

SENATE BILL NO. 39—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE DIVISION OF EMERGENCY MANAGEMENT OF THE OFFICE OF THE MILITARY)

PREFILED NOVEMBER 15, 2024

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to emergency management. (BDR 36-269)

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 emergency management; creating the Nevada Hazard Mitigation Revolving Loan Account in the State General Fund; requiring the Division of Emergency Management of the Office of the Military to develop and carry out a program to grant loans to certain eligible recipients to fund hazard mitigation projects; requiring the Division to adopt regulations relating to the loan program; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

The federal Safeguarding Tomorrow through Ongoing Risk Mitigation Act, more commonly known as the “STORM Act,” authorizes the Administrator of the Federal Emergency Management Agency to provide capitalization grants to a state for the purpose of providing financial assistance in the form of loans to local governments and tribal governments for hazard mitigation projects. The STORM Act requires a state which receives such a capitalization grant to establish a loan fund. (42 U.S.C. § 5135)

Existing state law creates the Division of Emergency Management within the Office of the Military, which has various powers and duties related to emergency management. (NRS 414.040)

Section 8 of this bill creates the Nevada Hazard Mitigation Revolving Loan Account in the State General Fund as a revolving loan account administered by the Division.

Section 9 of this bill requires the Division to develop and carry out a program for an eligible recipient to apply for a loan from the Account for the purpose of financing a hazard mitigation project. Section 9 further: (1) requires the Division to prioritize approving loans for hazard mitigation projects that will have the greatest



18 impact on mitigating hazards in this State; and (2) authorizes the Division to  
19 provide certain technical assistance to eligible recipients.

20 **Section 10** of this bill provides that any loan of money from the Account must  
21 not be used to replace or supplant any other money available to an eligible recipient  
22 for hazard mitigation.

23 **Section 11** of this bill requires the Division to adopt regulations to carry out the  
24 provisions of this bill, including: (1) the procedures by which an eligible recipient  
25 may apply for a loan from the Account; and (2) the criteria for an eligible recipient  
26 to receive a loan from the Account.

27 **Sections 3-7** of this bill, respectively, define the terms "Account," "Division,"  
28 "eligible recipient," "hazard mitigation project" and "STORM Act."

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

1 **Section 1.** Chapter 414 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 to 11, inclusive, of this  
3 act.

4 **Sec. 2.** *As used in sections 2 to 11, inclusive, of this act,*  
5 *unless the context otherwise requires, the words and terms defined*  
6 *in sections 3 to 7, inclusive, of this act have the meanings ascribed*  
7 *to them in those sections.*

8 **Sec. 3.** *"Account" means the Nevada Hazard Mitigation*  
9 *Revolving Loan Account created by section 8 of this act.*

10 **Sec. 4.** *"Division" means the Division of Emergency*  
11 *Management of the Office of the Military.*

12 **Sec. 5.** *"Eligible recipient" means:*

13 1. *A local government; or*

14 2. *A tribal government.*

15 **Sec. 6.** *"Hazard mitigation project" means any hazard*  
16 *mitigation project of an eligible recipient that qualifies pursuant to*  
17 *the STORM Act for financial assistance in the form of a loan of*  
18 *money from the Account.*

19 **Sec. 7.** *"STORM Act" means the federal Safeguarding*  
20 *Tomorrow through Ongoing Risk Mitigation Act, 42 U.S.C.*  
21 *§ 5135.*

22 **Sec. 8.** 1. *The Nevada Hazard Mitigation Revolving Loan*  
23 *Account is hereby created in the State General Fund as a*  
24 *revolving loan account. The Account must be administered by the*  
25 *Division.*

26 2. *The Account consists of:*

27 (a) *Capitalization grants received from the Federal Emergency*  
28 *Management Agency pursuant to the STORM Act;*

29 (b) *Money appropriated by the Legislature to satisfy any*  
30 *matching funding, as required by the STORM Act;*



1 (c) Money from the repayment of any loan made by Division  
2 from the Account to an eligible recipient; and

3 (d) Interest and income earned on the money in the Account.

4 3. All interest and income earned on the money in the  
5 Account must be credited to the Account.

6 4. Any money in the Account at the end of a fiscal year does  
7 not revert to the State General Fund and the balance in the  
8 Account must be carried forward to the next fiscal year.

9 **Sec. 9.** 1. The Division shall develop and carry out a  
10 program for an eligible recipient to apply for a loan from the  
11 Account for the purpose of financing a hazard mitigation project.  
12 Any loan of money from the Account to an eligible recipient must  
13 be made in compliance with any applicable requirement set forth  
14 in the STORM Act.

15 2. In carrying out the program, the Division shall prioritize  
16 approving loans for hazard mitigation projects that the Division  
17 determines will have the greatest impact on mitigating hazards in  
18 this State.

19 3. The Division may provide technical assistance to eligible  
20 recipients in applying for and administering loans from the  
21 Account.

22 **Sec. 10.** Any loan of money from the Account must not be  
23 used to replace or supplant any other money available to an  
24 eligible recipient for hazard mitigation.

25 **Sec. 11.** The Division shall adopt regulations to carry out the  
26 provisions of sections 2 to 11, inclusive, of this act. The  
27 regulations must include, without limitation:

28 1. The procedures by which an eligible recipient may apply  
29 for a loan from the Account; and

30 2. The criteria for an eligible recipient to receive a loan from  
31 the Account, including, without limitation, a requirement for the  
32 eligible recipient to demonstrate:

33 (a) The need for the loan;

34 (b) The ability of the eligible recipient to repay the loan over a  
35 fixed term; and

36 (c) That the eligible recipient has the technical, managerial  
37 and financial ability to comply with any applicable requirement of  
38 the STORM Act.

39 **Sec. 12.** 1. This section becomes effective upon passage and  
40 approval.

41 2. Sections 1 to 11, inclusive, of this act become effective:

42 (a) Upon passage and approval for the purpose of adopting any  
43 regulations and performing any other preparatory administrative  
44 tasks that are necessary to carry out the provisions of this act; and



1 (b) On January 1, 2026, for all other purposes.

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