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SENATE BILL NO. 480—COMMITTEE ON FINANCE

(ON BEHALF OF THE DIVISION OF BUDGET AND PLANNING)

MARCH 28, 2011

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Referred to Committee on Health and Human Services

**SUMMARY**—Provides for the collection of costs for providing child protective services in certain less populated counties. (BDR 38-1219)

**FISCAL NOTE:** Effect on Local Government: May have Fiscal Impact.  
Effect on the State: No.

CONTAINS UNFUNDED MANDATE (§§ 4, 7)  
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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

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**AN ACT** relating to the protection of children; requiring certain less populated counties to reimburse the Division of Child and Family Services of the Department of Health and Human Services for the costs of providing child protective services; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law requires the Division of Child and Family Services of the  
2 Department of Health and Human Services, in counties whose population is less  
3 than 100,000 (currently all counties other than Clark and Washoe Counties), to  
4 provide directly or arrange for the provision of child welfare services, including  
5 protective services, foster care services and adoption services. (NRS 432B.044,  
6 432B.180) **Sections 4 and 7** of this bill require the Division of Child and Family  
7 Services to collect from those counties payment for the provision of child  
8 protective services not to exceed the limit of legislative authorization for spending  
9 on child protective services by the Division in each such county. **Section 3** of this  
10 bill requires the Division to provide reports of certain information about the  
11 provision of child protective services to each county whose population is less than  
12 100,000 and to the Governor. **Section 3** also requires the Division to provide to  
13 each such county the total proposed budget of the Division for providing child  
14 protective services in that county for the next succeeding biennium.

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

1       **Section 1.** Chapter 432B of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2, 3 and 4 of this act.

3       **Sec. 2.** *“Child protective services” means services for the*  
4 *protection of children, including, without limitation, investigations*  
5 *of abuse or neglect and assessments.*

6       **Sec. 3.** *The Division of Child and Family Services shall*  
7 *submit:*

8       1. *A report on or before December 1 of each year to the*  
9 *Governor and to each county whose population is less than*  
10 *100,000 that contains a statement of:*

11       (a) *The total number of children who received child protective*  
12 *services in each county in the immediately preceding fiscal year;*  
13 *and*

14       (b) *The amount and categories of the expenditures made by*  
15 *the Division on child protective services in each county in the*  
16 *immediately preceding fiscal year;*

17       2. *To each county whose population is less than 100,000, on*  
18 *or before December 1 of each even-numbered year, the total*  
19 *proposed budget of the Division for that county for the next*  
20 *succeeding biennium, including the projected number of children*  
21 *who will receive child protective services and the projected costs of*  
22 *child protective services attributed to the county; and*

23       3. *Such reports to the Legislative Commission as required by*  
24 *the Commission.*

25       **Sec. 4.** 1. *Each fiscal year, the Division of Child and*  
26 *Family Services shall collect from a county whose population is*  
27 *less than 100,000 amounts which do not exceed the amounts*  
28 *authorized by the Legislature for the provision of child protective*  
29 *services by the Division in the county during that year.*

30       2. *The Division shall provide each county whose population*  
31 *is less than 100,000, on or before May 1 of each year, with an*  
32 *estimate of the amount to be collected pursuant to subsection 1.*  
33 *The estimate becomes the final bill unless the county is notified of*  
34 *a change within 2 weeks after the date on which the county*  
35 *contribution is approved by the Legislature. The county shall pay*  
36 *the bill:*

37       (a) *In full within 30 days after the estimate becomes the final*  
38 *bill or the county receives a revised estimate; or*

39       (b) *In equal quarterly installments on or before the first day of*  
40 *July, October, January and April, respectively.*

41       3. *Money paid by a county pursuant to this section must be*  
42 *deposited by the Division with the State Treasurer, and the*



1 *Division shall expend the money in accordance with the approved*  
2 *budget of the Division.*

3 **Sec. 5.** NRS 432B.010 is hereby amended to read as follows:

4 432B.010 As used in this chapter, unless the context otherwise  
5 requires, the words and terms defined in NRS 432B.020 to  
6 432B.110, inclusive, *and section 2 of this act* have the meanings  
7 ascribed to them in those sections.

8 **Sec. 6.** NRS 432B.044 is hereby amended to read as follows:

9 432B.044 “Child welfare services” includes, without  
10 limitation:

11 1. ~~[Protective services, including, without limitation,~~  
12 ~~investigations of abuse or neglect and assessments:]~~ “Child  
13 *protective services” as that term is defined in section 2 of this act;*

14 2. Foster care services, including, without limitation,  
15 maintenance and special services, as defined in NRS 432.010; and

16 3. Services related to adoption.

17 **Sec. 7.** NRS 432B.325 is hereby amended to read as follows:

18 432B.325 1. Each county whose population is 100,000 or  
19 more shall provide *child* protective services ~~[for the children]~~ in that  
20 county and pay the cost of those services. The services must be  
21 provided in accordance with the standards adopted pursuant to  
22 NRS 432B.190.

23 2. *Each county whose population is less than 100,000 shall*  
24 *pay the Division of Child and Family Services pursuant to section*  
25 *4 of this act for child protective services provided by the Division*  
26 *pursuant to NRS 432B.180.*

27 **Sec. 8.** NRS 432B.490 is hereby amended to read as follows:

28 432B.490 1. An agency which provides child welfare  
29 services:

30 (a) In cases where the death of a parent of the child is or may be  
31 the result of an act by the other parent that constitutes domestic  
32 violence pursuant to NRS 33.018, shall within 10 days after the  
33 hearing on protective custody initiate a proceeding in court by filing  
34 a petition which meets the requirements set forth in NRS 432B.510;

35 (b) In other cases where a hearing on protective custody is held,  
36 shall within 10 days after the hearing on protective custody, unless  
37 good cause exists, initiate a proceeding in court by filing a petition  
38 which meets the requirements set forth in NRS 432B.510 or  
39 recommend against any further action in court; or

40 (c) If a child is not placed in protective custody, may, after an  
41 investigation is made under NRS 432B.010 to 432B.400, inclusive,  
42 *and sections 2, 3 and 4 of this act*, file a petition which meets the  
43 requirements set forth in NRS 432B.510.



1        2. If the agency recommends against further action, the court  
2 may, on its own motion, initiate proceedings when it finds that it is  
3 in the best interests of the child.

4        3. If a child has been placed in protective custody and if further  
5 action in court is taken, an agency which provides child welfare  
6 services shall make recommendations to the court concerning  
7 whether the child should be returned to the person responsible for  
8 the welfare of the child pending further action in court.

9        **Sec. 9.** The provisions of NRS 354.599 do not apply to any  
10 additional expenses of a local government that are related to the  
11 provisions of this act.

12        **Sec. 10.** This act becomes effective on July 1, 2011.

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