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ASSEMBLY BILL NO. 85—COMMITTEE ON NATURAL RESOURCES

(ON BEHALF OF THE COMMITTEE TO CONDUCT  
AN INTERIM STUDY CONCERNING WILDFIRES)

PREFILED JANUARY 26, 2021

Referred to Committee on Natural Resources

SUMMARY—Revises provisions relating to noxious weeds.  
(BDR 49-108)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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AN ACT relating to agriculture; revising provisions relating to the control of noxious weeds; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law authorizes the State Quarantine Officer to declare by regulation  
2 which weeds of the State are noxious weeds but prohibits the State Quarantine  
3 Officer from designating a weed as noxious if the weed is so well established in the  
4 State that the State Quarantine Officer judges its control to be impracticable. (NRS  
5 555.130) This bill removes the prohibition, thereby authorizing the State  
6 Quarantine Officer to declare any weed to be noxious by regulation.

7 Existing law authorizes the State Quarantine Officer to temporarily designate a  
8 weed as a noxious weed if he or she determines that immediate control of the weed  
9 is necessary. Such a temporary designation expires 18 months after the designation  
10 is made. (NRS 555.130) This bill requires the State Quarantine Officer to hold a  
11 public meeting before making such a temporary designation.

12 Finally, this bill authorizes the State Quarantine Officer to limit a declaration or  
13 temporary designation to a specific geographic area or to specific geographic areas  
14 in this State so that a declaration or temporary designation would only apply to  
15 those specific geographic areas and not to the entire State. If the State Quarantine  
16 Officer makes a temporary designation that is limited to a specific geographic area  
17 or to specific geographic areas, this bill requires the State Quarantine Officer to  
18 consult with each applicable state agency or department or governing body of a  
19 local government which has jurisdiction over any public right-of-way in that area.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1       **Section 1.** NRS 555.130 is hereby amended to read as follows:

2       555.130 1. Except as otherwise provided in subsection 2, the  
3 State Quarantine Officer may declare by regulation the weeds of the  
4 state that are noxious weeds . ~~[, but a weed must not be designated~~  
5 ~~as noxious which is already introduced and established in the State~~  
6 ~~to such an extent as to make its control impracticable in the~~  
7 ~~judgment of the State Quarantine Officer.]~~

8       2. ~~[The]~~ *After holding a public meeting, the* State Quarantine  
9 Officer may temporarily designate a weed as a noxious weed if he  
10 or she determines that immediate control of the weed is necessary.  
11 A temporary designation expires 18 months after the State  
12 Quarantine Officer makes the designation.

13       3. *The State Quarantine Officer may limit a declaration made*  
14 *pursuant to subsection 1 or a temporary designation made*  
15 *pursuant to subsection 2 to a specific geographic area or to*  
16 *specific geographic areas in this State. Before the State*  
17 *Quarantine Officer makes a temporary designation pursuant to*  
18 *subsection 2 that is limited to a specific geographic area or to*  
19 *specific geographic areas pursuant to this subsection, the State*  
20 *Quarantine Officer shall consult with each applicable state agency*  
21 *or department or governing body of a local government which has*  
22 *jurisdiction over any public right-of-way in the specific geographic*  
23 *area or areas.*

