

**S.B. 409**

SENATE BILL NO. 409—COMMITTEE ON FINANCE

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

APRIL 14, 2021

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to state governmental administration. (BDR 23-1074)

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

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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 government; requiring the Division of Human Resource Management of the Department of Administration to charge an annual fee to the Executive Department related to collective bargaining for state employees; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law authorizes collective bargaining between the State and certain  
2 state employees. (NRS 288.400-288.630) Existing law also requires the  
3 Government Employee-Management Relations Board to charge and collect a fee  
4 from the Executive Department for each employee of the Executive Department to  
5 carry out the duties of the Board. (NRS 288.475) **Section 1** of this bill requires the  
6 Division of Human Resource Management of the Department of Administration to  
7 charge an annual fee to the Executive Department for each employee position in the  
8 Executive Department that falls within a designated bargaining unit to carry out the  
9 duties of the Division to support the Executive Department in collective bargaining  
10 negotiations. **Section 2** of this bill indicates the placement of **section 1** in the  
11 Nevada Revised Statutes.



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

1       **Section 1.** Chapter 288 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3       1. *The Division of Human Resource Management of the*  
4 *Department of Administration shall charge an annual fee to the*  
5 *Executive Department for each employee position that is within a*  
6 *bargaining unit and eligible to be represented by a labor*  
7 *organization. The Executive Department shall pay the annual fee*  
8 *to the Division on or before the date on which the payment is due,*  
9 *as specified by the Division. The Division may specify different*  
10 *due dates for the annual fee for each agency, board, bureau,*  
11 *commission, department, division, elected officer or other unit of*  
12 *the Executive Department of State Government, including,*  
13 *without limitation, the Nevada System of Higher Education.*

14       2. *The Executive Department shall not impose the annual fee*  
15 *charged pursuant to subsection 1 against its employees.*

16       3. *The Executive Department may not receive a reduction in*  
17 *the amount of the annual fee charged pursuant to subsection 1 or*  
18 *a refund of any amount of the annual fee based on:*

19       (a) *A vacancy in an employee position; or*

20       (b) *Whether an exclusive representative has been designated*  
21 *for the bargaining unit in which the employee position is classified*  
22 *pursuant to NRS 288.515.*

23       4. *Any money received from the fees collected pursuant to*  
24 *subsection 1 must be accounted for separately and may be used*  
25 *only by the Division of Human Resource Management to provide*  
26 *support to the Executive Department to carry out the provisions of*  
27 *NRS 288.400 to 288.630, inclusive, including, without limitation,*  
28 *the personnel and operating costs of the Division in providing*  
29 *such support.*

30       5. *To carry out the provisions of this section, the Division of*  
31 *Human Resource Management may verify by any reasonable*  
32 *means the number of employee positions in the Executive*  
33 *Department within a bargaining unit that are eligible to be*  
34 *represented by a labor organization or that are represented by a*  
35 *labor organization.*

36       **Sec. 2.** NRS 288.405 is hereby amended to read as follows:

37       288.405 As used in NRS 288.400 to 288.630, inclusive, *and*  
38 *section 1 of this act*, unless the context otherwise requires, the  
39 words and terms defined in NRS 288.410 to 288.435, inclusive,  
40 have the meanings ascribed to them in those sections.



1     **Sec. 3.** This act becomes effective on July 1, 2021.

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