Testing the siren, bell or alarm at reasonably scheduled intervals

29 ~~††~~ of not more than once every six months; or

30 (c) Celebrating or recognizing a day declared to be a legal holiday
31 pursuant to NRS 236.015 on the day of the legal holiday or the day on
32 which the legal holiday is recognized.

33 2. Any city that sounds a siren, bell or alarm in violation of
34 subsection 1 is subject to a penalty of not more than \$50,000 for each
35 violation. The Attorney General may recover the penalty in a civil action
36 brought in the name of the State of Nevada in any court of competent
37 jurisdiction. Such an action must be commenced within 1 year after the
38 violation.

39 3. A city shall not take adverse employment action against an
40 employee who reports a violation of this section to the Office of the
41 Attorney General.

42 **Sec. 3.** NRS 269.234 is hereby amended to read as follows:

43 269.234 1. An unincorporated town in this State may not sound a
44 siren, bell or alarm ~~[at a time during which the siren, bell or alarm was~~
45 ~~previously sounded on specific days or times in association with an~~

1 ~~ordinance enacted by the town which required persons of a particular race,~~
2 ~~ethnicity, ancestry, national origin or color to leave the town by a specific~~
3 ~~time.] for a purpose other than:~~

4 (a) *Alerting persons to an emergency;*

5 (b) *Testing the siren, bell or alarm at reasonably scheduled intervals*

6 ~~††~~ *of not more than once every six months; or*

7 (c) *Celebrating or recognizing a day declared to be a legal holiday*
8 *pursuant to NRS 236.015 on the day of the legal holiday or the day on*
9 *which the legal holiday is recognized.*

10 2. *Any unincorporated town that sounds a siren, bell or alarm in*
11 *violation of subsection 1 is subject to a penalty of not more than \$50,000*
12 *for each violation. The Attorney General may recover the penalty in a*
13 *civil action brought in the name of the State of Nevada in any court of*
14 *competent jurisdiction. Such an action must be commenced within 1 year*
15 *after the violation.*

16 3. *An unincorporated town shall not take adverse employment*
17 *action against an employee who reports a violation of this section to law*
18 *enforcement.*

19 **Sec. 4.** This act becomes effective upon passage and approval.