

ASSEMBLY BILL NO. 253—ASSEMBLYMEN HANSEN,
HARDY; ELLISON AND GRADY

MARCH 13, 2013

Referred to Committee on Government Affairs

SUMMARY—Requires reports of federal revenues received by state agencies, institutions of higher education, school districts and charter schools. (BDR 31-165)

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

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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; requiring certain state agencies to report to the Chief of the Budget Division of the Department of Administration and the State Controller concerning the federal revenues received by those agencies; requiring the agencies to develop contingency plans for potential reductions in federal revenues; requiring similar reports relating to the federal revenues of school districts, charter schools and certain institutions of higher education; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 **Section 8** of this bill requires the Board of Regents of the University of
2 Nevada, the Department of Education and certain other agencies in the Executive
3 Department of the State Government to submit annual reports to the Chief of the
4 Budget Division of the Department of Administration and the State Controller
5 relating to federal revenues received during the preceding fiscal year. **Section 8**
6 further provides that each such report must set forth contingency plans for the
7 continued operation of the agency if the reported federal revenues were to be
8 reduced by 5 percent and if such federal revenues were to be reduced by 25 percent,
9 respectively.
- 10 **Section 9** of this bill provides that the reports submitted by the Board of
11 Regents and the Department of Education, respectively, must include information
12 about the federal revenues of each university, state college and community college
13 within the Nevada System of Higher Education, and each school district and charter
14 school in this State.
- 15 **Section 10** of this bill requires the Chief of the Budget Division to submit
16 annually to the Director of the Legislative Counsel Bureau and the State Controller



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17 a report compiling and analyzing the reports received by the Chief from the various
18 agencies. At the commencement of each regular session of the Legislature, the
19 Director is required to transmit the Chief's report to the Senate Standing Committee
20 on Finance and the Assembly Standing Committee on Ways and Means.

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

1 **Section 1.** Chapter 353 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 10, inclusive, of this
3 act.

4 **Sec. 2.** *As used in sections 2 to 10, inclusive, of this act,*
5 *unless the context otherwise requires, the words and terms defined*
6 *in sections 3 to 7, inclusive, of this act have the meanings ascribed*
7 *to them in those sections.*

8 **Sec. 3.** *“Board of Regents” means the Board of Regents of*
9 *the University of Nevada.*

10 **Sec. 4.** *“Chief” means the Chief of the Budget Division of*
11 *the Department of Administration.*

12 **Sec. 5.** *“Designated state agency” means:*

13 1. *With respect to the Nevada System of Higher Education,*
14 *the Board of Regents;*

15 2. *The Department of Education; and*

16 3. *Any other agency in the Executive Department of the State*
17 *Government which has expended \$500,000 or more in federal*
18 *awards for the fiscal year immediately preceding the filing of the*
19 *report required by section 8 of this act.*

20 **Sec. 6.** *“Federal awards” has the meaning ascribed to it in*
21 *31 U.S.C. § 7501(a)(4).*

22 **Sec. 7.** *“Federal financial assistance” has the meaning*
23 *ascribed to it in 31 U.S.C. § 7501(a)(5).*

24 **Sec. 8.** 1. *On or before November 1 of each year, each*
25 *designated state agency shall prepare and submit to the Chief and*
26 *the State Controller a report stating, for the immediately preceding*
27 *fiscal year:*

28 (a) *The total amount of federal financial assistance received*
29 *by the designated state agency;*

30 (b) *The percentage of the total budgeted revenues of the*
31 *agency which is represented by the total amount of federal*
32 *financial assistance received by that agency; and*

33 (c) *The total amount of federal money authorized by the*
34 *Legislature for expenditure by the agency.*

35 2. *Except as otherwise provided in subsection 3, each report*
36 *prepared pursuant to this section must also set forth contingency*
37 *plans for the continued operation of the designated state agency if*



1 *the reported annual amount of federal financial assistance were to*
2 *be reduced by 5 percent and if such federal financial assistance*
3 *were to be reduced by 25 percent, respectively.*

4 *3. The contingency plans prepared by:*

5 *(a) The Board of Regents for the Nevada System of Higher*
6 *Education are not required to include information regarding any*
7 *university, state college or community college within the Nevada*
8 *System of Higher Education, but must include information*
9 *regarding the other branches and facilities of the System.*

10 *(b) The Department of Education are not required to include*
11 *information regarding any school district or charter school.*

12 *Sec. 9. In addition to the information required from the*
13 *Board of Regents and the Department of Education pursuant to*
14 *section 8 of this act, each report prepared pursuant to that section*
15 *by:*

16 *1. The Board of Regents must include the following*
17 *information for each university, state college and community*
18 *college within the Nevada System of Higher Education, for the*
19 *immediately preceding fiscal year:*

20 *(a) The total amount of federal financial assistance received*
21 *by the institution;*

22 *(b) The percentage of the total budgeted revenues of the*
23 *institution which is represented by the total amount of federal*
24 *financial assistance received by the institution; and*

25 *(c) The total amount of federal money authorized by the*
26 *Legislature for expenditure by the institution.*

27 *2. The Department of Education must include the following*
28 *information for each school district and charter school in this*
29 *State, for the immediately preceding fiscal year:*

30 *(a) The total amount of federal financial assistance received*
31 *by the school district or charter school;*

32 *(b) The percentage of the total budgeted revenues of the school*
33 *district or charter school which is represented by the total amount*
34 *of federal financial assistance received by that school district or*
35 *charter school; and*

36 *(c) The total amount of federal money authorized by the*
37 *Legislature for expenditure by the school district or charter*
38 *school.*

39 *Sec. 10. 1. On or before December 1 of each year, the*
40 *Chief shall prepare and submit to the Director of the Legislative*
41 *Counsel Bureau and the State Controller a report which:*

42 *(a) Compiles and summarizes all the reports received by the*
43 *Chief from designated state agencies pursuant to sections 8 and 9*
44 *of this act;*



1 ***(b) Compares the amount of federal financial assistance***
2 ***reported for each agency, institution, school district and charter***
3 ***school to the amount of federal money authorized by the***
4 ***Legislature for expenditure by that agency, institution, school***
5 ***district or charter school; and***

6 ***(c) Identifies any agency which has failed to submit a report***
7 ***required by section 8 or 9 of this act in a timely manner.***

8 ***2. The Director of the Legislative Counsel Bureau shall***
9 ***transmit the report of the Chief:***

10 ***(a) If the report is received in an even-numbered year, to the***
11 ***Senate Standing Committee on Finance and the Assembly***
12 ***Standing Committee on Ways and Means on or before the first day***
13 ***of the next ensuing regular session; and***

14 ***(b) If the report is received in an odd-numbered year, to the***
15 ***Interim Finance Committee on or before January 1 of the next***
16 ***ensuing calendar year.***

17 ***3. Each Committee shall review the report and take such***
18 ***action with respect to the report as the Committee deems***
19 ***appropriate.***

20 **Sec. 11.** The first report required to be submitted pursuant to
21 sections 8 and 9 of this act must be submitted by November 1, 2014,
22 and must include the required information for the period between
23 July 1, 2013, and June 30, 2014.

24 **Sec. 12.** This act becomes effective on July 1, 2013.

