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GENERAL PROVISIONS

NRS 233A.001 Definitions. As used in this chapter:

1. "Commission" means the Nevada Indian Commission.
 2. "Commissioner" means a commissioner of the Nevada Indian Commission.
 3. "Department" means the Department of Native American Affairs.
 4. "Executive Director" means the Executive Director of the Department.
 5. "Museum" means the Stewart Indian School Cultural Center and Museum established pursuant to [NRS 233A.1041.](#)
- (Added to NRS by [1965, 687](#); A [1973, 293](#); [2019, 3171](#); [2023, 2764](#))

NRS 233A.003 Legislative finding and declaration. The Legislature hereby finds and declares that nothing in this chapter, including, without limitation, the creation of the Department of Native American Affairs, is intended to infringe upon the sovereignty of Indian tribes who are recognized by the United States as possessing powers of self-government.

(Added to NRS by [2023, 2763](#))

NEVADA INDIAN COMMISSION

- NRS 233A.010 Definitions.** [Replaced in revision by [NRS 233A.001.](#)]
- NRS 233A.020 Creation; members.** [Replaced in revision by [NRS 233A.1005.](#)]
- NRS 233A.030 Commissioners: Appointment; qualifications.** [Replaced in revision by [NRS 233A.1007.](#)]
- NRS 233A.040 Authorized expenses.** [Replaced in revision by [NRS 233A.1017.](#)]
- NRS 233A.050 Chair; meetings; regulations for management; quorum.** [Replaced in revision by [NRS 233A.1013.](#)]
- NRS 233A.055 Executive Director: Appointment; qualifications; classification; restrictions on other employment.** [Replaced in revision by [NRS 233A.1019.](#)]

NRS 233A.065 Executive Director: Duties. [Replaced in revision by [NRS 233A.1021.](#)]

NRS 233A.070 Executive Director: Appointment of staff. [Replaced in revision by [NRS 233A.1023.](#)]

NRS 233A.080 Salary and expenses of commissioners and employees; payment of claims. [Replaced in revision by [NRS 233A.1015.](#)]

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DEPARTMENT OF NATIVE AMERICAN AFFAIRS

Administration

NRS 233A.1003 Creation of Department; composition.

1. The Department of Native American Affairs is hereby created.
2. The Department consists of:
 - (a) The Executive Director;
 - (b) The Nevada Indian Commission created pursuant to [NRS 233A.1005](#); and
 - (c) The Stewart Indian School Cultural Center and Museum established pursuant to [NRS 233A.1041.](#)

(Added to NRS by [2023, 2763](#))

NRS 233A.1005 Nevada Indian Commission: Creation; members.

1. The Nevada Indian Commission is hereby created within the Department.
2. The Commission consists of five members appointed by the Governor pursuant to [NRS 233A.1007.](#)

(Added to NRS by [1965, 687](#); A [1973, 293](#); [1977, 1182](#); [2023, 2764](#))

NRS 233A.1007 Nevada Indian Commission: Appointment of commissioners. The Governor shall appoint:

1. Three members who are Indians.
2. Two members who are representatives of the general public.

(Added to NRS by [1965, 687](#); A [1969, 1137](#); [1973, 294](#); [1977, 1182](#); [1989, 1399](#))—(Substituted in revision for NRS 233A.030)

NRS 233A.1009 Nevada Indian Commission: Purpose; recommendations and reports.

1. The purpose of the Commission shall be to study matters affecting the social and economic welfare and well-being of American Indians residing in Nevada, including, but not limited to, matters and problems relating to Indian affairs and to federal and state control, responsibility, policy and operations affecting such Indians.

2. The Commission shall:

(a) Recommend to the Executive Director necessary or appropriate action, policy and legislation or revision of legislation and administrative agency regulations pertaining to American Indians residing in Nevada;

(b) Provide recommendations and advice to the Executive Director concerning the administration of the Department and on any other matter affecting the social and economic welfare and well-being of American Indians residing in Nevada;

(c) Provide direction to the Executive Director concerning any reports prepared by the Department and review drafts of such reports;

(d) Receive reports from the Executive Director and provide direction to the Executive Director concerning measures taken by the Department to ensure that any such measures taken relating to the duties of the Commission are effective; and

(e) Make and report from time to time the findings and recommendations of the Commission to the Department and to the public at least biennially.

(Added to NRS by [1965, 688](#); A [1973, 345](#); [2023, 2765](#))

NRS 233A.1011 Powers of Department. The Department may:

1. Appoint advisory committees whenever necessary or appropriate to assist and advise the Department in the performance of its duties and responsibilities under this chapter.

2. Negotiate and contract with such other agencies, public or private, as it deems necessary or appropriate for such services, facilities, studies and reports to the Department as will best enable it to carry out the purposes for which it is created.

3. Cooperate with and secure the cooperation of state, county, city and other agencies, including Indian tribes, bands, colonies and groups and intertribal organizations in connection with the study or investigation of any matter within the scope of this chapter or [NRS 383.150](#) to [383.190](#), inclusive.

4. Provide any information or assistance requested by the Department of Wildlife pursuant to [NRS 502.280](#).

(Added to NRS by [1965, 688](#); A [1977, 49](#); [1979, 616](#); [1989, 575](#); [2017, 3638](#); [2023, 2767](#))

NRS 233A.1013 Nevada Indian Commission: Designation of Chair; meetings; quorum. The commissioners shall designate a Chair. The commissioners may meet regularly at least four times each year and at such places and times as are specified by a call of the Chair or majority of the Commission. The Commission shall prescribe regulations for its own management. Three members of the Commission constitute a quorum which may exercise all the authority conferred upon the Commission.

(Added to NRS by [1965, 687](#); A [1967, 1493](#); [1969, 1138](#); [1973, 294](#); [1983, 183](#), [1438](#))—(Substituted in revision for NRS 233A.050)

NRS 233A.1015 Nevada Indian Commission: Salary and expenses of commissioners and employees; payment of claims.

1. Commissioners who are not in the regular employ of the State are entitled to receive a salary of not more than \$80, as fixed by the Commission, for each day spent on the work of

the Commission. Commissioners who are in the regular employ of the State shall serve without additional salary.

2. While engaged in the business of the Commission, each member and employee of the Commission is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

3. Claims for payment of all expenses incurred by the Commission, including the salaries and expenses of its commissioners, must be made on vouchers and paid as other claims against the State are paid.

(Added to NRS by [1965, 688](#); A [1971, 841](#); [1975, 297](#); [1981, 1978](#); [1985, 412](#); [1989, 1709](#))—
(Substituted in revision for NRS 233A.080)

NRS 233A.1017 Nevada Indian Commission: Authorized expenses. The Commission may incur all necessary expenses within the limits of legislative appropriations to effectuate its purposes.

(Added to NRS by [1965, 687](#))—(Substituted in revision for NRS 233A.040)

NRS 233A.1019 Executive Director of Department: Appointment; qualifications; classification; restrictions on other employment.

1. The Governor, upon recommendation of the Commission, shall appoint an Executive Director of the Department who has had successful experience in the administration and promotion of a program comparable to that provided by this chapter.

2. The Executive Director is in the unclassified service of the State.

3. Except as otherwise provided in [NRS 284.143](#), the Executive Director shall devote his or her entire time to the duties of his or her office and shall not follow any other gainful employment or occupation.

(Added to NRS by [1969, 1137](#); A [1971, 1429](#); [1981, 1277](#); [1985, 412](#); [1997, 618](#); [2023, 2765](#))

NRS 233A.1021 Executive Director of Department: Duties. The Executive Director shall:

1. Oversee all of the functions of the Department.

2. Direct and supervise all the technical and administrative activities of the Commission.

3. Attend all Commission meetings and act as Executive Secretary, keeping minutes and audio recordings or transcripts of the proceedings.

4. Report to the Governor and the Commission all matters concerning the work of the Department. The Executive Director shall request the advice of the Commission regarding matters of policy, but is responsible, unless otherwise provided by law, for the conduct of the administrative functions of the Department.

5. Compile, for submission to the Governor, a biennial report regarding the work of the Department and such other matters as the Executive Director may consider desirable.

6. Serve as contracting officer to receive funds from the Federal Government or other sources for such studies the Commission deems necessary pursuant to [NRS 233A.1009](#).

7. Attend all meetings of any special study committee appointed by the Governor pursuant to this chapter and act as Executive Secretary, keeping minutes and audio recordings or transcripts of the proceedings.

8. Appoint, supervise and establish the powers and duties of a Museum Director.

9. Perform any lawful act which the Executive Director considers necessary or desirable to carry out the purposes and provisions of this chapter.

(Added to NRS by [1969, 1137](#); A [2005, 1407](#); [2019, 3171](#); [2023, 2765](#))

NRS 233A.1023 Executive Director of Department: Appointment of staff. The Executive Director may appoint such professional, technical, clerical and operational staff as

the execution of his or her duties and the operation of the Department may require.

(Added to NRS by [1965, 688](#); A [1969, 1138](#); [1985, 412](#); [2023, 2765](#))

NRS 233A.1025 Account for the Protection and Rehabilitation of the Stewart Indian School: Creation; administration; interest and income; grants, bequests, devises, donations or gifts; use of money; consultation with advisory committee; deposit of proceeds from lease or sale of certain lands.

1. The Account for the Protection and Rehabilitation of the Stewart Indian School is hereby created in the State General Fund. The Executive Director shall administer the Account.

2. The interest and income earned on the money in the Account, after deducting any applicable charges, must be credited to the Account. The money in the Account does not revert to the State General Fund at the end of any fiscal year, and the balance in the Account must be carried forward to the next fiscal year.

3. In addition to any money deposited into the Account from the sale of real property pursuant to subsection 6, the Executive Director may apply for and accept any available grants and may accept any bequests, devises, donations or gifts from any public or private source for the purpose of funding the Account.

4. The Executive Director may expend the money in the Account only for the purposes of repairing and maintaining the historic state buildings and grounds of the Stewart Indian School.

5. The Executive Director shall, before expending any money pursuant to subsection 4, consult with an advisory committee that provides a prioritized list of projects that may be funded from the Account. The advisory committee consists of:

(a) The Administrator of the Division of State Lands of the State Department of Conservation and Natural Resources;

(b) The Administrator of the Office of Historic Preservation of the State Department of Conservation and Natural Resources;

(c) The Administrator of the State Public Works Division of the Department of Administration; and

(d) The Executive Director or his or her designee.

6. The Administrator of the Division of State Lands of the State Department of Conservation and Natural Resources may lease or make a direct sale of two parcels of land of approximately 100 acres located within Carson City, and generally described as follows:

(a) The northeast quarter (NE 1/4) of the southeast quarter (SE 1/4) of Section 33, Township 15 N., Range 19 E., M.D.B. & M.

(b) The southeast quarter (SE 1/4) of the southeast quarter (SE 1/4) of Section 33 and the southwest quarter (SW 1/4) of the southwest quarter (SW 1/4) of Section 34, Township 15 N., Range 19 E., M.D.B. & M.

↪ Money received from the lease or sale, less any costs related to the lease or sale, must be deposited in the Account.

(Added to NRS by [2023, 2763](#))

NRS 233A.1027 Department of Native American Affairs' Gift Fund: Creation; deposits; payment of claims; sale of donated property.

1. Except for gifts or grants specifically accounted for in another fund, all gifts or grants of money, revenues generated or other property which the Department is authorized to accept must be accounted for in the Department of Native American Affairs' Gift Fund, which is hereby created as a special revenue fund. The Fund is a continuing fund without reversion. The Department may establish such accounts in the Fund as are necessary to account properly for gifts, grants and revenues received and money received pursuant to [NRS 233A.1041](#). All

such money received by the Department must be deposited in the State Treasury for credit to the Fund. The money in the Fund must be paid out on claims as other claims against the State are paid. Unless otherwise specifically provided by statute, claims against the Fund must be approved by the Executive Director or his or her designee.

2. Gifts of property other than money may be sold or exchanged when this is deemed by the Department to be in the best interest of the Department. The sale price must not be less than 90 percent of the value determined by a qualified appraiser appointed by the Department. All money received from the sale must be deposited in the State Treasury to the credit of the appropriate gift account in the Department of Native American Affairs' Gift Fund. The money may be spent only for the purposes of the Department. The property may not be sold or exchanged if to do so would violate the terms of the gift.

(Added to NRS by [2015, 278](#); A [2019, 3172](#); [2021, 2078](#); [2023, 2766](#))

Stewart Indian School Cultural Center and Museum

NRS 233A.1041 Establishment from designated buildings and grounds of former Stewart Indian School; agreement for use of buildings and grounds to hold special events; disposition of money received for special events.

1. The buildings and grounds of the former Stewart Indian School that are designated by the Department are under the management of the Museum Director for the purpose of establishing and maintaining the Stewart Indian School Cultural Center and Museum.

2. The Museum Director shall enter into an agreement with the State Land Registrar or any other state agency that receives an assignment from the State Land Registrar of the buildings and grounds of the former Stewart Indian School. The agreement must, without limitation:

(a) Designate which buildings and grounds of the former Stewart Indian School under the management of the Museum Director pursuant to subsection 1 are appropriate for holding special events; and

(b) Authorize the Museum Director to grant special use permits to hold special events at or on the buildings and grounds of the former Stewart Indian School designated pursuant to paragraph (a).

3. Any money received for any special events held at or on the buildings and grounds of the former Stewart Indian School in accordance with the agreement entered into pursuant to subsection 2 must be:

(a) Paid into the State Treasury for credit to the Department of Native American Affairs' Gift Fund created by [NRS 233A.1027](#); and

(b) Used by the Department to carry out programs to preserve and maintain the operations and cultural integrity of the former Stewart Indian School.

(Added to NRS by [2019, 3170](#); A [2021, 2079](#); [2023, 2768](#))

NRS 233A.1043 Museum Director: Classification and powers. The Museum Director appointed pursuant to [NRS 233A.1021](#):

1. Is in the classified service of the State;

2. Is responsible to and under the direction of the Executive Director; and

3. Shall exercise such powers and carry out such duties pursuant to [NRS 233A.1045](#) and as are assigned to the Museum Director by the Executive Director pursuant to [NRS 233A.1021](#).

(Added to NRS by [2019, 3170](#); A [2023, 2769](#))

NRS 233A.1045 Museum Director: Duties. The Museum Director shall:

1. Prepare and present exhibits in the Museum.

2. In cooperation with other state agencies and departments, provide for the security of the Museum.

3. Supervise the staff of the Museum.

4. Adopt guidelines and plans as determined necessary for the operation of the Museum.

(Added to NRS by [2019, 3171](#))—(Substituted in revision for NRS 233A.320)

NRS 233A.1047 Establishment of stores for sale of gifts and souvenirs. The Museum Director may establish one or more stores for the sale of gifts and souvenirs, including, without limitation, publications, books, postcards, artwork and other related materials that, in the judgment of the Museum Director, are appropriately connected with the mission of the Museum pursuant to this chapter.

(Added to NRS by [2019, 3171](#))—(Substituted in revision for NRS 233A.330)

NRS 233A.1049 Petty cash account; change account. The Museum Director may establish:

1. A petty cash account for the Museum in an amount not to exceed \$500. Reimbursement of the money in the petty cash account must be made from appropriated money paid out on claims as other claims against the State are paid.

2. A change account for the Museum stores for the sale of gifts and souvenirs in an amount not to exceed \$1,500.

(Added to NRS by [2019, 3171](#))—(Substituted in revision for NRS 233A.340)

Miscellaneous Provisions

NRS 233A.1061 Designation of Department as coordinating agency regarding activities at and uses of buildings and grounds of former Stewart Indian School. The Department is hereby designated as the coordinating agency for discussions among the Department, state agencies and local governmental entities regarding activities at and uses of the buildings and grounds of the former Stewart Indian School.

(Added to NRS by [2015, 278](#); A [2023, 2766](#))

NRS 233A.1063 Nevada Tribes Legislative Day: Duties of Department. In observance of “Nevada Tribes Legislative Day” established pursuant to [NRS 236.038](#), the Department shall:

1. Invite the Legislature, the Governor and other elected officials to recognize and pay tribute to the history and culture of American Indians and their contributions to the prosperity and cultural diversity of Nevada and the United States.

2. Schedule activities and discussions between state and tribal leaders on issues of common interest.

(Added to NRS by [2013, 219](#); A [2023, 2766](#))

RIGHTS OF INDIANS

NRS 233A.110 Indians subject to jurisdiction of State entitled to all services of State. Indians subject to the jurisdiction of the State of Nevada pursuant to the provisions of [NRS 41.430](#) and [194.040](#) are entitled to all services of the State of Nevada, including, without limitation, correctional legal aid, public defender, probational and psychiatric services afforded to any other persons who are defendants in criminal actions or parties to civil actions in the courts of this State.

(Added to NRS by [1973, 1052](#))

NRS 233A.120 Rights of self-government preserved. The provisions of [NRS 41.430](#) and [194.040](#) do not preclude Indian tribes who are recognized by the United States as possessing powers of self-government from enacting their own laws, regulations and ordinances, and enforcing them by their own tribal courts in accordance with their rules of procedure, but no person subject to the jurisdiction of such tribal court or governmental organization shall be denied any rights guaranteed by the constitutions of the United States or the State of Nevada.

(Added to NRS by [1973, 1052](#))

NRS 233A.130 Jurisdiction of administrative agencies not extended. The provisions of [NRS 41.430](#) and [194.040](#) do not increase the power of administrative agencies of the State of Nevada to exercise their jurisdiction over persons living and residing upon tribal or Indian country with the consent of the Indian tribe having jurisdiction over that country, but the extent to which such jurisdiction of administrative agencies existed prior to July 1, 1974, shall remain the same and in full force and effect.

(Added to NRS by [1973, 1052](#))

COMMUNICATION AND COLLABORATION BETWEEN STATE AGENCIES AND INDIAN TRIBES

NRS 233A.200 Definitions. As used in [NRS 233A.200](#) to [233A.280](#), inclusive, unless the context otherwise requires, the words and terms defined in [NRS 233A.210](#) to [233A.250](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by [2019, 3167](#))

NRS 233A.210 "Agreement" defined. "Agreement" means a written agreement or a written contract of a state agency.

(Added to NRS by [2019, 3168](#))

NRS 233A.220 "Indian tribe" defined. "Indian tribe" means a federally recognized American Indian tribe pursuant to 25 C.F.R. §§ 83.1 to 83.12, inclusive.

(Added to NRS by [2019, 3168](#))

NRS 233A.230 "Policy" defined. "Policy" means an official public policy of a state agency that creates a common practice relating to a class of issues.

(Added to NRS by [2019, 3168](#))

NRS 233A.240 "Program" defined. "Program" means an official program of a state agency.

(Added to NRS by [2019, 3168](#))

NRS 233A.250 "State agency" defined. "State agency" means an agency, bureau, board, commission, department or division of the Executive Department of State Government.

(Added to NRS by [2019, 3168](#))

NRS 233A.260 Department of Native American Affairs required to develop certain policies; duties of state agencies; publication of list of tribal leaders.

1. The Department shall develop and implement a policy that:

(a) Promotes effective communication and collaboration between a state agency and Indian tribes;

(b) Promotes positive government-to-government relations between this State and Indian tribes;

(c) Promotes cultural competency in providing effective services to Indian tribes; and

(d) Establishes a method for notifying employees of a state agency of the provisions of [NRS 233A.200](#) to [233A.280](#), inclusive, and the policy that the Department develops pursuant to this section.

2. In the process of developing the policy pursuant to subsection 1, the Department shall consult with representatives of Indian tribes and of state agencies.

3. A state agency shall make a reasonable effort to collaborate with Indian tribes in the development and implementation of policies, agreements and programs of the state agency that directly affect Indian tribes.

4. Each state agency that communicates with Indian tribes on a regular basis shall designate a tribal liaison who reports directly to the office of the head of the agency. The tribal liaison shall:

(a) Assist the head of the state agency with ensuring the implementation of the policy developed pursuant to subsection 1;

(b) Serve as a contact person who shall maintain ongoing communication between the state agency and affected Indian tribes; and

(c) Ensure that training is provided to the staff of the state agency pursuant to subsection 2 of [NRS 233A.270](#).

↪ Nothing in this subsection precludes a tribal liaison from providing or facilitating additional training.

5. If a representative of an Indian tribe, on tribal business, contacts a state agency to resolve an issue with a policy, agreement or program of the state agency that affects that Indian tribe, the tribal liaison of the state agency shall notify the head of the state agency of the issue. The head of the state agency, or his or her designee, and the tribal liaison must follow the policy developed pursuant to subsection 1 to attempt to resolve the issue in collaboration with the Indian tribe.

6. The Department shall publish on its Internet website an accurate list of the names and contact information for the leaders of the Indian tribes and for the tribal liaison of each state agency that communicates with Indian tribes on a regular basis.

(Added to NRS by [2019, 3168](#); A [2023, 2767](#))

NRS 233A.270 Annual state-tribal summit; certain employees of state agencies required to complete training to support communication and collaboration with Indian tribes; annual report to Department of Native American Affairs; periodic reports to Governor and Legislature.

1. At least once each year, the Governor shall meet with the leaders of Indian tribes in a state-tribal summit to address matters of mutual concern.

2. All heads of a state agency and state agency managers and employees who have ongoing communication with Indian tribes shall complete a training provided by the Division of Human Resource Management of the Department of Administration, in consultation with the Department. Such training must be designed to support:

(a) The promotion of effective communication and collaboration between state agencies and Indian tribes;

(b) The development of positive government-to-government relations between this State and Indian tribes; and

(c) Cultural competency in providing effective services to Indian tribes.

3. On or before July 1 of each year, each state agency that communicates with Indian tribes on a regular basis shall submit a report to the Department on the activities of the state agency pursuant to [NRS 233A.200](#) to [233A.280](#), inclusive. The report must include:

(a) The name and contact information of each person in the state agency who is responsible for developing and implementing programs of the state agency that directly affect

Indian tribes;

(b) Any actions taken or planned by the state agency to carry out the policy implemented pursuant to [NRS 233A.260](#);

(c) A certification by the Division of Human Resource Management of the Department of Administration of the number of managers and employees of the state agency who have completed the training required pursuant to subsection 2;

(d) A description of current and planned programs and services provided to or directly affecting Indian tribes and the amount of funding for each program; and

(e) A description of the method the state agency established for notifying employees of the state agency of the provisions of [NRS 233A.200](#) to [233A.280](#), inclusive.

4. The Department shall periodically submit to the Governor and to the Director of the Legislative Counsel Bureau for transmittal to the Legislative Commission:

(a) A compilation of the reports submitted pursuant to subsection 3; and

(b) A report on the activities and any findings and recommendations of the Department.

(Added to NRS by [2019, 3169](#); A [2023, 2768](#))

NRS 233A.280 No private right of action against state agency or right of review of action of state agency. The provisions of [NRS 233A.200](#) to [233A.280](#), inclusive, do not establish a private right of action against a state agency or a right of review of an action of a state agency.

(Added to NRS by [2019, 3169](#))

STEWART INDIAN SCHOOL CULTURAL CENTER AND MUSEUM

NRS 233A.300 Establishment from designated buildings and grounds of former Stewart Indian School; authority of Museum Director to enter agreement for use of certain such buildings and grounds for holding special events; disposition of money received for special events. [Replaced in revision by [NRS 233A.1041](#).]

NRS 233A.310 Museum Director: Classification and powers. [Replaced in revision by [NRS 233A.1043](#).]

NRS 233A.320 Museum Director: Duties. [Replaced in revision by [NRS 233A.1045](#).]

NRS 233A.330 Establishment of stores for sale of gifts and souvenirs. [Replaced in revision by [NRS 233A.1047](#).]

NRS 233A.340 Petty cash account; change account. [Replaced in revision by [NRS 233A.1049](#).]