

SENATE BILL NO. 118—COMMITTEE ON
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE JOINT INTERIM STANDING COMMITTEE
ON HEALTH AND HUMAN SERVICES)

FEBRUARY 8, 2023

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to public health.
(BDR 40-334)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Contains Appropriation not included
in Executive Budget.

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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 public health; requiring that an account for public health improvement be created in the State General Fund; prescribing the manner in which money is allocated from the account; authorizing the creation of a health district by certain counties which are not physically adjacent; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law creates a health district in any county whose population is 700,000
2 or more (currently Clark County), which has jurisdiction over all public health
3 matters in the health district. (NRS 439.361, 439.362, 439.366) Existing law
4 authorizes the creation of a health district with similar jurisdiction in counties
5 whose population is less than 700,000 (currently all counties other than Clark
6 County), subject to approval by the State Board of Health, by affirmative vote of:
7 (1) the boards of county commissioners of two or more adjacent counties; (2) the
8 governing bodies of two or more cities or towns within any county; or (3) the board
9 of county commissioners and the governing body or bodies of any incorporated city
10 or cities, town or towns, in such a county. (NRS 439.370) **Sections 7 and 8** of this
11 bill remove the requirement that two counties must be physically adjacent in order
12 to create a health district.

13 **Section 5** of this bill requires that an account be created in the State General
14 Fund, to be administered by the Administrator of the Division of Public and
15 Behavioral Health of the Department of Health and Human Services, for the
16 purpose of improving public health in this State. **Section 9** of this bill makes an



17 appropriation to the Division for that purpose. **Section 5** also authorizes the
18 Administrator to apply for and accept any gift, bequest, grant and donation for
19 credit to the account. **Section 6** of this bill requires the Administrator to allocate
20 money in the account annually, according to population, to be used in each health
21 district or in the area for which a health district has not been created. **Section 6** also
22 prohibits an entity to which money is allocated from the account from using such
23 money to replace or supplant other sources of funding. **Sections 3 and 4** of this bill
24 define certain terms related to the use of money in the account.

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

1 **Section 1.** Chapter 439 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 6, inclusive, of this
3 act.

4 **Sec. 2.** *As used in sections 2 to 6, inclusive, of this act, unless*
5 *the context otherwise requires, the words and terms defined in*
6 *sections 3 and 4 of this act have the meanings ascribed to them in*
7 *those sections.*

8 **Sec. 3.** *“Account” means the account created pursuant to*
9 *section 5 of this act.*

10 **Sec. 4.** *“Health authority” means the district health*
11 *department or, in a location that is not part of a health district, the*
12 *Division.*

13 **Sec. 5. 1.** *The Administrator may apply for and accept any*
14 *gift, donation, bequest, grant or other source of money for the*
15 *purpose of improving public health in this State. Any money so*
16 *received or from any other source, including, without limitation,*
17 *legislative appropriation, must be deposited in the State Treasury*
18 *and accounted for separately in the State General Fund.*

19 **2.** *The Administrator shall administer the account. Money in*
20 *the account must be expended in the manner prescribed by this*
21 *section and section 6 of this act.*

22 **3.** *The interest and income earned on the money in the*
23 *account, after deducting any applicable charges, must be credited*
24 *to the account. Any money remaining in the account at the end of*
25 *the fiscal year does not revert to the State General Fund, and the*
26 *balance in the account must be carried forward to the next fiscal*
27 *year.*

28 **4.** *All claims against the account must be paid as other claims*
29 *against the State are paid.*

30 **5.** *The Administrator may use not more than 5 percent of the*
31 *money in the account to administer the account and to fund*
32 *statewide projects for the purpose prescribed in subsection 1.*

33 **Sec. 6. 1.** *The Administrator shall, on or before*
34 *December 31 of each year:*



1 (a) Determine the total amount of money in the account after
2 deducting any amount allocated for the uses described in
3 subsection 5 of section 5 of this act; and

4 (b) Allocate money among the health authorities in this State
5 in proportion to the populations of the areas under the jurisdiction
6 of those health authorities.

7 2. A health authority to which money is allocated pursuant to
8 subsection 1 shall:

9 (a) Evaluate the public health needs of residents of the area
10 under the jurisdiction of the health authority;

11 (b) Determine the level of priority of the public health needs
12 identified pursuant to paragraph (a); and

13 (c) Expend the money in accordance with the levels of priority
14 identified pursuant to paragraph (b).

15 3. A health authority shall not use money allocated to the
16 health authority pursuant to subsection 1 to replace or supplant
17 money available from other sources.

18 **Sec. 7.** NRS 439.370 is hereby amended to read as follows:

19 439.370 By affirmative vote of:

20 1. The boards of county commissioners of two or more
21 ~~adjacent~~ counties;

22 2. The governing bodies of two or more cities or towns within
23 any county; or

24 3. The board of county commissioners and the governing body
25 or bodies of any incorporated city or cities, town or towns, in such
26 county,

27 ↪ and with the approval of the State Board of Health, there may be
28 created a health district with a health department consisting of a
29 district health officer and a district board of health.

30 **Sec. 8.** NRS 439.383 is hereby amended to read as follows:

31 439.383 When two or more ~~adjacent~~ counties establish a
32 district board of health, all county boards of health in such district
33 shall thereupon be abolished.

34 **Sec. 9.** 1. There is hereby appropriated from the State
35 General Fund to the Division of Public and Behavioral Health of the
36 Department of Health and Human Services for the purpose of
37 improving public health in this State in accordance with the
38 provisions of sections 5 and 6 of this act the following sums:

39 For the fiscal year 2023-2024..... \$15,000,000
40 For the fiscal year 2024-2025..... \$15,000,000

41 2. Any balance of the sums appropriated by subsection 1
42 remaining at the end of the respective fiscal years must not be
43 committed for expenditure after June 30 of the respective fiscal
44 years by the entity to which the appropriation is made or any entity
45 to which money from the appropriation is granted or otherwise



1 transferred in any manner, and any portion of the appropriated
2 money remaining must not be spent for any purpose after
3 September 20, 2024, and September 19, 2025, respectively, by
4 either the entity to which the money was appropriated or the entity
5 to which the money was subsequently granted or transferred, and
6 must be reverted to the State General Fund on or before
7 September 20, 2024, and September 19, 2025, respectively.

8 **Sec. 10.** This act becomes effective on July 1, 2023.

