

SENATE BILL NO. 33—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE OFFICE OF FINANCE
IN THE OFFICE OF THE GOVERNOR)

PREFILED NOVEMBER 14, 2024

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to state financial administration. (BDR 18-279)

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.

AN ACT relating to state financial administration; renaming the position of Chief of the Budget Division of the Office of Finance as the Administrator of the Budget Division and transferring the qualifications, powers and duties of that position to the Director of the Office of Finance; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law creates the Office of Finance in the Office of the Governor. The
2 Office of Finance consists of the Director and two divisions, the Budget Division
3 and the Division of Internal Audits. (NRS 223.400) Under existing law, the
4 Director is responsible, in part, for the administration, through the Budget Division,
5 of the State Budget Act. (NRS 223.420) Existing law: (1) requires the Director to
6 appoint a Chief of the Budget Division; and (2) sets forth certain powers and duties
7 of the Chief relating to the State Budget Act and other provisions of existing law.
8 (NRS 218G.400, 223.430, 231.3729, 242.221, 244.339, 285.030, 286.282, 353.150-
9 353.246, 353.263, 353.325, 353.331, 353.335, 353.500-353.630, 358.020,
10 381.0033, 388.700, 439.630, 501.337, 501.3585, 701A.110, 701A.360, 701A.375)
11 Existing law also prescribes the qualifications of the Chief and authorizes the
12 Director of the Office of Finance to serve in the position of Chief if the Director
13 possesses those qualifications. (NRS 223.430, 353.175)

14 **Section 2** of this bill renames the position of Chief of the Budget Division as
15 the Administrator of the Budget Division. **Section 3** of this bill makes a conforming
16 change as a result of renaming the position. **Sections 4-46** of this bill transfer the
17 qualifications of the Chief and the powers and duties of the Chief in the State
18 Budget Act and other existing law to the Director of the Office of Finance.



19 **Sections 1 and 47** of this bill make conforming changes as a result of the transfer
20 of the duties of the Chief to the Director.

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

1 **Section 1.** NRS 223.420 is hereby amended to read as follows:

2 223.420 The Director of the Office of Finance is responsible
3 for the administration, through the divisions of the Office, of the
4 provisions of NRS 235.005 to 235.016, inclusive, 353.150 to
5 353.246, inclusive, *except NRS 353.226 to 353.229, inclusive*, and
6 353A.031 to 353A.100, inclusive, and all other provisions of law
7 relating to the functions of the divisions of the Office.

8 **Sec. 2.** NRS 223.430 is hereby amended to read as follows:

9 223.430 1. The Director of the Office of Finance shall
10 appoint ~~[a Chief]~~ *an Administrator* of the Budget Division . ~~[, who]~~

11 2. *The Administrator of the Budget Division* serves at the
12 pleasure of the Director and is in the unclassified service of the State
13 . ~~[, or may serve in this position if the Director has the qualifications~~
14 ~~required by NRS 353.175.]~~

15 **Sec. 3.** NRS 223.450 is hereby amended to read as follows:

16 223.450 1. Unless federal law or regulation otherwise
17 requires, the ~~[Chief]~~ *Administrator* of the Budget Division and the
18 Administrator of the Division of Internal Audits may appoint a
19 Deputy and a Chief Assistant in the unclassified service of the State,
20 who shall not engage in any other gainful employment or
21 occupation except as otherwise provided in NRS 284.143.

22 2. Except as otherwise provided in subsection 1 and NRS
23 223.410, 223.430 and 223.440, employees of the Office of Finance
24 are in the classified service of the State.

25 **Sec. 4.** NRS 231.3729 is hereby amended to read as follows:

26 231.3729 1. If the Office of Economic Development
27 approves an application for a certificate of eligibility for matching
28 funds submitted pursuant to paragraph (a) of subsection 2 of NRS
29 231.3725, the Office shall immediately forward a copy of the
30 certificate of eligibility which identifies the amount of the award to:

- 31 (a) The lead participant in the qualified project;
32 (b) The Director of the Legislative Counsel Bureau;
33 (c) The ~~[Chief of the Budget Division]~~ *Director* of the Office of
34 Finance in the Office of the Governor; and
35 (d) The State Treasurer.

36 2. A qualified project may be approved for a certificate of
37 eligibility for matching funds pursuant to subsection 1 in an amount
38 not to exceed \$100,000,000.



1 3. Except as otherwise provided in NRS 231.3711 to 231.3737,
2 inclusive, the contribution from the matching funds awarded to the
3 qualified project pursuant to subsection 1 must be proportional in
4 terms of amount, contemporaneous in terms of timing and similar in
5 terms of risk profile to the contribution to the cost of the
6 development and construction of the qualified project by the lead
7 participant, and:

8 (a) The lead participant shall pay the initial \$25,000,000 of the
9 costs of the development and construction of the qualified project.

10 (b) Payments after the initial payment required by paragraph (a)
11 must be pro rata, based on the percentage of the total cost of the
12 qualified project described in paragraph (c) of subsection 3 of NRS
13 231.3725 to be paid from approved matching funds and those to be
14 paid by all other sources of project funding as set forth in an
15 application approved by the Office pursuant to NRS 231.3725,
16 except that such pro rata allocation must be adjusted such that the
17 matching funds are used to pay the last \$10,000,000 in project costs.

18 (c) The procedure for making monthly draws for the cost of the
19 qualified project will be delineated in a trust agreement to be entered
20 into by the Office and the lead participant, which will ensure that no
21 money derived from the matching funds awarded pursuant to
22 subsection 1 are expended unless money of the lead participant is
23 previously or simultaneously expended, except for the initial
24 payment described in paragraph (a) and the last payment described
25 in paragraph (b).

26 **Sec. 5.** NRS 218G.400 is hereby amended to read as follows:

27 218G.400 1. Except as otherwise provided in subsection 2,
28 each board created by the provisions of NRS 590.485 and chapters
29 623 to 625A, inclusive, 628, 630 to 644A, inclusive, 648, 654 and
30 656 of NRS shall:

31 (a) If the revenue of the board from all sources is less than
32 \$200,000 for any fiscal year and, if the board is a regulatory body
33 pursuant to NRS 622.060, the board has submitted to the Director of
34 the Legislative Counsel Bureau for each quarter of that fiscal year
35 the information required by NRS 622.100, prepare a balance sheet
36 for that fiscal year on the form provided by the Legislative Auditor
37 and file the balance sheet with the Legislative Auditor and the
38 ~~Chief of the Budget Division~~ **Director** of the Office of Finance on
39 or before December 1 following the end of that fiscal year. The
40 Legislative Auditor shall prepare and make available a form that
41 must be used by a board to prepare such a balance sheet.

42 (b) If the revenue of the board from all sources is \$200,000 or
43 more for any fiscal year, or if the board is a regulatory body
44 pursuant to NRS 622.060 and has failed to submit to the Director of
45 the Legislative Counsel Bureau for each quarter of that fiscal year



1 the information required by NRS 622.100, engage the services of a
2 certified public accountant or public accountant, or firm of either of
3 such accountants, to audit all its fiscal records for that fiscal year
4 and file a report of the audit with the Legislative Auditor and the
5 ~~Chief of the Budget Division~~ *Director* of the Office of Finance on
6 or before December 1 following the end of that fiscal year.

7 2. In lieu of preparing a balance sheet or having an audit
8 conducted for a single fiscal year, a board may engage the services
9 of a certified public accountant or public accountant, or firm of
10 either of such accountants, to audit all its fiscal records for a period
11 covering two successive fiscal years. If such an audit is conducted,
12 the board shall file the report of the audit with the Legislative
13 Auditor and the ~~Chief of the Budget Division~~ *Director* of the
14 Office of Finance on or before December 1 following the end of the
15 second fiscal year.

16 3. The cost of each audit conducted pursuant to subsection 1 or
17 2 must be paid by the board that is audited. Each such audit must be
18 conducted in accordance with generally accepted auditing standards,
19 and all financial statements must be prepared in accordance with
20 generally accepted principles of accounting for special revenue
21 funds.

22 4. Whether or not a board is required to have its fiscal records
23 audited pursuant to subsection 1 or 2, the Legislative Auditor shall
24 audit the fiscal records of any such board whenever directed to do so
25 by the Legislative Commission. When the Legislative Commission
26 directs such an audit, the Legislative Commission shall also
27 determine who is to pay the cost of the audit.

28 5. A person who is a state officer or employee of a board is
29 guilty of nonfeasance if the person:

30 (a) Is responsible for preparing a balance sheet or having an
31 audit conducted pursuant to this section or is responsible for
32 preparing or maintaining the fiscal records that are necessary to
33 prepare a balance sheet or have an audit conducted pursuant to this
34 section; and

35 (b) Knowingly fails to prepare the balance sheet or have the
36 audit conducted pursuant to this section or knowingly fails to
37 prepare or maintain the fiscal records that are necessary to prepare a
38 balance sheet or have an audit conducted pursuant to this section.

39 6. In addition to any other remedy or penalty, a person who is
40 guilty of nonfeasance pursuant to this section forfeits the person's
41 state office or employment and may not be appointed to a state
42 office or position of state employment for a period of 2 years
43 following the forfeiture. The provisions of this subsection do not
44 apply to a state officer who may be removed from office only by
45 impeachment pursuant to Article 7 of the Nevada Constitution.



1 **Sec. 6.** NRS 242.221 is hereby amended to read as follows:
2 242.221 1. All claims made pursuant to NRS 242.122 to
3 242.241, inclusive, must, when approved by the Office, be paid as
4 other claims against the State are paid.

5 2. If the State Controller finds that current claims against the
6 Fund for Information Services exceed the amount available in the
7 Fund to pay the claims, the State Controller may advance
8 temporarily from the State General Fund to the Fund the amount
9 required to pay the claims, but no more than 25 percent of the
10 revenue expected to be received in the current fiscal year from any
11 source authorized for the Fund. No amount may be transferred
12 unless requested by the ~~[Chief of the Budget Division]~~ *Director* of
13 the Office of Finance created by NRS 223.400.

14 **Sec. 7.** NRS 244.339 is hereby amended to read as follows:
15 244.339 1. An owner of real property who intends to allow
16 the real property, including, without limitation, land or
17 improvements on the real property, to be used as a community
18 garden or urban farm may submit a request to the board of county
19 commissioners of the county in which the real property is located
20 for a partial abatement of the ad valorem taxes imposed pursuant to
21 chapter 361 of NRS for the parcel on which the community garden
22 or urban farm is located. If the real property is located in a city, the
23 application must include, without limitation, proof that the
24 governing body of the city has issued any necessary approvals for
25 the use of the real property as a community garden or urban farm.

26 2. If the board of county commissioners receives an application
27 pursuant to subsection 1, the board must provide notification of the
28 application to:

29 (a) The ~~[Chief of the Budget Division]~~ *Director* of the Office of
30 Finance;

31 (b) The county assessor;

32 (c) The county treasurer; and

33 (d) The governing body of the city where the property is located,
34 if applicable.

35 3. The board of county commissioners shall hold a public
36 hearing on the application not less than 30 days after providing
37 notification of the application pursuant to subsection 2 and may
38 approve the application after the public hearing if:

39 (a) The applicant demonstrates that the property is suitable for
40 use as a community garden or urban farm;

41 (b) The applicant and the person operating the community
42 garden or urban farm are willing and able to use the real property as
43 a community garden or urban farm for a period of not less than 5
44 years; and



1 (c) The applicant enters into an agreement requiring the
2 operation of the community garden or urban farm on the property
3 for not less than 5 years beginning on the date of approval of the
4 application.

5 4. If the board of county commissioners approves an
6 application pursuant to this section, the applicant shall receive a
7 partial abatement of the ad valorem taxes imposed pursuant to
8 chapter 361 of NRS that is equal to 10 percent of the ad valorem
9 taxes otherwise due for the parcel on which the community garden
10 or urban farm is located for a period of 5 years, beginning on the
11 July 1 of the fiscal year immediately following the date of approval
12 of the application.

13 5. If the owner of real property receives a partial abatement of
14 ad valorem taxes pursuant to this section, the owner shall record the
15 approval of the abatement with the county recorder to ensure
16 subsequent buyers have notice of the terms of the partial abatement.

17 6. If the real property of the person receiving the partial
18 abatement pursuant to this section ceases to be used as a community
19 garden or urban farm before the time specified in the agreement
20 described in paragraph (c) of subsection 3 or the person ceases to
21 comply with the terms of the agreement, the owner shall:

22 (a) Repay to the county treasurer the amount of the abatement
23 that was authorized pursuant to this section before the date on which
24 the property or person ceased to comply; and

25 (b) Pay the interest on the amount due pursuant to paragraph (a)
26 at the rate most recently established pursuant to NRS 99.040 for
27 each month, or portion thereof, from the last of the month following
28 the period for which the payment would have been made had the
29 abatement not been approved until the date of payment of the tax.

30 7. The board of county commissioners shall adopt an ordinance
31 setting forth procedures to ensure the owner is complying with the
32 terms of the agreement described in paragraph (c) of subsection 3
33 and continues to qualify for the partial abatement of ad valorem
34 taxes. The procedures must provide, without limitation, for the
35 county treasurer and county assessor to receive yearly notice as to
36 whether the real property continues to qualify for the partial
37 abatement or if the owner of the real property must be required to
38 repay the abatement pursuant to subsection 6.

39 8. An owner may submit a new application for an abatement
40 pursuant to this section after the expiration of the term of the
41 abatement set forth in subsection 4.

42 **Sec. 8.** NRS 285.030 is hereby amended to read as follows:

43 285.030 1. The controlling authority of the Merit Award
44 Program is the Merit Award Board.

45 2. The Board must be composed of five members as follows:



1 (a) Two persons who are members of the American Federation
2 of State, County and Municipal Employees or its successor,
3 designated by the executive committee of that Federation or its
4 successor.

5 (b) One member from the Budget Division of the Office of
6 Finance appointed by the ~~{Chief of the Budget Division.}~~ *Director*
7 *of the Office.*

8 (c) One member from the Division of Human Resource
9 Management of the Department of Administration appointed by the
10 Administrator of the Division.

11 (d) One member appointed by and representing the Governor.

12 3. The member from either the Budget Division of the Office
13 of Finance or the Division of Human Resource Management of the
14 Department of Administration must serve as the Secretary of the
15 Board.

16 4. The Board shall adopt regulations for transacting its business
17 and carrying out the provisions of this chapter.

18 5. Within the limits of legislative appropriations, the Board
19 may expend up to \$5,000 per year on expenses relating to the
20 operation of the Board.

21 **Sec. 9.** NRS 286.282 is hereby amended to read as follows:

22 286.282 The ~~{Chief of the Budget Division}~~ *Director* of the
23 Office of Finance shall advise the Governor in the discharge of the
24 responsibility for reviewing the System's administrative policies and
25 performance standards under this chapter.

26 **Sec. 10.** Chapter 353 of NRS is hereby amended by adding
27 thereto a new section to read as follows:

28 *As used in this chapter, unless the context otherwise requires,*
29 *"Director" means the Director of the Office of Finance.*

30 **Sec. 11.** NRS 353.175 is hereby amended to read as follows:

31 353.175 1. The ~~{Chief}~~ *Director* shall have 4 years of
32 responsible experience and education in accounting, public budget
33 administration, governmental research, or in a related position
34 involving administrative or financial responsibility, or any
35 equivalent combination of experience or training.

36 2. The ~~{Chief}~~ *Director* shall be selected with special reference
37 to his or her training, experience, capacity and interest in the
38 activities embraced within NRS 353.150 to 353.246, inclusive. The
39 ~~{Chiefs}~~ *Director's* knowledge and abilities should include the
40 following:

41 (a) A comprehensive knowledge of the principles and practices
42 of public budgeting and governmental accounting, and a working
43 knowledge of statistical methods.



1 (b) An extensive knowledge of the organization and operations
2 of state departments, agencies and institutions, and of statutes and
3 regulations governing state budgeting and accounting.

4 (c) An extensive knowledge of principles of public organization
5 and administration.

6 (d) Administrative ability in the direction of staff analyses of
7 state budgetary and other operations, and in the maintenance of
8 effective working relationships with all state officials concerned
9 with budget administration.

10 (e) The ability to organize and present clearly oral and written
11 reports of findings and recommendations.

12 **Sec. 12.** NRS 353.185 is hereby amended to read as follows:

13 353.185 The powers and duties of the ~~[Chief]~~ *Director* are:

14 1. To appraise the quantity and quality of services rendered by
15 each agency in the Executive Department of the State Government,
16 and the needs for such services and for any new services.

17 2. To develop plans for improvements and economies in
18 organization and operation of the Executive Department, and to
19 install such plans as are approved by the respective heads of the
20 various agencies of the Executive Department, or as are directed to
21 be installed by the Governor or the Legislature.

22 3. To cooperate with the State Public Works Division of the
23 Department of Administration in developing comprehensive, long-
24 range plans for capital improvements and the means for financing
25 them.

26 4. To devise and prescribe the forms for reports on the
27 operations of the agencies in the Executive Department to be
28 required periodically from the several agencies in the Executive
29 Department, and to require the several agencies to make such
30 reports.

31 5. To prepare the executive budget report for the Governor's
32 approval and submission to the Legislature.

33 6. To prepare a proposed budget for the Executive Department
34 of the State Government for the next 2 fiscal years, which must:

35 (a) Present a complete financial plan for the next 2 fiscal years;

36 (b) Set forth all proposed expenditures for the administration,
37 operation and maintenance of the departments, institutions and
38 agencies of the Executive Department of the State Government,
39 including those operating on funds designated for specific purposes
40 by the Constitution or otherwise, which must include a separate
41 statement of:

42 (1) The anticipated expense, including personnel, for the
43 operation and maintenance of each capital improvement to be
44 constructed during the next 2 fiscal years and of each capital



1 improvement constructed on or after July 1, 1999, which is to be
2 used during those fiscal years or a future fiscal year; and

3 (2) The proposed source of funding for the operation and
4 maintenance of each capital improvement, including personnel, to
5 be constructed during the next 2 fiscal years;

6 (c) Set forth all charges for interest and debt redemption during
7 the next 2 fiscal years;

8 (d) Set forth all expenditures for capital projects to be
9 undertaken and executed during the next 2 fiscal years, and which
10 must, to the extent practicable, provide that each capital project
11 which exceeds a cost of \$10,000,000 be scheduled to receive
12 funding for design and planning during one biennium and funding
13 for construction in the subsequent biennium; and

14 (e) Set forth the anticipated revenues of the State Government,
15 and any other additional means of financing the expenditures
16 proposed for the next 2 fiscal years.

17 7. To examine and approve work programs and allotments to
18 the several agencies in the Executive Department, and changes
19 therein, in accordance with NRS 353.220.

20 8. To examine and approve statements and reports on the
21 estimated future financial condition and the operations of the
22 agencies in the Executive Department of the State Government and
23 the several budgetary units that have been prepared by those
24 agencies and budgetary units, before the reports are released to the
25 Governor, to the Legislature or for publication.

26 9. To receive and deal with requests for information as to the
27 budgetary status and operations of the executive agencies of the
28 State Government.

29 10. To prepare such statements of unit costs and other statistics
30 relating to cost as may be required from time to time, or requested
31 by the Governor or the Legislature.

32 11. To do and perform such other and further duties relative to
33 the development and submission of an adequate proposed budget for
34 the Executive Department of the State Government of the State of
35 Nevada as the Governor may require.

36 **Sec. 13.** NRS 353.195 is hereby amended to read as follows:

37 353.195 The ~~Chief~~ *Director* may:

38 1. Examine all public accounts of agencies in the Executive
39 Department of the State Government.

40 2. Administer an oath to and examine under oath, when the
41 ~~Chief~~ *Director* deems it necessary, any public official in the
42 Executive Department of the State Government in relation to or
43 concerning his or her books and accounts.

44 **Sec. 14.** NRS 353.200 is hereby amended to read as follows:

45 353.200 The ~~Chief~~ *Director* shall have authority:



1 1. To investigate duplication of work of departments,
2 institutions and agencies in the Executive Department of the State
3 Government.

4 2. To investigate and study the organization and administration
5 of departments, institutions and agencies in the Executive
6 Department of the State Government.

7 3. To formulate plans for better and more effective
8 management.

9 4. To prepare and report to the Governor or the Legislature,
10 when requested, any information, financial data or statistics which
11 the Governor or Legislature may require, such as monthly or
12 quarterly estimates of the State's income and cost figures and
13 information on the current operation of the Executive Department of
14 the State Government.

15 **Sec. 15.** NRS 353.205 is hereby amended to read as follows:

16 353.205 1. The proposed budget for the Executive
17 Department of the State Government for each fiscal year must be set
18 up in four parts:

19 (a) Part 1 must consist of a budgetary message by the Governor
20 which includes:

21 (1) A general summary of the long-term performance goals
22 of the Executive Department of the State Government for:

23 (I) Core governmental functions, including the education
24 of pupils in kindergarten through grade 12, higher education, human
25 services and public safety and health; and

26 (II) Other governmental services;

27 (2) An explanation of the means by which the proposed
28 budget will provide adequate funding for those governmental
29 functions and services such that ratable progress will be made
30 toward achieving those long-term performance goals;

31 (3) An outline of any other important features of the financial
32 plan of the Executive Department of the State Government for the
33 next 2 fiscal years; and

34 (4) A general summary of the proposed budget setting forth
35 the aggregate figures of the proposed budget in such a manner as to
36 show the balanced relations between the total proposed expenditures
37 and the total anticipated revenues, together with the other means of
38 financing the proposed budget for the next 2 fiscal years, contrasted
39 with the corresponding figures for the last completed fiscal year and
40 fiscal year in progress. The general summary of the proposed budget
41 must be supported by explanatory schedules or statements,
42 classifying the expenditures contained therein by organizational
43 units, objects and funds, and the income by organizational units,
44 sources and funds. The organizational units may be subclassified by



1 functions and by agencies, bureaus or commissions, or in any other
2 manner determined by the ~~Chief~~ *Director*.

3 (b) Part 2 must embrace the detailed budgetary estimates both of
4 expenditures and revenues as provided in NRS 353.150 to 353.246,
5 inclusive. The information must be presented in a manner which sets
6 forth separately the cost of continuing each program at the same
7 level of service as the current year and the cost, by budgetary issue,
8 of any recommendations to enhance or reduce that level of service.
9 Revenues must be summarized by type, and expenditures must be
10 summarized by program or budgetary account and by category of
11 expense. Part 2 must include:

12 (1) The identification of each long-term performance goal of
13 the Executive Department of the State Government for:

14 (I) Core governmental functions, including the education
15 of pupils in kindergarten through grade 12, higher education, human
16 services, and public safety and health; and

17 (II) Other governmental services,
18 ↗ and of each intermediate objective for the next 2 fiscal years
19 toward achieving those goals.

20 (2) An explanation of the means by which the proposed
21 budget will provide adequate funding for those governmental
22 functions and services such that those intermediate objectives will
23 be met and progress will be made toward achieving those long-term
24 performance goals.

25 (3) A mission statement and measurement indicators for each
26 department, institution and other agency of the Executive
27 Department of the State Government, which articulate the
28 intermediate objectives and long-term performance goals each such
29 department, institution and other agency is tasked with achieving
30 and the particular measurement indicators tracked for each such
31 department, institution and other agency to determine whether the
32 department, institution or other agency is successful in achieving its
33 intermediate objectives and long-term performance goals, provided
34 in sufficient detail to assist the Legislature in performing an analysis
35 of the relative costs and benefits of program budgets and in
36 determining priorities for expenditures. If available, information
37 regarding such measurement indicators must be provided for each of
38 the previous 4 fiscal years. If a new measurement indicator is being
39 added, a rationale for that addition must be provided. If a
40 measurement indicator is being modified, information must be
41 provided regarding both the modified indicator and the indicator as
42 it existed before modification. If a measurement indicator is being
43 deleted, a rationale for that deletion and information regarding the
44 deleted indicator must be provided.



1 (4) Statements of the bonded indebtedness of the State
2 Government, showing the requirements for redemption of debt, the
3 debt authorized and unissued, and the condition of the sinking
4 funds.

5 (5) Any statements relative to the financial plan which the
6 Governor may deem desirable, or which may be required by the
7 Legislature.

8 (c) Part 3 must set forth, for the Office of Economic
9 Development and the Office of Energy, the results of the analyses
10 conducted by those offices and reported to the ~~Chief~~ *Director*
11 pursuant to NRS 353.207 for the immediately preceding 2 fiscal
12 years.

13 (d) Part 4 must include a recommendation to the Legislature for
14 the drafting of a general appropriation bill authorizing, by
15 departments, institutions and agencies, and by funds, all
16 expenditures of the Executive Department of the State Government
17 for the next 2 fiscal years, and may include recommendations to the
18 Legislature for the drafting of such other bills as may be required to
19 provide the income necessary to finance the proposed budget and to
20 give legal sanction to the financial plan if adopted by the
21 Legislature.

22 2. Except as otherwise provided in NRS 353.211, as soon as
23 each part of the proposed budget is prepared, a copy of the part must
24 be transmitted to the Fiscal Analysis Division of the Legislative
25 Counsel Bureau for confidential examination and retention.

26 3. Except for the information provided to the Fiscal Analysis
27 Division of the Legislative Counsel Bureau pursuant to NRS
28 353.211, parts 1 and 2 of the proposed budget are confidential until
29 the Governor transmits the proposed budget to the Legislature
30 pursuant to NRS 353.230, regardless of whether those parts are in
31 the possession of the Executive or Legislative Department of the
32 State Government. Part 4 of the proposed budget is confidential
33 until the bills which result from the proposed budget are introduced
34 in the Legislature. As soon as practicable after the Governor
35 transmits the proposed budget to the Legislature pursuant to NRS
36 353.230, the information required to be included in the proposed
37 budget pursuant to subparagraphs (1), (2) and (3) of paragraph (b) of
38 subsection 1 must be posted on the Internet websites maintained by
39 the Budget Division of the Office of Finance.

40 **Sec. 16.** NRS 353.207 is hereby amended to read as follows:

41 353.207 1. The ~~Chief~~ *Director* shall:

42 (a) Require the Office of Economic Development and the Office
43 of Energy each periodically to conduct an analysis of the relative
44 costs and benefits of each incentive for economic development
45 previously approved by the respective office and in effect during the



1 immediately preceding 2 fiscal years, including, without limitation,
2 any abatement of taxes approved by the Office of Economic
3 Development pursuant to NRS 274.310, 274.320, 274.330, 360.750,
4 360.753, 360.754, 360.890, 360.950, 361.0687, 374.357 or
5 701A.210, to assist the Governor and the Legislature in determining
6 whether the economic benefits of the incentive have accomplished
7 the purposes of the statute pursuant to which the incentive was
8 approved and warrant additional incentives of that kind;

9 (b) Require each office to report in writing to the ~~{Chief}~~
10 *Director* the results of the analysis conducted by the office pursuant
11 to paragraph (a); and

12 (c) Establish a schedule for performing and reporting the results
13 of the analysis required by paragraph (a) which ensures that the
14 results of the analysis reported by each office are included in the
15 proposed budget prepared pursuant to NRS 353.205, as required by
16 that section.

17 2. Each report prepared for the ~~{Chief}~~ *Director* pursuant to
18 this section is a public record and is open to inspection pursuant to
19 the provisions of NRS 239.010.

20 **Sec. 17.** NRS 353.210 is hereby amended to read as follows:

21 353.210 1. Except as otherwise provided in subsections 6 and
22 7, on or before September 1 of each even-numbered year, all
23 departments, institutions and other agencies of the Executive
24 Department of the State Government, and all agencies of the
25 Executive Department of the State Government receiving state
26 money, fees or other money under the authority of the State,
27 including those operating on money designated for specific purposes
28 by the Nevada Constitution or otherwise, shall prepare, on blanks
29 furnished them by the ~~{Chief,}~~ *Director*, and submit to the ~~{Chief,}~~
30 *Director*:

31 (a) The number of full-time equivalent positions within the
32 department, institution or agency.

33 (b) The number of full-time equivalent positions within the
34 department, institution or agency that have been vacant for at least
35 12 months, the number of months each such position has been
36 vacant and the reasons for each such vacancy.

37 (c) Any existing contracts for services the department,
38 institution or agency has with temporary employment services or
39 other persons, the proposed expenditures for such contracts in the
40 next 2 fiscal years and the reasons for the use of such services. If
41 such contracts include any privatization contracts, a copy of each of
42 those privatization contracts together with:

43 (1) A statement specifying the duration of the privatization
44 contracts;



1 (2) The number of privatization contracts proposed for the
2 next 2 fiscal years and the estimated expenditures for the
3 privatization contracts; and

4 (3) An analysis of each of the privatization contracts, which
5 includes, without limitation:

6 (I) For the preceding, current and next fiscal years, the
7 annual amount required to perform each of the privatization
8 contracts; and

9 (II) For the preceding and current fiscal years, the number
10 of persons the department, institution or agency employed pursuant
11 to the privatization contracts, reflected as the equivalent full-time
12 position if the persons were regularly employed by the department,
13 institution or agency, including the equivalent hourly wage and the
14 cost of benefits for each job classification.

15 (d) If the department, institution or agency has any existing
16 performance contracts that it has entered into pursuant to chapter
17 333A of NRS, any request to reinvest any savings realized under
18 such a contract for the next 2 fiscal years.

19 (e) Estimates of expenditure requirements of the department,
20 institution or agency, together with all anticipated income from fees
21 and all other sources, for the next 2 fiscal years compared with the
22 corresponding figures of the last completed fiscal year and the
23 estimated figures for the current fiscal year.

24 2. The ~~{Chief}~~ *Director* shall direct that one copy of the forms
25 submitted pursuant to subsection 1, accompanied by every
26 supporting schedule and any other related material, be delivered
27 directly to the Fiscal Analysis Division of the Legislative Counsel
28 Bureau on or before September 1 of each even-numbered year.

29 3. The Budget Division of the Office of Finance shall give
30 advance notice to the Fiscal Analysis Division of the Legislative
31 Counsel Bureau of any conference between the Budget Division of
32 the Office of Finance and personnel of other state agencies
33 regarding budget estimates. A Fiscal Analyst of the Legislative
34 Counsel Bureau or his or her designated representative may attend
35 any such conference.

36 4. The estimates of expenditure requirements submitted
37 pursuant to subsection 1 must be classified to set forth the data of
38 funds, organizational units, and the character and objects of
39 expenditures by program or budgetary account and by category
40 of expense, and must include a mission statement and measurement
41 indicators in adequate detail to comply with the requirements of
42 subparagraph (3) of paragraph (b) of subsection 1 of NRS 353.205.
43 The organizational units may be subclassified by functions and by
44 agencies, bureaus or commissions, or in any other manner at the
45 discretion of the ~~{Chief}~~ *Director*.



1 5. If any department, institution or other agency of the
2 Executive Department of the State Government, whether its money
3 is derived from state money or from other money collected under
4 the authority of the State, fails or neglects to submit estimates of its
5 expenditure requirements as provided in this section, the **{Chief}**
6 **Director** may, from any data at hand in the **{Chief's}** **Director's**
7 office or which the **{Chief}** **Director** may examine or obtain
8 elsewhere, make and enter a proposed budget for the department,
9 institution or agency in accordance with the data.

10 6. Agencies, bureaus, commissions and officers of the
11 Legislative Department, the Public Employees' Retirement System
12 and the Judicial Department of the State Government shall submit to
13 the **{Chief}** **Director** for his or her information in preparing the
14 proposed executive budget the budgets which they propose to
15 submit to the Legislature.

16 7. On or before September 1 of each even-numbered year, the
17 Tahoe Regional Planning Agency shall submit the budget which the
18 Agency proposes to submit to the Legislature to:

19 (a) The **{Chief}** **Director** for his or her information in preparing
20 the proposed executive budget.

21 (b) The Fiscal Analysis Division of the Legislative Counsel
22 Bureau.

23 8. The information provided by a department, institution or
24 agency pursuant to paragraph (c) of subsection 1 is a public record
25 and must be open to public inspection.

26 9. As used in this section, "privatization contract" means a
27 contract executed by or on behalf of a department, institution or
28 agency which authorizes a private entity to provide public services
29 which are:

30 (a) Substantially similar to the services performed by the public
31 employees of the department, institution or agency; and

32 (b) In lieu of the services otherwise authorized or required to be
33 provided by the department, institution or agency.

34 **Sec. 18.** NRS 353.211 is hereby amended to read as follows:

35 353.211 1. On or before October 15 of each even-numbered
36 year, the **{Chief}** **Director** shall provide to the Fiscal Analysis
37 Division of the Legislative Counsel Bureau:

38 (a) Computerized budget files containing the actual data
39 regarding revenues and expenditures for the previous year;

40 (b) The work programs for the current year; and

41 (c) Each agency's requested budget for the next 2 fiscal years.

42 2. On or before December 31 of each even-numbered year, the
43 **{Chief}** **Director** shall provide to the Fiscal Analysis Division:

44 (a) Each agency's adjusted base budget by program or budgetary
45 account for the next 2 fiscal years; and



- 1 (b) An estimated range of the costs for:
2 (1) Continuing the operation of State Government; and
3 (2) Providing elementary, secondary and higher public
4 education,
5 ↪ at the current level of service.

6 3. The information provided to the Fiscal Analysis Division
7 pursuant to subsections 1 and 2 is open for public inspection.

8 4. The Governor may authorize or direct an agency to hold
9 public hearings on a budget submitted pursuant to paragraph (c) of
10 subsection 1 at any time after the material is provided pursuant to
11 subsection 1.

12 5. As used in this section, "adjusted base budget" means the
13 amount appropriated or authorized to support ongoing expenditures
14 budgeted to the agency by the Legislature for the second year of the
15 current biennium, as adjusted for:

16 (a) The removal of any one-time appropriation or authorization
17 that was appropriated or authorized by the Legislature to the agency
18 for the second year of the biennium;

19 (b) Statewide fringe benefits, assessments, rent, insurance
20 premiums and cost allocations;

21 (c) Contractual obligations that are approved or expired during
22 the current biennium;

23 (d) Ongoing expenditures approved by the Interim Finance
24 Committee during the current biennium;

25 (e) Any annualization of costs that occurred for part of the
26 second year of the current biennium;

27 (f) Actual caseloads incurred during the first year of the
28 biennium;

29 (g) Rate changes that are projected to affect the budget of the
30 agency during the next biennium; and

31 (h) Any other adjustment that is necessary:

32 (1) Based on the limit upon total proposed expenditures
33 calculated pursuant to NRS 353.213; or

34 (2) As otherwise determined by the ~~Chief~~ *Director*.

35 **Sec. 19.** NRS 353.213 is hereby amended to read as follows:

36 353.213 1. In preparing the proposed budget for the
37 Executive Department of the State Government for each biennium,
38 the ~~Chief~~ *Director* shall not exceed the limit upon total proposed
39 expenditures for purposes other than construction and reducing any
40 unfunded accrued liability of the State Retirees' Health and Welfare
41 Benefits Fund created by NRS 287.0436 from the State General
42 Fund calculated pursuant to this section. The base for each biennium
43 is the total expenditure, for the purposes limited, from the State
44 General Fund appropriated and authorized by the Legislature for the
45 biennium beginning on July 1, 1975.



1 2. The limit for each biennium is calculated as follows:

2 (a) The amount of expenditure constituting the base is
3 multiplied by the percentage of change in population for the current
4 biennium from the population on July 1, 1974, and this product is
5 added to or subtracted from the amount of expenditure constituting
6 the base.

7 (b) The amount calculated pursuant to paragraph (a) is
8 multiplied by the percentage of inflation or deflation, and this
9 product is added to or subtracted from the amount calculated
10 pursuant to paragraph (a).

11 (c) Subject to the limitations of this paragraph:

12 (1) If the amount resulting from the calculations pursuant to
13 paragraphs (a) and (b) represents a net increase over the base
14 biennium, the **{Chief} Director** may increase the proposed
15 expenditure accordingly.

16 (2) If the amount represents a net decrease, the **{Chief}**
17 **Director** shall decrease the proposed expenditure accordingly.

18 (3) If the amount is the same as in the base biennium, that
19 amount is the limit of permissible proposed expenditure.

20 3. The proposed budget for each fiscal year of the biennium
21 must provide for a reserve of:

22 (a) Not less than 5 percent or more than 10 percent of the total
23 of all proposed appropriations from the State General Fund for the
24 operation of all departments, institutions and agencies of the State
25 Government and authorized expenditures from the State General
26 Fund for the regulation of gaming for that fiscal year; and

27 (b) Commencing with the proposed budget for the period that
28 begins on July 1, 2011, and ends on June 30, 2013, 1 percent of
29 the total anticipated revenue for each of the 2 fiscal years of the
30 biennium for which the budget is proposed, as projected by the
31 Economic Forum for each of those fiscal years pursuant to
32 paragraph (d) of subsection 1 of NRS 353.228 and as adjusted by
33 any changes or adjustments to state revenue that are recommended
34 in the proposed budget for those fiscal years.

35 4. The revised estimate of population for the State issued by
36 the United States Department of Commerce as of July 1, 1974, must
37 be used, and the Governor shall certify the percentage of increase or
38 decrease in population for each succeeding biennium. The
39 Consumer Price Index published by the United States Department of
40 Labor for July preceding each biennium must be used in
41 determining the percentage of inflation or deflation.

42 5. The **{Chief} Director** may exceed the limit to the extent
43 necessary to meet situations in which there is a threat to life or
44 property.



1 6. As used in this section, “unfunded accrued liability” means a
2 liability with an actuarially determined value which exceeds the
3 value of the assets in the fund from which payments are made to
4 discharge the liability.

5 **Sec. 20.** NRS 353.215 is hereby amended to read as follows:

6 353.215 1. The Budget Division of the Office of Finance
7 shall maintain a computer network, computer system or other
8 similar means of electronic storage for the work programs of the
9 departments, institutions and agencies of the Executive Department
10 of the State Government.

11 2. Work programs that are included in the system established
12 pursuant to subsection 1 must:

13 (a) Include all appropriations or other funds from any source
14 whatever made available to the department, institution or agency for
15 its operation and maintenance and for the acquisition of property.

16 (b) Show the requested allotments of appropriations or other
17 funds by month or other period as the **{Chief} Director** may require
18 for the entire fiscal year.

19 3. Not later than July 1 of each year, the Governor, through the
20 **{Chief} Director**, shall require the head of each department,
21 institution and agency of the Executive Department of the State
22 Government to:

23 (a) Review for the ensuing fiscal year its work program that is
24 included in the system established pursuant to subsection 1; and

25 (b) Notify the Governor through the **{Chief} Director** of any
26 errors or omissions in its work program.

27 4. The Governor, with the assistance of the **{Chief} Director**,
28 shall review the requested allotments with respect to the work
29 program of each department, institution or agency, and the Governor
30 shall, if the Governor deems it necessary, revise, alter or change
31 such allotments before approving the same. The aggregate of such
32 allotments must not exceed the total appropriations or other funds
33 from any source whatever made available to the department,
34 institution or agency for the fiscal year in question.

35 5. The **{Chief} Director** shall transmit a copy of the allotments
36 as approved by the Governor to the head of the department,
37 institution or agency concerned, to the State Treasurer, to the State
38 Controller and to the Fiscal Analysis Division of the Legislative
39 Counsel Bureau.

40 6. All expenditures to be made from the appropriations or other
41 funds from any source whatever must be made on the basis of such
42 allotments and not otherwise, and must be broken down into such
43 classifications as the **{Chief} Director** may require.



1 **Sec. 21.** NRS 353.220 is hereby amended to read as follows:

2 353.220 1. The head of any department, institution or agency
3 of the Executive Department of the State Government, whenever he
4 or she deems it necessary because of changed conditions, may
5 request the revision of the work program of his or her department,
6 institution or agency at any time during the fiscal year, and submit
7 the revised program to the Governor through the ~~{Chief}~~ **Director**
8 with a request for revision of the allotments for the remainder of that
9 fiscal year.

10 2. Every request for revision must be submitted to the ~~{Chief}~~
11 **Director** on the form and with supporting information as the ~~{Chief}~~
12 **Director** prescribes.

13 3. Before encumbering any appropriated or authorized money,
14 every request for revision must be approved or disapproved in
15 writing by the Governor or the ~~{Chief}~~ **Director**, if the Governor
16 has by written instrument delegated this authority to the ~~{Chief}~~
17 **Director**.

18 4. Except as otherwise provided in subsection 8, whenever a
19 request for the revision of a work program of a department,
20 institution or agency in an amount more than \$75,000 would, when
21 considered with all other changes in allotments for that work
22 program made pursuant to subsections 1, 2 and 3 and NRS 353.215,
23 increase or decrease by 20 percent or \$350,000, whichever is less,
24 the expenditure level approved by the Legislature for any of the
25 allotments within the work program, the request must be approved
26 as provided in subsection 5 before any appropriated or authorized
27 money may be encumbered for the revision.

28 5. If a request for the revision of a work program requires
29 additional approval as provided in subsection 4 and:

30 (a) Is necessary because of an emergency as defined in NRS
31 353.263 or for the protection of life or property, the Governor shall
32 take reasonable and proper action to approve it and shall report the
33 action, and his or her reasons for determining that immediate action
34 was necessary, to the Interim Finance Committee at its first meeting
35 after the action is taken. Action by the Governor pursuant to this
36 paragraph constitutes approval of the revision, and other provisions
37 of this chapter requiring approval before encumbering money for the
38 revision do not apply.

39 (b) The Governor determines that the revision is necessary and
40 requires expeditious action, he or she may certify that the request
41 requires expeditious action by the Interim Finance Committee.
42 Whenever the Governor so certifies, the Interim Finance Committee
43 has 15 days after the request is submitted to its Secretary within
44 which to consider the revision. Any request for revision which is not
45 considered within the 15-day period shall be deemed approved.



1 (c) Does not qualify pursuant to paragraph (a) or (b), it must be
2 submitted to the Interim Finance Committee. Except as otherwise
3 provided in NRS 353.3375, the Interim Finance Committee has 45
4 days after the request is submitted to its Secretary within which to
5 consider the revision. Any request which is not considered within
6 the 45-day period shall be deemed approved.

7 6. The Secretary shall place each request submitted pursuant to
8 paragraph (b) or (c) of subsection 5 on the agenda of the next
9 meeting of the Interim Finance Committee.

10 7. In acting upon a proposed revision of a work program, the
11 Interim Finance Committee shall consider, among other things:

12 (a) The need for the proposed revision; and

13 (b) The intent of the Legislature in approving the budget for the
14 present biennium and originally enacting the statutes which the
15 work program is designed to effectuate.

16 8. The provisions of subsection 4 do not apply to any request
17 for the revision of a work program which is required:

18 (a) As a result of the acceptance of a gift or grant of property or
19 services pursuant to subsection 5 of NRS 353.335; or

20 (b) To carry forward to a fiscal year, without a change in
21 purpose, the unexpended balance of any money authorized for
22 expenditure in the immediately preceding fiscal year.

23 **Sec. 22.** NRS 353.225 is hereby amended to read as follows:

24 353.225 1. In order to provide some degree of flexibility to
25 meet emergencies arising during each fiscal year in the expenditures
26 for the State Education Fund and for operation and maintenance of
27 the various departments, institutions and agencies of the Executive
28 Department of the State Government, the ~~Chief,~~ *Director*, with the
29 approval in writing of the Governor, may require the State
30 Controller or the head of each such department, institution or agency
31 to set aside a reserve in such amount as the ~~Chief~~ *Director* may
32 determine, out of the total amount appropriated or out of other funds
33 available from any source whatever to the department, institution or
34 agency.

35 2. At any time during the fiscal year this reserve or any portion
36 of it may be returned to the appropriation or other fund to which it
37 belongs and may be added to any one or more of the allotments, if
38 the ~~Chief~~ *Director* so orders in writing.

39 **Sec. 23.** NRS 353.227 is hereby amended to read as follows:

40 353.227 1. The Economic Forum impeaneled pursuant to NRS
41 353.226 shall:

42 (a) Elect a Chair and Vice Chair from among its members at its
43 first meeting;

44 (b) Adopt such rules governing the conduct of the Economic
45 Forum as it deems necessary; and



1 (c) Hold such number of meetings as may be necessary to
2 accomplish the tasks assigned to it in the time allotted.

3 2. The Director of the Legislative Counsel Bureau and ~~[Chief~~
4 ~~of the Budget Division]~~ *the Director* of the Office of Finance shall
5 jointly provide the Economic Forum with:

- 6 (a) Meeting rooms;
- 7 (b) Staff;
- 8 (c) Data processing services; and
- 9 (d) Clerical assistance.

10 3. A majority of the members constitutes a quorum and a
11 majority of those present must concur in any decision.

12 4. While engaged in the business of the Economic Forum, each
13 member is entitled to receive the per diem allowance and travel
14 expenses provided for state officers and employees generally.

15 5. In addition to the per diem allowance and travel expenses
16 provided in subsection 4, each member of the Economic Forum who
17 is appointed by the Governor pursuant to subsection 2 of NRS
18 353.226 is entitled to receive for each meeting of the Economic
19 Forum:

- 20 (a) Eighty dollars for 1 day of preparation for that meeting; and
- 21 (b) Eighty dollars for each day or part of a day during which the
22 meeting lasts.

23 **Sec. 24.** NRS 353.228 is hereby amended to read as follows:

24 353.228 1. The Economic Forum impaneled pursuant to NRS
25 353.226 shall:

26 (a) Make such projections for economic indicators as it deems
27 necessary to ensure that an accurate estimate is produced pursuant to
28 paragraph (b);

29 (b) Provide an accurate estimate of the revenue that will be
30 collected by the State for general, unrestricted uses, and not for
31 special purposes, during the biennium that begins on July 1 of the
32 year following the date on which the Economic Forum was
33 empaneled;

34 (c) Request such technical assistance as the Economic Forum
35 deems necessary from the Technical Advisory Committee created
36 by NRS 353.229;

37 (d) On or before December 3 of each even-numbered year,
38 prepare a written report of its projections of economic indicators and
39 estimate of future state revenue required by paragraphs (a) and (b)
40 and present the report to the Governor and the Legislature;

41 (e) On or before May 1 of each odd-numbered year, prepare a
42 written report confirming or revising the projections of economic
43 indicators and estimate of future state revenue contained in the
44 report prepared pursuant to paragraph (d) and present the report to
45 the Governor and the Legislature; and



1 (f) Except as otherwise provided in subsection 2, on or before
2 June 10 of each even-numbered year and December 10 of each odd-
3 numbered year, hold a meeting to consider current economic
4 indicators, including, without limitation, employment,
5 unemployment, personal income and any other indicators deemed
6 appropriate by the Economic Forum. Based on current economic
7 indicators, the Economic Forum shall update the status of actual
8 State General Fund revenue compared to the most recent forecast of
9 the Economic Forum. The provisions of this paragraph are not
10 intended to authorize the Economic Forum to make additional
11 forecasts pursuant to paragraph (b). At the next appropriate meeting
12 of the Interim Finance Committee, the Chair of the Economic
13 Forum or a member of the staff of the Economic Forum shall
14 present to the Interim Finance Committee such matters considered at
15 the meeting of the Economic Forum held pursuant to this paragraph,
16 as the Economic Forum determines appropriate. Any such
17 information presented to the Interim Finance Committee must be
18 made available on the Internet website of the Legislature.

19 2. If the deadline for preparing a report or holding a meeting as
20 required in subsection 1 falls on a Saturday, Sunday or legal
21 holiday, the deadline is extended to the second business day
22 following the deadline.

23 3. The Economic Forum may make preliminary projections of
24 economic indicators and estimates of future state revenue at any
25 time. Any such projections and estimates must be made available to
26 the various agencies of the State through the ~~[Chief.]~~ *Director of the*
27 *Office of Finance.*

28 4. The Economic Forum may request information directly from
29 any state agency, including, without limitation, the Nevada System
30 of Higher Education. A state agency, including, without limitation,
31 the Nevada System of Higher Education, that receives a reasonable
32 request for information from the Economic Forum shall comply
33 with the request as soon as is reasonably practicable after receiving
34 the request.

35 5. The Economic Forum may request direct testimony from
36 any state agency, including, without limitation, the Nevada System
37 of Higher Education, at a meeting of the Economic Forum or the
38 Technical Advisory Committee. The head, or a designee thereof, of
39 a state agency, including, without limitation, the Nevada System of
40 Higher Education, who receives a reasonable request for direct
41 testimony at a meeting of the Economic Forum or the Technical
42 Advisory Committee shall appear at the meeting and shall comply
43 with the request.

44 6. To carry out its duties pursuant to this section, the Economic
45 Forum may consider any information received from the Technical



1 Advisory Committee and any other information received from
2 independent sources.

3 7. Copies of the projections and estimates made pursuant to
4 this section must be made available to the public by the Director of
5 the Legislative Counsel Bureau for the cost of reproducing the
6 material.

7 **Sec. 25.** NRS 353.229 is hereby amended to read as follows:

8 353.229 1. The Technical Advisory Committee on Future
9 State Revenues, consisting of seven members, is hereby created.

10 2. The members of the Committee are the persons serving in
11 the following positions or their designees:

12 (a) The Senate Fiscal Analyst;

13 (b) The Assembly Fiscal Analyst;

14 (c) The ~~Chief of the Budget Division~~ *Director* of the Office of
15 Finance;

16 (d) The head of the Research Division of the Employment
17 Security Division of the Department of Employment, Training and
18 Rehabilitation or, if that position ceases to exist, the position
19 deemed by the Administrator of the Employment Security Division
20 to be the equivalent of that position;

21 (e) The Vice Chancellor for Finance of the Nevada System of
22 Higher Education or a person designated by the Vice Chancellor;

23 (f) The demographer employed pursuant to NRS 360.283; and

24 (g) The Chair of the Committee on Local Government Finance.

25 3. The Committee shall:

26 (a) At its first meeting and annually thereafter elect a Chair and
27 Vice Chair from among its members;

28 (b) Adopt such rules governing the conduct of the Committee as
29 it deems necessary;

30 (c) Hold such number of meetings as may be necessary to carry
31 out the requests made by the Economic Forum pursuant to NRS
32 353.228 in the most timely manner practicable; and

33 (d) Provide all assistance requested by the Economic Forum
34 pursuant to NRS 353.227.

35 4. A majority of the Committee constitutes a quorum and a
36 majority of those members present must concur in any decision.

37 5. Each member of the Committee who is not an officer or
38 employee of the State shall serve without compensation, except that
39 while the member is engaged in the business of the Committee he or
40 she is entitled to receive the per diem allowance and travel expenses
41 provided for state officers and employees generally.

42 6. Each member of the Committee who is an officer or
43 employee of the State must be relieved from duties without loss of
44 his or her regular compensation so that the member may prepare for
45 and attend meetings of the Committee and perform any work



1 necessary to accomplish the tasks assigned to the Committee in the
2 most timely manner practicable. A state agency shall not require an
3 officer or employee who is a member of the Committee to make up
4 the time he or she is absent from work to fulfill his or her
5 obligations as a member, nor shall it require the member to take
6 annual vacation or compensatory time for the absence. Such a
7 member shall serve on the Committee without additional
8 compensation, except that while the member is engaged in the
9 business of the Committee he or she is entitled to receive the per
10 diem allowance and travel expenses provided for state officers and
11 employees generally, which must be paid by the state agency which
12 employs the member.

13 7. The Committee may request information from any state
14 agency. A state agency that receives a reasonable request for
15 information from the Committee shall comply with the request as
16 soon as is reasonably practicable after receiving the request.

17 8. The Director of the Legislative Counsel Bureau and the
18 ~~[Budget Division]~~ *Director* of the Office of Finance shall jointly
19 provide the Committee with:

- 20 (a) Meeting rooms;
- 21 (b) Staff;
- 22 (c) Data processing services; and
- 23 (d) Clerical assistance.

24 **Sec. 26.** NRS 353.230 is hereby amended to read as follows:

25 353.230 1. The ~~[Chief]~~ *Director* shall review the estimates,
26 altering, revising, increasing or decreasing the items of the estimates
27 as the ~~[Chief]~~ *Director* may deem necessary in view of the needs of
28 the various departments, institutions and agencies in the Executive
29 Department of the State Government and the total anticipated
30 income of the State Government and of the various departments,
31 institutions and agencies of the Executive Department during the
32 next fiscal year. In performing the duties required by this
33 subsection, the ~~[Chief]~~ *Director* shall use the projections and
34 estimates prepared by the Economic Forum pursuant to
35 NRS 353.228.

36 2. The ~~[Chief]~~ *Director* shall meet with a Fiscal Analyst of the
37 Legislative Counsel Bureau or his or her designated representative
38 and personnel of the various departments, institutions and agencies
39 of the Executive Department to discuss:

40 (a) The budgetary requests of each department, institution and
41 agency; and

42 (b) The budgetary recommendations of the Budget Division for
43 each department, institution and agency,

44 ↪ for the next 2 fiscal years. The ~~[Chief]~~ *Director* shall allow the
45 Fiscal Analyst of the Legislative Counsel Bureau or his or her



1 designated representative full access to all materials connected with
2 the review.

3 3. The ~~[Chief]~~ *Director* shall then prepare a final version of the
4 proposed budget, in accordance with NRS 353.150 to 353.246,
5 inclusive, and shall deliver it to the Governor. The final version of
6 the proposed budget must include the adjusted base budget for each
7 department, institution and agency of the Executive Department, the
8 costs for continuing each program at the current level of service and
9 the costs, if any, for new programs, recommended enhancements of
10 existing programs or reductions for the departments, institutions and
11 agencies of the Executive Department for the next 2 fiscal years. All
12 projections of revenue and any other information concerning future
13 state revenue contained in the proposed budget must be based upon
14 the projections and estimates prepared by the Economic Forum
15 pursuant to NRS 353.228.

16 4. The Governor shall, not later than 14 calendar days before
17 the commencement of the regular legislative session, submit the
18 proposed budget to the Director of the Legislative Counsel Bureau
19 for transmittal to the Legislature. The Governor shall simultaneously
20 submit, as a separate document:

21 (a) An analysis of any new programs or enhancements of
22 existing programs being recommended; and

23 (b) Any increase in or new revenues which are being
24 recommended in the proposed budget.

25 ↪ The document must specify the total cost by department,
26 institution or agency of new programs or enhancements, but need
27 not itemize the specific costs. All projections of revenue and any
28 other information concerning future state revenue contained in the
29 document must be based upon the projections and estimates
30 prepared by the Economic Forum pursuant to NRS 353.228.

31 5. On or before the 19th calendar day of the regular legislative
32 session, the Governor shall submit to the Legislative Counsel
33 recommendations for each legislative measure which will be
34 necessary to carry out the final version of the proposed budget or to
35 carry out the Governor's legislative agenda. These
36 recommendations must contain sufficient detailed information to
37 enable the Legislative Counsel to prepare the necessary legislative
38 measures.

39 6. During the consideration of the general appropriation bill
40 and any special appropriation bills and bills authorizing budgeted
41 expenditures by the departments, institutions and agencies operating
42 on money designated for specific purposes by the Constitution or
43 otherwise, drafted at the request of the Legislature upon the
44 recommendations submitted by the Governor with the proposed
45 budget, the Governor or a representative of the Governor have the



1 right to appear before and be heard by the appropriation committees
2 of the Legislature in connection with the appropriation bill or bills,
3 and to render any testimony, explanation or assistance required of
4 him or her.

5 7. As used in this section, "adjusted base budget" means the
6 amount appropriated or authorized to support ongoing expenditures
7 budgeted to the department, institution or agency by the Legislature
8 for the second year of the current biennium, as adjusted for:

9 (a) The removal of any one-time appropriation or authorization
10 that was appropriated or authorized by the Legislature to the
11 department, institution or agency for the second year of the
12 biennium;

13 (b) Statewide fringe benefits, assessments, rent, insurance
14 premiums and cost allocations;

15 (c) Contractual obligations that are approved or expired during
16 the current biennium;

17 (d) Ongoing expenditures approved by the Interim Finance
18 Committee during the current biennium;

19 (e) Any annualization of costs that occurred for part of the
20 second year of the current biennium;

21 (f) Actual caseloads incurred during the first year of the
22 biennium;

23 (g) Rate changes that are projected to affect the budget of the
24 department, institution or agency during the next biennium; and

25 (h) Any other adjustment that is necessary:

26 (1) Based on the limit upon total proposed expenditures
27 calculated pursuant to NRS 353.213; or

28 (2) As otherwise determined by the ~~{Chief}~~ *Director*.

29 **Sec. 27.** NRS 353.245 is hereby amended to read as follows:

30 353.245 In addition to the requirements of NRS 353.335, every
31 department, institution and agency of the Executive Department of
32 the State Government, when making requests for budgets to be
33 submitted to the Federal Government for money, equipment,
34 material or services, shall file the request or budget with the office
35 of the ~~{Chief}~~ *Director* and with the Fiscal Analysis Division of the
36 Legislative Counsel Bureau before submitting it to the proper
37 federal authority. When the federal authority has approved the
38 request or budget, in whole or in part, the department, institution or
39 agency of the State Government shall resubmit it to the ~~{Chief}~~
40 *Director* and to the Fiscal Analysis Division of the Legislative
41 Counsel Bureau for recording before any allotment or encumbrance
42 of the federal money is made.

43 **Sec. 28.** NRS 353.263 is hereby amended to read as follows:

44 353.263 1. As used in this section, "emergency" means
45 invasion, disaster, insurrection, riot, breach of the peace, substantial



1 threat to life or property, epidemic or the imminent danger thereof.
2 The term includes damage to or the disintegration of a building
3 owned by this state or of the mechanical or electrical system of such
4 a building when immediate repairs are necessary to maintain the
5 integrity of the structure or its mechanical or electrical system.

6 2. The Emergency Account is hereby created in the State
7 General Fund. Money for the Account must be provided by direct
8 legislative appropriation.

9 3. When the State Board of Examiners finds that an emergency
10 exists which requires an expenditure for which no appropriation has
11 been made, or in excess of an appropriation made, the Board may
12 authorize an expenditure from the Emergency Account to meet the
13 emergency.

14 4. The State Board of Examiners may, under such
15 circumstances as it deems appropriate, authorize its Clerk to
16 determine whether an emergency exists and approve, on behalf of
17 the Board, an expenditure from the Emergency Account.

18 5. The ~~[Chief]~~ *Director* shall enumerate expenditures from the
19 Account made in the preceding biennium in each executive budget
20 report.

21 6. Notwithstanding the provisions of this section to the
22 contrary, money in the Emergency Account may be expended for
23 any purpose authorized by the Legislature.

24 **Sec. 29.** NRS 353.325 is hereby amended to read as follows:

25 353.325 1. Each state agency, within 10 days after receiving
26 an audit report pertaining to that agency, including a management
27 letter and the agency's reply, shall submit one copy of the audit
28 report to:

29 (a) The ~~[Chief of the Budget Division of the Office of Finance;]~~
30 *Director*;

31 (b) The State Controller; and

32 (c) The Legislative Auditor.

33 2. The audit report, including, without limitation, the opinion
34 and findings of the auditor contained in the audit report, may be
35 disseminated by or on behalf of the state agency for which the report
36 was prepared by inclusion, without limitation, in or on:

37 (a) An official statement or other document prepared in
38 connection with the offering of bonds or other securities;

39 (b) A filing made pursuant to the laws or regulations of this
40 State;

41 (c) A filing made pursuant to a rule or regulation of the
42 Securities and Exchange Commission of the United States; or

43 (d) A website maintained by a state agency on the Internet or its
44 successor,



1 ↪ without the consent of the auditor who prepared the audit report.
2 A provision of a contract entered into between an auditor and a state
3 agency that is contrary to the provisions of this subsection is against
4 the public policy of this State and is void and unenforceable.

5 **Sec. 30.** NRS 353.331 is hereby amended to read as follows:

6 353.331 The Administrator of the Administrative Services
7 Division of the Department of Administration shall annually prepare
8 and submit to the ~~{Chief of the Budget Division of the Office of~~
9 ~~Finance}~~ **Director** a statewide cost allocation plan distributing
10 service agency indirect costs among the various agencies in
11 accordance with the principles and procedures established by federal
12 regulations and guidelines. The ~~{Chief of the Budget Division}~~
13 **Director** shall review, revise as necessary and approve the plan.

14 **Sec. 31.** NRS 353.335 is hereby amended to read as follows:

15 353.335 1. Except as otherwise provided in subsections 5 and
16 6, a state agency may accept any gift or grant of property or services
17 from any source only if it is included in an act of the Legislature
18 authorizing expenditures of nonappropriated money or, when it is
19 not so included, if it is approved as provided in subsection 2.

20 2. If:

21 (a) Any proposed gift or grant is necessary because of an
22 emergency as defined in NRS 353.263 or for the protection or
23 preservation of life or property, the Governor shall take reasonable
24 and proper action to accept it and shall report the action and his or
25 her reasons for determining that immediate action was necessary to
26 the Interim Finance Committee at its first meeting after the action is
27 taken. Action by the Governor pursuant to this paragraph constitutes
28 acceptance of the gift or grant, and other provisions of this chapter
29 requiring approval before acceptance do not apply.

30 (b) The Governor determines that any proposed gift or grant
31 would be forfeited if the State failed to accept it before the
32 expiration of the period prescribed in paragraph (c), the Governor
33 may declare that the proposed acceptance requires expeditious
34 action by the Interim Finance Committee. Whenever the Governor
35 so declares, the Interim Finance Committee has 15 days after the
36 proposal is submitted to its Secretary within which to approve or
37 deny the acceptance. Any proposed acceptance which is not
38 considered within the 15-day period shall be deemed approved.

39 (c) The proposed acceptance of any gift or grant does not qualify
40 pursuant to paragraph (a) or (b), it must be submitted to the Interim
41 Finance Committee. Except as otherwise provided in NRS
42 353.3375, the Interim Finance Committee has 45 days after the
43 proposal is submitted to its Secretary within which to consider
44 acceptance. Any proposed acceptance which is not considered
45 within the 45-day period shall be deemed approved.



1 3. The Secretary shall place each request submitted to the
2 Secretary pursuant to paragraph (b) or (c) of subsection 2 on the
3 agenda of the next meeting of the Interim Finance Committee.

4 4. In acting upon a proposed gift or grant, the Interim Finance
5 Committee shall consider, among other things:

6 (a) The need for the facility or service to be provided or
7 improved;

8 (b) Any present or future commitment required of the State;

9 (c) The extent of the program proposed; and

10 (d) The condition of the national economy, and any related fiscal
11 or monetary policies.

12 5. A state agency may accept:

13 (a) Gifts, including grants from nongovernmental sources, not
14 exceeding \$200,000 each in value; and

15 (b) Governmental grants not exceeding \$200,000 each in value,
16 ↪ if the gifts or grants are used for purposes which do not involve
17 the hiring of new employees and if the agency has the specific
18 approval of the Governor or, if the Governor delegates this power of
19 approval to the ~~{Chief of the Budget Division of the Office of~~
20 ~~Finance.}~~ **Director**, the specific approval of the ~~{Chief.}~~ **Director**.

21 6. This section does not apply to:

22 (a) The Nevada System of Higher Education;

23 (b) The Department of Health and Human Services while acting
24 as the state health planning and development agency pursuant to
25 paragraph (d) of subsection 2 of NRS 439A.081 or for donations,
26 gifts or grants to be disbursed pursuant to NRS 433.395 or 435.490;

27 (c) Legal services provided on a pro bono basis by an attorney
28 or law firm engaged in the private practice of law to the State of
29 Nevada or any officer, agency or employee in the Executive
30 Department of the State Government pursuant to a contract for legal
31 services entered into by or at the request of the Attorney General in
32 accordance with NRS 228.112 to 228.1127, inclusive;

33 (d) Artifacts donated to the Department of Tourism and Cultural
34 Affairs;

35 (e) The initial \$250,000 received by the Department of Wildlife
36 pursuant to subsection 1 of NRS 501.3585 as a gift, donation,
37 bequest or devise, or combination thereof, for an unanticipated
38 emergency event, as defined in NRS 501.3585; or

39 (f) A gift or grant that will be deposited in a budget account that
40 consists of money which is not appropriated by or authorized for
41 expenditure by the Legislature.

42 **Sec. 32.** NRS 353.540 is hereby amended to read as follows:

43 353.540 "State agency" means an agency, bureau, board,
44 commission, department, division or any other unit of the
45 government of this State that is required to submit information to



1 the ~~[Chief]~~ *Director of the Office of Finance* pursuant to subsection
2 1 or 6 of NRS 353.210. "State agency" does not include the Nevada
3 System of Higher Education unless it is anticipated that payments
4 under the agreement will be made with state appropriations.

5 **Sec. 33.** NRS 353.550 is hereby amended to read as follows:

6 353.550 1. A state agency may propose a project to acquire
7 real property, an interest in real property or an improvement to real
8 property through an agreement which has a term, including the
9 terms of any options for renewal, that extends beyond the biennium
10 in which the agreement is executed if the agreement:

11 (a) Provides that all obligations of the State of Nevada and the
12 state agency are extinguished by the failure of the Legislature to
13 appropriate money for the ensuing fiscal year for payments due
14 pursuant to the agreement;

15 (b) Does not encumber any property of the State of Nevada or
16 the state agency except for the property that is the subject of the
17 agreement;

18 (c) Provides that property of the State of Nevada and the state
19 agency, except for the property that is the subject of the agreement,
20 must not be forfeited if:

21 (1) The Legislature fails to appropriate money for payments
22 due pursuant to the agreement; or

23 (2) The State of Nevada or the state agency breaches the
24 agreement;

25 (d) Prohibits certificates of participation in the agreement; and

26 (e) For the biennium in which it is executed, does not require
27 payments that are greater than the amount authorized for such
28 payments pursuant to the applicable budget of the state agency.

29 2. The provisions of paragraph (d) of subsection 1 may be
30 waived by the Board, upon the recommendation of the State
31 Treasurer, if the Board determines that waiving those provisions:

32 (a) Is in the best interests of this State; and

33 (b) Complies with federal securities laws.

34 3. Before an agreement proposed pursuant to subsection 1 may
35 become effective:

36 (a) The proposed project must be approved by the Legislature by
37 concurrent resolution or statute or as part of the budget of the state
38 agency, or by the Interim Finance Committee when the Legislature
39 is not in regular session;

40 (b) The agency must submit the proposed agreement to the
41 ~~[Chief]~~ *Director of the Office of Finance*, the Director of the
42 Department of Administration, the State Treasurer and the State
43 Land Registrar for their review and transmittal to the Board;

44 (c) The Board must approve the proposed agreement; and

45 (d) The Governor must execute the agreement.



1 **Sec. 34.** NRS 353.600 is hereby amended to read as follows:

2 353.600 1. Except as otherwise provided in this section, if an
3 agreement pursuant to NRS 353.500 to 353.630, inclusive, involves
4 an improvement to property owned by the State of Nevada or the
5 state agency, the State Land Registrar, in consultation with the State
6 Treasurer and in conjunction with the agreement, upon approval of
7 the State Board of Examiners, may enter into a lease of the property
8 to which the improvement will be made if the lease:

9 (a) Has a term of 35 years or less; and

10 (b) Provides for rental payments that approximate the fair
11 market rental of the property before the improvement is made, as
12 determined by the State Land Registrar in consultation with the
13 State Treasurer at the time the lease is entered into, which must be
14 paid if the agreement terminates before the expiration of the lease
15 because the Legislature fails to appropriate money for payments due
16 pursuant to the agreement.

17 2. A lease entered into pursuant to this section may provide for
18 nominal rental payments to be paid pursuant to the lease before the
19 agreement terminates.

20 3. Before the State Land Registrar may enter into a lease
21 pursuant to this section:

22 (a) The State Land Registrar must submit the proposed lease to
23 the ~~{Chief,}~~ *Director of the Office of Finance*, the Director of the
24 Department of Administration and the State Treasurer for their
25 review and transmittal to the Board; and

26 (b) The Board must approve the lease.

27 **Sec. 35.** NRS 353.610 is hereby amended to read as follows:

28 353.610 Immediately after an agreement is executed pursuant
29 to NRS 353.550, the state agency on whose behalf the agreement
30 was executed shall file with the ~~{Chief,}~~ *Director of the Office of*
31 *Finance*, the Director of the Department of Administration and the
32 State Treasurer:

33 1. A fully executed copy of the agreement; and

34 2. A schedule of payments that indicates the principal and
35 interest payments due throughout the term of the agreement.

36 **Sec. 36.** NRS 358.020 is hereby amended to read as follows:

37 358.020 1. The Nevada Advisory Council on Federal
38 Assistance is hereby created. The Council consists of the following
39 11 members:

40 (a) One member of the Senate appointed by the Majority Leader
41 of the Senate.

42 (b) One member of the Assembly appointed by the Speaker of
43 the Assembly.



1 (c) One member appointed by the Majority Leader of the Senate
2 who represents a nonprofit organization, a local agency or a tribal
3 government.

4 (d) One member appointed by the Speaker of the Assembly who
5 represents a nonprofit organization, a local agency or a tribal
6 government.

7 (e) One member appointed by the Governor who represents a
8 nonprofit organization that provides grants in this State.

9 (f) One member appointed by the Governor who represents a
10 local government.

11 (g) One member appointed by the Governor who represents
12 private businesses.

13 (h) The State Treasurer, who may name a designee to serve on
14 the Council on his or her behalf.

15 (i) The State Controller, who may name a designee to serve on
16 the Council on his or her behalf.

17 (j) The ~~Chief of the Budget Division~~ *Director* of the Office of
18 Finance.

19 (k) The Director of the Office of Federal Assistance.

20 2. The members described in:

21 (a) Paragraphs (a) to (i), inclusive, of subsection 1 are voting
22 members.

23 (b) Paragraphs (j) and (k) of subsection 1 are nonvoting
24 members.

25 3. The Governor shall, to the extent practicable, collaborate to
26 ensure that the persons appointed pursuant to paragraphs (e), (f) and
27 (g) of subsection 1 are representative of the urban and rural areas of
28 this State.

29 4. Each appointed member of the Council serves a term of 2
30 years.

31 5. An appointed member of the Council:

32 (a) May be reappointed.

33 (b) Shall not serve more than three terms.

34 6. Any vacancy occurring in the appointed membership of the
35 Council must be filled in the same manner as the original
36 appointment not later than 30 days after the vacancy occurs. A
37 member appointed to fill a vacancy shall serve as a member of the
38 Council for the remainder of the original term of appointment.

39 7. Each member of the Council:

40 (a) Serves without compensation; and

41 (b) While engaged in the business of the Council, is entitled to
42 receive the per diem allowance and travel expenses provided for
43 state officers and employees generally.

44 8. The Office of Federal Assistance shall provide the Council
45 with administrative support.



1 **Sec. 37.** NRS 381.0033 is hereby amended to read as follows:

2 381.0033 1. Except as otherwise provided in subsection 2:

3 (a) The private money must be budgeted and expended, within
4 any limitations which may have been specified by particular donors,
5 at the discretion of the Board.

6 (b) The Board or its designee shall submit a report to the Interim
7 Finance Committee semiannually concerning the investment and
8 expenditure of the private money in such form and detail as the
9 Interim Finance Committee determines is necessary.

10 (c) A separate statement concerning the anticipated amount and
11 proposed expenditures of the private money must be submitted to
12 the ~~[Chief of the Budget Division]~~ *Director* of the Office of Finance
13 for his or her information at the same time and for the same fiscal
14 years as the proposed budget of the Department submitted pursuant
15 to NRS 353.210. The statement must be attached to the proposed
16 budget of the Department when it is submitted to the Legislature.

17 2. Any private money which the Board authorizes for use in
18 funding all or part of a classified or unclassified position or an
19 independent contractor must be included in the budget prepared for
20 the Department pursuant to chapter 353 of NRS. The Board shall
21 transfer to the State Treasurer for deposit in the appropriate general
22 fund budget account of the Division any money necessary to pay the
23 payroll costs for the positions that it has agreed to partially or fully
24 fund from private money. The money must be transferred on a
25 regular basis at such times as the State Treasurer determines is
26 necessary.

27 **Sec. 38.** NRS 388.700 is hereby amended to read as follows:

28 388.700 1. Except as otherwise provided in this section, for
29 each school quarter of a school year, the ratio in each school district
30 of pupils per licensed teacher designated to teach, on a full-time
31 basis, in classes where core curriculum is taught:

32 (a) In kindergarten and grades 1 and 2, must not exceed 16 to 1,
33 and in grade 3, must not exceed 18 to 1; or

34 (b) If a plan is approved pursuant to subsection 3 of NRS
35 388.720, must not exceed the ratio set forth in that plan for the grade
36 levels specified in the plan.

37 ➤ In determining this ratio, all licensed educational personnel who
38 teach a grade level specified in paragraph (a) or a grade level
39 specified in a plan that is approved pursuant to subsection 3 of NRS
40 388.720, as applicable for the school district, must be counted
41 except teachers of art, music, physical education or special
42 education, teachers who teach one or two specific subject areas to
43 more than one classroom of pupils, counselors, librarians,
44 administrators, deans, specialists, any administrators or other
45 licensed educational personnel, including, without limitation,



1 counselors, coaches and special education teachers, who may be
2 present in a classroom but do not teach every pupil in the classroom
3 and teachers who are not actively teaching pupils during a class
4 period or who do not teach a subject area for which the ratio of
5 pupils per licensed teacher is being determined.

6 2. A school district may, within the limits of any plan adopted
7 pursuant to NRS 388.720, assign a pupil whose enrollment in a
8 grade occurs after the end of a quarter during the school year to any
9 existing class regardless of the number of pupils in the class if the
10 school district requests and is approved for a variance from the State
11 Board pursuant to subsection 4.

12 3. Each school district that includes one or more elementary
13 schools which exceed the ratio of pupils per class during any quarter
14 of a school year, as reported to the Department pursuant to
15 NRS 388.725:

16 (a) Set forth in subsection 1;

17 (b) Prescribed in conjunction with a legislative appropriation for
18 the support of the class-size reduction program; or

19 (c) Defined by a legislatively approved alternative class-size
20 reduction plan, if applicable to that school district,

21 ↪ must request a variance for each such school for the next quarter
22 of the current school year if a quarter remains in that school year or
23 for the next quarter of the succeeding school year, as applicable,
24 from the State Board by providing a written statement that includes
25 the reasons for the request, the justification for exceeding the
26 applicable prescribed ratio of pupils per class and a plan of actions
27 that the school district will take to reduce the ratio of pupils per
28 class.

29 4. The State Board may grant to a school district a variance
30 from the limitation on the number of pupils per class set forth in
31 paragraph (a), (b) or (c) of subsection 3 for good cause, including
32 the lack of available financial support specifically set aside for the
33 reduction of pupil-teacher ratios.

34 5. The State Board shall, on a quarterly basis, submit a report
35 to the Interim Finance Committee on each variance requested by a
36 school district pursuant to subsection 4 during the preceding quarter
37 and, if a variance was granted, an identification of each elementary
38 school for which a variance was granted and the specific
39 justification for the variance.

40 6. The State Board shall, on or before February 1 of each odd-
41 numbered year, submit a report to the Legislature on:

42 (a) Each variance requested by a school district pursuant to
43 subsection 4 during the preceding biennium and, if a variance was
44 granted, an identification of each elementary school for which
45 variance was granted and the specific justification for the variance.



1 (b) The data reported to it by the various school districts
2 pursuant to subsection 2 of NRS 388.710, including an explanation
3 of that data, and the current pupil-teacher ratios per class in the
4 grade levels specified in paragraph (a) of subsection 1 or the grade
5 levels specified in a plan that is approved pursuant to subsection 3
6 of NRS 388.720, as applicable for the school district.

7 7. The Department shall, on or before November 15 of each
8 year, report to the ~~[Chief of the Budget Division]~~ *Director* of the
9 Office of Finance and the Fiscal Analysis Division of the
10 Legislative Counsel Bureau:

11 (a) The number of teachers employed full-time;

12 (b) The number of teachers employed in order to attain the ratio
13 required by subsection 1;

14 (c) The number of substitute teachers filling vacancies or long-
15 term positions;

16 (d) The number of pupils enrolled; and

17 (e) The number of teachers assigned to teach in the same
18 classroom with another teacher or in any other arrangement other
19 than one teacher assigned to one classroom of pupils,

20 ↪ during the current school year in the grade levels specified in
21 paragraph (a) of subsection 1 or the grade levels specified in a plan
22 that is approved pursuant to subsection 3 of NRS 388.720, as
23 applicable, for each school district.

24 8. The provisions of this section do not apply to a charter
25 school or to a program of distance education provided pursuant to
26 NRS 388.820 to 388.874, inclusive.

27 **Sec. 39.** NRS 439.630 is hereby amended to read as follows:

28 439.630 1. The Department shall:

29 (a) Conduct, or require the Grants Management Advisory
30 Committee created by NRS 232.383 to conduct, public hearings to
31 accept public testimony from a wide variety of sources and
32 perspectives regarding existing or proposed programs that:

33 (1) Promote public health;

34 (2) Improve health services for children, senior citizens and
35 persons with disabilities;

36 (3) Reduce or prevent alcohol and other substance use
37 disorders; and

38 (4) Offer other general or specific information on health care
39 in this State.

40 (b) Establish a process to evaluate the health and health needs of
41 the residents of this State and a system to rank the health problems
42 of the residents of this State, including, without limitation, the
43 specific health problems that are endemic to urban and rural
44 communities, and report the results of the evaluation to the Joint



1 Interim Standing Committee on Health and Human Services on an
2 annual basis.

3 (c) Subject to legislative authorization, allocate money to the
4 Department to provide grants and enter into contracts or
5 intergovernmental agreements to pay for prescription drugs,
6 pharmaceutical services and, to the extent money is available, other
7 benefits, including, without limitation, dental and vision benefits
8 and hearing aids or other devices that enhance the ability to hear, for
9 natural persons who are residents of this State and meet the criteria
10 for eligibility established by regulation of the Department. From the
11 money allocated pursuant to this paragraph, the Department may
12 subsidize any portion of the cost of providing prescription drugs,
13 pharmaceutical services and, to the extent money is available, other
14 benefits, including, without limitation, dental and vision benefits
15 and hearing aids or other devices that enhance the ability to hear, to
16 such natural persons. The Department shall consider
17 recommendations from the Grants Management Advisory
18 Committee in carrying out the provisions of this paragraph. The
19 Department shall submit an annual report to the Governor, the
20 Interim Finance Committee, the Joint Interim Standing Committee
21 on Health and Human Services and any other committees or
22 commissions the Director deems appropriate regarding the general
23 manner in which expenditures have been made pursuant to this
24 paragraph.

25 (d) Subject to legislative authorization, allocate, by contract or
26 grant, money for expenditure by the Aging and Disability Services
27 Division of the Department in the form of grants for existing or new
28 programs that assist senior citizens and other specified persons with
29 independent living, including, without limitation, programs that
30 provide:

31 (1) Respite care or relief of informal caretakers, including,
32 without limitation, informal caretakers of any person with
33 Alzheimer's disease or other related dementia regardless of the age
34 of the person;

35 (2) Transportation to new or existing services to assist senior
36 citizens in living independently; and

37 (3) Care in the home which allows senior citizens to remain
38 at home instead of in institutional care.

39 ↪ The Aging and Disability Services Division of the Department
40 shall consider recommendations from the Grants Management
41 Advisory Committee concerning the independent living needs of
42 senior citizens.

43 (e) Allocate \$200,000 of all revenues deposited in the Fund for a
44 Healthy Nevada each year for direct expenditure by the Director to
45 award competitive grants to finance the establishment, expansion



1 and operation of assisted living facilities that provide services
2 pursuant to the provisions of the home and community-based
3 services waiver which are amended pursuant to NRS 422.3962. The
4 Director shall develop policies and procedures for awarding grants
5 pursuant to this paragraph that prioritize assisted living facilities that
6 demonstrate the ability to meet the criteria for certification pursuant
7 to NRS 319.147. If any money allocated pursuant to this paragraph
8 remains after awarding grants to all eligible applicants, the Director
9 must reallocate such money to the Aging and Disability Services
10 Division of the Department to be used for the purposes described in
11 paragraph (d).

12 (f) Subject to legislative authorization, allocate to the Division
13 money for programs that are consistent with the guidelines
14 established by the Centers for Disease Control and Prevention of the
15 United States Department of Health and Human Services relating to
16 evidence-based best practices to prevent, reduce or treat the use of
17 tobacco and the consequences of the use of tobacco. In making
18 allocations pursuant to this paragraph, the Division shall allocate the
19 money, by contract or grant:

20 (1) To the district board of health in each county whose
21 population is 100,000 or more for expenditure for such programs in
22 the respective county;

23 (2) For such programs in counties whose population is less
24 than 100,000; and

25 (3) For statewide programs for tobacco cessation and other
26 statewide services for tobacco cessation and for statewide
27 evaluations of programs which receive an allocation of money
28 pursuant to this paragraph, as determined necessary by the Division
29 and the district boards of health.

30 (g) Subject to legislative authorization, allocate, by contract or
31 grant, money for expenditure for programs that improve the health
32 and well-being of residents of this State, including, without
33 limitation, programs that improve health services for children.

34 (h) Subject to legislative authorization, allocate, by contract or
35 grant, money for expenditure for programs that improve the health
36 and well-being of persons with disabilities. In making allocations
37 pursuant to this paragraph, the Department shall, to the extent
38 practicable, allocate the money evenly among the following three
39 types of programs:

40 (1) Programs that provide respite care or relief of informal
41 caretakers for persons with disabilities;

42 (2) Programs that provide positive behavioral supports to
43 persons with disabilities; and



1 (3) Programs that assist persons with disabilities to live
2 safely and independently in their communities outside of an
3 institutional setting.

4 (i) Maximize expenditures through local, federal and private
5 matching contributions.

6 (j) Ensure that any money expended from the Fund will not be
7 used to supplant existing methods of funding that are available to
8 public agencies.

9 (k) Develop policies and procedures for the administration and
10 distribution of contracts, grants and other expenditures to state
11 agencies, political subdivisions of this State, nonprofit
12 organizations, universities, state colleges and community colleges.
13 A condition of any such contract or grant must be that not more than
14 8 percent of the contract or grant may be used for administrative
15 expenses or other indirect costs. The procedures must require at
16 least one competitive round of requests for proposals per biennium.

17 (l) To make the allocations required by paragraphs (f), (g)
18 and (h):

19 (1) Prioritize and quantify the needs for these programs;

20 (2) Develop, solicit and accept applications for allocations;

21 (3) Review and consider the recommendations of the Grants
22 Management Advisory Committee submitted pursuant to
23 NRS 232.385;

24 (4) Conduct annual evaluations of programs to which
25 allocations have been awarded; and

26 (5) Submit annual reports concerning the programs to the
27 Governor, the Interim Finance Committee, the Joint Interim
28 Standing Committee on Health and Human Services and any other
29 committees or commissions the Director deems appropriate.

30 (m) Transmit a report of all findings, recommendations and
31 expenditures to the Governor, each regular session of the
32 Legislature, the Joint Interim Standing Committee on Health and
33 Human Services and any other committees or commissions the
34 Director deems appropriate.

35 (n) After considering the recommendations submitted to the
36 Director pursuant to subsection 6, develop a plan each biennium to
37 determine the percentage of available money in the Fund for a
38 Healthy Nevada to be allocated from the Fund for the purposes
39 described in paragraphs (c), (d), (f), (g) and (h). The plan must be
40 submitted as part of the proposed budget submitted to the ~~Chief of~~
41 ~~the Budget Division~~ **Director** of the Office of Finance pursuant to
42 NRS 353.210.

43 (o) On or before September 30 of each even-numbered year,
44 submit to the Grants Management Advisory Committee, the Nevada
45 Commission on Aging created by NRS 427A.032 and the Nevada



1 Commission on Services for Persons with Disabilities created by
2 NRS 427A.1211 a report on the funding plan submitted to the
3 ~~Chief of the Budget Division~~ *Director* of the Office of Finance
4 pursuant to paragraph (n).

5 2. The Department may take such other actions as are
6 necessary to carry out its duties.

7 3. To make the allocations required by paragraph (d) of
8 subsection 1, the Aging and Disability Services Division of the
9 Department shall:

10 (a) Prioritize and quantify the needs of senior citizens and other
11 specified persons for these programs;

12 (b) Develop, solicit and accept grant applications for allocations;

13 (c) As appropriate, expand or augment existing state programs
14 for senior citizens and other specified persons upon approval of the
15 Interim Finance Committee;

16 (d) Award grants, contracts or other allocations;

17 (e) Conduct annual evaluations of programs to which grants or
18 other allocations have been awarded; and

19 (f) Submit annual reports concerning the allocations made by
20 the Aging and Disability Services Division pursuant to paragraph
21 (d) of subsection 1 to the Governor, the Interim Finance Committee,
22 the Joint Interim Standing Committee on Health and Human
23 Services and any other committees or commissions the Director
24 deems appropriate.

25 4. The Aging and Disability Services Division of the
26 Department shall submit each proposed grant or contract which
27 would be used to expand or augment an existing state program to
28 the Interim Finance Committee for approval before the grant or
29 contract is awarded. The request for approval must include a
30 description of the proposed use of the money and the person or
31 entity that would be authorized to expend the money. The Aging
32 and Disability Services Division of the Department shall not expend
33 or transfer any money allocated to the Aging and Disability Services
34 Division pursuant to this section to subsidize any portion of the cost
35 of providing prescription drugs, pharmaceutical services and other
36 benefits, including, without limitation, dental and vision benefits
37 and hearing aids or other devices that enhance the ability to hear
38 pursuant to paragraph (c) of subsection 1.

39 5. A veteran may receive benefits or other services which are
40 available from the money allocated pursuant to this section for
41 senior citizens or persons with disabilities to the extent that the
42 veteran does not receive other benefits or services provided to
43 veterans for the same purpose if the veteran qualifies for the benefits
44 or services as a senior citizen or a person with a disability, or both.



1 6. On or before June 30 of each even-numbered year, the
2 Grants Management Advisory Committee, the Nevada Commission
3 on Aging and the Nevada Commission on Services for Persons with
4 Disabilities each shall submit to the Director a report that includes,
5 without limitation, recommendations regarding community needs
6 and priorities that are determined by each such entity after any
7 public hearings held by the entity.

8 **Sec. 40.** NRS 501.337 is hereby amended to read as follows:

9 501.337 The Director shall:

10 1. Carry out the policies and regulations of the Commission.

11 2. Direct and supervise all administrative and operational
12 activities of the Department, and all programs administered by the
13 Department as provided by law. Except as otherwise provided in
14 NRS 284.143, the Director shall devote his or her entire time to the
15 duties of the office and shall not follow any other gainful
16 employment or occupation.

17 3. Within such limitations as may be provided by law, organize
18 the Department and, from time to time with the consent of the
19 Commission, may alter the organization. The Director shall reassign
20 responsibilities and duties as he or she may deem appropriate.

21 4. Appoint or remove such technical, clerical and operational
22 staff as the execution of his or her duties and the operation of the
23 Department may require, and all those employees are responsible to
24 the Director for the proper carrying out of the duties and
25 responsibilities of their respective positions. The Director shall
26 designate a number of employees as game wardens and provide for
27 their training.

28 5. Submit technical and other reports to the Commission as
29 may be necessary or as may be requested, which will enable the
30 Commission to establish policy and regulations.

31 6. Prepare, in consultation with the Commission, the biennial
32 budget of the Department consistent with the provisions of this title,
33 chapter 488 of NRS and NRS 701.610 to 701.640, inclusive, and
34 submit it to the Commission for its review and recommendation
35 before the budget is submitted to the ~~Chief of the Budget Division~~
36 *Director* of the Office of Finance pursuant to NRS 353.210.

37 7. Administer real property assigned to the Department.

38 8. Maintain full control, by proper methods and inventories, of
39 all personal property of the State acquired and held for the purposes
40 contemplated by this title and by chapter 488 of NRS.

41 9. Act as nonvoting Secretary to the Commission.

42 10. Adopt the regulations required pursuant to NRS 701.610
43 and 701.630.



1 **Sec. 41.** NRS 501.3585 is hereby amended to read as follows:
2 501.3585 1. The Department shall establish the Wildlife
3 Trust Fund. The Department may accept any gift, donation, bequest
4 or devise from any private source for deposit in the Wildlife Trust
5 Fund. All money must be accounted for in the Wildlife Trust Fund.

6 2. As soon as practicable after receiving any gift, donation,
7 bequest or devise for an unanticipated emergency event from any
8 private source pursuant to subsection 1 that is exempt from the
9 provisions of NRS 353.335 pursuant to paragraph (e) of subsection
10 6 of NRS 353.335, the Director or the Director's designee shall
11 submit to the Commission and the Interim Finance Committee a
12 report which states:

13 (a) The unanticipated emergency event for which the gift,
14 donation, bequest or devise was received;

15 (b) The amount of the gift, donation, bequest or devise;

16 (c) The amount of the gift, donation, bequest or devise that was
17 expended for the unanticipated emergency event; and

18 (d) The private source from which the gift, donation, bequest or
19 devise was received.

20 3. All of the money in the Wildlife Trust Fund must be
21 deposited in a financial institution to draw interest or to be
22 expended, invested and reinvested pursuant to the specific
23 instructions of the donor, or if no such specific instructions exist, in
24 the sound discretion of the Director. The provisions of NRS 356.011
25 apply to any accounts in financial institutions maintained pursuant
26 to this section.

27 4. The money in the Wildlife Trust Fund must be budgeted and
28 expended, within any limitations which may have been specified by
29 particular donors, at the discretion of the Director. The Director may
30 authorize independent contractors that may be funded in whole or in
31 part from the money in the Wildlife Trust Fund.

32 5. The Director or the Director's designee shall annually post
33 on the Internet website maintained by the Department a statement
34 setting forth the investment and expenditure of the money in the
35 Wildlife Trust Fund.

36 6. A separate statement concerning the anticipated amount and
37 proposed expenditures of the money in the Wildlife Trust Fund must
38 be submitted to the Director of the Office of Finance for his or her
39 information at the same time and for the same fiscal years as the
40 requested budget of the Department submitted to the ~~Chief of the~~
41 ~~Budget Division~~ *Director* of the Office of Finance pursuant to NRS
42 353.210. The statement must be attached to the requested budget for
43 the Department when the requested budget is submitted to the Fiscal
44 Analysis Division of the Legislative Counsel Bureau pursuant to
45 NRS 353.211.



1 7. The provisions of chapter 333 of NRS do not apply to the
2 expenditure of money in the Wildlife Trust Fund.

3 8. As used in this section, “unanticipated emergency event”
4 means:

5 (a) The unanticipated spread of a communicable disease among
6 wildlife in this State;

7 (b) Drought conditions in this State that the Department
8 determines to be extreme;

9 (c) A wildfire or the rehabilitation efforts related to a wildfire; or

10 (d) Any other similar unanticipated event that puts wildlife,
11 wildlife habitat or human life at risk.

12 **Sec. 42.** NRS 701A.110 is hereby amended to read as follows:

13 701A.110 1. Except as otherwise provided in this section, the
14 Director, in consultation with the Office of Economic Development,
15 shall grant a partial abatement from the portion of the taxes imposed
16 pursuant to chapter 361 of NRS, other than any taxes imposed for
17 public education, on a building or other structure that is determined
18 to meet the equivalent of the silver level or higher by an
19 independent contractor authorized to make that determination in
20 accordance with the Green Building Rating System adopted by the
21 Director pursuant to NRS 701A.100, if:

22 (a) No funding is provided by any governmental entity in this
23 State for the acquisition, design, construction or renovation of the
24 building or other structure or for the acquisition of any land therefor.
25 For the purposes of this paragraph:

26 (1) Private activity bonds must not be considered funding
27 provided by a governmental entity.

28 (2) The term “private activity bond” has the meaning
29 ascribed to it in 26 U.S.C. § 141.

30 (b) The owner of the property:

31 (1) Submits an application for the partial abatement to the
32 Director before July 1, 2021. If such an application is submitted for
33 a project that has not been completed on the date of that submission
34 and there is a significant change in the scope of the project after that
35 date, the application must be amended to include the change or
36 changes.

37 (2) Except as otherwise provided in this subparagraph,
38 provides to the Director, within 48 months after applying for the
39 partial abatement, proof that the building or other structure meets
40 the equivalent of the silver level or higher, as determined by an
41 independent contractor authorized to make that determination in
42 accordance with the Green Building Rating System adopted by the
43 Director pursuant to NRS 701A.100. The Director may, for good
44 cause shown, extend the period for providing such proof.



1 (3) Files a copy of each application and amended application
2 submitted to the Director pursuant to subparagraph (1) with the:

3 (I) ~~Chief of the Budget Division~~ **Director** of the Office
4 of Finance;

5 (II) Department of Taxation;

6 (III) County assessor;

7 (IV) County treasurer;

8 (V) Office of Economic Development;

9 (VI) Board of county commissioners; and

10 (VII) City manager and city council, if any.

11 (c) The abatement is consistent with the State Plan for Economic
12 Development developed by the Executive Director of the Office of
13 Economic Development pursuant to subsection 2 of NRS 231.053.

14 2. The Director shall not approve an application for a partial
15 abatement of the taxes imposed pursuant to chapter 361 of NRS
16 submitted pursuant to this section by the owner of the property
17 unless the application is approved or deemed approved by the board
18 of county commissioners pursuant to this subsection. The board of
19 county commissioners of a county must provide notice to the
20 Director that the board intends to consider an application and, if
21 such notice is given, must approve or deny the application not later
22 than 30 days after the board receives a copy of the application. The
23 board of county commissioners:

24 (a) Shall, in considering an application pursuant to this
25 subsection, make a recommendation to the Director regarding the
26 application;

27 (b) May, in considering an application pursuant to this
28 subsection, deny an application only if the board of county
29 commissioners determines, based on relevant information, that:

30 (1) The projected cost of the services that the local
31 government is required to provide to the building or other structure
32 for which the abatement is received will exceed the amount of tax
33 revenue that the local government is projected to receive as a result
34 of the abatement; or

35 (2) The projected financial benefits that will result to the
36 county from any employment resulting from the use of the building
37 or other structure and from capital investments by the owner of the
38 building or other structure in the county will not exceed the
39 projected loss of tax revenue that will result from the abatement; and

40 (c) May, without regard to whether the board has provided
41 notice to the Director of its intent to consider the application, make a
42 recommendation to the Director regarding the application.

43 ↪ If the board of county commissioners does not approve or deny
44 the application pursuant to this subsection within 30 days after the



1 board receives a copy of the application, the application shall be
2 deemed approved.

3 3. As soon as practicable after the Director receives the
4 application and proof required by subsection 1, the Director, in
5 consultation with the Office of Economic Development, shall
6 determine whether the building or other structure is eligible for the
7 abatement and, if so, forward a certificate of eligibility for the
8 abatement to the:

- 9 (a) Department of Taxation;
- 10 (b) County assessor;
- 11 (c) County treasurer; and
- 12 (d) Office of Economic Development.

13 4. The Director may, with the assistance of the ~~Chief of the~~
14 ~~Budget Division~~ *Director of the Office of Finance* and the
15 Department of Taxation, publish a fiscal note that indicates an
16 estimate of the fiscal impact of the partial abatement on the State
17 and on each affected local government. If the Director publishes a
18 fiscal note that estimates the fiscal impact of the partial abatement
19 on local government, the Director shall forward a copy of the fiscal
20 note to each affected local government. As soon as practicable after
21 receiving a copy of a certificate of eligibility pursuant to subsection
22 3, the Department of Taxation shall forward a copy of the certificate
23 to each affected local government.

24 5. The partial abatement for:

25 (a) A building or other structure must, except as otherwise
26 provided in paragraph (b), be for a duration of not more than 10
27 years and in an annual amount that equals, for a building or other
28 structure that meets the equivalent of:

29 (1) The silver level, 25 percent of the portion of the taxes
30 imposed pursuant to chapter 361 of NRS, other than any taxes
31 imposed for public education, that would otherwise be owed for the
32 building or other structure, excluding the associated land;

33 (2) The gold level, 30 percent of the portion of the taxes
34 imposed pursuant to chapter 361 of NRS, other than any taxes
35 imposed for public education, that would otherwise be owed for the
36 building or other structure, excluding the associated land; or

37 (3) The platinum level, 35 percent of the portion of the taxes
38 imposed pursuant to chapter 361 of NRS, other than any taxes
39 imposed for public education, that would otherwise be owed for the
40 building or other structure, excluding the associated land.

41 (b) A building or other structure that qualifies for an abatement
42 under the Leadership in Energy and Environmental Design
43 "Existing Buildings: Operations and Maintenance" rating system, or
44 its equivalent, must be for a duration of not more than 5 years and in
45 an annual amount that equals, except as otherwise provided in



1 subsection 6, for a building or other structure that meets the
2 equivalent of:

3 (1) The silver level, 25 percent of the portion of the taxes
4 imposed pursuant to chapter 361 of NRS, other than any taxes
5 imposed for public education, that would otherwise be owed for the
6 building or other structure, excluding the associated land;

7 (2) The gold level, 30 percent of the portion of the taxes
8 imposed pursuant to chapter 361 of NRS, other than any taxes
9 imposed for public education, that would otherwise be owed for the
10 building or other structure, excluding the associated land; or

11 (3) The platinum level, 35 percent of the portion of the taxes
12 imposed pursuant to chapter 361 of NRS, other than any taxes
13 imposed for public education, that would otherwise be owed for the
14 building or other structure, excluding the associated land.

15 6. The Director shall not grant a partial abatement of more than
16 \$100,000 in any year for a building or other structure that qualifies
17 for an abatement pursuant to paragraph (b) of subsection 5.

18 7. A partial abatement granted pursuant to this section:

19 (a) Does not apply during any period in which the owner of the
20 building or other structure is receiving another abatement or
21 exemption pursuant to this chapter or NRS 361.045 to 361.159,
22 inclusive, from the taxes imposed pursuant to chapter 361 of NRS.

23 (b) Terminates upon any determination by the Director that the
24 building or other structure has ceased to meet the equivalent of the
25 silver level or higher. The Director shall provide notice and a
26 reasonable opportunity to cure any noncompliance issues before
27 making a determination that the building or other structure has
28 ceased to meet that standard. The Director shall immediately
29 provide notice of each determination of termination to the:

30 (1) Department of Taxation, who shall immediately notify
31 each affected local government of the determination;

32 (2) County assessor;

33 (3) County treasurer; and

34 (4) Office of Economic Development.

35 8. If a partial abatement terminates pursuant to paragraph (b) of
36 subsection 7, the owner of the property to which the partial
37 abatement applied shall repay to the county treasurer the amount of
38 the exemption that was allowed pursuant to this section before the
39 date of that termination. The owner shall, in addition to the amount
40 of the exemption required to be paid pursuant to this subsection, pay
41 interest on the amount due at the rate most recently established
42 pursuant to NRS 99.040 for each month, or portion thereof, from the
43 last day of the month following the period for which the payment
44 would have been made had the partial abatement not been approved
45 until the date of payment of the tax.



1 9. The Director, in consultation with the Office of Economic
2 Development, shall adopt regulations:

3 (a) Establishing the qualifications and methods to determine
4 eligibility for and the duration of the abatement;

5 (b) Prescribing such forms as will ensure that all information
6 and other documentation necessary to make an appropriate
7 determination is filed with the Director; and

8 (c) Prescribing the criteria for determining when there is a
9 significant change in the scope of a project for the purposes of
10 subparagraph (1) of paragraph (b) of subsection 1,

11 and the Department of Taxation shall adopt such additional
12 regulations as it determines to be appropriate to carry out the
13 provisions of this section.

14 10. The Director shall:

15 (a) Cooperate with the Office of Economic Development in
16 carrying out the provisions of this section; and

17 (b) Submit to the Office of Economic Development an annual
18 report, at such a time and containing such information as the Office
19 may require, regarding the partial abatements granted pursuant to
20 this section.

21 11. The Director may charge and collect a fee from each
22 applicant who submits an application for a partial abatement
23 pursuant to this section. The amount of the fee must not exceed the
24 actual cost to the Director for processing the application and
25 evaluating the proof submitted by the applicant pursuant to
26 subsection 1 and making the determination concerning eligibility for
27 the partial abatement required by subsection 3.

28 12. As used in this section:

29 (a) "Building or other structure" does not include any building
30 or other structure for which the principal use is as a residential
31 dwelling for not more than four families.

32 (b) "Director" means the Director of the Office of Energy
33 appointed pursuant to NRS 701.150.

34 (c) "Taxes imposed for public education" means:

35 (1) Any ad valorem tax authorized or required by chapter
36 387 of NRS;

37 (2) Any ad valorem tax authorized or required by chapter
38 350 of NRS for the obligations of a school district, including,
39 without limitation, any ad valorem tax necessary to carry out the
40 provisions of subsection 5 of NRS 350.020; and

41 (3) Any other ad valorem tax for which the proceeds thereof
42 are dedicated to the public education of pupils in kindergarten
43 through grade 12.



1 **Sec. 43.** NRS 701A.360 is hereby amended to read as follows:
2 701A.360 1. A person who intends to locate a facility for the
3 generation of process heat from solar renewable energy, a wholesale
4 facility for the generation of electricity from renewable energy, a
5 facility for the storage of energy from renewable generation or a
6 hybrid renewable generation and energy storage facility in this State
7 may apply to the Director for a partial abatement of the local sales
8 and use taxes, the taxes imposed pursuant to chapter 361 of NRS, or
9 both local sales and use taxes and taxes imposed pursuant to chapter
10 361 of NRS. An applicant may submit a copy of the application to
11 the board of county commissioners at any time after the applicant
12 has submitted the application to the Director.

13 2. A facility that is owned, operated, leased or otherwise
14 controlled by a governmental entity is not eligible for an abatement
15 pursuant to NRS 701A.300 to 701A.390, inclusive.

16 3. As soon as practicable after the Director receives an
17 application for a partial abatement, the Director shall forward a copy
18 of the application to:

19 (a) The ~~[Chief of the Budget Division]~~ *Director* of the Office of
20 Finance;

21 (b) The Department of Taxation;

22 (c) The board of county commissioners;

23 (d) The county assessor;

24 (e) The county treasurer; and

25 (f) The Office of Economic Development.

26 4. With the copy of the application forwarded to the county
27 treasurer, the Director shall include a notice that the local
28 jurisdiction may request a presentation regarding the facility. A
29 request for a presentation must be made within 30 days after receipt
30 of the application.

31 5. The Director shall hold a public hearing on the application.
32 The hearing must not be held earlier than 30 days after all persons
33 listed in subsection 3 have received a copy of the application.

34 **Sec. 44.** NRS 701A.375 is hereby amended to read as follows:

35 701A.375 1. The Director may, with the assistance of the
36 ~~[Chief of the Budget Division]~~ *Director* of the Office of Finance and
37 the Department of Taxation, publish a fiscal note that indicates an
38 estimate of the fiscal impact of the partial abatement on the State
39 and on each affected local government. If the Director publishes a
40 fiscal note that estimates the fiscal impact of the partial abatement
41 on local government, the Director shall forward a copy of the fiscal
42 note to each affected local government and to the Office of
43 Economic Development.

44 2. As soon as practicable after receiving a copy of a certificate
45 of eligibility pursuant to NRS 701A.370, the Department of



1 Taxation shall forward a copy of the certificate to each affected
2 local government.

3 **Sec. 45.** The Legislative Counsel shall, in preparing
4 supplements to the Nevada Administrative Code, appropriately
5 change any references to an officer, agency or other entity whose
6 name is changed or whose responsibilities are transferred pursuant
7 to the provisions of this act to refer to the appropriate officer,
8 agency or other entity.

9 **Sec. 46.** 1. Any administrative regulations adopted by an
10 officer or an agency whose name has been changed or whose
11 responsibilities have been transferred pursuant to the provisions of
12 this act to another officer or agency remain in force until amended
13 by the officer or agency to which the responsibility for the adoption
14 of the regulations has been transferred.

15 2. Any contracts or other agreements entered into by an officer
16 or agency whose name has been changed or whose responsibilities
17 have been transferred pursuant to the provisions of this act to
18 another officer or agency are binding upon the officer or agency to
19 which the responsibility for the administration of the provisions of
20 the contract or other agreement has been transferred. Such contracts
21 and other agreements may be enforced by the officer or agency to
22 which the responsibility for the enforcement of the provisions of the
23 contract or other agreement has been transferred.

24 3. Any action taken by an officer or agency whose name has
25 been changed or whose responsibilities have been transferred
26 pursuant to the provisions of this act to another officer or agency
27 remains in effect as if taken by the officer or agency to which the
28 responsibility for the enforcement of such actions has been
29 transferred.

30 **Sec. 47.** NRS 353.155, 353.160 and 353.530 are hereby
31 repealed.

32 **Sec. 48.** 1. This section and sections 1 to 41, inclusive, and
33 45, 46 and 47 of this act become effective on July 1, 2025.

34 2. Section 42 of this act becomes effective on July 1, 2025, and
35 expires by limitation on June 30, 2035.

36 3. Sections 43 and 44 of this act become effective on July 1,
37 2025, and expire by limitation on June 30, 2049.



TEXT OF REPEALED SECTIONS

353.155 “Chief” defined. As used in NRS 353.150 to 353.246, inclusive, “Chief” means the Chief of the Budget Division of the Office of Finance.

353.160 Administration. The Budget Division of the Office of Finance shall administer the provisions of NRS 353.150 to 353.246, inclusive, except NRS 353.226 to 353.229, inclusive, subject to administrative supervision by the Director of the Office of Finance.

353.530 “Chief” defined. “Chief” means the Chief of the Budget Division of the Office of Finance.

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