

**A.B. 452**

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ASSEMBLY BILL NO. 452—COMMITTEE ON WAYS AND MEANS

(ON BEHALF OF THE OFFICE OF FINANCE  
IN THE OFFICE OF THE GOVERNOR)

APRIL 8, 2021

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Referred to Committee on Ways and Means

SUMMARY—Revises provisions relating to environmental protection. (BDR 40-1093)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Executive Budget.

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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 environmental protection; requiring certain agencies and entities to submit information to the State Department of Conservation and Natural Resources for purposes of the annual report that the Department is required to prepare on greenhouse gases; authorizing money in the Account for the Management of Air Quality to be expended to pay the costs of preparing the annual report on greenhouse gases; requiring a transfer of certain money from the Fund for Cleaning Up Discharges of Petroleum to the Account for the Management of Air Quality; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law requires the State Department of Conservation and Natural  
2 Resources to prepare an annual report that includes a statewide inventory of  
3 greenhouse gas emissions and a projection of annual greenhouse gas emissions in  
4 this State for the 20 years immediately following the date of the report. In preparing  
5 the annual report, the Department is required to consult with the Public Utilities  
6 Commission of Nevada, the Office of Energy, the Department of Transportation,  
7 the Department of Motor Vehicles and any entity designated by the Governor.  
8 (NRS 445B.380) **Section 1** of this bill requires these agencies and entities to submit  
9 to the State Department of Conservation and Natural Resources any information  
10 that is determined by the State Environmental Commission to be necessary to  
11 prepare the annual report, including certain information relating to emissions from



12 substitutes for ozone-depleting substances. **Section 1** authorizes the State  
13 Environmental Commission to adopt regulations related to the annual report.

14 Existing law creates the Account for the Management of Air Quality and  
15 provides that money in the Account must be expended for certain purposes. (NRS  
16 445B.590) **Section 2** of this bill authorizes money in the Account to be expended  
17 by the Department to pay the direct and indirect costs of preparing the annual report  
18 on greenhouse gases.

19 Existing law creates the Fund for Cleaning Up Discharges of Petroleum and  
20 provides that if the balance in the Fund at the end of any fiscal year is estimated at  
21 \$7,500,000 or more, the Department of Motor Vehicles must transfer the balance  
22 which exceeds \$7,500,000 to the account established in the State Highway Fund for  
23 the construction, reconstruction, improvement and maintenance of public roads.  
24 (NRS 408.242, 445C.310, 445C.350) **Section 3** of this bill requires an amount of  
25 excess from the Fund, up to \$500,000 and as determined by the State Department  
26 of Conservation and Natural Resources, be transferred instead to the Account for  
27 the Management of Air Quality. The money transferred to the Account for the  
28 Management of Air Quality may be used only to pay the costs of preparing the  
29 annual report on greenhouse gases. Any remaining excess in the Fund for Cleaning  
30 Up Discharges of Petroleum must be transferred to the account established in the  
31 State Highway Fund for the construction, reconstruction, improvement and  
32 maintenance of public roads.

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

1 **Section 1.** NRS 445B.380 is hereby amended to read as  
2 follows:

3 445B.380 1. The Department shall, not later than  
4 December 31, 2019, and each year thereafter, issue a report that  
5 includes a statewide inventory of greenhouse gas emissions in this  
6 State and a projection of annual greenhouse gas emissions in this  
7 State for the 20 years immediately following the date of the report.

8 2. The report must include, without limitation:

9 (a) For each year of the inventory and projection required by  
10 subsection 1:

11 (1) The sources and amounts of greenhouse gas emissions in  
12 this State from each of the following sectors:

- 13 (I) Electricity production; and  
14 (II) Transportation.

15 (2) The sources and amounts of reductions in greenhouse gas  
16 emissions in this State from each of the sectors set forth in  
17 subparagraph (1).

18 (b) For the first and every fourth year thereafter of the inventory  
19 and projection required by subsection 1:

20 (1) The sources and amounts of greenhouse gas emissions in  
21 this State from each of the following sectors:

- 22 (I) Industry;  
23 (II) Commercial and residential;



1 (III) Agriculture; and

2 (IV) Land use and forestry.

3 (2) The sources and amounts of reductions in greenhouse gas  
4 emissions in this State from each of the sectors set forth in  
5 subparagraph (1).

6 (c) A statement of policies, including, without limitation,  
7 regulations, identified by the entity or entities designated by the  
8 Governor pursuant to subsection 4 that could achieve reductions in  
9 projected greenhouse gas emissions by the sectors set forth in  
10 subparagraph (1) of paragraph (a) and subparagraph (1) of  
11 paragraph (b), if applicable, and:

12 (1) For each report due on or before December 31, 2024, a  
13 quantification of the reductions in greenhouse gas emissions in this  
14 State that would be required to achieve a statewide reduction of net  
15 greenhouse gas emissions of 28 percent by the year 2025, as  
16 compared to the level of greenhouse gas emissions in this State in  
17 2005.

18 (2) For each report due on or before December 31, 2029, a  
19 quantification of the reductions in greenhouse gas emissions in this  
20 State that would be required to achieve a statewide reduction in net  
21 greenhouse gas emissions of 45 percent by the year 2030, as  
22 compared to the level of greenhouse gas emissions in this State in  
23 2005.

24 (d) A qualitative assessment of whether the policies identified in  
25 the statement of policies required by paragraph (c) support long-  
26 term reductions of greenhouse gas emissions to zero or near-zero by  
27 the year 2050.

28 (e) The Department's analysis of the information set forth in  
29 paragraphs (a) to (d), inclusive.

30 (f) Documentation for the information set forth in paragraphs (a)  
31 to (e), inclusive.

32 3. In preparing the report required by this section, the  
33 Department shall consult with the Public Utilities Commission of  
34 Nevada, the Office of Energy, the Department of Transportation, the  
35 Department of Motor Vehicles and the entity or entities designated  
36 by the Governor pursuant to subsection 4.

37 4. The Governor shall designate an entity or entities to consult  
38 with the Department and identify for the Department the policies  
39 required pursuant to paragraph (c) of subsection 2.

40 ***5. The Public Utilities Commission of Nevada, the Office of***  
41 ***Energy, the Department of Transportation, the Department of***  
42 ***Motor Vehicles and every entity designated by the Governor***  
43 ***pursuant to subsection 4 shall submit to the Department any***  
44 ***information that is determined by the State Environmental***  
45 ***Commission to be necessary for the Department to prepare the***



1 *report required pursuant to subsection 1. Such information may*  
2 *include, without limitation, information relating to emissions*  
3 *resulting from substitutes for ozone-depleting substances and*  
4 *information related to the types, sales, uses and disposal of*  
5 *products and equipment that use substitutes for ozone-depleting*  
6 *substances.*

7 *6. The State Environmental Commission may adopt any*  
8 *regulation necessary to carry out the provisions of this section.*

9 **Sec. 2.** NRS 445B.590 is hereby amended to read as follows:

10 445B.590 1. The Account for the Management of Air Quality  
11 is hereby created in the State General Fund, to be administered by  
12 the Department.

13 2. Money in the Account for the Management of Air Quality  
14 must be expended:

15 (a) To carry out and enforce the provisions of NRS 445B.100 to  
16 445B.640, inclusive, and of any regulations adopted pursuant to  
17 those sections, including, without limitation, the direct and indirect  
18 costs of:

19 (1) Preparing regulations and recommendations for  
20 legislation regarding those provisions;

21 (2) Furnishing guidance for compliance with those  
22 provisions;

23 (3) Reviewing and acting upon applications for operating  
24 permits;

25 (4) Administering and enforcing the terms and conditions of  
26 operating permits;

27 (5) Monitoring emissions and the quality of the ambient air;

28 (6) Preparing inventories and tracking emissions;

29 (7) Performing modeling, analyses and demonstrations; ~~and~~

30 (8) Establishing and administering a program for the  
31 provision of assistance, pursuant to 42 U.S.C. § 7661f, to small  
32 businesses operating stationary sources; *and*

33 *(9) Preparing a report required pursuant to NRS 445B.380;*

34 (b) In any other manner required as a condition to the receipt of  
35 federal money for the purposes of NRS 445B.100 to 445B.640,  
36 inclusive; and

37 (c) For any other purpose authorized by the Legislature.

38 3. All interest earned on the money in the Account for the  
39 Management of Air Quality must be credited to the Account. Claims  
40 against the Account for the Management of Air Quality must be  
41 paid as other claims against the State are paid.

42 **Sec. 3.** NRS 445C.350 is hereby amended to read as follows:

43 445C.350 If the balance in the Fund for Cleaning Up  
44 Discharges of Petroleum at the end of any fiscal year is estimated at  
45 \$7,500,000 or more, the Department shall transfer :



1 *1. An amount requested by the State Department of*  
2 *Conservation and Natural Resources, not to exceed \$500,000*  
3 *of the balance of \$7,500,000, to the Account for the Management*  
4 *of Air Quality created pursuant to NRS 445B.590. Any money*  
5 *transferred to the Account for the Management of Air Quality*  
6 *pursuant to this subsection may be expended only to pay the direct*  
7 *and indirect costs of preparing the report required pursuant to*  
8 *NRS 445B.380.*

9 *2. The balance in the Fund for Cleaning Up Discharges of*  
10 *Petroleum which exceeds \$7,500,000 after transferring the*  
11 *amount required pursuant to paragraph (a) to the account created*  
12 *pursuant to NRS 408.242 . [the balance in the Fund for Cleaning Up*  
13 *Discharges of Petroleum which exceeds \$7,500,000.]*

14 **Sec. 4.** This act becomes effective on July 1, 2021.

