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FIRST REPRINT

A.B. 20

ASSEMBLY BILL NO. 20—COMMITTEE
ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE DEPARTMENT OF ADMINISTRATION)

PREFILED DECEMBER 20, 2014

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to the budget of the Executive Department of State Government. (BDR 31-287)

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 state financial administration; revising provisions governing the procedure for the revision of the budget of the Executive Department of the State Government; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under the State Budget Act, a department, institution or other agency of the
2 Executive Department of the State Government, with certain exceptions, is
3 authorized, as a result of changed conditions, to request a revision to a work
4 program within its budget. Such a revision is required to be approved or
5 disapproved by the Governor or the Chief of the Budget Division of the Department
6 of Administration. In addition, if the amount of the requested revision exceeds a
7 specified monetary threshold and increases or decreases the expenditure level
8 approved by the Legislature for any of the allotments within the work program by a
9 specified percentage or amount, the revision also requires the additional approval of
10 the Interim Finance Committee, unless the Governor approves the revision as
11 necessary because of a qualifying emergency situation or for the protection of life
12 or property. (NRS 353.220)

13 This bill removes the requirement for additional approval by the Governor, in
14 certain emergency circumstances, or the Interim Finance Committee of work
15 program changes which result from: (1) acceptance by a state agency of a gift or
16 nongovernmental grant which does not exceed \$20,000 or a governmental grant
17 which does not exceed \$150,000; or (2) carrying forward money from one fiscal
18 year to the next without a change in purpose.



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

1 **Section 1.** NRS 353.220 is hereby amended to read as follows:

2 353.220 1. The head of any department, institution or agency
3 of the Executive Department of the State Government, whenever he
4 or she deems it necessary because of changed conditions, may
5 request the revision of the work program of his or her department,
6 institution or agency at any time during the fiscal year, and submit
7 the revised program to the Governor through the Chief with a
8 request for revision of the allotments for the remainder of that fiscal
9 year.

10 2. Every request for revision must be submitted to the Chief on
11 the form and with supporting information as the Chief prescribes.

12 3. Before encumbering any appropriated or authorized money,
13 every request for revision must be approved or disapproved in
14 writing by the Governor or the Chief, if the Governor has by written
15 instrument delegated this authority to the Chief.

16 4. ~~Whenever~~ *Except as otherwise provided in subsection 8,*
17 *whenever* a request for the revision of a work program of a
18 department, institution or agency in an amount more than \$30,000
19 would, when considered with all other changes in allotments for that
20 work program made pursuant to *subsections 1, 2 and 3 and* NRS
21 353.215 , ~~[and subsections 1, 2 and 3 of this section,]~~ increase or
22 decrease by 10 percent or \$75,000, whichever is less, the
23 expenditure level approved by the Legislature for any of the
24 allotments within the work program, the request must be approved
25 as provided in subsection 5 before any appropriated or authorized
26 money may be encumbered for the revision.

27 5. If a request for the revision of a work program requires
28 additional approval as provided in subsection 4 and:

29 (a) Is necessary because of an emergency as defined in NRS
30 353.263 or for the protection of life or property, the Governor shall
31 take reasonable and proper action to approve it and shall report the
32 action, and his or her reasons for determining that immediate action
33 was necessary, to the Interim Finance Committee at its first meeting
34 after the action is taken. Action by the Governor pursuant to this
35 paragraph constitutes approval of the revision, and other provisions
36 of this chapter requiring approval before encumbering money for the
37 revision do not apply.

38 (b) The Governor determines that the revision is necessary and
39 requires expeditious action, he or she may certify that the request
40 requires expeditious action by the Interim Finance Committee.
41 Whenever the Governor so certifies, the Interim Finance Committee
42 has 15 days after the request is submitted to its Secretary within



1 which to consider the revision. Any request for revision which is not
2 considered within the 15-day period shall be deemed approved.

3 (c) Does not qualify pursuant to paragraph (a) or (b), it must be
4 submitted to the Interim Finance Committee. The Interim Finance
5 Committee has 45 days after the request is submitted to its Secretary
6 within which to consider the revision. Any request which is not
7 considered within the 45-day period shall be deemed approved.

8 6. The Secretary shall place each request submitted pursuant to
9 paragraph (b) or (c) of subsection 5 on the agenda of the next
10 meeting of the Interim Finance Committee.

11 7. In acting upon a proposed revision of a work program, the
12 Interim Finance Committee shall consider, among other things:

13 (a) The need for the proposed revision; and

14 (b) The intent of the Legislature in approving the budget for the
15 present biennium and originally enacting the statutes which the
16 work program is designed to effectuate.

17 *8. The provisions of subsection 4 do not apply to any request*
18 *for the revision of a work program which is required:*

19 (a) *As a result of the acceptance of a gift or grant of property*
20 *or services pursuant to subsection 5 of NRS 353.335; or*

21 (b) *To carry forward to a fiscal year, without a change in*
22 *purpose, the unexpended balance of any money authorized for*
23 *expenditure in the immediately preceding fiscal year.*

24 **Sec. 2.** This act becomes effective upon passage and approval.

