

Reforming Nevada's Boards and Commissions

ADDRESSING CONCERNS AND MISCONCEPTIONS

Q: WHAT AUTHORITY DOES THE DEPARTMENT OF BUSINESS AND INDUSTRY CURRENTLY HAVE?

A: Senate Bill 431, passed during the 2023 Legislative Session, established the Office of Nevada Boards, Commissions and Councils Standards within the Department of Business and Industry. The law gave the office responsibility for overseeing 37 occupational licensing boards and commissions and establishing centralized administration to develop uniform standards, uphold transparency and consumer protection, and ensure efficacy and efficiency.

SB431 is currently in the implementation phase. The legislature did not provide the necessary funding to staff and operate the Office. In the interim, the IFC recommended that the department return during the next legislative session to request funding for the necessary positions. The department has submitted a budget request to operate and adequately staff BCCS.

Q: WHAT DOES SB78 DO THAT SB431 DOES NOT ACCOMPLISH?

A: SB78 proposes to continue the occupational licensing board reforms that began with SB431 (2023) by expanding oversight, authorizing centralized administrative services, and consolidate and/or terminate certain entities to streamline operations, create better fiscal oversight and provide increased accountability and transparency.

Q: WHERE CAN I FIND INFORMATION ON SB78?

A: Please visit the Boards and Commissions page:

https://business.nv.gov/Boards_and_Commissions/Boards_and_Commissions/

Information pertaining to the bill, including links to videos of prior committee hearings and upcoming meetings, can be found on NELIS:

<https://www.leg.state.nv.us/App/NELIS/REL/83rd2025/Bill/11891/Overview>

Q: WHAT ARE THE KEY DIFFERENCES BETWEEN SB431 (2023) AND SB78 (2025)?

Please refer to the attached document at the end of the FAQs.

Q: WHERE CAN I READ THE FULL TEXT OF SB78 AT THIS TIME?

A: Unfortunately, SB78 was the only bill drafted in skeleton bill form this session. We do not believe it clearly captures the specifics of the reform we're proposing. We have drafted a substantial amendment that more closely aligns with the intent of the reform. Both the skeleton draft of the bill as well as any of the proposed amendments can be found on the Boards and Commissions page, or in NELIS.

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COMMON MISCONCEPTIONS

Q: WILL THIS BILL AFFECT ALL ADVISORY COMMITTEES?

A: A new bill amendment will be submitted that narrows the scope of the proposed reforms to exclude all references to advisory committees. This bill only addresses Title 54 occupational licensing boards and commissions. If your organization is not listed under NRS 232.8415(2)(a)-(h); (j)-(l); (n)-(u); (w)-(aa); (cc)-(kk), then SB78 will NOT have any impact.

Q: WILL SB78 MOVE MY BOARD UNDER THE NEVADA DEPARTMENT OF BUSINESS AND INDUSTRY?

A: Occupational licensing boards under Title 54 were already moved under the purview of the Department Business and Industry with the passage of SB431 in 2023 and codified in NRS 232.8415. SB78 does not move any additional entities under the Department's jurisdiction.

Q: IS SB78 JUST A "MONEY GRAB"?

A: No. Each board will continue to retain and administer their funding and reserves as is currently done. If a board is subject to being merged under a proposed realignment, the funds and reserves will be pooled into the new merged board.

Q: MANY LICENSING REQUIREMENTS HAVE BEEN IN PLACE FOR DECADES; WILL THEY BE CHANGING UNDER SB78?

A: No. Boards will retain their current licensing authority. Licensing requirements will be determined by the established statutes and regulations that currently apply.

BOARD STRUCTURE AND MAKEUP QUESTIONS

Q: WHY IS THE COMPOSITION OF MY BOARD BEING MODIFIED, AND WHAT IS BEING PROPOSED?

A: When the majority of the board members are professionals actively practicing and licensed within the industry they regulate, potential for conflicts of interest, or the appearance of a conflict may arise. The composition of professional licensing boards is a critical issue in maintaining a balance between regulation and competition.

Please see this link to view the proposed board composition changes:

https://business.nv.gov/Boards_and_Commissions/Modified_Board_Membership/

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Q: I AM SATISFIED WITH MY CURRENT BOARD; WHY IS SB78 PROPOSING CHANGES TO THEM?

A: Our goal is to ensure the overall structure of occupational licensing in Nevada has sufficient oversight, transparency, and efficiency regardless of the individual board performance. Good governance requires that structures of accountability are in place.

Q: WILL THE ADDITION OF PUBLIC MEMBERS REDUCE THE BOARD'S SPECIALIZED KNOWLEDGE?

A: Board composition is a careful balancing act. We recognize the value of having professionals provide their expertise, but the purpose of licensing boards is ultimately to serve the general public. Accordingly, they are necessary to provide oversight. One measure we've taken to mitigate the disparity is to ensure some general public members have a background in the subject.

CENTRALIZATION AND BOARD INDEPENDENCE QUESTIONS

Q: WHAT ARE THE ADMINISTRATIVE FUNCTIONS THAT WILL BE CENTRALIZED?

A: The Department will provide functions that do not necessitate industry-specific expertise. This includes but is not limited to IT and website management, HR, and supplementary legal counsel.

Q: WHAT IF OUR BOARD'S STAFF HAS HIGHLY TECHNICAL EXPERTISE THAT CANNOT BE CENTRALIZED?

A: Boards can retain necessary in-house staff to ensure a balance between efficiency and specialization. Additionally, attorneys that hold board-specific expertise and lobbyists that already have a deep understanding of a board's objectives can stay with the board.

Q: WILL BOARDS BE ABLE TO PROPOSE NEW LEGISLATION AND EMPLOY LOBBYISTS?

A: Yes. We have drafted a new amendment that only requires boards to provide notice of BDRs and who they contract as lobbyists. This provides a fair balance between ensuring the Department understands what the boards are doing and the board's freedom to advocate for their profession.

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Q: WHAT IF OUR BOARD DOES NOT WANT TO CENTRALIZE ANY ADMINISTRATIVE FUNCTIONS?

A: NRS 232.8415 mandates that the Office of Boards, Commissions and Councils Standards establish a centralized administration with various uniform standards.

Q: WHAT CAN BOARDS POST ON THE CENTRALIZED WEBSITE SYSTEM?

A: We have drafted an amendment that ensures boards can post any information "in the performance of their official acts."

Q: HOW WILL THE LICENSE DATABASE SYSTEM FUNCTION?

A: We intend to explore the development and procurement of an enterprise-level licensing platform that would be shared across boards to reduce costs, improve functionality, and enhance system security and reporting. However, implementation of this plan is contingent on our current budget request, which has not yet been finalized.

Q: WHAT WILL THE HIRING PROCESS FOR THE CENTRALIZED ADMINISTRATION FUNCTIONS ENTAIL?

A: The Office of Nevada Boards, Commissions, and Councils Standards will fully comply with the provisions of NRS Chapter 284, which governs state personnel administration. All staff hired by the office will be subject to the rules and procedures administered by the Division of Human Resource Management and the State Personnel Commission.

Q: HOW WILL BUSINESS AND INDUSTRY FUND THE CENTRALIZED ADMINISTRATIVE FUNCTIONS PROPOSED IN SB78?

A: Business and Industry will utilize a cost allocation model, where boards will pay a pro-rated fee to the Department, and in exchange the boards will have access to the administrative functions that are getting centralized. This is the same model already used by the Department's eleven divisions.

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CONTINUING DIALOGUE

Q: WHY AREN'T WE FOLLOWING WHAT DIFFERENT STATES HAVE DONE ON A CERTAIN ISSUE?

A: We've carefully analyzed board structures and reforms from other states. We believe we've narrowed down the right way to structure our boards, but we're open to feedback. SB78 may still be amended, so please inform us of innovative ways to address problems that impact your board.

Q: AFTER READING THROUGH THIS FAQ, I STILL HAVE QUESTIONS. WHO CAN I CONTACT?

A: Please contact Deputy Director of the Office of Nevada Boards, Commissions and Councils Standards Nikki Haag at nikki.haag@business.nv.gov.

PHASES OF NEVADA'S BOARDS AND COMMISSIONS REFORM

Phase 1

2023 Senate Bill 431

- Established the Office of Nevada Boards, Commissions and Councils Standards (BCCS)
- Codified in NRS 232.84133 & NRS 232.8415
- Currently in implementation phase
- Mandates that B&I hire staff and adopt regulations to construct BCCS
- Requires BCCS to oversee a centralized administration with uniform standards for investigations, licensing and discipline, internal controls, legal representation and structure
- Tasked BCCS with prioritizing transparency and consumer protection, as well as efficacy and efficiency
- Legislature did not provide funding or staff required to implement the bill
- The 2025 Governor's Recommended Budget includes a request for 14 staff to fully implement SB431

Phase 2

2025 Senate Bill 78

- Reorganizes existing board and board structures to improve efficiency, enhance oversight and transparency and address issues of dominance/ antitrust
- Retains the boards' ability to hire specialized staff like lobbyists, attorneys and experts
- Does not seize board funds, reserves or revenues
- Does not impact underlying board duties, licensing requirements, fees or reciprocity
- Authorizes a cost-allocation structure for boards to pay a fee in exchanged for centralized administrative functions including IT, HR, fiscal and supplemental legal services
- A budget amendment has been submitted to hire necessary staff to implement SB78

Phase 3

2027 TBD

- Additional reforms to be proposed in a future Legislative session
- Will address advisory bodies and committees that were amended out of SB78