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Nevada Legislative Update: April 2019

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There are just under thirty days left of Nevada's 80th Regular Session of the Nevada State Legislature, and only eight bills have been signed into law leaving lawmakers with a lot of work ahead. Most notably, the Governor recently signed SB358 which will increase the state's current renewable standard from 25 percent by 2025 to 50 percent by 2030 — the same level approved by 60 percent of voters in the 2018 general election. The State of Nevada has also officially designated neon as the official state element with the passage of AB381.

The first house committee and first house passage deadlines have passed and unexempt bills that were not considered by that time met their demise trimming some of the work to be done. However, legislators still have hundreds of bills to consider, and the second house committee and second house passage deadlines are May 17th and May 24th respectively. Lawmakers and lobbyists will have to work quickly and diligently to ensure their bills make it through the second house where things can turn Game-of-Thrones-esque; in other words don't pick a favorite bill!

Many bills discussed in previous updates did not meet the deadlines and as a result are no longer eligible for consideration. Some of the bills that died include, AB442 which would have authorized employers to receive a tax credit for paying for an employee's continuing education, SB152 which would have exempted business entities making \$3,500,000 or less per year from the responsibility to file a commerce tax return, SB478 which would have authorized and regulated car sharing programs, and AJR9 would have proposed a constitutional amendment to appoint rather than elect judges.

Below is an update on some of the major legislation still 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. This bill is exempt meaning that it is not subject to the deadlines described above, but instead may be passed into law up until the last day of session known as adjourning sine die (a Latin term meaning "indefinitely" and pronounced "sigh-nee dye").

HEALTHCARE

- Emergency room surprise 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. This bill passed the Assembly 38-3 and is now being

considered by the Senate.

- 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. This bill passed the Senate 21-0 and is now being considered by the Assembly.
- 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 health care based on the information contained in that database. This bill was passed out of the Senate Committee on Health and Human Services and has been rereferred to the Senate Committee on Finance where its fiscal impact will be addressed.
- Preexisting conditions. SB235 would codify the Affordable Care Act's protections for pre-existing conditions into state law. This bill passed the Senate 21-0 and is now being considered by the Assembly.

EDUCATION

- Funding formula reforms. The legislature has also pledged to reform Nevada's 50-year-old education funding formula in order deliver the funding and resources needed to give Nevada's public school children what they need to succeed. The bill itself however has not yet been published.
- Prekindergarten. SB444 would allocate \$12 million over the next biennium to enroll 1,500 children in prekindergarten education programs. This bill has been heard but not yet acted on; it is exempt.
- School Safety. SB57 makes all public school blueprints confidential. This bill passed the Senate 21-0 and is now being considered by the Assembly.
- 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. This bill was passed out of the Senate Committee on Education and has been rereferred to the Senate Committee on Finance where its fiscal impact will be addressed.
- 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. This bill was passed out of the Senate Committee on Education and has been rereferred to the Senate Committee on Finance where its fiscal impact will be addressed.

ENERGY & TRANSPORTATION

- 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 10,000 kilowatt-hours per month, starting in 2020. This bill passed the Senate 21-0 and is now being considered by the Assembly.
- Carbon emissions caps. SB254 would require the state to more closely track carbon emissions and develop recommendations. This bill was passed out of the Senate Committee on Growth & Infrastructure and has been rereferred to the Senate Committee on Finance where its fiscal impact will be addressed.

GOVERNMENT

- 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. This bill is exempt and has been heard, but has yet to be processed by the Senate Committee on Legislative Operations and Elections.
- Civil penalties for traffic offenses. AB411 reduces some traffic offenses to civil infractions instead of misdemeanors. This bill passed the Assembly 36-5 and is now being considered by the Senate.

TECHNOLOGY

- Blockchain. SB162 enacts the Uniform Electronic Transactions Act to address blockchain electronic transactions and SB163 allows the utilization of blockchain for various purposes. This bill was passed out of the Senate Committee on Judiciary and has been rereferred to the Senate Committee on Finance where its fiscal impact will be addressed.
- Virtual currency. SB164 declares bitcoin and other digital currency to be “intangible property,” exempting it from property taxes, and most likely sales taxes, since Nevada sales and use taxes apply only to sales of “tangible personal property,” although the bill does not expressly amend Nevada’s Sales and Use Tax Act. This bill passed the Senate 21-0 and is now being considered by the Assembly.