

Senate Bill No. 112—Committee on Human  
Resources and Facilities

CHAPTER.....

AN ACT relating to indigent persons; revising certain provisions concerning the amelioration of the causes of poverty within this state to conform to changes in the Community Services Block Grant Act; and providing other matters properly relating thereto.

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

**Section 1.** NRS 428.355 is hereby amended to read as follows:

428.355 As used in NRS 428.355 to 428.395, inclusive ~~+~~:

~~1. “Authorized agency” means a nonprofit organization or political subdivision known as a delegate agency having a formal agreement with an eligible entity to perform services under a grant pursuant to~~ , *unless the context otherwise requires:*

1. *“Community Services Block Grant Act” means the federal act set forth in 42 U.S.C. §§ 9901 et seq.*

2. “Director” means the director of the department of human resources.

3. “Eligible entity” ~~{means an agency, organization or governmental entity which is eligible under}~~ *has the meaning ascribed to it in 42 U.S.C. §§ 9901 et seq. to receive grants.* **§ 9902.**

**Sec. 2.** NRS 428.365 is hereby amended to read as follows:

428.365 1. The director shall administer any federal allotment received by this state pursuant to the Community Services Block Grant Act ~~{42 U.S.C. §§ 9901 et seq.}~~ for the amelioration of the causes of poverty within this state.

2. ~~{The director shall, on or before June 1 of each year, file with the interim finance committee a report of the allocation of that money by the department of human resources during the previous federal fiscal year and a report on the progress of the program for the current federal fiscal year.~~

~~3.~~ The director shall not spend more than 5 percent of ~~{the}~~ *each* federal allotment, or \$55,000, whichever is greater, for the administrative expenses of the department of human resources relating to the allotment. He shall ~~{allocate}~~ *grant* not less than 90 percent of the allotment to eligible entities for the purposes specified in ~~{42 U.S.C. § 9904(e)(1).}~~ *the Community Services Block Grant Act.* He may spend the remainder of the allotment in any manner not inconsistent with the terms of the federal grant.

~~{4. Money distributed to an authorized agency by an eligible entity and not expended before the end of the year of the grant may be redistributed by the eligible entity with the approval of the director.}~~

3. Money granted to an eligible entity and not ~~{expended}~~ *obligated for expenditure* before the end of the year of the grant ~~{must be returned to the director, who may:~~

~~—(a) Grant the money to an eligible entity;~~

~~—(b) Distribute the money to an authorized agency through an eligible entity; or~~

~~—(c) Retain the money for distribution during the next federal fiscal year.}~~ *may be recaptured and redistributed by the director to the extent and in the manner set forth in 42 U.S.C. § 9907.*

**Sec. 3.** NRS 428.375 is hereby amended to read as follows:

428.375 1. *The director, after consulting with eligible entities, shall develop a plan for the statewide use and distribution of the money to be provided through the Community Services Block Grant Act as set forth in 42 U.S.C. § 9908.*

2. *The director shall hold at least one public hearing to receive public comment on each proposed plan for the statewide use and distribution of the money to be provided through the Community Services Block Grant Act.*

3. The interim finance committee shall ~~1, before June 1 of each year,~~ hold a public hearing to receive ~~the public's comments on a plan for the proposed use and distribution of the federal allotment anticipated for the next federal fiscal year. The plan must provide for:~~

~~—(a) The intended use and distribution of the federal allotment for the next federal fiscal year and any unexpended money from the current federal fiscal year; and~~

~~—(b) Procedures for the review by the director and eligible entities of applications and plans for work submitted by authorized agencies.~~

~~2. The procedures established pursuant to paragraph (b) of subsection 1 must provide an authorized agency with the opportunity to make a presentation regarding its proposal to the appropriate eligible entity making recommendations to the director on the distribution of the federal allotment.~~

~~3. public comment on each proposed plan for the statewide use and distribution of the money to be provided through the Community Services Block Grant Act.~~

4. After reviewing the comments made at the public ~~hearing~~ *hearings* held pursuant to ~~subsection 1,~~ *subsections 2 and 3*, the director shall prepare the final plan for the statewide use and distribution of the ~~anticipated allotment~~ *money to be provided through the Community Services Block Grant Act* and file a copy of the plan with the interim finance committee.

~~4. 5.~~ The proposed distribution of the portion of ~~the~~ *each* allotment set aside for eligible entities must allocate, as nearly as practicable:

(a) A base amount for each ~~1:~~

~~—(1) Community~~ *community* action agency which was authorized pursuant to 42 U.S.C. § 2790 ~~1; and~~

~~—(2) Limited purpose agency which was authorized pursuant to 42 U.S.C. § 2808;~~

~~for the federal fiscal year 1981 and which has been recertified for the next before that section was repealed and which received money from the allotment for the previous federal fiscal year;~~

(b) A uniform base amount for each of the other eligible entities in the state; and

(c) The remainder among all eligible entities based on the comparative number of persons in the respective counties whose income is at or below the federally designated level signifying poverty.

~~5. 6.~~ To apply for a grant, an eligible entity must submit an application to the director in the manner established by the director. The

application must include a detailed description of the proposed use of the grant.

~~6~~ 7. The director shall provide for assistance and instruction for all potential applicants, including eligible entities, in the preparation of applications and the requirements related to the use of the grants.

**Sec. 4.** NRS 428.385 is hereby amended to read as follows:

428.385 1. The director shall establish a procedure for the review of applications by eligible entities and criteria for their approval or denial.

2. ~~In determining which applications for money by authorized agencies to approve, an~~ *An eligible entity may distribute money provided through the Community Services Block Grant Act to another entity to support the program of that entity for the amelioration of the causes of poverty within this state. In distributing such money, the* eligible entity shall consider ~~whether the proposed~~ :

(a) *Whether the* program:

~~(a)~~ (1) Is compatible with any local plan to ameliorate the causes of poverty in that community;

~~(b)~~ (2) Is compatible with any long-range plan by the state to ameliorate the causes of poverty within the state;

~~(c)~~ (3) Meets the federal criteria for eligibility; *and*

~~(d)~~ (4) May assist participants who have low incomes to achieve self-sufficiency; and

~~(e)~~ (b) Any other factors determined by the eligible entity to be in the best interest of persons who have low incomes in its area of service and which are compatible with the purposes and requirements of the Community Services Block Grant Act. ~~[(42 U.S.C. §§ 9901 et seq.).]~~

3. The director shall establish procedures to:

(a) Respond to individual inquiries and complaints regarding the distribution of the federal allotment; and

(b) Resolve conflicts regarding the approval of applications and the operation of approved programs.

**Sec. 5.** This act becomes effective on July 1, 2001.