

SENATE BILL NO. 145—COMMITTEE ON FINANCE

(ON BEHALF OF STATE CONTROLLER)

FEBRUARY 15, 2001

Referred to Committee on Finance

SUMMARY—Revises provisions governing apportionments of money from state distributive school account among school districts and charter schools. (BDR 34-169)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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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 the financial support of education; revising the dates for the apportionments of money from the state distributive school account among the school districts and charter schools; and providing other matters properly relating thereto.

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

- 1     **Section 1.** NRS 387.124 is hereby amended to read as follows:  
2     387.124 Except as otherwise provided in NRS 387.528:  
3     1. On or before August ~~1, November 1, February 1~~ ***15, November 15,***  
4     ***February 15*** and May ~~1~~ ***15*** of each year, the superintendent of public  
5     instruction shall, except as otherwise provided in subsections 2 and 3,  
6     apportion the state distributive school account in the state general fund  
7     among the several county school districts and charter schools in amounts  
8     approximating one-fourth of their respective yearly apportionments less  
9     any amount set aside as a reserve. The apportionment to a school district,  
10    computed on a yearly basis, equals the difference between the basic  
11    support and the local funds available pursuant to NRS 387.1235, minus all  
12    the funds attributable to pupils who reside in the county but attend a charter  
13    school. No apportionment may be made to a school district if the amount of  
14    the local funds exceeds the amount of basic support. The apportionment to  
15    a charter school, computed on a yearly basis, is equal to the sum of the  
16    basic support per pupil in the county in which the pupil resides plus the  
17    amount of local funds available per pupil pursuant to NRS 387.1235 and  
18    all other funds available for public schools in the county in which the pupil  
19    resides. If the apportionment per pupil to a charter school is more than the



1 amount to be apportioned to the school district in which a pupil who is  
2 enrolled in the charter school resides, the school district in which the pupil  
3 resides shall pay the difference directly to the charter school.

4 2. The governing body of a charter school may submit a written  
5 request to the superintendent of public instruction to receive, in the first  
6 year of operation of the charter school, an apportionment 30 days before  
7 the apportionment is required to be made pursuant to subsection 1. Upon  
8 receipt of such a request, the superintendent of public instruction may  
9 make the apportionment 30 days before the apportionment is required to be  
10 made. A charter school may receive all four apportionments in advance in  
11 its first year of operation.

12 3. If the state controller finds that such an action is needed to maintain  
13 the balance in the state general fund at a level sufficient to pay the other  
14 appropriations from it, he may pay out the apportionments monthly, each  
15 approximately one-twelfth of the yearly apportionment less any amount set  
16 aside as a reserve. If such action is needed, the state controller shall submit  
17 a report to the department of administration and the fiscal analysis division  
18 of the legislative counsel bureau documenting reasons for the action.

19 **Sec. 2.** NRS 387.185 is hereby amended to read as follows:

20 **387.185** 1. Except as otherwise provided in subsection 2 and NRS  
21 387.528, all school money due each county school district must be paid  
22 over by the state treasurer to the county treasurer on August ~~1, November~~  
23 ~~1, February~~ **15, November 15, February 15** and May ~~15~~ **15** of each year  
24 or as soon thereafter as the county treasurer may apply for it, upon the  
25 warrant of the state controller drawn in conformity with the apportionment  
26 of the superintendent of public instruction as provided in NRS 387.124.

27 2. Except as otherwise provided in NRS 387.528, if the board of  
28 trustees of a school district establishes and administers a separate account  
29 pursuant to the provisions of NRS 354.603, all school money due that  
30 school district must be paid over by the state treasurer to the school district  
31 on August ~~1, November 1, February~~ **15, November 15, February 15**  
32 and May ~~15~~ **15** of each year or as soon thereafter as the school district may  
33 apply for it, upon the warrant of the state controller drawn in conformity  
34 with the apportionment of the superintendent of public instruction as  
35 provided in NRS 387.124.

36 3. No county school district may receive any portion of the public  
37 school money unless that school district has complied with the provisions  
38 of this Title and regulations adopted pursuant thereto.

39 4. Except as otherwise provided in this subsection, all school money  
40 due each charter school must be paid over by the state treasurer to the  
41 governing body of the charter school on August ~~1, November 1, February~~  
42 ~~15, November 15, February 15~~ and May ~~15~~ **15** of each year or as soon  
43 thereafter as the governing body may apply for it, upon the warrant of the  
44 state controller drawn in conformity with the apportionment of the  
45 superintendent of public instruction as provided in NRS 387.124. If the  
46 superintendent of public instruction has approved, pursuant to subsection 2  
47 of NRS 387.124, a request for payment of an apportionment 30 days before  
48 the apportionment is otherwise required to be made, the money due to the  
49 charter school must be paid by the state treasurer to the governing body of



- 1 the charter school on July ~~11, October 1, January 11~~ *15, October 15,*  
2 *January 15* or April ~~11, 15~~, as applicable.  
3 **Sec. 3.** This act becomes effective on July 1, 2001.

