

ASSEMBLY BILL NO. 189—ASSEMBLYMEN WHEELER,  
O’NEILL; DICKMAN AND SEAMAN

FEBRUARY 23, 2015

Referred to Committee on Transportation

SUMMARY—Revises provisions governing special license plates.  
(BDR 43-529)

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 special license plates; authorizing the Commission on Special License Plates to request the Legislative Commission to direct the Legislative Auditor to perform an audit of certain charitable organizations which receive additional fees collected by the Department of Motor Vehicles for special license plates; revising provisions regarding the application submitted to the Department by certain persons seeking a special license plate intended to generate financial support for an organization; revising provisions requiring certain charitable organizations which receive additional fees paid for special license plates to provide certain documents and records annually to the Commission on Special License Plates; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Under existing law, certain persons may apply to the Department of Motor  
2 Vehicles for the design, preparation and issuance of a special license plate that is  
3 intended to generate financial support for a charitable organization. The application  
4 must include certain information about the person requesting the special license  
5 plate, the charitable organization, if different from the person requesting the special  
6 license plate, and information about the intended use of the financial support. (NRS  
7 482.367002) **Section 6** of this bill requires that such an application also include a  
8 budget prepared by or for the charitable organization if the charitable organization  
9 is not a governmental entity whose budget is included in the executive budget.  
10 **Section 6** also requires the Department to notify the Commission on Special



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11 License Plates (hereinafter referred to as “the Commission”) and the charitable  
12 organization upon making a determination to issue the special license plate.

13 Existing law requires each charitable organization, not including a  
14 governmental entity whose budget is included in the executive budget, that receives  
15 fees from the sale of special license plates to prepare and submit annually to the  
16 Commission a balance sheet and a recent bank statement. (NRS 482.38277) The  
17 Commission is required to provide those documents to the Legislative Auditor, who  
18 is required to prepare a final written report for the Commission regarding the  
19 propriety of the financial administration and recordkeeping of the charitable  
20 organization. (NRS 482.38278) **Section 2** of this bill authorizes the Commission to  
21 request the Legislative Commission to direct the Legislative Auditor to perform an  
22 audit of any charitable organization that receives fees from the sale of special  
23 license plates if the Commission has reasonable cause to believe or has received a  
24 credible complaint that the charitable organization has: (1) filed with the  
25 Commission or the Department forms or records that are inadequate or inaccurate;  
26 (2) committed improper practices of financial administration; or (3) failed to use  
27 adequate methods and procedures to ensure that all money received in the form of  
28 additional fees from special license plates is expended solely for the benefit of the  
29 intended recipient. The Commission may also request the Legislative Commission  
30 to direct the Legislative Auditor to perform such an audit if the Commission  
31 determines that an investigation and audit are reasonably necessary to assist the  
32 Commission in administering any provision of existing law which the Commission  
33 is authorized to administer.

34 Existing law also requires each charitable organization, not including a  
35 governmental entity whose budget is included in the executive budget, that receives  
36 fees from the sale of special license plates to prepare and submit annually to the  
37 Commission updated information regarding the telephone number and mailing  
38 address of the charitable organization and the names of persons who are responsible  
39 for overseeing the operation of the charitable organization. (NRS 482.38277)  
40 **Section 8** of this bill further requires that the charitable organization provide the  
41 Commission annually with a report on the budget of the organization which  
42 provides details about how the fees received from the special license plates have  
43 been expended and a copy of the most recent federal tax return of the organization,  
44 if any, including all schedules related thereto. **Section 8** also requires the charitable  
45 organization: (1) to post annually on its Internet website the most recent federal tax  
46 return of the charitable organization, if any, including all schedules related thereto;  
47 or (2) if the charitable organization does not have an Internet website, to publish  
48 annually the most recent federal tax return of the charitable organization, if any,  
49 including all schedules related thereto, in a newspaper of general circulation in the  
50 county where the charitable organization is based.

51 Existing law authorizes the Commission to recommend that the Department  
52 take adverse action against a charitable organization that receives fees from the sale  
53 of special license plates if the Commission makes certain determinations about the  
54 organization, and after the organization has had an opportunity for a hearing on  
55 those determinations. The adverse action recommended may include the suspension  
56 of the collection of all additional fees collected on behalf of the charitable  
57 organization and the suspension of production of the special license plates from  
58 which the charitable organization receives additional fees, if the Department is still  
59 producing that design. (NRS 482.38279) **Section 10** of this bill adds to the criteria  
60 on which the Commission may base such a determination the results of an audit  
61 prepared by the Legislative Auditor pursuant to **section 2**.

62 **Section 4** of this bill provides that certain records submitted to the Commission  
63 by a charitable organization that receives fees from the sale of special license plates  
64 are public records and are available for public inspection. Existing law provides



65 that any personally identifiable information contained in such public records is  
66 confidential. (Chapter 239 of NRS, NRS 239B.030)

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

1     **Section 1.** Chapter 482 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. 1.** *The Commission on Special License Plates may*  
4 *request the Legislative Commission to direct the Legislative*  
5 *Auditor to perform an audit of any charitable organization if the*  
6 *Commission on Special License Plates:*

7     (a) *Has reasonable cause to believe or has received a credible*  
8 *complaint that the charitable organization has filed with the*  
9 *Commission on Special License Plates or the Department forms or*  
10 *records that are inadequate or inaccurate, has committed*  
11 *improper practices of financial administration, or has failed to use*  
12 *adequate methods and procedures to ensure that all money*  
13 *received in the form of additional fees is expended solely for the*  
14 *benefit of the intended recipient; or*

15     (b) *Determines that an audit is reasonably necessary to assist*  
16 *the Commission on Special License Plates in administering any*  
17 *provision of this chapter which it is authorized or required to*  
18 *administer.*

19     2. *If the Legislative Commission directs the Legislative*  
20 *Auditor to perform an audit of a charitable organization, the*  
21 *Legislative Auditor shall:*

22     (a) *Conduct the audit and prepare a final written report of the*  
23 *audit;*

24     (b) *Distribute a copy of the final written report to each member*  
25 *of the Commission on Special License Plates; and*

26     (c) *Present the final written report to the Commission on*  
27 *Special License Plates at its next regularly scheduled meeting.*

28     3. *Along with any statement of explanation or rebuttal from*  
29 *the audited charitable organization, the final written report of the*  
30 *audit may include, without limitation:*

31     (a) *Evidence regarding the inadequacy or inaccuracy of any*  
32 *forms or records filed by the charitable organization with the*  
33 *Commission on Special License Plates or the Department;*

34     (b) *Evidence regarding any improper practices of financial*  
35 *administration on the part of the charitable organization;*

36     (c) *Evidence regarding the methods and procedures, or lack*  
37 *thereof, used to ensure that all money received in the form of*  
38 *additional fees is expended solely for the benefit of the intended*  
39 *recipient; and*



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1        *(d) Any other evidence or information that the Legislative*  
2 *Auditor determines to be relevant to the propriety of the financial*  
3 *administration and recordkeeping of the charitable organization,*  
4 *including, without limitation, the disposition of any additional fees*  
5 *received by the charitable organization.*

6        **Sec. 3. 1.** *Upon receiving notification by the Department*  
7 *pursuant to subsection 5 of NRS 482.367002 that a special license*  
8 *plate that is intended to generate financial support for an*  
9 *organization will be issued by the Department, a charitable*  
10 *organization, not including a governmental entity whose budget is*  
11 *in the executive budget, that is to receive additional fees shall, if*  
12 *the charitable organization wishes to award grants with any of the*  
13 *money received in the form of additional fees, submit to the*  
14 *Commission on Special License Plates in writing the methods and*  
15 *procedures to be used by the charitable organization in awarding*  
16 *such grants, including, without limitation:*

17        *(a) A copy of the application form to be used by any person or*  
18 *entity seeking a grant from the charitable organization;*

19        *(b) The guidelines established by the charitable organization*  
20 *for the submission and review of applications to receive a grant*  
21 *from the charitable organization; and*

22        *(c) The criteria to be used by the charitable organization in*  
23 *awarding such a grant.*

24        **2.** *Upon receipt of the information required, the Commission*  
25 *shall review the procedures to determine if the methods and*  
26 *procedures are adequate to ensure that all money received in the*  
27 *form of additional fees is expended solely for the benefit of the*  
28 *intended recipient. If the Commission determines that the methods*  
29 *and procedures are:*

30        *(a) Adequate to ensure that all money received in the form of*  
31 *additional fees is expended solely for the benefit of the intended*  
32 *recipient, the Commission shall notify the charitable organization*  
33 *of that determination.*

34        *(b) Inadequate to ensure that all money received in the form of*  
35 *additional fees is expended solely for the benefit of the intended*  
36 *recipient, the Commission shall notify the charitable organization*  
37 *and request that the charitable organization submit a revised*  
38 *version of the methods and procedures to be used by the charitable*  
39 *organization in awarding grants.*

40        **3.** *A charitable organization may not award any grants of*  
41 *money received in the form of additional fees until the procedures*  
42 *and methods have been determined adequate by the Commission*  
43 *pursuant to subsection 2.*

44        **Sec. 4.** *All documents and information submitted to the*  
45 *Commission pursuant to sections 2 and 3 of this act,*



1 *NRS 482.38277 and 482.38278 by a charitable organization that is*  
2 *to receive additional fees, not including a governmental entity*  
3 *whose budget is in the executive budget, are public records and*  
4 *are available for public inspection as provided in chapter 239 of*  
5 *NRS.*

6 **Sec. 5.** NRS 482.270 is hereby amended to read as follows:

7 482.270 1. Except as otherwise provided in this section or by  
8 specific statute, the Director shall order the redesign and preparation  
9 of motor vehicle license plates.

10 2. Except as otherwise provided in subsection 3, the  
11 Department shall, upon the payment of all applicable fees, issue  
12 redesigned motor vehicle license plates pursuant to this section to  
13 persons who apply for the registration or renewal of the registration  
14 of a motor vehicle on or after January 1, 2001.

15 3. The Department shall not issue redesigned motor vehicle  
16 license plates pursuant to this section to a person who was issued  
17 motor vehicle license plates before January 1, 1982, or pursuant to  
18 NRS 482.3747, 482.3763, 482.3775, 482.378, 482.379 or  
19 482.37901, without the approval of the person.

20 4. The Director may determine and vary the size, shape and  
21 form and the material of which license plates are made, but each  
22 license plate must be of sufficient size to be plainly readable from a  
23 distance of 100 feet during daylight. All license plates must be  
24 treated to reflect light and to be at least 100 times brighter than  
25 conventional painted number plates. When properly mounted on an  
26 unlighted vehicle, the license plates, when viewed from a vehicle  
27 equipped with standard headlights, must be visible for a distance of  
28 not less than 1,500 feet and readable for a distance of not less than  
29 110 feet.

30 5. Every license plate must have displayed upon it:

31 (a) The registration number, or combination of letters and  
32 numbers, assigned to the vehicle and to the owner thereof;

33 (b) The name of this State, which may be abbreviated;

34 (c) If issued for a calendar year, the year; and

35 (d) If issued for a registration period other than a calendar year,  
36 the month and year the registration expires.

37 6. Each special license plate that is designed, prepared and  
38 issued pursuant to NRS 482.367002 must be designed and prepared  
39 in such a manner that:

40 (a) The left-hand one-third of the plate is the only part of the  
41 plate on which is displayed any design or other insignia that is  
42 suggested pursuant to paragraph ~~f(4)~~ (g) of subsection 2 of that  
43 section; and

44 (b) The remainder of the plate conforms to the requirements for  
45 lettering and design that are set forth in this section.



1     **Sec. 6.** NRS 482.367002 is hereby amended to read as  
2 follows:

3     482.367002 1. A person may request that the Department  
4 design, prepare and issue a special license plate by submitting an  
5 application to the Department. A person may submit an application  
6 for a special license plate that is intended to generate financial  
7 support for an organization only if:

8     (a) For an organization which is not a governmental entity, the  
9 organization is established as a nonprofit charitable organization  
10 which provides services to the community relating to public health,  
11 education or general welfare;

12     (b) For an organization which is a governmental entity, the  
13 organization only uses the financial support generated by the special  
14 license plate for charitable purposes relating to public health,  
15 education or general welfare;

16     (c) The organization is registered with the Secretary of State, if  
17 registration is required by law, and has filed any documents required  
18 to remain registered with the Secretary of State;

19     (d) The name and purpose of the organization do not promote,  
20 advertise or endorse any specific product, brand name or service that  
21 is offered for profit;

22     (e) The organization is nondiscriminatory; and

23     (f) The license plate will not promote a specific religion, faith or  
24 antireligious belief.

25     2. An application submitted to the Department pursuant to  
26 subsection 1:

27     (a) Must be on a form prescribed and furnished by the  
28 Department;

29     (b) Must specify whether the special license plate being  
30 requested is intended to generate financial support for a particular  
31 cause or charitable organization and, if so:

32         (1) The name of the cause or charitable organization; and

33         (2) Whether the financial support intended to be generated  
34 for the particular cause or charitable organization will be for:

35             (I) General use by the particular cause or charitable  
36 organization; or

37             (II) Use by the particular cause or charitable organization  
38 in a more limited or specific manner;

39     (c) Must include the name and signature of a person who  
40 represents:

41         (1) The organization which is requesting that the Department  
42 design, prepare and issue the special license plate; and

43         (2) If different from the organization described in  
44 subparagraph (1), the cause or charitable organization for which the



1 special license plate being requested is intended to generate  
2 financial support;

3 (d) Must include proof that the organization satisfies the  
4 requirements set forth in subsection 1;

5 (e) Must be accompanied by a surety bond posted with the  
6 Department in the amount of \$5,000, except that if the special  
7 license plate being requested is one of the type described in  
8 subsection 3 of NRS 482.367008, the application must be  
9 accompanied by a surety bond posted with the Department in the  
10 amount of \$20,000; ~~and~~

11 (f) *Must, if the organization is a charitable organization, not*  
12 *including a governmental entity whose budget is included in*  
13 *the executive budget, include a budget prepared by or for the*  
14 *charitable organization which includes, without limitation, the*  
15 *proposed operating and administrative expenses of the charitable*  
16 *organization; and*

17 (g) May be accompanied by suggestions for the design of and  
18 colors to be used in the special license plate.

19 3. If an application for a special license plate has been  
20 submitted pursuant to this section but the Department has not yet  
21 designed, prepared or issued the plate, the applicant shall amend the  
22 application with updated information when any of the following  
23 events take place:

24 (a) The name of the organization that submitted the application  
25 has changed since the initial application was submitted.

26 (b) The cause or charitable organization for which the special  
27 license plate being requested is intended to generate financial  
28 support has a different name than that set forth on the initial  
29 application.

30 (c) The cause or charitable organization for which the special  
31 license plate being requested is intended to generate financial  
32 support is different from that set forth on the initial application.

33 (d) *A charitable organization which submitted a budget*  
34 *pursuant to paragraph (f) of subsection 2 prepares or has*  
35 *prepared a new or subsequent budget.*

36 ↪ The updated information described in this subsection must be  
37 submitted to the Department within 90 days after the relevant  
38 change takes place, unless the applicant has received notice that the  
39 special license plate is on an agenda to be heard at a meeting of the  
40 Commission on Special License Plates, in which case the updated  
41 information must be submitted to the Department within 48 hours  
42 after the applicant receives such notice. The updating of information  
43 pursuant to this subsection does not alter, change or otherwise affect  
44 the issuance of special license plates by the Department in



1 accordance with the chronological order of their authorization or  
2 approval, as described in subsection 2 of NRS 482.367008.

3 4. The Department may design and prepare a special license  
4 plate requested pursuant to subsection 1 if:

5 (a) The Department determines that the application for that plate  
6 complies with subsection 2; and

7 (b) The Commission on Special License Plates recommends to  
8 the Department that the Department approve the application for that  
9 plate pursuant to subsection 5 of NRS 482.367004.

10 5. *Upon making a determination to issue a special license*  
11 *plate pursuant to this section, the Department shall notify:*

12 (a) *The person who requested the special license plate*  
13 *pursuant to subsection 1;*

14 (b) *The charitable organization for which the special license*  
15 *plate is intended to generate financial support, if any; and*

16 (c) *The Commission on Special License Plates.*

17 6. Except as otherwise provided in NRS 482.367008, the  
18 Department may issue a special license plate that:

19 (a) The Department has designed and prepared pursuant to this  
20 section;

21 (b) The Commission on Special License Plates has  
22 recommended the Department approve for issuance pursuant to  
23 subsection 5 of NRS 482.367004; and

24 (c) Complies with the requirements of subsection 6 of  
25 NRS 482.270,

26 ↪ for any passenger car or light commercial vehicle upon  
27 application by a person who is entitled to license plates pursuant to  
28 NRS 482.265 and who otherwise complies with the requirements for  
29 registration and licensing pursuant to this chapter. A person may  
30 request that personalized prestige license plates issued pursuant to  
31 NRS 482.3667 be combined with a special license plate issued  
32 pursuant to this section if that person pays the fees for personalized  
33 prestige license plates in addition to the fees for the special license  
34 plate.

35 ~~6.1~~ 7. The Department must promptly release the surety bond  
36 posted pursuant to subsection 2:

37 (a) If the Department determines not to issue the special license  
38 plate; or

39 (b) If it is determined that at least 1,000 special license plates  
40 have been issued pursuant to the assessment of the viability of the  
41 design of the special license plate conducted pursuant to NRS  
42 482.367008, except that if the special license plate is one of the type  
43 described in subsection 3 of NRS 482.367008, the Department must  
44 promptly release the surety bond posted pursuant to subsection 2 if  
45 it is determined that at least 3,000 special license plates have been





1 issued pursuant to the assessment of the viability of the design of the  
2 special license plate conducted pursuant to NRS 482.367008.

3 ~~7.7~~ **8.** If, during a registration period, the holder of license  
4 plates issued pursuant to the provisions of this section disposes of  
5 the vehicle to which the plates are affixed, the holder shall:

6 (a) Retain the plates and affix them to another vehicle that meets  
7 the requirements of this section if the holder pays the fee for the  
8 transfer of the registration and any registration fee or governmental  
9 services tax due pursuant to NRS 482.399; or

10 (b) Within 30 days after removing the plates from the vehicle,  
11 return them to the Department.

12 **Sec. 7.** NRS 482.38272 is hereby amended to read as follows:

13 482.38272 As used in NRS 482.38272 to 482.38279, inclusive,  
14 *and sections 2, 3 and 4 of this act*, unless the context otherwise  
15 requires, the words and terms defined in NRS 482.38273 to  
16 482.38276, inclusive, have the meanings ascribed to them in those  
17 sections.

18 **Sec. 8.** NRS 482.38277 is hereby amended to read as follows:

19 482.38277 1. On or before September 1 of each fiscal year,  
20 each charitable organization, not including a governmental entity  
21 whose budget is included in the executive budget, that receives  
22 additional fees shall prepare a balance sheet for the immediately  
23 preceding fiscal year on a form provided by the Commission on  
24 Special License Plates and file the balance sheet, accompanied by a  
25 recent bank statement, with the Commission. The Commission shall  
26 prepare and make available, or cause to be prepared and made  
27 available, a form that must be used by a charitable organization to  
28 prepare such a balance sheet.

29 2. On or before July 1 of each fiscal year, each charitable  
30 organization, not including a governmental entity whose budget is  
31 included in the executive budget, that receives additional fees shall  
32 provide to the Commission and the Department:

33 (a) A list of the names of the persons, whether or not designated  
34 officers, who are responsible for overseeing the operation of the  
35 charitable organization;

36 (b) The current mailing address of the charitable organization;  
37 ~~and~~

38 (c) The current telephone number of the charitable organization  
39 ~~;~~;

40 (d) *A report on the budget of the charitable organization,*  
41 *including, without limitation:*

42 (1) *A copy of the most recent annual budget of the*  
43 *charitable organization; and*

44 (2) *A description of how all money received by the*  
45 *charitable organization in the form of additional fees was*



1 *expended, including, without limitation, how that money was*  
2 *expended by the charitable organization, or any recipient or*  
3 *awardee of that money from the charitable organization; and*

4 *(e) A copy of the most recent federal tax return of the*  
5 *charitable organization, if any, including all schedules related*  
6 *thereto.*

7 3. *On or before July 1 of each fiscal year, each charitable*  
8 *organization, not including a governmental entity whose budget is*  
9 *included in the executive budget, that receives additional fees shall*  
10 *post on the Internet website of the charitable organization or, if no*  
11 *such Internet website exists, publish in a newspaper of general*  
12 *circulation in the county where the charitable organization is*  
13 *based, the most recent federal tax return of the charitable*  
14 *organization, if any, including all schedules related thereto.*

15 4. The Legislative Auditor shall prescribe:

16 (a) The form and content of the balance sheets required to be  
17 filed pursuant to subsection 1; and

18 (b) Any additional information that must accompany the balance  
19 sheets and bank statements required to be filed pursuant to  
20 subsection 1, including, without limitation, the methods and  
21 procedures used to ensure that all money received in the form of  
22 additional fees is expended solely for the benefit of the intended  
23 recipient.

24 ~~4~~ 5. The Commission shall provide to the Legislative  
25 Auditor:

26 (a) A copy of each balance sheet and bank statement that it  
27 receives from a charitable organization pursuant to subsection 1; and

28 (b) A copy of the information that it receives from a charitable  
29 organization pursuant to subsection 2.

30 **Sec. 9.** NRS 482.38278 is hereby amended to read as follows:

31 482.38278 1. On or before September 30 following the end  
32 of each fiscal year, the Legislative Auditor shall present to the  
33 Commission on Special License Plates a final written report with  
34 respect to the charitable organizations for which the Commission  
35 provided to the Legislative Auditor a balance sheet pursuant to  
36 subsection ~~4~~ 5 of NRS 482.38277.

37 2. The final written report must be distributed to each member  
38 of the Commission before the report is presented to the  
39 Commission.

40 3. Along with any statement of explanation or rebuttal from the  
41 audited charitable organization, the final written report may include,  
42 without limitation:

43 (a) Evidence regarding the inadequacy or inaccuracy of any  
44 forms or records filed by the charitable organization with the  
45 Commission or the Department;



1 (b) Evidence regarding any improper practices of financial  
2 administration on the part of the charitable organization;

3 (c) Evidence regarding the methods and procedures, or lack  
4 thereof, used to ensure that all money received in the form of  
5 additional fees is expended solely for the benefit of the intended  
6 recipient; and

7 (d) Any other evidence or information that the Legislative  
8 Auditor determines to be relevant to the propriety of the financial  
9 administration and recordkeeping of the charitable organization,  
10 including, without limitation, the disposition of any additional fees  
11 received by the charitable organization.

12 **Sec. 10.** NRS 482.38279 is hereby amended to read as  
13 follows:

14 482.38279 1. If the Commission on Special License Plates  
15 determines that a charitable organization has failed to comply with  
16 one or more of the provisions of NRS 482.38277 or if, in a report  
17 provided to the Commission by the Legislative Auditor pursuant to  
18 NRS 482.38278, *or section 2 of this act*, the Legislative Auditor  
19 determines that a charitable organization has committed improper  
20 practices of financial administration, has filed with the Commission  
21 or the Department forms or records that are inadequate or  
22 inaccurate, or has failed to use adequate methods and procedures to  
23 ensure that all money received in the form of additional fees is  
24 expended solely for the benefit of the intended recipient, the  
25 Commission shall notify the charitable organization of that  
26 determination.

27 2. A charitable organization may request in writing a hearing,  
28 within 20 days after receiving notification pursuant to subsection 1,  
29 to respond to the determinations of the Commission or Legislative  
30 Auditor. The hearing must be held not later than 30 days after the  
31 receipt of the request for a hearing unless the parties, by written  
32 stipulation, agree to extend the time.

33 3. The Commission shall issue a decision on whether to uphold  
34 the original determination of the Commission or the Legislative  
35 Auditor or to overturn that determination. The decision required  
36 pursuant to this subsection must be issued:

37 (a) Immediately after the hearing, if a hearing was requested; or

38 (b) Within 30 days after the expiration of the 20-day period  
39 within which a hearing may be requested, if a hearing was not  
40 requested.

41 4. If the Commission decides to uphold its own determination  
42 that a charitable organization has failed to comply with one or more  
43 of the provisions of NRS 482.38277 or decides to uphold the  
44 determination of the Legislative Auditor that the organization has  
45 committed improper practices of financial administration, has filed



1 with the Commission or the Department forms or records that are  
2 inadequate or inaccurate, or has failed to use adequate methods and  
3 procedures to ensure that all money received in the form of  
4 additional fees is expended solely for the benefit of the intended  
5 recipient, the Commission shall issue its decision in writing and  
6 may recommend that the Department:

7 (a) Suspend the collection of all additional fees collected on  
8 behalf of the charitable organization; and

9 (b) Suspend production of the particular design of special  
10 license plates from which the charitable organization receives  
11 additional fees, if the Department is still producing that design.

12 5. If, in accordance with subsection 4, the Commission  
13 recommends that the Department take adverse action against a  
14 charitable organization, the Commission shall notify the charitable  
15 organization, in writing, of that fact within 30 days after making the  
16 recommendation. A charitable organization aggrieved by a  
17 recommendation of the Commission may, within 30 days after the  
18 date on which it received notice of the recommendation, submit to  
19 the Department any facts, evidence or other information that it  
20 believes is relevant to the propriety of the Commission's  
21 recommendation. Within 30 days after receiving all facts, evidence  
22 and other relevant information submitted to the Department by the  
23 aggrieved charitable organization, the Department shall render a  
24 decision, in writing, as to whether the Department accepts or rejects  
25 the Commission's recommendation. The decision of the Department  
26 is a final decision for the purpose of judicial review.

27 **Sec. 11.** This act becomes effective on July 1, 2015.

