



After the 2019 Legislative Session, Nevadans knew that 2020 would be a critical election year. While it was certain that Democrats would remain solidly in control of the Assembly, Senate, and Governor’s Office, the main priority for many in the business community was to prevent the Assembly from achieving a 2/3rds "super" majority for another session. They were successful in that initiative and, even during what we now know was only the beginning of the COVID-19 pandemic, that felt like a victory. Although still in a significant minority in the Legislature and often times unable to change the course of policy issues, Republican votes would be necessary in the Assembly to raise taxes.

The impact of the COVID-19 pandemic loomed over the 81<sup>st</sup> Legislative Session, leaving a crater-sized hole in Nevada’s budget and thousands of Nevadans unemployed. For the Gresh Group lobbying team, the pandemic would also present unique challenges as it adapted to meeting with policymakers virtually. However, we were undeterred, ensuring that each client was represented to the best of the team’s ability.

The 81<sup>st</sup> Legislative Session in Nevada began on February 1, 2021, amid a global pandemic, completely virtually. The only experience with virtual sessions previously was during the two weeks of special sessions in the summer of 2020, which was burdened with technology issues and confusing protocols. To say it was difficult to expect what lobbyists would be walking into is an understatement.



*Bryan Gresh*



*Samantha Sato*

## 2021 NEVADA LEGISLATIVE SESSION REPORT

The first two months of session remained entirely virtual, with only legislators being allowed in the Legislative Building and meeting on the chamber floor only for official votes. During those months, rules were suspended so that bills could pass out of committee the same day they were heard to ease the burden of the backlog of bills. Those rules were ultimately suspended through the remainder of the session.

On April 15<sup>th</sup>, the building opened to the public in very limited capacity. Originally, legislators were granted one in-person pass to give out per day, making scheduling and access to the building a challenging task. In addition to requiring passes, anyone entering the building either had to show proof of vaccination or have a negative COVID-19 test that day. In the second week of May, the restrictions were slightly loosened, and legislators were given five passes per day, but vaccination status and COVID-19 tests, along with masks, were still mandatory. For the last week of session, the building was completely opened and those who were vaccinated did not have to wear a mask. It brought back a sense of normalcy to the Legislature with significantly more people there each day. However, for this one-off session of primarily remote legislating, The Gresh Group team leveraged its relationships and had unfettered access to individual lawmakers and legislative leadership whenever the need arose. Texts, phone calls, emails and—to a greater degree than ever—Zooming, provided the level of engagement necessary.

The other new wrinkle to entering the building going forward was the increased level of security. No longer were we able to rush in and out but, instead, every morning that we entered, or returned midday, we were greeted by extremely sensitive metal detectors (think of removing every piece of metal, including belts and shoes), and an x-ray scanner for personal possessions. While the security staff was great, the added inconvenience and delay led to more challenges. That said, the detectors were put in place due to the increased risk and threats to legislators. Bill Raggio and Joe Dini would be shaking their heads (for those of you who didn't know these fine two men, call us!).

Aside from the physical challenges of being in the legislature, there were many new elected officials unfamiliar with the process. This, combined with inevitable logistical challenges attributable to communicating virtually, resulted in public opinion not being heard as loudly as we have become accustomed to in Nevada. Whether by design, or due to the aforementioned backlog and logistical challenges, incredibly consequential pieces of legislation were introduced in the final weeks of the session. Examples of this include Majority Leader Nicole Cannizzaro (D-Las Vegas) introducing SB420, a public option healthcare bill, and Senator Chris Brooks (D-Las Vegas) releasing a huge energy bill, only a few weeks before sine die.

Many of the policies adopted by this Legislature, such as those related to diversity and inclusion, were largely shaped by the national political scene. Similar to the 2019 Session, a number of policy issues appeared to be driven by a national agenda, rather than what was best for Nevadans. It was not that long ago that the Silver State's Legislature did not want to be the first in the country to pass a policy. Those days are gone and being a first seemed to be at the forefront of several policy initiatives. From The Gresh Group perspective, that is a challenging environment for many of our clients.

## NPA Priority Bills

Of the more than 50 individual pieces of legislation identified as requiring NPA involvement, several bills necessitated a greater level of engagement. Here are some of them:

### ***Senate Bill 146: Revises provisions relating to mental health services for children***

SB 146 sought to codify best practices for coordination and communication between the treating team for a foster youth's mental health and the receiving team that is treating the child if and when they are in a temporary crisis. The treating psychologist was originally omitted from the bill. Working with the sponsor, Senator James Ohrenschall, we were able to insert psychologists in the amendment to the bill and SB 146 went on to pass.

### ***Assembly Bill 327: Requires certain mental health professionals to complete continuing education relating to cultural competency***

AB 327 looked to add continuing education for cultural competency and diversity, equity and inclusion for psychologists and other mental health professionals. Sponsor of the bill, Assemblywoman Selena Torres asked for input from NPA and we obliged. The Assemblywoman met with us virtually. We came away in support of her amendment to lower the number of hours from 6 to 2. The bill went on to pass.

### ***Assembly Bill 395: Abolishes capital punishment***

AB 395 sought to abolish the death penalty in Nevada. The highest profile bill NPA engaged in this session, we crafted a statement in support of its passage. We also had an NPA member on the phone line to testify in support during its initial committee hearing. In a first, the bill passed out of the full Assembly. That was, however, as far as it got. It did not receive a hearing in the Senate. The governor weighed in, indicating he could not support complete abolition by pointing to the October 1, 2017 shooting in Las Vegas that claimed 58 lives. The state's criminal justice system, the governor reasoned, should allow prosecutors latitude to seek the death penalty for such heinous crimes.

### ***Senate Bill 5 & Senate Bill 56: Makes changes relating to telehealth***

SB 5 and SB 56 were, for NPA, bills of reimbursement for telephonic services rendered by psychologists. The first, SB 5, was brought forward by the governor's Patient Protection Commission which looked to remove equal reimbursement for audio-only services. The second, SB 56, was a bill of the Clark County Regional Health Board which sought equal reimbursement for audio only behavioral health services.

SB 5 passed but SB 56 did not.

Please use the login information below to log into your client portal to access bill information.

**NPA LOGIN:**  
Username: NPA  
Password: 84FX8a2N

Early in the 2021 Legislative Session, Senate and Assembly Democratic leadership coalesced around several key initiatives which formed the basis for their legislative agenda. These key initiatives touched some of the following policy areas: landlord/tenant, criminal justice, healthcare, public education, taxes, small businesses, and energy. Those issues are detailed below.

## ***Landlord Tenant Protections***

At the beginning of the session, there were a number of problematic bills introduced in both houses related to housing protections. By the end of session, it was narrowed down to three bills that passed the legislature. AB486, which was introduced the last two weeks of session, offers a landlord rental assistance program in the form of 100% reimbursement for rent lost during the COVID-19 pandemic, in exchange for debt forgiveness and mediation. Other noteworthy bills included Speaker Jason Frierson's (D-Las Vegas) AB308 and Assemblyman Watts' (D-Las Vegas) AB141.

## ***Criminal Justice***

With the tragic events surrounding the past year, criminal justice and reform was a priority for many legislators. While there were measures passed, stakeholders in the industry were largely on board with the reforms and came to the table either supportive or neutral.

## ***Healthcare***

Former Nevada State Senator Yvanna Cancela left office for a position in the Biden Administration just weeks before the start of the session and left Senator Julia Ratti (D-Reno) in control of several bills that came out of the Patient Protection Commission, and the Interim Committee on Prescription Drugs. With that, bills were introduced that had the potential to largely harm the healthcare and pharmaceutical industries. On the pharmaceutical side, SB380 was a bill shepherded by Senator Ratti that called for more transparency on the pharmaceutical industry, the pharmacy benefit managers and manufacturer distributors. At first, this bill was going to cause a large burden on both the state and the industry but thankfully, with successful lobbying effort, the language was amended and made more reasonable for all parties. Unfortunately, the Legislature continues to ignore the need to provide transparency on the costs associated with the insurance industry, including healthcare trust funds. Despite the fact that the Nevada public option proposal, SB420, was introduced at the very end of the session, it was fought tooth and nail. Many legislators voting for the measure acknowledged the potentially catastrophic impact it will have on healthcare in our state, but the body ultimately passed it as it would not be available for purchase until 2026, leaving the state with time to make necessary corrections.

## ***Education***

With school closures and the pandemic looming in the background of the Legislature, education was a high priority. Legislation aimed at making up for the lost time in the classroom, with bills related to summer school and additional summer pay being passed early in the session. Additionally, SB450 was passed, temporarily authorizing general obligation bonds to go towards school funding.

## ***Business***

While economic development was meant to be a high priority this session, the reality was a strong focus on preserving what was left of a broken COVID-19 economy and establishing worker protections became the driving force with this Legislature. In his State of the State Address, the Governor spoke of innovation zones welcoming great economic prosperity but the bill was never even introduced. Instead an interim committee was created to study the issue of innovation zones, and tabling the conversation until the 2023 Legislature. Small businesses are trying to stay afloat as tourism returns back to normal, but they are all certainly facing an uphill battle in recovery, and thus many of the progressive policies being pursued by some legislators were an affront to the business community in general. While the business community was able to beat back a number of more draconian measures, those pieces of legislation that did pass will still have a harmful impact on the business environment moving forward in terms of increased cost to business, all of which are likely to be passed on to the end users.

## ***Taxes***

Taxes were an interesting topic this session as Republicans used the need for a 2/3rds passage to leverage votes on issues important to them. The mining tax, for instance, had been a conversation since the July 2020 Special Session but did not pass through until the last day of session. Republican leaders used the tax as a bargaining chip to fulfill their own agendas. Many tax initiatives were shot down early on because of the 2/3rds necessity. This was a main reason many were so intent on blocking a democratic supermajority in either house this session.

## ***Energy***

Senator Chris Brooks (D-Las Vegas) proposed a huge energy bill, SB448, with only a little over a week left of the session. With its passage, it changes the future of Nevada energy and how natural resources are spent in the state. The predominant goal of the bill was to incentivize clean energy and work Nevada towards zero carbon emissions by 2050. It is likely there will be many more energy initiatives in the upcoming sessions.

## ***Thank you!***

The Gresh Group thanks each one of you for allowing us to serve you this session and fight for your interests. While certainly a historic session, our strong reputation in the building allowed for a relatively smooth 2021 Session for many of our clients. While we did not win every battle, the team persevered under great adversity and fought hard for all of our clients' interests. We thank you for the opportunity to service you, and we thank you for your continued trust in the Gresh Group team and we look forward to an even more successful future.