



City Manager's Office

MEMORANDUM

DATE: 08/22/2023

TO: Mayor and City Council

THROUGH: Doug Thornley, City Manager Approved Electronically

FROM: Nic Ciccone, Government Affairs Manager

SUBJECT: 2023 End of Session Legislative Report

This memo provides council a report of the Legislative Team's work during the 82nd Legislative Session. The report also includes a high-level overview of the impacts new legislation will have on the City of Reno.

City of Reno
2023 End of Session
Legislative Report



C I T Y O F
RENO

Summary

State of the State

The 82nd Session of the Nevada Legislature began on February 6, 2023 and adjourned sine die at 12:00am on June 6, 2023. Legislative leadership changed greatly from the 81st Session. Republican Governor Joe Lombardo was sworn in on January 4, 2023, Democratic Assemblyman Steve Yeager filled the role of Speaker after Jason Frierson's retirement to serve as the U.S. Attorney for the State of Nevada, and Senator Cannizzaro retained her role as Majority Leader for the Senate Democrats. Following the 2022 elections, the Assembly had a supermajority of Democrats with 28 Democrats and 14 Republicans while the Senate was one short of a supermajority with 13 Democrats and 8 Republicans.

Legislative Leadership	
 Governor Joe Lombardo	
 Senate Majority Leader Nicole Cannizzaro	 Speaker of the Assembly Steve Yeager
 Senate Minority Leader Heidi Seevers-Gansert	 Assembly Minority Leader PK O'Neil

82nd Legislative Session by the Numbers:

Number of Bill Draft Requests	1,229
Number of Bills Introduced	1,044
Number of Resolutions Introduced	52
Number of Bills Tracked by the City	343
Number of Bills Signed by the Governor	519
Number of Bills Vetoed by the Governor	75

Legislative Priorities

On August 10, 2022, the Reno City Council voted to submit a Bill Draft Request (BDR) to revise the Reno City Charter. The Council also directed staff to prioritize the passage of affordable housing measures. On January 11, 2023, the Council adopted the City's Legislative Platform, which provides guidelines that are intended to give general guidance to the City's Legislative Team as to the City's interest in potential legislation on various topics and policy issues. Additionally, City staff identified an operational need to address the growing problem of sideshows.

The City of Reno's number one priority was to ensure the passage of changes to the Reno City Charter. Although other local governing bodies such as the Washoe County School District and other cities across the United States rely on an at large or district-specific hybrid system, the City of Reno was the only municipality in the state of Nevada to use this form of governance. For this reason and because the Charter Committee of 2017 voted to sunset the at-large position along with the switch to ward-only voting for city elections, the measure failed to pass the first house committee passage deadline.

With respect to affordable housing measures, the City prioritized Assembly Bill 62, a bill designed to expand the eligibility criteria for affordable housing property tax exemptions, and Assembly Bill 396, a bill allocating \$3 million to the City of Reno for rental assistance programs.

Finally, the City addressed the need for additional tools to combat the growing problem of sideshows by working with Clark County and Assemblywoman Tracy Brown-May to pass Assembly Bill 408, which expands the places that a person can be charged for "trick driving."

Below, you will find a summary of many pieces of legislation that will impact the City of Reno and its residents. For your convenience, the Legislative Team has organized this report into the 12 categories used as general guidance for the City's lobbying efforts outlined in the 2023 City of Reno Legislative Platform.

Key

Supported
Opposed
Neutral

Helped Amend
No Position
Priority Legislation

Local Government Authority and Preemption

The City will support legislation that allows for increased flexibility and discretion at the local level and opposes any legislation that would preempt the ability of local governments to set appropriate policy at the local level.

SIGNED **Assembly Bill 2: Blue Lights**

Allows city vehicles to use non-flashing blue lights for safety on state-owned roads. Previously, only state vehicles had this authority. The City provided testimony in support because of the broadened authority for local governments.

SIGNED **Assembly Bill 60: Business Improvement District Changes**

This bill removes the requirement for local governments to record a new assessment roll each year for business or neighborhood improvement districts. Instead, it allows local governments to amend existing assessment rolls through a streamlined process taken to the city council.

SIGNED **Assembly Bill 213: Makes Various Changes to Land Use Planning**

Assembly Bill 213 requires that municipalities make various changes to their land use planning processes. Municipalities must:

- Make a determination as to an application's "completeness" within 10 working days.
- Create an expedited process for affordable housing projects.
- Post certain information related to development in residential areas on our website.
- Other changes and requirements would only apply to Clark County and cities within Clark County

The City successfully amended the bill to remove the ability for individual cities and counties to change their fire code standards over concerns that any changes to these standards could have broad implications for regional responses to fires.

SIGNED **Senate Bill 11: Drone Authority for Building Inspections**

Expands municipalities' authority to use drones to perform scheduled building or fire code inspections. Prohibits the use of any footage or photographs gathered for any other purposes. Requires the Department of Public Safety to establish regulations and to create a list of countries, businesses, and entities that shall not be purchased or acquired.

SIGNED **Senate Bill 22: Legal Noticing on the Internet**

This bill authorizes the use of Internet websites for legal noticing purposes and holds the entity that requests the posting of the legal notice harmless if there is a temporary Internet outage or service interruption.

SIGNED **Senate Bill 92: Sidewalk Vendor Decriminalization & Regulations**

Mandates that urban cities and counties adopt regulations for legal street food vending. Ordinances must not:

- Enact or enforce a complete prohibition on the act.
- Impose a criminal penalty on the act of sidewalk vending in a residential area.

Ordinances may require:

- A person holds a permit or license for sidewalk vending.
- Vendors maintain certain distances from:
 - Schools
 - Restaurants
 - Special events
 - Entertainment districts
- That vendors only operate at during certain times of the day with certain restrictions.

The bill prohibits vendors from operating within 1,500 feet of:

- A resort hotel, an event facility with a seating capacity of 20,000, a convention facility, or a median of a highway, if the median is adjacent to a parking lot (Welcome to Las Vegas sign)

The original bill language would have substantially restricted the City's ability to regulate the time, place, and manner for sidewalk vending to occur. The bill, as introduced, would have also placed a cap for administrative fines for violations in statute. The City worked with stakeholders to limit the preemptive aspects of the bill. The bill, as enrolled, allows for more local control over sidewalk vending regulations.

FAILED **Senate Bill 184: Changes to the City of North Las Vegas Charter**

This bill made changes to the City of North Las Vegas's charter. The City opposed the bill because recommendations were not made by the North Las Vegas Charter Committee and would set a precedent for changes to city charters without following the legislatively created process.

SIGNED **Senate Bill 208: Battery-Charged Fence Ordinances**

This bill requires cities to adopt ordinances regulating battery-charged fences. The City successfully amended the bill to ensure that mixed-use developments were included in the bill's definition of a residential area.

Regional Roles, Responsibilities, and Services

The City supports measures that empower local entities to make determinations about regional approaches to service delivery. The City opposes legislation that requires specific consolidation of service delivery approaches.

FAILED **Senate Bill 432: Regional Economic Development Impacts**

This piece of legislation would have created a process for the creation of regional powers authorities. The regional powers authorities would have included members from various jurisdictions depending on the location of an economic development site and the percent of residents that reside within neighboring counties and municipalities. The board of the regional powers authorities would have directed where 60 percent of the funds are sent after the expiration of an abatement.

- 60 percent of funds would have gone to the Account to Mitigate the Regional Impacts of Economic Development
- 20 percent to an account to promote statewide economic development
- 20 percent of funds will go to the State General Fund

Fiscal Sustainability

The City supports legislation that increases the number of alternatives available to local government bodies as they make decisions related to funding and provision of services at the local level. The City opposes the creation or imposition of any new unfunded mandates that may be proposed by the Legislature.

SIGNED **Assembly Bill 20: Clean Water Revolving Fund**

Expands the eligibility criteria for entities to apply for monies from the program to provide grants for water conservation and capital improvements to certain water systems. This will provide the ability for the city to obtain funding to convert properties with septic systems to sewer.

FAILED **Assembly Bill 95: Candidacy Petitions**

Would have required candidates for elected office to submit petitions for candidacy and sets forth certain requirements for signatures and deadlines for those petitions.

The City opposed this bill in its initial bill hearing because it would have required the City Clerk to create a process for signature verification and imposed an unfunded mandate on municipalities.

VETOED **Assembly Bill 235: Prevailing Wage for Custom Fabrications**

Would have required that prevailing wage be paid for “custom fabrications.” “Custom fabrications” are defined as materials that are made specifically for a public work and are not readily available otherwise. This would place a significant administrative burden on City staff as they work to verify that prevailing wage is being paid in other states or countries for any custom fabrications used.

VETOED Assembly Bill 272: Demographic Reporting for Contracts

Would have required that public bodies post information on their website regarding the number of contracts & performance contracts awarded to minority-owned, women-owned, or LGBTQ-owned businesses. The city does not currently collect this information, and this would have required a substantial operational change to the way the City reviews and posts contract information.

FAILED Senate Bill 304: National Fire Protection Association Compliance

This legislation mandated that city and county fire departments organize, regulate, and maintain in compliance with the National Fire Protection Association standards. As written, the bill would have imposed a \$50 million unfunded mandate on the City for response time requirements set in the NFPA standards alone.

VETOED Senate Bill 400: Supportive Housing Funding Source

Would have established a Fiscal Advisory Committee for the Department of Health and Human Services to direct funds to regional Continuum of Cares (CoCs). The bill would have required that each city above a population threshold allocate between \$1 million and \$2 million to the Fiscal Advisory Committee for a Flexible CoC Plan.

The Legislative Team opposed the bill in its initial bill hearing and continued to monitor it through the legislative process. The way the bill was written would have created an unfunded mandate and an equity issue in that other Northern Nevada jurisdictions would have been exempted by the population cap.

Public Works

The City supports legislation that would give preference to local bidders on public contracts and projects to the extent allowable under federal law

SIGNED Assembly Bill 391: Public Works Prehire Agreements

With certain exceptions, this bill would allow local governments to enter into a prehire agreement for a public work. The agreement may contain a preference for hiring local residents.

Redevelopment

The City would not support any changes to NRS Chapter 279 that would negatively impact the City's existing redevelopment areas or in any way limit the City's ability to utilize the redevelopment tools in NRS Chapter 279.

SIGNED **Senate Bill 23: Redevelopment Area Removal**

This bill allows municipalities with redevelopment areas to remove parcels if the parcels are residential and it is in the best interest of the public. Through the legislative process, the bill was amended to limit this authority to municipalities whose population are below 25,000.

Collective Bargaining

The City of Reno will take a position of active neutrality on issues pertaining to NRS Chapter 288 to maintain and place value on the relations the City has with its employees.

SIGNED **Senate Bill 166: Supervisory Employee Definitions**

This bill adds employees that provide civilian support services to a law enforcement agency and are authorized to be in a bargaining unit to the definition of a supervisory employee outlined in NRS 288.

Law Enforcement

The City will continue to engage productively and proactively in discussions surrounding law enforcement reform as the community dialogue around equity and social justice continue. The City will actively engage and support legislation designed to provide additional resources to address the growing problem of sidseshows, trick driving, or street takeovers

SIGNED **Assembly Bill 408: Trick Driving**

Changes the definition of trick driving or sidseshows to include premises which the public has access to (parking lots) and allows for officers to immediately tow the vehicle when a driver is charged with trick driving.

The City worked closely with Clark County and Assemblywoman Brown May to ensure the passage of this legislation.

Open Meeting Law and Public Records

The City recognizes the need to regularly review and update laws related to government transparency and accountability in the 21st Century. The City will advocate for additional resources to support new requirements on local governments.

SIGNED **Assembly Bill 52: Attorney General's Open Meeting Law Changes**

This bill makes various changes to open meeting law including:

- Clarifying that a vacancy on a board reduces the amount needed to meet quorum.
- Changes the notification timeline for discussing the character or competence of a person.
- Changes the notification timeline for acquiring real property by eminent domain.
- Clarifying that social gatherings or series of social gatherings of members of a public body where members do not deliberate does not constitute a public meeting.

SIGNED **Assembly Bill 219: Various Open Meeting Law Changes**

This bill requires meetings governed by Open Meeting Law to include a period of public comment before and after any action items are heard. It also requires that an additional public comment period be included if an agenda item is moved to the next day. Further, it requires that the meeting agendas with a virtual option to include the link and clear and complete instructions to join the meeting to provide comment. Finally, the bill requires that call-in directions be provided verbally at the beginning of a meeting, prior to the initial public comment period.

VETOED **Assembly Bill 258: Non-Profit Confidentiality**

Would require that government agencies maintain "personal information" of donors, members, or volunteers of nonprofit organizations. Creates civil penalties for individuals that fail to do so.

The Legislative Team worked to narrow the scope of the bill because the definition of "personal information" was overly broad and would have required a substantial change to the way the City processes public records requests – creating an administrative and fiscal burden for the City.

Affordable Housing

The City supports legislation that provides tools and resources, which align with the City's strategic priorities, to address the housing affordability crisis the state and the nation is currently facing

SIGNED **Assembly Bill 62: Affordable Housing Property Tax Exemptions**

Expands the qualification criteria that affordable housing projects can use to qualify for property tax exemptions. This criteria now includes projects that received: Low-Income Housing Tax Credits; money from the Account for Affordable Housing; money from the federal Housing Trust Fund; a loan authorized by the federal Housing Act of 1959; and capital advances from the Cranston-Gonzalez National Affordable Housing Act and is owned or operated by a non-profit. Previously, the state of Nevada was unique in requiring HOME funds in order to qualify for property tax exemptions.

The City engaged in early discussions with proponents of this bill and worked alongside Nevada Housing and Neighborhood Development and the Advisory Committee on Housing to push the bill through the legislative process.

SIGNED Assembly Bill 130: Fund for a Healthy Nevada Grants

Makes changes to the Fund for a Healthy Nevada Grants for Assisted Living Facilities. The bill expands the use of grant dollars to be used for the operation of existing facilities. The original language in statute only allowed for the use of grant dollars for the expansion of existing facilities.

SIGNED Assembly Bill 396: Rental Assistance Funding

The original bill language included \$44 million for Clark County's rental assistance program.

The Legislative Team worked with stakeholders to amend the bill to include \$6 million for Northern Nevada over the biennium -- \$3 million was allocated to the City of Reno and \$3 million was allocated to the City of Sparks.

SIGNED Senate Bill 226: Changes the Definition of Public Works

The original bill language would have greatly changed the definition of a public work to include projects that public bodies donated land to, gave any money to, or waived any fees for. This would have impacted the viability of many affordable housing projects that rely on various incentive programs from local governments.

The City of Reno and the Urban Consortium successfully worked with stakeholders to narrow the scope of this bill to lease-back purchase agreements, limiting the impact the expanded definition would have on affordable housing.

VETOED Senate Bill 371: Affordable Housing Authorization

Originally, this bill was written to authorize local governments to enact measures related to affordable housing, including, but not limited to, rent control. Through the legislative process, the bill was amended to remove the words "rent control."

Homeless Services

The City supports efforts to address the many impacts of homelessness and the need for increased access and expansion of programs that provide mental health and outreach support.

SIGNED **Assembly Bill 310: Nevada Supportive Housing Fund**

Creates the Nevada Supportive Housing Development Fund in the amount of \$32.2 million. The fund is to be used for “supportive housing” or “supportive services.” “Supportive housing” means housing that reduces barriers to retaining housing for those with rental, criminal, and income history that harms their chances of finding housing. “Supportive services” are defined as social services, community support services, case management services, employment services, health care and behavioral health treatment.

SIGNED **Senate Bill 155: Homeless Persons Diversionary Court Programs**

The bill seeks to encourage other municipalities to adopt diversionary court programs similar to the City’s Community Court. The City worked with the American Civil Liberties Union to change this bill from a bill that would have nullified any local government’s ordinances related to homeless persons.

Sustainability

The City supports legislation that improves a community’s ability to operate sustainably and be resilient in the face of climate change.

SIGNED **Assembly Bill 131: Statewide Urban Forestry Program**

Creates a state-level urban forestry program that would provide technical assistance and work with cities to set targets for key metrics like urban tree canopies.

FAILED **Senate Bill 169: Heat Mitigation Master Plan Elements**

Requires that master plans include a heat mitigation element, which must include a plan to provide heat mitigation services such as public cooling places and shade over paved places (which includes urban tree canopies.)

Wildlife

The City supports legislation that bans wildlife contests that promote the unlimited killing of unprotected wildlife for cash or prizes that do not align with traditional tenets of wildlife

management practices.

FAILED Assembly Bill 102: Bans Wildlife Killing Contests

Would have banned the practice of organizing, sponsoring, promoting, or conducting a contest, tournament, derby, or any other type of competition involving the killing of beavers, bobcats, coyotes, foxes, minks, muskrats, otters, rabbits, skunks, or weasels.

Other Bills Impacting the City

SIGNED Assembly Bill 139: Middle Eastern or North African Descent Demographics

Requires any agency in the state of Nevada that collects race or ethnicity information to include Middle Eastern or North African descent as an option for persons to identify themselves.

SIGNED Assembly Bill 140: Juneteenth State Holiday

Adds Juneteenth as a state holiday and provides clarity as to when it should be observed if the date falls within the weekend.

SIGNED Assembly Bill 266: Language Access Requirements

Requires that cities provide public notices for development projects in certain languages dependent on population requirements set by federal law. The bill also requires cities to develop a language access plan and send a report to the legislature.

SIGNED Assembly Bill 398: Industrial Insurance

This bill will ban a policy known as “defense inside the limits,” which means that a liability insurance policy cannot subtract any legal defense fees from the total owed to the policyholder. It will have large impacts on many of the city’s liability insurance policies. The State is considering a regulatory fix after a push from private enterprises. The City will continue to actively monitor and follow any changes to this piece of legislation.

SIGNED Senate Bill 243: Catalytic Converter Felony

This bill defines theft of a catalytic converter in statute. This bill would set standards for showing proof that a catalytic converter was obtained legally and sets fines and punishments for the illegal activity.

An individual that steals or purchases a catalytic converter for the purposes of dismantling, smelting or the scrap metal without the proper documentation will be guilty of:

- Category E felony for the possession of 1 catalytic converter.

- Category D felony for the possession of 2 to 9 converters.
- Category C felony for the possession of 10 or more converters.

In conclusion, with the help of many of our local government partners, the City of Reno was able to pass three out of four of our legislative priorities. With our partners help and the help of many lawmakers across the state, the Legislative Team worked with stakeholders to amend 30 pieces of legislation to make them more favorable to local governments.

Legislative Team’s Work by the Numbers

City-Tracked Bills	343
Times We Testified	45
Bills We Amended*	30
Bills We Supported Signed into Law	19
Bills We Supported that Failed	7
Bills We Opposed Signed into Law	0
Bills We Opposed that Failed	8
Priority Legislation Signed into Law	3 out of 4

* Includes bills amended with the help from our local government partners