
SENATE BILL NO. 61—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF CLARK COUNTY)

PREFILED NOVEMBER 20, 2024

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to the powers and duties of certain cities relating to the annexation and detachment of territory. (BDR 21-467)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

CONTAINS UNFUNDED MANDATE (§ 3)
(REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 cities; requiring, under certain circumstances, a board of county commissioners in certain counties to appoint a public body to carry out certain duties of a regional planning coalition; requiring certain cities to adopt a program of annexation; creating a city annexation and detachment commission in certain counties; setting forth the powers and duties of the commission; authorizing the governing body of certain cities to detach territory using certain procedures; setting forth procedures for the review of a proposal to annex or detach territory by a commission in certain counties; revising procedures relating to a proposal to annex territory in certain counties; establishing procedures relating to a proposal by certain cities to detach territory; repealing the authority of certain cities to use certain alternative procedures to annex territory; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 In a county whose population is 700,000 or more (currently Clark County),
- 2 existing law authorizes the board of county commissioners and the city council of
- 3 each of at least the three largest cities in the county to establish a regional planning



4 coalition by cooperative agreement and, if established, develop a comprehensive
5 regional policy plan for the region. (NRS 278.02514, 278.02528) **Section 2** of this
6 bill provides that, for the purposes of certain requirements and procedures relating
7 to the annexation or detachment of territory, if a regional planning coalition has not
8 been established, the board of county commissioners must appoint a similar public
9 body that is responsible for the development of comprehensive policy planning in
10 the region to carry out certain duties established for a regional planning coalition.

11 Existing law authorizes the governing body of a city located in a county whose
12 population is 700,000 or more to extend the corporate limits of the city by annexing
13 territory using certain procedures. (NRS 268.570-268.608) In a city located in a
14 county whose population is less than 700,000 (currently all counties other than
15 Clark County), existing law: (1) creates a city annexation commission which
16 reviews proposals for the annexation of territory and adopts procedures for
17 evaluating proposals to annex territory; and (2) authorizes a governing body of the
18 city to diminish, reduce or contract the corporate limits of the city by detaching
19 territory using certain procedures. (NRS 268.626-268.634, 268.664) **Section 4** of
20 this bill creates a city annexation and detachment commission in each county
21 whose population is 700,000 or more, consisting of two members representing the
22 county and one member representing each city. **Section 5** of this bill establishes the
23 powers and duties of the commission. **Section 26** of this bill requires the initial
24 members of the commission to be appointed not later than January 1, 2026, and to
25 serve until December 31, 2026. **Section 3** of this bill requires the governing body of
26 each city in such a county to adopt a program of annexation.

27 **Section 15** of this bill authorizes the governing body of an incorporated city in
28 a county whose population is 700,000 or more (Cities of Las Vegas, Henderson,
29 North Las Vegas, Mesquite and Boulder City) to detach territory from the corporate
30 limits of the city using certain procedures. **Section 18** of this bill authorizes the
31 governing body of the city to initiate detachment proceedings on its own motion or
32 upon the petition of the board of county commissioners or a majority of the owners
33 of real property of the territory sought to be detached.

34 To initiate detachment proceedings, **section 6** of this bill requires the governing
35 body of the city to: (1) prepare a plan for the detachment of services and file a
36 report of the plan with the city clerk; and (2) file a petition for detachment with the
37 board of county commissioners. **Section 6** requires the board of county
38 commissioners to pass a resolution approving, approving with conditions or
39 disapproving the petition and notify the city clerk of the resolution. If approved or
40 approved with conditions, **section 6** requires the city clerk to notify the city
41 annexation and detachment commission created by **section 4** not later than 7 days
42 after receiving this resolution.

43 **Section 7** of this bill sets forth certain requirements for the plan for detachment
44 required by **section 6**.

45 Under existing law, a city in a county whose population is 700,000 or more that
46 wishes to initiate the annexation of territory must: (1) pass a resolution stating the
47 intent to consider the annexation; and (2) make plans for the extension of services
48 to the territory proposed to be annexed and prepare and file a report setting forth the
49 plans. (NRS 268.578, 268.584) **Section 19** of this bill requires the city clerk to
50 transmit a copy of the resolution to the board of county commissioners. **Section 16**
51 of this bill requires the city clerk to notify the city annexation and detachment
52 commission created by **section 4** of the intention of the governing body to initiate
53 an annexation not later than 7 days after this report setting forth the plans for the
54 extension of services is filed. **Section 24** of this bill makes a conforming change to
55 refer to provisions that have been renumbered by **section 16**.

56 **Sections 8 and 9** of this bill establish the process for the regional planning
57 coalition and city annexation and detachment commission to review any proposal to
58 annex or detach territory and requirements for the commission to hold a public



59 hearing on the proposal. **Section 10** of this bill sets forth the factors the commission
60 must consider when reviewing a proposal. **Section 11** of this bill establishes
61 requirements for the commission to approve or disapprove a proposal.

62 If the city annexation and detachment commission approves a proposal to
63 annex or detach territory, **section 20** of this bill requires the city clerk to provide
64 notice for a public hearing on the proposal.

65 Existing law requires the governing body of a city in a county whose
66 population is 700,000 or more to: (1) before a public hearing on a proposal to annex
67 territory, approve the report for the expansion of services and make the report
68 available to the public; and (2) at the public hearing, make an explanation of the
69 report. (NRS 268.588, 268.590) **Section 21** of this bill removes the requirement for
70 the governing body to approve the report and instead requires the governing body
71 to make the report and findings of the commission available to the public. **Sections**
72 **21 and 22** of this bill require the governing body to perform these actions for a
73 proposal to detach territory.

74 Existing law: (1) prohibits the governing body of a city in a county whose
75 population is 700,000 or more from annexing territory if a majority of the property
76 owners protest the annexation; and (2) authorizes the governing body to annex
77 territory if a majority of property owners do not protest the annexation by adopting
78 an ordinance at a regular or special meeting of the governing body. (NRS 268.592)
79 **Section 12** of this bill: (1) establishes similar requirements for a proposal to detach
80 territory from a city in a county whose population is 700,000 or more; and (2)
81 requires the city clerk to file a certified copy of the ordinance and the map showing
82 the territory proposed to be detached and the boundaries of the city proposed to be
83 contracted with the county recorder. **Section 13** of this bill establishes provisions
84 for the governing body of the city to determine any outstanding general obligations
85 of the city with respect to the detached territory.

86 Existing law establishes a method to determine the number and identity of
87 owners of real property of a territory proposed to be annexed by a city in a county
88 whose population is 700,000 or more. (NRS 268.594) **Section 23** of this bill
89 expands this to owners of real property of a territory proposed to be detached.

90 Existing law authorizes certain persons who appear and protest or file a written
91 protest to an annexation by a city in a county whose population is 700,000 or more
92 to apply to a court for judicial relief. (NRS 268.604) **Section 25** of this bill provides
93 that any person, city or county that protests an annexation or detachment may apply
94 for judicial relief.

95 Existing law authorizes a governing body of a city in a county whose
96 population is 700,000 or more to annex territory using certain alternative
97 procedures. (NRS 268.597) **Section 28** of this bill repeals the provision authorizing
98 such procedures. **Section 17** of this bill makes a conforming change to remove a
99 reference to these alternative procedures.

100 **Section 14** of this bill defines certain terms relating to annexation and
101 detachment.

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

1 **Section 1.** Chapter 268 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 13, inclusive, of this
3 act.

4 **Sec. 2.** *If a regional planning coalition has not been*
5 *established pursuant to NRS 278.02514, the board of county*



1 *commissioners shall appoint a similar public body that is*
2 *responsible for the development of comprehensive policy planning*
3 *in the region to carry out any duty assigned to the regional*
4 *planning coalition pursuant to NRS 268.570 to 268.608, inclusive,*
5 *and sections 2 to 13, inclusive, of this act.*

6 **Sec. 3.** *1. The governing body of each city in a county*
7 *whose population is 700,000 or more shall adopt a program of*
8 *annexation. The program must identify areas in any sphere of*
9 *influence of the city to be considered for annexation within the*
10 *next 7 years. The governing body shall not consider the*
11 *annexation of any area that is not within the designated sphere of*
12 *influence and is not included in its program of annexation.*

13 *2. Before adopting a program of annexation pursuant to*
14 *subsection 1, the governing body must hold one or more public*
15 *hearings. Notice of the time and place of the hearing must be*
16 *mailed to all owners of real property in the proposed program of*
17 *annexation. At the public hearing the governing body shall*
18 *consider:*

19 *(a) The location of any property to be considered for*
20 *annexation;*

21 *(b) The logical extension of city limits;*

22 *(c) The need for the expansion to accommodate planned*
23 *regional growth;*

24 *(d) The location of existing and planned water and sewer*
25 *service;*

26 *(e) Community goals that would be met by any proposed*
27 *annexation;*

28 *(f) The efficient and cost-effective provision of service areas*
29 *and capital facilities; and*

30 *(g) Any other factors concerning any proposed annexation*
31 *deemed appropriate for consideration by the governing body of the*
32 *city.*

33 *3. The governing body shall submit its program of*
34 *annexation adopted pursuant to subsection 1 to the regional*
35 *planning coalition and the county in which the city is located for*
36 *recommendations.*

37 *4. The regional planning coalition must certify that a*
38 *program of annexation adopted pursuant to subsection 1 conforms*
39 *with the comprehensive regional policy plan, if adopted pursuant*
40 *to NRS 278.02528, before the program is put into effect. The city*
41 *may appeal an adverse determination of the regional planning*
42 *coalition by filing an objection within 45 days after the issuance of*
43 *that determination. The objection must include the reasons why*
44 *the program of annexation conforms with the comprehensive*



1 regional policy plan, if a comprehensive regional policy plan has
2 been adopted.

3 5. The regional planning coalition shall consider any appeal
4 filed pursuant to subsection 4 and issue its final determination of
5 conformance or nonconformance within 45 days after the
6 objection is filed.

7 6. After the regional planning coalition certifies the program
8 of annexation pursuant to subsection 4, any facilities plan, capital
9 improvement program, development project or location of facilities
10 by a county, city, annexation commission, regional planning
11 coalition or any other affected entity must be consistent with the
12 certified program of annexation.

13 **Sec. 4. 1.** There is hereby created, in each county of the
14 State whose population is 700,000 or more, a city annexation and
15 detachment commission which consists of members to be
16 appointed as follows:

17 (a) Two members representing the county, one of whom must
18 be the chair of the board of county commissioners and the other a
19 member of the board to be chosen by the board.

20 (b) One member representing each city, who must be a
21 member of the governing body of the city to be chosen by the
22 governing body.

23 2. Except as otherwise provided in this subsection, the
24 members of the city annexation and detachment commission serve
25 for terms of 2 years. Any member who ceases to be a member of
26 the body from which the member was chosen ceases to be a
27 member of the commission. A vacancy must be filled for the
28 remainder of the unexpired term by the body which made the
29 original selection.

30 3. The members of the city annexation and detachment
31 commission:

32 (a) Shall elect a chair and vice chair of the commission from
33 among the members; and

34 (b) Serve without compensation.

35 4. The representative of any city incorporated on or after
36 October 1, 2025, must be selected within 30 days after the first
37 meeting of the governing body and must serve until the next
38 ensuing December 31 of an even-numbered year until the
39 selection and qualification of his or her successor.

40 5. The governing body of a county and each city in the county
41 may execute an interlocal agreement to transfer the duties of the
42 city annexation and detachment commission to the regional
43 planning coalition.

44 **Sec. 5. 1.** The commission shall:



1 (a) Except as otherwise provided in NRS 268.581, review and
2 approve or disapprove, with or without amendment, wholly,
3 partially or conditionally, proposals for the annexation or
4 detachment of territory to cities within the county;

5 (b) Adopt procedures for the evaluation of proposals for the
6 annexation or detachment of territory to cities within the county;
7 and

8 (c) On or before July 1 of each year, prepare and adopt a
9 budget for the immediately succeeding fiscal year and submit that
10 budget to the governing body of the county as a recommendation
11 for funding.

12 2. The commission may employ persons, contract for services
13 necessary or incur usual and necessary expenses for the
14 performance of its duties and functions specified in NRS 268.570
15 to 268.608, inclusive, and sections 2 to 13, inclusive, of this act.

16 **Sec. 6. 1.** The governing body of any city may, by
17 ordinance, detach and sever from the city any territory within the
18 corporate limits of the city subject to the provisions of this section.
19 To initiate the detachment of any territory on its own motion or
20 upon petition as set forth in NRS 268.582, the governing body
21 shall:

22 (a) Prepare and file with the city clerk a report of a plan for
23 the detachment of services to the territory that complies with the
24 requirements of section 7 of this act; and

25 (b) After filing the report pursuant to paragraph (a), file a
26 petition for detachment with the board of county commissioners
27 which must include:

28 (1) An accurate map or plat made and certified by a
29 licensed surveyor showing the boundaries of the territory proposed
30 to be detached and the boundaries of the city proposed to be
31 contracted;

32 (2) The report of the plan for the detachment of services
33 prepared pursuant to paragraph (a); and

34 (3) A brief statement of the reasons for the proposed
35 detachment.

36 2. Not later than 60 days after receiving a petition for
37 detachment pursuant to subsection 1, the board of county
38 commissioners shall pass a resolution approving the detachment,
39 approving the detachment with conditions or disapproving the
40 detachment. The board of county commissioners shall notify the
41 city clerk not later than 5 days after passing the resolution.

42 3. If the detachment is approved or approved with conditions,
43 not later than 7 days after receiving notice of the resolution
44 pursuant to subsection 2, the city clerk shall file with the
45 commission a notice of the intention of the governing body to



1 *initiate the detachment, which must include, without limitation,*
2 *the resolution passed by the board of county commissioners and*
3 *the report required by subsection 1.*

4 *4. If the board of county commissioners disapproves the*
5 *detachment, the governing body shall not initiate the detachment*
6 *of the same or substantially the same territory for at least 1 year*
7 *after the date of the resolution disapproving the detachment.*

8 **Sec. 7.** *The report of the plan for detachment required by*
9 *section 6 of this act must include, without limitation:*

10 *1. An accurate map or plat of the area to be detached made*
11 *and certified by a licensed surveyor showing:*

12 *(a) The boundaries of the territory proposed to be detached;*

13 *(b) The existing boundaries of the city and the boundaries*
14 *proposed to be contracted; and*

15 *(c) The location of the streets, sewers and water lines in the*
16 *city;*

17 *2. A map of the existing land use plan of:*

18 *(a) The city for the territory proposed to be detached; and*

19 *(b) The county for the area surrounding the territory proposed*
20 *to be detached;*

21 *3. A schedule of the municipal services that are provided by*
22 *the city to the territory proposed to be detached, including, without*
23 *limitation, police protection, fire protection, ambulance, street*
24 *maintenance and garbage collection; and*

25 *4. Whether any of the parcels in the territory proposed to be*
26 *detached belong to a local or special improvement district or a*
27 *redevelopment area created pursuant to chapter 279 of NRS.*

28 **Sec. 8.** *1. Not later than 5 days after a notice is filed with*
29 *the commission pursuant to subsection 2 of NRS 268.578 or*
30 *subsection 3 of section 6 of this act, the executive officer of the*
31 *commission shall transmit a copy of the notice to:*

32 *(a) The regional planning coalition that has jurisdiction over*
33 *the area proposed to be annexed or detached, if the duties of the*
34 *commission have not been transferred to the regional planning*
35 *coalition pursuant to subsection 5 of section 4 of this act; and*

36 *(b) The board of county commissioners of the county that has*
37 *jurisdiction over the area proposed to be annexed or detached.*

38 *2. Not later than 30 days after receiving the notice from the*
39 *commission pursuant to subsection 1, the regional planning*
40 *coalition shall review the proposed annexation or detachment in*
41 *light of any master plan adopted by the regional planning*
42 *coalition and any other information in the possession of the*
43 *regional planning coalition and report its findings to the*
44 *commission.*



1 3. *The commission may request the advice and shall consider*
2 *the master plan of any city planning commission or county*
3 *planning commission or staff thereof, city council or board of*
4 *county commissioners whose territory is located not more than 7*
5 *miles from the territory proposed to be annexed or detached.*

6 **Sec. 9.** *After receiving the report of the regional planning*
7 *coalition and not more than 60 days after the receipt of the notice*
8 *of intention to annex or detach, the commission shall set the date,*
9 *time and place for a public hearing on the proposal and shall*
10 *provide notice of the date, time and place of the public hearing not*
11 *less than 15 days before the date set for the public hearing to:*

12 1. *The board of county commissioners;*

13 2. *Each city within 7 miles of the exterior boundaries of the*
14 *territory proposed to be annexed or detached;*

15 3. *Any interested person who has filed a written request with*
16 *the executive officer of the commission for notice; and*

17 4. *The proponents of the annexation.*

18 **Sec. 10.** *When reviewing a proposal to annex or detach*
19 *territory, the factors that must be considered by the commission*
20 *include, without limitation:*

21 1. *For an annexation or detachment:*

22 (a) *The population, population density, land area and land*
23 *uses, per capita assessed valuation, topography, including natural*
24 *boundaries and drainage basins, proximity to other populated*
25 *areas and the likelihood of significant growth in the area and in*
26 *adjacent incorporated and unincorporated areas during the next*
27 *10 years;*

28 (b) *The need for organized community services, the present*
29 *cost and adequacy of governmental services and controls in the*
30 *area, probable future needs for such services and controls and the*
31 *probable effect of the proposed formation and of alternative*
32 *courses of action on the cost and adequacy of services and*
33 *controls in the area and adjacent areas;*

34 (c) *The effect of the proposed annexation or detachment and*
35 *of alternative actions upon the availability and requirement of*
36 *water and other natural resources throughout the affected area;*

37 (d) *The effect of the proposed annexation or detachment and*
38 *of alternative actions on adjacent areas, on mutual social and*
39 *economic interests and on the local government structure of the*
40 *county; and*

41 (e) *The report of the plan for the extension of services required*
42 *by NRS 268.578 or the report of the plan for the detachment of*
43 *services required by section 6 of this act, as applicable; and*

44 2. *For an annexation, in addition to the factors described in*
45 *subsection 1:*



1 (a) Any determination by the United States Bureau of Land
2 Management that the territory proposed to be annexed is suitable
3 for residential, commercial or industrial development, or will be
4 opened to private acquisition; and

5 (b) The consistency of the annexation proposal with any
6 applicable comprehensive regional plan, area plan or master plan
7 and the program of annexation adopted and certified pursuant to
8 section 3 of this act.

9 **Sec. 11.** 1. Upon the conclusion of the public hearing held
10 by the commission on a proposal to annex or detach territory, the
11 commission may take the matter under consideration and shall not
12 later than 30 days after the conclusion of the public hearing,
13 present its determination on the proposal. The commission may
14 also adjourn a public hearing to another date, which must not be
15 more than 30 days after the date of the first hearing.

16 2. If the commission determines that a proposal for
17 annexation is prohibited by NRS 268.581, the commission shall
18 disapprove the proposal.

19 3. If a comprehensive regional policy plan has been
20 developed pursuant to NRS 278.02528 for the region in which the
21 commission is located, the commission shall:

22 (a) Disapprove a proposal for annexation or detachment that
23 is determined by the regional planning coalition to be inconsistent
24 with the comprehensive regional policy plan or with the program
25 of annexation adopted and certified pursuant to section 3 of this
26 act; or

27 (b) Except as otherwise provided in subsection 2, approve a
28 proposal for annexation or detachment that is consistent with the
29 comprehensive regional policy plan and the program of
30 annexation adopted and certified pursuant to section 3 of this act.

31 4. If the commission:

32 (a) Approves the annexation or detachment, the proceedings
33 on the proposal may be continued in accordance with the
34 provisions of NRS 268.570 to 268.608, inclusive, and sections 2 to
35 13, inclusive, of this act.

36 (b) Except as otherwise provided in subsection 5, disapproves
37 the annexation or detachment, further proceedings on the
38 proposal must terminate.

39 5. Not later than 5 days after the final determination of the
40 commission, notice of the final determination of the commission
41 must be sent to the clerk of the governing body of the city to which
42 the annexation or detachment is pending, which must include,
43 without limitation, the findings of fact of the commission upon
44 which the determination was based.



1 6. *If a county and affected cities have executed an interlocal*
2 *agreement to transfer the duties of the commission to the regional*
3 *planning coalition, a county or city may appeal a determination of*
4 *the regional planning coalition by filing an objection with the*
5 *regional planning coalition not later than 45 days after the*
6 *issuance of the determination, which must include, without*
7 *limitation, the reasons why the plan is in conformance with the*
8 *comprehensive regional policy plan. The regional planning*
9 *coalition shall consider the objection and issue its final*
10 *determination of conformance or nonconformance not later than*
11 *45 days after the objection is filed.*

12 7. *If the commission disapproves the annexation or*
13 *detachment, notice of intention to annex or detach the same or*
14 *substantially the same territory to that city may not be filed with*
15 *the commission for at least 1 year after the date of the final*
16 *determination.*

17 **Sec. 12. 1.** *If a majority of the property owners:*

18 (a) *Protest the detachment, either orally at the public hearing*
19 *or in writing within 15 days after the conclusion of the public*
20 *hearing, the governing body of the city shall not detach in that*
21 *proceeding any part of the territory described in the notice. This*
22 *provision does not preclude a subsequent proceeding with respect*
23 *to all or part of that territory if that proceeding is commenced*
24 *more than 1 year after the date of the public hearing.*

25 (b) *Do not protest the annexation in the manner or within the*
26 *time limited by paragraph (a), the governing body may proceed*
27 *with the detachment pursuant to subsection 2.*

28 2. *At any regular or special meeting thereof held not earlier*
29 *than 16 days and not later than 90 days after the conclusion of the*
30 *public hearing, the governing body of the city may adopt an*
31 *ordinance detaching the territory described in the notice of the*
32 *public hearing pursuant to NRS 268.586 and which the governing*
33 *body has determined should be detached.*

34 3. *At a meeting held pursuant to subsection 2, the governing*
35 *body may amend the report required by section 6 of this act to*
36 *make changes in the plan for the detachment of services to the*
37 *area proposed to be detached if the changes meet the requirements*
38 *of section 7 of this act.*

39 4. *If the ordinance to detach is passed by the governing body*
40 *pursuant to subsection 2, the city clerk shall file a certified copy of*
41 *the map filed in accordance with section 6 of this act and the*
42 *ordinance with the county recorder of the county. Upon such*
43 *filing, the change in the boundaries of the city shall be deemed*
44 *complete and the territory detached.*



1 **Sec. 13.** *If the territory is detached from a city pursuant to*
2 *section 12 of this act, the governing body shall provide for a*
3 *proportion of any outstanding general obligations of the city as the*
4 *assessed valuation of property in the territory bears to the total*
5 *assessed valuation of property in the city and for the proportion of*
6 *any obligations secured by the pledge of revenues from a public*
7 *improvement as the revenue arising within the territory bears to*
8 *the total revenue from the public improvement as follows:*

9 1. *If the territory is annexed to another city, the proportionate*
10 *obligation must be assumed according to its terms by the annexing*
11 *city;*

12 2. *If the territory is not annexed to another city, the board of*
13 *county commissioners shall levy taxes upon all taxable property in*
14 *the district, sufficient to discharge the proportionate general*
15 *obligation according to its terms; or*

16 3. *Where substantially all of the physical improvements for*
17 *which the obligation was incurred are within the territory*
18 *remaining, and with the consent of the governing body of the city*
19 *from which the territory was detached and the holders of the*
20 *obligations, the entire obligation may be assumed by the city and*
21 *the detached territory released from the obligation.*

22 **Sec. 14.** NRS 268.574 is hereby amended to read as follows:

23 268.574 As used in NRS 268.570 to 268.608, inclusive [] ,
24 *and sections 2 to 13, inclusive, of this act:*

25 1. *“City” means an incorporated city.*

26 2. *“Commission” means a city annexation and detachment*
27 *commission created pursuant to section 4 of this act or, in a*
28 *county which has entered into an interlocal agreement pursuant to*
29 *subsection 5 of section 4 of this act, the regional planning*
30 *coalition.*

31 3. *“Contiguous” means either abutting directly on the boundary*
32 *of the annexing municipality or separated from the boundary thereof*
33 *by a street, alley, public right-of-way, creek, river or the right-of-*
34 *way of a railroad or other public service corporation, or by lands*
35 *owned by the annexing municipality, by some other political*
36 *subdivision of the State or by the State of Nevada.*

37 4. *“Executive officer” means:*

38 (a) *With respect to a city annexation and detachment*
39 *commission, the county manager or similar administrative officer*
40 *of the county; and*

41 (b) *With respect to a city annexation and detachment*
42 *commission in a county that has executed an interlocal agreement*
43 *pursuant to subsection 5 of section 4 of this act, the head or*
44 *similar administrative officer of the regional planning coalition.*



1 ~~[2.]~~ 5. "Lot or parcel" means any tract of land of sufficient size
2 to constitute a legal building lot as determined by the zoning
3 ordinance of the county in which the territory proposed to be
4 annexed is situated. If such county has not enacted a zoning
5 ordinance, the question of what constitutes a building lot shall be
6 determined by reference to the zoning ordinance of the annexing
7 municipality.

8 ~~[3.]~~ 6. "Majority of the property owners" in a territory means
9 the record owners of real property:

10 (a) Whose combined value is greater than 50 percent of the total
11 value of real property in the territory, as determined by assessment
12 for taxation; and

13 (b) Whose combined area is greater than 50 percent of the total
14 area of the territory, excluding lands held by public bodies.

15 ~~[4.]~~ 7. "*Regional planning coalition*" means the regional
16 *planning coalition established pursuant to NRS 278.02514 or a*
17 *public body appointed by the governing body of a city pursuant to*
18 *section 2 of this act.*

19 8. "*Sphere of influence*" means an area into which a city
20 *plans to expand.*

21 9. A lot or parcel of land is "used for residential purposes" if it
22 is 5 acres or less in area and contains a habitable dwelling unit of a
23 permanent nature.

24 **Sec. 15.** NRS 268.576 is hereby amended to read as follows:

25 268.576 The governing body of any incorporated city, whether
26 incorporated or governed under a general act, special legislative act
27 or special charter enacted, adopted or granted pursuant to either
28 Section 1 or Section 8 of Article 8 of the Constitution of the State of
29 Nevada, may extend the corporate limits of such city *or detach*
30 *territory from the corporate limits of such city* under the procedures
31 ~~[or alternative procedures]~~ set forth in NRS 268.570 to 268.608,
32 inclusive ~~[,]~~, *and sections 2 to 13, inclusive, of this act.*

33 **Sec. 16.** NRS 268.578 is hereby amended to read as follows:

34 268.578 ~~[Any]~~

35 1. *Upon initiating annexation proceedings pursuant to NRS*
36 *268.584 using any of the methods set forth in NRS 268.582, any*
37 *city exercising authority to annex territory* under NRS 268.570 to
38 268.608, inclusive, *and sections 2 to 13, inclusive, of this act* shall
39 make plans for the extension of services to the territory proposed to
40 be annexed and shall ~~[, at least 20 days before the public hearing~~
41 ~~provided for in NRS 268.590,]~~ prepare and file with its city clerk a
42 report setting forth the plans to provide services to the territory. The
43 report must include:



1 ~~1-1~~ (a) An accurate map or plat of the territory proposed to be
2 annexed, prepared under the supervision of a competent surveyor or
3 engineer.

4 ~~2-1~~ (b) A map or maps of the city and the adjacent territory to
5 show the following information:

6 ~~(a)~~ (1) The present and proposed boundaries of the annexing
7 city.

8 ~~(b)~~ (2) The present streets and sewer interceptors and outfalls
9 and, if the annexing city operates its own water system or furnishes
10 other utility services, the present major trunk water lines and other
11 utility lines.

12 ~~(c)~~ (3) The proposed extensions of the present streets, sewer
13 interceptors and outfalls, major trunk water mains and utility lines,
14 as the case may be, as required in ~~subsection 4-1~~ *paragraph (d)*.

15 ~~(d)~~ (4) The present and proposed general land use pattern in
16 the territory proposed to be annexed.

17 ~~3-1~~ (c) A statement showing that the territory proposed to be
18 annexed meets the requirements of NRS 268.580.

19 ~~4-1~~ (d) A statement setting forth the plans of the annexing city
20 for extending into the territory proposed to be annexed each major
21 municipal service performed within the annexing city at the time of
22 annexation. Specifically, such plans:

23 ~~(a)~~ (1) Must provide for extending police protection, fire
24 protection, street maintenance and garbage collection to the territory
25 proposed to be annexed on the effective date of the annexation, on
26 substantially the same basis and in the same manner as such services
27 were provided by the annexing city to the property owners and
28 residents within the remainder of the city immediately before the
29 effective date of the annexation.

30 ~~(b)~~ (2) Must provide for the extension of streets, sewer
31 interceptors and outfalls and other major municipal services into the
32 territory proposed to be annexed so that when the streets and utility
33 services are so extended, property owners and residents in the
34 territory proposed to be annexed will be able to secure such
35 services, according to the policies in effect in the annexing city for
36 furnishing such services to individual lots or subdivisions.

37 ~~(c)~~ (3) May provide that the extension of streets, sewer
38 interceptors and outfalls and other major municipal services be done
39 at the expense of the property owners in the territory proposed to be
40 annexed, if it is the policy of the annexing city, at the time of the
41 annexation, to furnish such services to individual lots or
42 subdivisions at the expense of the property owners, either by means
43 of special assessment districts or the requirement of the dedication
44 of essential rights-of-way and the installation of off-site
45 improvements as a prerequisite to the approval of subdivision plats



1 or to the issuance of any building permit, rezoning, zone variance or
2 special use permit. In that event, the plans must designate which
3 services, or portions thereof, will be extended at the expense of the
4 annexing city and which services, or portions thereof, will be
5 extended at the expense of the property owners. Services extended
6 at the property owners' cost must be distributed and allocated to
7 each parcel of property based on current costs, including both
8 improvement costs and projected service costs, and must be a part of
9 the annexation plan prepared by the municipality.

10 ~~[(d)]~~ (4) Must, if the extension of any streets, sewer interceptors
11 and outfalls or other major municipal services into the territory
12 proposed to be annexed is to be done at the expense of the annexing
13 city, set forth a proposed schedule for the construction of the
14 extensions as soon as possible following the effective date of the
15 annexation. In any event, the plans must call for contracts to be let
16 and construction to begin within 24 months following the effective
17 date of the annexation.

18 ~~[(e)]~~ (5) Must set forth the method under which the annexing
19 city plans to finance the extension of any services into the territory
20 proposed to be annexed which is to be done at the expense of the
21 annexing city.

22 *2. Not later than 7 days after the report required by this*
23 *section is filed with the city clerk, the city clerk shall file with the*
24 *commission a notice of the intention of the governing body to*
25 *initiate the annexation, which must include, without limitation,*
26 *the resolution passed pursuant to NRS 268.584 and the report*
27 *prepared pursuant to this section.*

28 **Sec. 17.** NRS 268.581 is hereby amended to read as follows:

29 268.581 1. Except as otherwise provided in subsection 2, the
30 governing body of a city shall not annex into the corporate limits of
31 the city territory that:

32 (a) Is conveyed or transferred to the county, or authorized to be
33 conveyed or transferred to the county, pursuant to a federal law that:

34 (1) Is enacted after January 1, 2000; and

35 (2) Conveys or transfers to the county, or authorizes to be
36 conveyed or transferred to the county, at least 5,000 acres for the
37 purpose of:

38 (I) Developing an airport and any related infrastructure;

39 or

40 (II) Addressing noise compatibility issues related to an
41 airport; or

42 (b) Is located not more than 1 mile from any territory described
43 in paragraph (a).

44 2. The governing body of a city may annex into the corporate
45 limits of the city any territory described in subsection 1 if, in



1 addition to the governing body of the city complying with the
2 procedures for annexation set forth in NRS ~~[268.578]~~ 268.570 to
3 ~~[268.596.]~~ 268.608, inclusive, ~~for the alternative procedures set~~
4 ~~forth in NRS 268.597.]~~ and sections 2 to 13, inclusive, of this act,
5 one of the following circumstances apply:

6 (a) The annexation is approved by a resolution of the board of
7 county commissioners of the county;

8 (b) The annexation occurs before May 29, 2023;

9 (c) The annexation occurs before the effective date of the federal
10 law which causes the territory to satisfy the criteria set forth in
11 subsection 1; or

12 (d) The territory is located within the boundaries of an area
13 subject to an interlocal agreement between the governing body of
14 the city and the board of county commissioners for joint land use
15 planning which has a term of not less than 5 years.

16 **Sec. 18.** NRS 268.582 is hereby amended to read as follows:

17 268.582 ~~[In addition to initiating]~~ *The governing body of any*
18 *city may initiate annexation or detachment* proceedings ~~[on its own~~
19 ~~motion pursuant to NRS 268.584, the governing body of any city~~
20 ~~shall commence action]~~ in accordance with the provisions of NRS
21 ~~[268.584]~~ 268.570 to ~~[268.590.]~~ 268.608, inclusive, ~~[upon]~~ and
22 *sections 2 to 13, inclusive, of this act:*

23 1. *On its own motion;*

24 2. *Upon* the petition of the board of county commissioners ; ~~[;]~~
25 or ~~[upon]~~

26 3. *Upon* the petition of a majority of ~~[the]~~ :

27 (a) *For an annexation, the* owners of real property in an
28 unincorporated area developed for urban purposes which is
29 approximately described in the petition.

30 (b) *For a detachment, the owners of real property of the*
31 *territory sought to be detached.*

32 **Sec. 19.** NRS 268.584 is hereby amended to read as follows:

33 268.584 ~~[The]~~

34 1. *To initiate annexation proceedings on its own motion or*
35 *upon petition as set forth in NRS 268.582, the* governing body of
36 any city desiring to annex territory under the provisions of NRS
37 268.570 to 268.608, inclusive, *and sections 2 to 13, inclusive, of*
38 *this act,* shall ~~[first pass]~~ :

39 (a) *Pass* a resolution stating the intent of the city to consider the
40 annexation. The resolution must:

41 ~~[1.]~~ (1) Describe the boundaries of the territory proposed to be
42 annexed;

43 ~~[2.]~~ (2) Fix the date for a public hearing on the question of
44 annexation, which must not be less than 30 days nor more than 60
45 days following the passage of the resolution; and



1 ~~{3}~~ (3) Direct that notice of the public hearing be given in the
2 manner provided in NRS 268.586 ~~{1}~~; and

3 (b) *Make plans for the extension of services to the territory*
4 *proposed to be annexed in accordance with NRS 268.578.*

5 2. *The city clerk shall transmit a copy of the resolution passed*
6 *pursuant to subsection 1 to the board of county commissioners.*

7 **Sec. 20.** NRS 268.586 is hereby amended to read as follows:

8 268.586 1. *Upon receiving notice from the commission that*
9 *a proposal to attach or detach territory has been approved*
10 *pursuant to section 11 of this act, the city clerk shall set a date,*
11 *time and place for a public hearing on the proposal and post*
12 *notice of the public hearing.* The notice of public hearing must:

13 (a) Fix the date, hour and place of the public hearing.

14 (b) Describe accurately the territory proposed to be annexed ~~{1}~~
15 *or detached.*

16 (c) State that the report required in NRS 268.578 *or section 6 of*
17 *this act, as applicable,* will be available at the office of the city clerk
18 of the ~~{annexing}~~ city at least 20 days before the date of the public
19 hearing.

20 (d) Contain a list of the names and addresses of all record
21 owners of real property within the territory proposed to be annexed
22 ~~{1}~~ *or detached.*

23 (e) Contain a statement to the effect that unless a majority of the
24 property owners in the territory proposed to be annexed *or detached*
25 protest the annexation ~~{1}~~ *or detachment, as applicable,* either orally
26 at the public hearing or in writing within 15 days after the
27 conclusion of the public hearing, the governing body may adopt an
28 ordinance :

29 (1) *If annexing,* extending the corporate limits of the
30 ~~{annexing}~~ city to include all, or any part, of the territory described
31 in the notice ~~{1}~~; and

32 (2) *If detaching, contracting the corporate limits of the city*
33 *to detach all, or any part, of the territory described in the notice.*

34 2. Any record owner of real property within the territory
35 proposed to be annexed *or detached* may:

36 (a) Appear and be heard at the public hearing;

37 (b) File with the city clerk of the ~~{annexing}~~ city a written
38 protest to the annexation *or detachment* at any time within 15 days
39 after the conclusion of the public hearing; or

40 (c) Do both.

41 3. The notice must be given by publication in a newspaper of
42 general circulation in the territory proposed to be annexed ~~{1}~~ *or*
43 *detached,* or, if there is none, in a newspaper of general circulation
44 published in the county. If no such newspapers are published, a copy
45 of the notice must be posted at the front door of the city hall or the



1 county courthouse and in at least two conspicuous places in the
2 territory proposed to be annexed *or detached* for not less than 20
3 days before the public hearing. The first publication of the notice
4 must be at least 20 days before the date set for the public hearing,
5 and three publications in a newspaper published at least once a week
6 are sufficient, but the first and last publication must be at least 6
7 days apart. The period of notice commences upon the first day of
8 publication and terminates either upon the day of the third
9 publication or at the end of the 20th day, including therein the first
10 day, whichever period is longer. At the time of the first publication,
11 the city clerk of the ~~annexing~~ city shall send a copy of the notice
12 by certified mail, return receipt requested, to each record owner of
13 real property within the territory proposed to be annexed ~~or~~ *or*
14 *detached*.

15 **Sec. 21.** NRS 268.588 is hereby amended to read as follows:
16 268.588 At least 20 days before the date of the public hearing,
17 the governing body of the ~~annexing~~ city shall ~~approve~~ *make*
18 the report ~~provided for in~~ *required by* NRS 268.578 ~~and shall make~~
19 ~~the same~~ *or section 6 of this act, as applicable, and the findings of*
20 *the commission* available to the public at the office of the city clerk.
21 In addition, the governing body may direct the preparation of a
22 summary of the full report for public distribution with the notice of
23 the public hearing and at such hearing.

24 **Sec. 22.** NRS 268.590 is hereby amended to read as follows:
25 268.590 1. At the public hearing a representative of the
26 ~~annexing~~ city shall first make an explanation of the report
27 ~~provided for in~~ *required by* NRS 268.578 ~~or section 6 of this~~
28 *act, as applicable*.

29 2. Following such explanation, any record owner of real
30 property within the territory proposed to be annexed *or detached*
31 shall be given an opportunity to be heard.

32 3. Any protest to such annexation *or detachment* shall be
33 deemed waived unless the same is presented verbally at such public
34 hearing, or is filed in writing with the city clerk of the ~~annexing~~
35 city within 15 days after the conclusion of such public hearing. In
36 the case of mailed protests, the postmark on the envelope shall be
37 deemed to be the date of filing.

38 **Sec. 23.** NRS 268.594 is hereby amended to read as follows:
39 268.594 1. Whenever it is necessary for the purposes of NRS
40 268.570 to 268.608, inclusive, *and sections 2 to 13, inclusive, of*
41 *this act* to determine the number or identity of the record owners of
42 real property in a territory proposed to be annexed ~~or~~ *or detached*,
43 a list of such owners, certified by the county assessor on any date
44 between the institution of the proceedings, as provided in NRS
45 268.584 ~~or section 6 of this act~~, and the public hearing, as



1 provided in NRS 268.590, both dates inclusive, shall be prima facie
2 evidence that only those persons named thereon are such owners.

3 2. A petition or protest is sufficient for the purposes of NRS
4 268.570 to 268.608, inclusive, *and sections 2 to 13, inclusive, of*
5 *this act* as to any lot or parcel of real property which is owned:

6 (a) As community property, if it is signed by one spouse.

7 (b) By two persons, either natural or artificial, other than as
8 community property, if signed by both such owners.

9 (c) By more than two persons, either natural or artificial, if
10 signed by a majority of such owners.

11 (d) Either wholly or in part, by an artificial person, if it is signed
12 by an authorized agent and accompanied by a copy of such
13 authorization.

14 **Sec. 24.** NRS 268.602 is hereby amended to read as follows:

15 268.602 1. If, not earlier than 24 months after the effective
16 date of the annexation, and not later than 27 months after the
17 effective date of the annexation, any record owner of real property
18 in the annexed territory believes that the annexing city has failed to
19 follow through on its service plans, adopted under the provisions of
20 ~~paragraphs (a)~~ *subparagraphs (1)* and ~~((d)) (4)~~ *of paragraph (d)*
21 *of subsection [4] 1* of NRS 268.578, with respect to extensions of
22 services to be made at the expense of the annexing city, the property
23 owner may apply to the district court having jurisdiction of the
24 annexing territory for a writ of mandamus to compel the extension
25 of those services.

26 2. The court may grant the relief prayed for in the application
27 if:

28 (a) The annexing city has not provided the services set forth in
29 its plan submitted under the provisions of *subparagraph (1) of*
30 *paragraph ~~((a)) (d)~~* of subsection *[4] 1* of NRS 268.578, on
31 substantially the same basis and in the same manner as such services
32 were provided by the annexing city to the property owners and
33 residents within the remainder of the city on the effective date of the
34 annexation; and

35 (b) At the time the writ is sought, the services set forth in the
36 plan submitted under the provisions of *subparagraph (1) of*
37 *paragraph ~~((a)) (d)~~* of subsection *[4] 1* of NRS 268.578 are still
38 being provided to the property owners and residents within the
39 remainder of the city on substantially the same basis and in the same
40 manner as on the effective date of the annexation.

41 3. The court may also grant the relief prayed for in the
42 application if:

43 (a) The plans submitted under the provisions of *subparagraph*
44 *(4) of paragraph (d)* of subsection *[4] 1* of NRS 268.578 require the



1 extension of any services into the annexed territory to be made at
2 the expense of the annexing city;

3 (b) Contracts have not been let and construction has not begun;
4 and

5 (c) The applicant demonstrates that the need still exists for the
6 extension of those services into the annexed territory.

7 4. If a writ is made permanent, the cost in the action, including
8 reasonable attorney's fees for the aggrieved person, must be
9 assessed against the annexing city.

10 **Sec. 25.** NRS 268.604 is hereby amended to read as follows:

11 268.604 1. Any person, *city or county* appearing and
12 protesting ~~[such]~~ *an annexation or detachment* at the public
13 hearing, as provided in NRS 268.590, or any person, *city or county*
14 filing with the city clerk of the annexing *or detaching* city a written
15 protest to such annexation *or detachment, as applicable*, within 15
16 days after the conclusion of such public hearing, who believes that
17 ~~[he or she]~~ *the person, city or county* will suffer material injury, by
18 reason of the failure of the governing body of the ~~[annexing]~~ city to
19 comply with the procedure set forth in NRS 268.570 to 268.608,
20 inclusive, *and sections 2 to 13, inclusive, of this act* or, *for an*
21 *annexation*, to meet the requirements set forth in NRS 268.580 *or*
22 *268.581, if applicable*, as the same applies to ~~[his or her]~~ *the*
23 *property [.] of the person, city or county*, shall have the right, within
24 30 days from the date of the adoption of the ~~[annexation]~~ ordinance,
25 to apply to the district court having jurisdiction of the annexed *or*
26 *detached* territory for an order staying the effectiveness of such
27 ~~[annexation]~~ ordinance.

28 2. Such application shall explicitly state what exceptions are
29 taken to the action of the governing body and what relief the
30 applicant seeks.

31 3. The court shall accord such application precedence over any
32 civil business not involving the public interest.

33 4. In hearing and deciding on such application, the court shall
34 consider any evidence or statements introduced at the public hearing
35 on such annexation ~~[.]~~ *or detachment*, and any evidence which it
36 finds to have been arbitrarily or capriciously excluded. If the court
37 finds that any of the steps required by NRS 268.570 to 268.608,
38 inclusive, *and sections 2 to 13, inclusive, of this act* have not been
39 taken or that the governing body has abused its discretion in taking
40 any such action, or that the requirements set forth in NRS 268.580
41 *or 268.581, if applicable*, have not been met, the court shall make
42 such temporary or final order in the premises as the ends of justice
43 may require.



1 5. All actions or suits attacking the validity of the proceedings
2 not brought within the 30-day period shall thereafter be perpetually
3 barred.

4 **Sec. 26.** 1. The members of the city annexation and
5 detachment commission created pursuant to section 4 of this act
6 must be appointed in accordance with section 4 of this act not later
7 than January 1, 2026.

8 2. Except as otherwise provided in subsection 2 of section 4 of
9 this act, the members of the commission appointed pursuant to
10 subsection 1 serve until December 31, 2026.

11 **Sec. 27.** The provisions of NRS 354.599 do not apply to any
12 additional expenses of a local government that are related to the
13 provisions of this act.

14 **Sec. 28.** NRS 268.597 is hereby repealed.

TEXT OF REPEALED SECTION

268.597 Alternative procedures for annexing territory.

1. Except as otherwise provided in NRS 268.581, as an alternative to the procedures for annexation set forth in NRS 268.578 to 268.596, inclusive, the governing body of a city may, subject to the provisions of NRS 268.595, annex territory:

(a) That meets the requirements of subsection 2 of NRS 268.580 if all of the owners of record of individual lots or parcels of land within the territory sign a petition requesting the governing body to annex the territory to the city;

(b) That, on January 1, 2001, was undeveloped land and was bounded on at least 75 percent of its aggregate external boundaries by the existing corporate boundaries of the annexing city, if the governing body provides or will provide, within a reasonable period, municipal services to the territory that are substantially equivalent to the municipal services provided by the governing body to any area of the city and the governing body does not, on or before October 1, 2001, enter into a cooperative agreement with the governing body of the governmental entity within whose boundaries the territory is located which provides for the cooperation of the parties to the agreement concerning issues of land use and boundaries of that territory; or

(c) That is undeveloped land and is bounded on at least 75 percent of its aggregate external boundaries by the existing corporate boundaries of the annexing city and for which the



governing body has received a written statement from a governmental entity indicating that the governmental entity:

(1) Owns the territory; and

(2) Does not object to the annexation of that territory by the governing body.

2. If:

(a) A petition specified in paragraph (a) of subsection 1 is accepted by the governing body;

(b) The territory proposed for annexation meets the requirements of paragraph (b) of subsection 1; or

(c) The governing body receives a written statement from a governmental entity pursuant to the provisions of paragraph (c) of subsection 1,

↳ the governing body may proceed to adopt an ordinance annexing the territory and to take such other action that is appropriate to accomplish the annexation.

3. As used in this section, "municipal services" includes, without limitation:

(a) Water;

(b) Sewerage;

(c) Police protection;

(d) Fire protection;

(e) Parks;

(f) Maintenance of streets; and

(g) Master planning for:

(1) The development and use of land;

(2) The provision of water and sewerage by the governing body; or

(3) The construction of regional infrastructure, including systems for the control of floods and street and utility projects.



