

ASSEMBLY BILL NO. 365—COMMITTEE  
ON GOVERNMENT AFFAIRS

MARCH 21, 2023

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing federal grants.  
(BDR 18-979)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
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 governmental administration; requiring, with certain exceptions, a state agency to ensure that funding from certain grants is distributed or used directly to benefit counties in direct proportion to the percentage of population of the State in each county; requiring the Director of the Office of Federal Assistance to submit an annual report to the Legislature; requiring a state agency and any recipient county to use certain grants only for the program that was described in a grant application; requiring a state agency to provide certain notification to the Office; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law creates the Office of Federal Assistance within the Office of the Governor for the purpose of obtaining and maximizing federal assistance to state agencies, local agencies, tribal governments and nonprofit organizations. (NRS 223.464, 223.472) Under existing law, a state agency is required to notify the Office of Federal Assistance of: (1) any grant for which the state agency applies; (2) any grant which the state agency receives; and (3) the amount of a grant received by the state agency that the state agency determines will be unexpended by the end of the period for which the grant was made. (NRS 223.480) **Section 6** of this bill requires a state agency to also notify the Office: (1) for each grant received, the total amount of the grant and the allocation of the grant by county; and (2) if the state agency does not award subgrants or execute any necessary contracts related to the grant within 120 days of receiving the grant.

**Section 2** of this bill provides that, with certain exceptions, a state agency that receives any federal assistance in the form of a block grant or other discretionary



15 grant must ensure that funding from such grant is distributed or used directly to  
16 benefit the counties of this State in direct proportion to the percentage of the  
17 population of the State in each county. **Section 2** also requires the Director of the  
18 Office to submit an annual report to the Legislature that sets forth: (1) the amount  
19 and purpose of each block grant or other discretionary grant received by the state  
20 agency during the immediately preceding calendar year; (2) the amount of each  
21 block grant or other discretionary grant that was distributed or used by the state  
22 agency to directly benefit each county in this State, expressed in a dollar amount  
23 and as a percentage of the total grant received by the state agency; and (3) if the  
24 state agency did not distribute or use a block grant or other discretionary grant in  
25 direct proportion to the percentage of population in each county, a detailed  
26 explanation of why such distribution did not occur.

27 **Section 3** of this bill provides that if a state or local agency receives any block  
28 grant or other discretionary grant, the agency must only use funds from the grant  
29 for the program that was described in the application for the grant.

30 **Section 4** of this bill makes a conforming change to indicate the proper  
31 placement of **sections 2 and 3** in the Nevada Revised Statutes.

32 **Section 5** of this bill makes a technical correction to an internal reference to the  
33 Nevada Revised Statutes to account for a change made in **section 6**.

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

1 **Section 1.** Chapter 223 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 and 3 of this act.

3 **Sec. 2. 1.** *Except as otherwise provided in this section, a*  
4 *state agency that receives any block grant or other discretionary*  
5 *grant shall ensure that funding from such grant is distributed or*  
6 *used directly to benefit the counties in this State in direct*  
7 *proportion to the percentage of population of the State in each*  
8 *county.*

9 **2.** *The provisions of subsection 1 do not apply if:*

10 *(a) A county submits a written notice to the state agency*  
11 *waiving any of the county's proportionate share of the grant based*  
12 *on the percentage of population in this State in the county; or*

13 *(b) The grant is required by the Legislature to be used directly*  
14 *by the state agency.*

15 **3.** *On or before February 1 of each year, the Director shall*  
16 *submit a report to the Director of the Legislative Counsel Bureau*  
17 *for transmittal to the Legislature or, if the Legislature is not in*  
18 *session, to the Legislative Commission that sets forth:*

19 *(a) The amount and purpose of each block grant or other*  
20 *discretionary grant received by the state agency during the*  
21 *immediately preceding calendar year;*

22 *(b) The amount of each block grant or other discretionary*  
23 *grant that was distributed or used by the state agency to directly*  
24 *benefit each county in this State, expressed in a dollar amount and*  
25 *as a percentage of the total grant received by the state agency; and*



1 (c) *If the state agency did not distribute or use a block grant or*  
2 *other discretionary grant in direct proportion to the percentage of*  
3 *population in each county, a detailed explanation of why such*  
4 *distribution did not occur.*

5 **4.** *Each state agency shall provide the Director of the Office*  
6 *of Federal Assistance any information necessary for the Director*  
7 *to submit the report required pursuant to subsection 3.*

8 **Sec. 3.** *If a state agency or local agency receives any block*  
9 *grant or other discretionary grant, the agency must only use the*  
10 *funds for the program that was described in the application for the*  
11 *grant.*

12 **Sec. 4.** NRS 223.460 is hereby amended to read as follows:

13 223.460 As used in NRS 223.460 to 223.498, inclusive, *and*  
14 *sections 2 and 3 of this act*, unless the context otherwise requires,  
15 the words and terms defined in NRS 223.462 to 223.470, inclusive,  
16 have the meanings ascribed to them in those sections.

17 **Sec. 5.** NRS 223.478 is hereby amended to read as follows:

18 223.478 1. The Director of the Office of Federal Assistance  
19 shall:

20 (a) Coordinate and collaborate with state agencies, local  
21 agencies, tribal governments and nonprofit organizations to  
22 implement the State Plan for Maximizing Federal Assistance  
23 developed pursuant to NRS 223.486;

24 (b) To the extent money is available, administer a grant  
25 management system;

26 (c) Develop a manual of policies and procedures relating to  
27 federal assistance and post the manual on the Internet website  
28 maintained by the Office;

29 (d) Serve as the entity designated by the State to review and  
30 coordinate proposed federal financial assistance and direct federal  
31 development for purposes of 47 Fed. Reg. 30,959 (July 14, 1982);

32 (e) To the greatest extent practicable, coordinate with the  
33 members of Congress representing this State to combine efforts  
34 relating to identifying and managing available federal assistance;

35 (f) To the greatest extent practicable, if requested by a state  
36 agency, research the availability of federal assistance for the state  
37 agency.

38 (g) To the greatest extent practicable, ensure that state agencies  
39 are aware of any opportunities to obtain federal assistance for which  
40 they are or may be eligible.

41 (h) To the greatest extent practicable, if requested by the  
42 executive head of a state agency, advise the state agency concerning  
43 the requirements for receiving and managing federal assistance;

44 (i) To the greatest extent practicable, coordinate with state  
45 agencies and local agencies that have received federal assistance for



1 similar projects to ensure that the efforts and services of those  
2 agencies are not duplicated.

3 (j) To the greatest extent practicable, serve as a clearinghouse  
4 for disseminating information relating to unexpended grant money  
5 of state agencies by:

6 (1) Compiling and updating periodically a list of the grants  
7 and unexpended amounts thereof for which the Office received  
8 notification from state agencies pursuant to subsection ~~{3}~~ 4 of NRS  
9 223.480; and

10 (2) Making the list available on the Internet website  
11 maintained by the Office;

12 (k) To the greatest extent practicable, develop and provide to  
13 state agencies, local agencies, tribal governments and nonprofit  
14 organizations, training opportunities relating to the acquisition and  
15 administration of grants, including, without limitation, compliance  
16 with requirements during the term of the grant; and

17 (l) On or before January 1 of each odd-numbered year, submit to  
18 the Director of the Legislative Counsel Bureau for transmittal to the  
19 Legislature a report regarding all activity relating to the application  
20 for, receipt of and use of grants in this State.

21 2. The Director may:

22 (a) Adopt regulations to carry out the provisions of this section  
23 and NRS 223.480 and 223.482.

24 (b) If requested by a state agency, local agency, tribal  
25 government or nonprofit organization, write grant proposals and  
26 applications and otherwise assist such an entity in obtaining federal  
27 resources.

28 (c) Provide administrative support to the Nevada Advisory  
29 Council on Federal Assistance created by NRS 358.020.

30 **Sec. 6.** NRS 223.480 is hereby amended to read as follows:

31 223.480 In addition to any other requirement concerning  
32 applying for or receiving a grant, a state agency shall notify the  
33 Office, on a form prescribed by the Office : ~~{, of:}~~

34 1. ~~{Any}~~ *Of any* grant for which the state agency applies.

35 2. ~~{Any}~~ *Of any* grant which the state agency receives. *For*  
36 *each grant received, the state agency shall notify the Office of the*  
37 *total amount of the grant and the allocation of the grant by*  
38 *county.*

39 3. ~~{The}~~ *If the state agency does not, within 120 days of*  
40 *receiving a grant, award subgrants or execute any necessary*  
41 *contract relating to the grant.*

42 4. *Of the* amount of any portion of a grant received by the state  
43 agency that the state agency determines will be unexpended by the  
44 end of the period for which the grant was made. *The state agency*  
45 *shall provide the notification required pursuant to this paragraph*



1 *at least 6 months before the end of the period for which the grant*  
2 *was made.*

3 **Sec. 7.** The provisions of subsection 1 of NRS 218D.380 do  
4 not apply to any provision of this act which adds or revises a  
5 requirement to submit a report to the Legislature.

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