
ASSEMBLY BILL NO. 85—ASSEMBLYMEN DALY, BOBZIEN,
CARRILLO; BENITEZ-THOMPSON, COHEN, HANSEN,
HEALEY AND SPRINKLE

FEBRUARY 11, 2013

JOINT SPONSOR: SENATOR SMITH

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing certain purchasing
contracts and consolidation agreements.
(BDR 27-277)

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 contracts; revising provisions governing the use
of purchasing contracts by governmental entities and the
circumstances under which a board of trustees of a school
district may join in contracts with another school district;
and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law authorizes: (1) a local government and the State of Nevada to join
2 or use contracts of local governments located within this State or another state if
3 authorized by the contracting vendor; and (2) a local government to join or use the
4 contracts of the State of Nevada or another state if authorized by the contracting
5 vendor. (NRS 332.195) Existing law also provides that, if a board of trustees of a
6 school district enters into an agreement with another school district for the
7 consolidation or sharing of services, functions or personnel, the board of trustees
8 may join in any applicable contracts of the other school district. (NRS 386.353)
9 This bill exempts from those provisions contracts for which a license issued
10 pursuant to chapter 624 of NRS governing contractors is required.



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

1 **Section 1.** NRS 332.195 is hereby amended to read as follows:
2 332.195 1. A governing body or its authorized representative
3 and the State of Nevada may join or use the contracts of local
4 governments located within or outside this State with the
5 authorization of the contracting vendor. The originally contracting
6 local government is not liable for the obligations of the
7 governmental entity which joins or uses the contract.

8 2. A governing body or its authorized representative may join
9 or use the contracts of the State of Nevada or another state with the
10 authorization of the contracting vendor. The State of Nevada or
11 other state is not liable for the obligations of the local government
12 which joins or uses the contract.

13 ***3. The provisions of this section do not apply to contracts for***
14 ***which a contractor's license issued pursuant to chapter 624 of***
15 ***NRS is required.***

16 **Sec. 2.** NRS 386.353 is hereby amended to read as follows:

17 386.353 1. The board of trustees of each school district in
18 this State shall determine whether any services, functions or
19 personnel may be feasibly consolidated or shared with one or more
20 other school districts in this State. Services, functions or personnel
21 that the board of trustees may consolidate or share with another
22 school district include, without limitation:

- 23 (a) Purchasing;
- 24 (b) Accounting;
- 25 (c) Recruiting;
- 26 (d) Transportation;
- 27 (e) Chief financial officer;
- 28 (f) Human resources director; and
- 29 (g) Superintendent of schools.

30 2. Based on the determination made pursuant to subsection 1,
31 the board of trustees may consolidate or share any service, function or
32 personnel with another school district. Nothing in this section
33 requires a board of trustees of a school district to enter into a
34 cooperative agreement for the consolidation or sharing of services,
35 functions or personnel with one or more school districts. The board
36 of trustees may establish any cost-effective and efficient method for
37 the sharing or consolidation of services or personnel.

38 3. If the board of trustees enters into an agreement with one or
39 more school districts for the consolidation or sharing of services,
40 functions or personnel, the board of trustees may join in any
41 applicable contracts of the other school district. ***The provisions of***



1 *this subsection do not apply to contracts for which a contractor's*
2 *license issued pursuant to chapter 624 of NRS is required.*

3 4. The Committee on Local Government Finance created
4 pursuant to NRS 354.105 shall adopt such regulations that are
5 necessary or proper to assist the boards of trustees in carrying out
6 the provisions of this section. Such regulations must include,
7 without limitation:

8 (a) Procedures and guidelines for how boards of trustees may
9 efficiently and effectively consolidate or share services, functions
10 and personnel with other school districts. Such procedures and
11 guidelines should provide direction to the boards of trustees on ways
12 to prepare contracts or other agreements necessary to implement the
13 provisions of this section.

14 (b) In the case of sharing personnel with other school districts,
15 procedures for sharing the costs of the payment of premiums or
16 contributions for employee benefits, including, without limitation,
17 retirement, life insurance and health benefits.

18 **Sec. 3.** This act becomes effective on July 1, 2013.

