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## Nevada Legislative Update: March 2019

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The second month of Nevada's 80th Regular Session of the State Legislature began marred by scandal. First, Nevada's Senate Majority Leader Kelvin Atkinson resigned amid federal charges of misappropriating campaign funds to which he later pled guilty. Senator Atkinson resigned publicly on the Senate floor apologizing to his family, friends, and constituents. The very next week, Chair of the Assembly Committee on Health and Human Services, Assemblyman Mike Sprinkle of Washoe County, resigned after complaints of sexual harassment were filed against him.

Although momentum was briefly stalled, the legislators stayed hard at work and the Nevada Senate made state history by electing the first female Senate Majority Leader Nicole Cannizzaro. County officials also worked quickly to appoint well-qualified individuals to fill the vacancies.

As of now, all the legislative policy proposals are published and legislators have just a few more days before the first committee passage deadline to conduct hearings and vet legislation. In addition to the bills outlawing prostitution (yes, it's legal in most of rural Nevada) and legalizing the sale of raw milk, legislators are considering several impactful legislative measures. Below are a few of the major bills being considered.

### **ECONOMY**

- **Minimum wage.** AB456 proposes to increase the minimum wage in Nevada 75 cents every year for five years until it reaches \$11 per hour for jobs that provide health benefits and \$12 per hour for all others.
- **Tax incentives for subsidizing employee growth.** AB442 authorizes certain employers to receive a credit against the employer's payroll taxes if the employer pays all or part of the cost for an employee to receive academic or vocational instruction
- **Commerce tax filing exemption.** SB152 would eliminate a business entity's responsibility to file a commerce tax return if its Nevada gross revenue for a taxable year (July 1 to June 30) was \$3,500,000 or less. Currently, no tax is due if Nevada gross revenue is less than \$4,000,000, but businesses must file a return.

### **HEALTHCARE**

- **Emergency room "surprise" visit billing reforms.** AB469 limits patient responsibility to the in-network costs if patients are forced to visit an out-of-network emergency room. The bill also establishes certain rates that insurers must pay providers if they have been recently contracted.

- Reinsurance. SB482 creates a state-run reinsurance program with the goal of stabilizing individual market premiums by reducing the risk high-cost claims pose to insurance companies.
- Health insurance claims database. SB472 would require the state to establish a confidential health insurance claims database containing information for all medical, dental, or pharmacy benefit claims in the state. The data would only be available for use in research or to government agencies and would require the Department of Health and Human Services to publish an annual report about the quality, efficiency, and cost of healthcare based on the information contained in the database.
- Pre-existing conditions. SB235 would codify the Affordable Care Act's protections for pre-existing conditions into state law.

## **EDUCATION**

- Pre-kindergarten. SB444 would allocate \$12 million over the next two years to enroll 1,500 children in pre-kindergarten education programs.
- School Safety. SB57 makes all public school blueprints confidential
- Education omnibus legislation. SB89 provides a framework for student support; mandates that school districts develop student-to-teacher ratio goals and an implementation plan for those goals; designates school police officers as "category I peace officers;" and changes guidelines for disciplining students.
- Education improvement commission. SB91 would establish the Innovation and Excellence in Education Commission to develop a statewide plan to improve the public education system by conducting a study comparing education policies of Nevada to other education systems.

## **ENERGY & TRANSPORTATION**

- Car Sharing. SB478 would authorize and regulate car sharing programs where individuals rent their vehicles to another person.
- Affordable Solar. AB465 requires electric utilities to offer a subsidized and affordable solar access program to low-income individuals and small businesses with a kilowatt-hour consumption that does not exceed 2310,000 kilowatt-hours per month, starting in 2020.
- Renewable Portfolio Standards. SB358 would increase the state's current renewable standard growth from 25 percent by 2025 to 50 percent by 2030 — the same standards approved by 60 percent of voters in the 2018 general election.
- Carbon emissions caps. SB254 would require the state to more closely track carbon emissions and develop recommendations.

## **GOVERNMENT**

- Appointed judges. AJR9 would require all judges in the state of Nevada to be appointed by the governor rather than by election. AJR 9 also calls for a Commission on Judicial Selection to vet

candidates and provide a list of recommendations to the governor, as well as a Commission on Judicial Performance. This measure requires a constitutional amendment.

- Annual legislative sessions. SJR5 proposes to amend the Nevada Constitution to provide for shorter annual legislative sessions wherein the Legislature would meet for 60 legislative days every even-numbered year and for 90 legislative days in every odd-numbered year. This measure requires a constitutional amendment.
- Civil penalties for traffic offenses. AB411 reduces some traffic offenses to civil infractions instead of misdemeanors.

## **TECHNOLOGY**

- Blockchain. SB162 enacts the Uniform Electronic Transactions Act to address blockchain electronic transactions; and SB163 allows the use of blockchain for various purposes.
- Virtual currency. SB164 declares bitcoin and other digital currency to be “intangible property,” exempting those currencies from property taxes, and most likely sales taxes, since Nevada sales and use taxes apply only to sales of “tangible personal property.” Notably the bill does not amend Nevada’s Sales and Use Tax Act. SB195 enacts the Uniform Regulation of Virtual-Currency Businesses Act.