

SENATE BILL NO. 249—SENATORS GOICOECHEA AND HARDY

MARCH 11, 2015

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to local financial administration. (BDR 31-1023)

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 local government financial administration; reducing the time in which a person who is owed certain money by a county may make a demand for payment; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law provides that a person who is owed money by a county and who  
2 fails or neglects to demand payment of the money within 2 years is disallowed from  
3 collecting the amount owed unless, within 6 years after the initial 2-year period, the  
4 person makes a demand for payment. (NRS 354.190) This bill provides that  
5 the owner of an indebtedness of the county must demand the payment of the  
6 indebtedness from the county not later than 1 year after the date of the original  
7 allowance or the payment of the indebtedness is barred unless the board of county  
8 commissioners allows payment.

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

1 **Section 1.** NRS 354.190 is hereby amended to read as follows:  
2 354.190 1. ~~When there shall be in the general, contingent,~~  
3 ~~indigent sick or road fund of a county any sum of money which has~~  
4 ~~been in the fund for the term of 2 years or more by reason of the~~  
5 ~~failure or neglect of the owner of such indebtedness to demand~~  
6 ~~payment of the same, such sum of money shall be applied to the~~  
7 ~~payment of the more recent indebtedness of the county payable out~~  
8 ~~of such fund.~~



1 ~~—2.— If the~~ *The* owner of ~~{such allowance shall demand such sum~~  
2 ~~of money within 6 years}~~ *an indebtedness of a county must*  
3 *demand payment of the indebtedness from the county not later*  
4 *than 1 year* ~~{from}~~ *after* the date of the original allowance . ~~{of such~~  
5 ~~sum of money, and after such sum of money has been so applied,~~  
6 ~~the board of county commissioners may again allow the demand for~~  
7 ~~the amount originally allowed, without interest, and no more, and~~  
8 ~~any such demand so reallocated shall be paid in the order of its~~  
9 ~~reallocation out of the fund originally accountable therefor, if such~~  
10 ~~fund exists. If no such fund exists at the time, then such demand~~  
11 ~~shall be paid in the order of its reallocation out of the county general~~  
12 ~~fund.~~

13 ~~—3.— Should}~~  
14 *2. If* the payment of ~~{such sum of money not be}~~ *an*  
15 *indebtedness of the county is not* demanded within ~~{6 years}~~ *1 year*  
16 ~~{from and}~~ after the original allowance ~~{of such demand, then such~~  
17 ~~indebtedness shall not be reallocated by the board of county~~  
18 ~~commissioners and}~~ , *except as otherwise provided in subsection 3,*  
19 the payment thereof shall be forever barred.

20 *3. If the payment of an indebtedness of the county is*  
21 *demanded more than 1 year after the original allowance, the*  
22 *board of county commissioners may allow the payment. Nothing*  
23 *in this subsection requires the board to allow the payment of an*  
24 *indebtedness that is demanded more than 1 year after the original*  
25 *allowance.*

26 4. Nothing in this section shall be so construed as to affect or  
27 repeal any law providing for the redemption or funding of the  
28 indebtedness of any county.

29 **Sec. 2.** This act becomes effective on July 1, 2015.

