

SENATE BILL NO. 277—SENATOR HAMMOND

MARCH 18, 2021

Referred to Committee on Government Affairs

SUMMARY—Establishes provisions relating to building standards.
(BDR 22-822)

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 buildings; requiring the governing body of a county or city to adopt an ordinance requiring certain structures to incorporate equipment necessary to provide broadband service to the structure; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, the governing body of any county or incorporated city is
2 authorized to: (1) regulate matters relating to the construction of buildings; and (2)
3 adopt building codes. (NRS 244.3675, 268.413) **Section 1** of this bill requires each
4 county and city to include in its building code or to adopt by ordinance a
5 requirement for each residential, commercial and industrial structure on which
6 construction begins on or after October 1, 2022, to incorporate equipment, conduit,
7 fiber and other components necessary to provide broadband service to the structure,
8 subject to such technical requirements as the Director of the Office of Science,
9 Innovation and Technology in the Office of the Governor establishes by regulation.
10 **Sections 2-4** of this bill make conforming changes to make the building codes
11 adopted by counties and cities subject to the requirements of **section 1**.

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

1 **Section 1.** Chapter 278 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *1. Each county and city shall include in its building code the*
4 *requirements of this section. If a county or city has no building*
5 *code, it shall adopt the requirements by ordinance and provide for*
6 *their enforcement by its own officers or employees by the officers*



1 *or employees of another local government through an interlocal*
2 *agreement.*

3 2. *Each residential, commercial and industrial structure on*
4 *which construction begins on or after October 1, 2022, must*
5 *incorporate equipment, conduit, fiber and other components*
6 *necessary to provide broadband service within and to the*
7 *structure, subject to such additional technical requirements as the*
8 *Director of the Office of Science, Innovation and Technology in*
9 *the Office of the Governor establishes by regulation.*

10 3. *This section must not be construed to require the owner of*
11 *a structure to enter into an agreement with any*
12 *telecommunications or Internet service provider unless otherwise*
13 *specifically required by law.*

14 4. *As used in this section, "broadband service" means any*
15 *two-way service that transmits information at a rate that is*
16 *generally not less than:*

17 (a) *Twenty-five megabits per second for downloads and 3*
18 *megabits per second for uploads; or*

19 (b) *Such other speeds as the Director of the Office of Science,*
20 *Innovation and Technology in the Office of the Governor may*
21 *establish by regulation, provided that such regulations do not*
22 *establish speeds which are less than the speeds set forth in*
23 *paragraph (a).*

24 **Sec. 2.** NRS 278.010 is hereby amended to read as follows:

25 278.010 As used in NRS 278.010 to 278.630, inclusive, *and*
26 *section 1 of this act*, unless the context otherwise requires, the
27 words and terms defined in NRS 278.0103 to 278.0195, inclusive,
28 have the meanings ascribed to them in those sections.

29 **Sec. 3.** NRS 244.3675 is hereby amended to read as follows:

30 244.3675 Subject to the limitations set forth in NRS 244.368,
31 278.02315, 278.580, 278.582, 278.584, 278.586, 444.340 to
32 444.430, inclusive, and 477.030, *and section 1 of this act*, the
33 boards of county commissioners within their respective counties
34 may:

35 1. Regulate all matters relating to the construction,
36 maintenance and safety of buildings, structures and property within
37 the county.

38 2. Adopt any building, electrical, housing, plumbing or safety
39 code necessary to carry out the provisions of this section and
40 establish such fees as may be necessary. Except as otherwise
41 provided in NRS 278.580, these fees do not apply to the State of
42 Nevada or the Nevada System of Higher Education.

43 **Sec. 4.** NRS 268.413 is hereby amended to read as follows:

44 268.413 Subject to the limitations contained in NRS 244.368,
45 278.02315, 278.580, 278.582, 278.584, 278.586, 444.340 to



1 444.430, inclusive, and 477.030, *and section 1 of this act*, the city
2 council or other governing body of an incorporated city may:

3 1. Regulate all matters relating to the construction,
4 maintenance and safety of buildings, structures and property within
5 the city.

6 2. Adopt any building, electrical, plumbing or safety code
7 necessary to carry out the provisions of this section and establish
8 such fees as may be necessary. Except as otherwise provided in
9 NRS 278.580, those fees do not apply to the State of Nevada or the
10 Nevada System of Higher Education.

