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SENATE BILL NO. 145—COMMITTEE ON GOVERNMENT AFFAIRS  
(ON BEHALF OF THE NEVADA ASSOCIATION OF COUNTIES)

FEBRUARY 18, 2003

Referred to Committee on Government Affairs

SUMMARY—Makes various changes concerning counties.  
(BDR 20-172)

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 counties; authorizing a board of county commissioners to create by ordinance the same offenses punishable as misdemeanors by statute and to provide for a civil penalty in lieu of a criminal penalty for violations of ordinances in certain circumstances; authorizing a board of county commissioners to exercise certain additional powers under certain circumstances; revising the uses of and interests in federal land that a board of county commissioners may apply for and accept; and providing other matters properly relating thereto.

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

- 1     **Section 1.** Chapter 244 of NRS is hereby amended by adding  
2     thereto a new section to read as follows:  
3     *A board of county commissioners may, by ordinance:*  
4     1. *Except as otherwise provided by specific statute, create an*  
5     *offense which is punishable as a misdemeanor if the same offense*  
6     *is punishable as a misdemeanor by statute; and*  
7     2. *Provide for a civil penalty and the payment of costs and*  
8     *reasonable attorney’s fees for a violation of an ordinance enacted*  
9     *by the board, in lieu of a criminal penalty, unless a statute*  
10    *provides a criminal penalty for the same act or omission.*



1       **Sec. 2.** NRS 244.189 is hereby amended to read as follows:  
2       244.189 1. Except as otherwise provided in subsection 2 and  
3 in addition to any other powers authorized by specific statute, a  
4 board of county commissioners may exercise such powers and enact  
5 such ordinances, not in conflict with the provisions of NRS or other  
6 laws or regulations of this state, as the board determines are  
7 necessary and proper for:

- 8       (a) The development of affordable housing;
- 9       (b) The control and protection of animals;
- 10       (c) The rehabilitation of rental property in residential
- 11 neighborhoods; ~~and~~
- 12       (d) The rehabilitation of abandoned residential property ~~and~~;
- 13       (e) *The redevelopment of communities;*
- 14       (f) *The abatement of nuisances;*
- 15       (g) *Public safety; and*
- 16       (h) *Public health and sanitation.*

17       2. The board of county commissioners shall not impose or  
18 increase a tax unless the tax or increase is otherwise authorized by  
19 specific statute.

20       ~~3. The board of county commissioners may, in lieu of a~~  
21 ~~criminal penalty, provide a civil penalty for a violation of an~~  
22 ~~ordinance enacted pursuant to this section unless state law provides~~  
23 ~~a criminal penalty for the same act or omission.]~~

24       **Sec. 3.** NRS 244.277 is hereby amended to read as follows:

25       244.277 The board of county commissioners may apply for and  
26 accept ~~grants~~ :

27       1. *Grants* of rights-of-way , ~~and~~ permits , *leases and patents*  
28 and subsequent renewals of grants of rights-of-way , ~~and~~ permits ,  
29 *leases and patents* over, upon, under or through any land or interest  
30 in land owned by the United States and administered by the  
31 Secretary of the Interior through the Bureau of Land Management  
32 and by the Secretary of Agriculture with respect to lands within the  
33 National Forest System, pursuant to Title V of the Federal Land  
34 Policy and Management Act of 1976 , ~~and~~ 43 U.S.C. §§ 1761-1771  
35 ~~and~~ , *and the Recreation and Public Purposes Act, 43 U.S.C. §§*  
36 *869-869-4; and*

37       2. *Special use permits for parks, forests and public property*  
38 *owned by the United States and administered by the Secretary of*  
39 *Agriculture, through the United States Forest Service, pursuant to*  
40 *Title 16 of the United States Code and 36 C.F.R. Part 251,*  
41 and in connection therewith may comply with federal regulations  
42 and stipulations consistent with ~~Title V of the Federal Land Policy~~  
43 ~~and Management Act of 1976~~ *the federal statutes and regulations*  
44 *set forth in this section* or any other applicable federal statute ~~and~~ *or*  
45 *regulation.*



1     **Sec. 4.** This act becomes effective on July 1, 2003.

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