

Amendment No. 40

Assembly Amendment to Assembly Bill No. 111 (BDR 58-641)

Proposed by: Assembly Committee on Health and Human Services

Amends: Summary: No Title: No Preamble: No Joint Sponsorship: Yes Digest: Yes

ASSEMBLY ACTION		Initial and Date		SENATE ACTION		Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>		Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>		Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>		Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

MKM/BJF



Date: 4/13/2017

A.B. No. 111—Authorizes the Division of Welfare and Supportive Services of the Department of Health and Human Services to use money in the Fund for Energy Assistance and Conservation to assist certain low-income households in paying for Internet service.
(BDR 58-641)



ASSEMBLY BILL NO. 111—~~ASSEMBLYMAN~~ ASSEMBLYMEN THOMPSON;
ARAUJO, CARRILLO, DALY, FUMO, MILLER AND NEAL

PREFILED FEBRUARY 7, 2017

JOINT SPONSORS: SENATORS CANCELA AND SEGERBLOM

Referred to Committee on Health and Human Services

SUMMARY—Authorizes the Division of Welfare and Supportive Services of the Department of Health and Human Services to use money in the Fund for Energy Assistance and Conservation to assist certain low-income households in paying for Internet service. (BDR 58-641)

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 energy assistance; authorizing the Division of Welfare and Supportive Services of the Department of Health and Human Services to use money in the Fund for Energy Assistance and Conservation to assist certain low-income households in paying for Internet service; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires certain customers of an electric or gas utility to pay a universal
2 energy charge of 3.30 mills on each therm of natural gas purchased for consumption in this
3 State and 0.39 mills on each kilowatt-hour of electricity purchased for consumption in this
4 State. (NRS 702.160) Under existing law, the Public Utilities Commission of Nevada collects
5 the universal energy charge and, after deducting its administrative charge, deposits the
6 remaining money collected for the universal energy charge in the Fund for Energy Assistance
7 and Conservation. (NRS 702.160, 702.170, 702.250) Existing law requires 75 percent of the
8 money in the Fund to be distributed to the Division of Welfare and Supportive Services of the
9 Department of Health and Human Services for programs to assist certain low-income
10 households in paying for natural gas and electricity. (NRS 702.260) The remaining 25 percent
11 of the money in the Fund must be distributed to the Housing Division of the Department of
12 Business and Industry for programs of energy conservation, weatherization and energy
13 efficiency for certain low-income households. (NRS 702.270) **Section 2** of this bill authorizes
14 the Division of Welfare and Supportive Services to use money from the Fund distributed to
15 the Division to pay for programs to assist certain low-income households in paying for
16 Internet service. **Section 2 also provides that the amount of assistance received by a**
17 **household to pay for Internet service must: (1) equal the lowest cost available for**
18 **Internet service in the area that the Internet service is being provided; and (2) exclude**
19 **any costs for cable or satellite television service, including, without limitation, joint**
20 **packages that provide Internet service with cable or satellite television service.**

Existing law provides that certain persons who are exempt from paying the universal energy charge are not eligible to receive assistance from the Division of Welfare and Supportive Services for utility service or from the Housing Division for energy conservation, weatherization or energy efficiency. **Section 1** of this bill specifies that a person who is exempt from paying the universal energy charge is not eligible to receive assistance from the Division of Welfare and Supportive Services in paying for Internet service.

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

Section 1. NRS 702.150 is hereby amended to read as follows:

702.150 1. The provisions of NRS 702.160 do not apply to any therm of natural gas or any kilowatt-hour of electricity that a retail customer purchases from:

(a) A rural electric cooperative established pursuant to chapter 81 of NRS.

(b) A general improvement district established pursuant to chapter 318 of NRS.

(c) A cooperative association, nonprofit corporation, nonprofit association or provider of service which is declared to be a public utility pursuant to NRS 704.673 and which provides service only to its members.

2. If a retail customer is exempted from paying the universal energy charge pursuant to subsection 1, the retail customer may not receive money or other assistance from:

(a) The Division of Welfare and Supportive Services pursuant to NRS 702.260 for ~~any~~ :

(1) *Any* utility service for which the retail customer is exempted from paying the universal energy charge; or

(2) *Internet service; or*

(b) The Housing Division pursuant to NRS 702.270.

Sec. 2. NRS 702.260 is hereby amended to read as follows:

702.260 1. Seventy-five percent of the money in the Fund must be distributed to the Division of Welfare and Supportive Services for programs to assist eligible households in paying for natural gas , ~~and~~ electricity ~~+~~ *and Internet service*. The Division may use not more than 5 percent of the money distributed to it pursuant to this section for its administrative expenses.

2. Except as otherwise provided in NRS 702.150, after deduction for its administrative expenses, the Division may use the money distributed to it pursuant to this section only to:

(a) Assist eligible households in paying for natural gas , ~~and~~ electricity ~~+~~ *and Internet service*.

(b) Carry out activities related to consumer outreach.

(c) Pay for program design.

(d) Pay for the annual evaluations conducted pursuant to NRS 702.280.

3. Except as otherwise provided in subsection 4, to be eligible to receive assistance from the Division pursuant to this section, a household must have a household income that is not more than 150 percent of the federally designated level signifying poverty, as determined by the Division.

4. The Division is authorized to render emergency assistance to a household if an emergency related to the cost or availability of natural gas , ~~or~~ electricity *or Internet service* threatens the health or safety of one or more of the members of the household. Such emergency assistance may be rendered upon the good faith belief that the household is otherwise eligible to receive assistance pursuant to this section.

1 5. Before July 1, 2002, if a household is eligible to receive assistance pursuant to
2 this section, the Division shall determine the amount of assistance that the
3 household will receive by using the existing formulas set forth in the state plan for
4 low-income home energy assistance.

5 6. On or after July 1, 2002, if a household is eligible to receive assistance
6 pursuant to this section, the Division:

7 (a) Shall, to the extent practicable, determine the amount of assistance that the
8 household will receive for natural gas and electricity by determining the amount of
9 assistance that is sufficient to reduce the percentage of the household's income that
10 is spent on natural gas ~~and~~ electricity ~~and Internet service~~ to the median
11 percentage of household income spent on natural gas ~~and~~ electricity ~~and~~
12 ~~Internet service~~ statewide.

13 (b) May adjust the amount of assistance that the household will receive for
14 natural gas and electricity based upon such factors as:

- 15 (1) The income of the household;
- 16 (2) The size of the household;
- 17 (3) The type of energy ~~for Internet service~~ that the household uses; and
- 18 (4) Any other factor which, in the determination of the Division, may make
19 the household particularly vulnerable to increases in the cost of natural gas ~~and~~ or
20 electricity ~~and~~ for Internet service.

21 7. If a household is eligible to receive assistance in paying for Internet
22 service pursuant to this section, the Division shall determine the amount of such
23 assistance to:

24 (a) Be equal to the lowest cost available for Internet service in the area that
25 such Internet service is being provided.

26 (b) Exclude any costs for cable or satellite television service or for joint
27 packages that provide Internet service with cable or satellite television service.

28 8. The Division shall adopt regulations to carry out and enforce the provisions
29 of this section and NRS 702.250.

30 ~~8.~~ 9. In carrying out the provisions of this section, the Division shall:

31 (a) Solicit advice from the Housing Division and from other knowledgeable
32 persons;

33 (b) Identify and implement appropriate delivery systems to distribute money
34 from the Fund and to provide other assistance pursuant to this section;

35 (c) Coordinate with other federal, state and local agencies that provide energy
36 assistance or conservation services to low-income persons and, to the extent
37 allowed by federal law and to the extent practicable, use the same simplified
38 application forms as those other agencies;

39 (d) Establish a process for evaluating the programs conducted pursuant to this
40 section;

41 (e) Develop a process for making changes to such programs; and

42 (f) Engage in annual planning and evaluation processes with the Housing
43 Division as required by NRS 702.280.

44 ~~9.~~ 10. For the purposes of this section, "eligible household" includes,
45 without limitation:

46 (a) A tenant of a manufactured home park or mobile home park subject to the
47 provisions of NRS 704.905 to 704.960, inclusive; and

48 (b) A tenant who purchases electricity from a landlord as described in
49 paragraph (c) of subsection 2 of subsection 2 of NRS 702.090 based on the actual usage of
50 electricity by the tenant.

51 **Sec. 3.** This act becomes effective on July 1, 2017.