

CHAPTER.....

AN ACT relating to the tax for infrastructure; authorizing the boards of county commissioners of certain counties to use money in the infrastructure fund for the operation and maintenance of flood control projects; requiring the Board of County Commissioners of Washoe County to submit a progress report to the 73rd Session of the Nevada Legislature concerning certain flood control projects; and providing other matters properly relating thereto.

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

Section 1. NRS 377B.160 is hereby amended to read as follows:

377B.160 The money in the infrastructure fund, including interest and any other income from the fund:

1. In a county whose population is 400,000 or more, must only be expended by the water authority, distributed by the water authority to its members, distributed by the water authority pursuant to NRS 377B.170 to a city or town located in the county whose territory is not within the boundaries of the area served by the water authority or to a public entity in such a county which provides water or wastewater services and which is not a member of the water authority or, if no water authority exists in the county, by the board of county commissioners for:

(a) The acquisition, establishment, construction, improvement or equipping of water and wastewater facilities;

(b) The payment of principal and interest on notes, bonds or other securities issued to provide money for the cost of projects described in paragraph (a); or

(c) Any combination of those purposes.

The board of county commissioners may only expend money from the infrastructure fund pursuant to this subsection in the manner set forth in the plan adopted pursuant to subsection 6 of NRS 377B.100.

2. In a county whose population is 100,000 or more but less than 400,000, must only be expended by the board of county commissioners in the manner set forth in the plan adopted pursuant to subsection 6 of NRS 377B.100 for:

(a) The acquisition, establishment, construction or expansion of:

(1) Projects for the management of floodplains or the prevention of floods; or

(2) Facilities relating to public safety;

(b) The payment of principal and interest on notes, bonds or other securities issued to provide money for the cost of projects described in paragraph (a);

(c) The ongoing expenses of operation and maintenance of projects described in subparagraph (1) of paragraph (a), if such projects were included in a plan adopted by the board of county commissioners pursuant to subsection 6 of NRS 377B.100 before January 1, 2003; or

~~[(e)]~~ (d) Any combination of those purposes.

3. In a county whose population is less than 100,000, must only be expended by the board of county commissioners in the manner set forth in the plan adopted pursuant to subsection 6 of NRS 377B.100 for:

(a) The acquisition, establishment, construction, improvement or equipping of:

- (1) Water facilities; or
- (2) Wastewater facilities;

(b) The acquisition, establishment, construction or expansion of:

(1) Projects for the management of floodplains or the prevention of floods; or

(2) Facilities for the disposal of solid waste;

(c) The construction or renovation of facilities for schools;

(d) The payment of principal and interest on notes, bonds or other securities issued to provide money for the cost of projects described in paragraphs (a), (b) and (c); or

(e) Any combination of those purposes.

Sec. 2. The Board of County Commissioners of Washoe County shall submit a report to the 73rd Session of the Nevada Legislature with regard to the progress that has been made by the County in completing any projects described in subparagraph (1) of paragraph (a) of subsection 2 of NRS 377B.160, including detailed information regarding the amount of money expended from the infrastructure fund pursuant to paragraph (c) of subsection 2 of NRS 377B.160, as amended by section 1 of this act.

Sec. 3. This act becomes effective upon passage and approval.