

SENATE BILL NO. 354—COMMITTEE ON GOVERNMENT AFFAIRS

MARCH 15, 2001

Referred to Committee on Government Affairs

SUMMARY—Prohibits political subdivisions of state from hiring certain state employees for 1 year after termination of state employment. (BDR 23-1335)

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 state employees; prohibiting a political subdivision of this state from hiring a state employee for 1 year after the termination of his state employment if the state employee received specialized training within 10 years of the termination date; requiring a state agency to identify and maintain records of specialized training provided to its employees; 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.** Chapter 281 of NRS is hereby amended by adding thereto  
2     the provisions set forth as sections 2 to 5, inclusive, of this act.  
3     **Sec. 2.** *As used in sections 2 to 5, inclusive, of this act, unless the*  
4     *context otherwise requires, “state agency” means a department, division,*  
5     *commission, board, bureau or other agency of the executive, legislative*  
6     *or judicial branch of the government of this state.*  
7     **Sec. 3.** *The account for specialized training is hereby created in the*  
8     *state general fund.*  
9     **Sec. 4.** *1. When a state agency provides training to an employee of*  
10    *the state agency, the state agency shall determine whether to designate*  
11    *the training as specialized training for the purposes of this section and*  
12    *section 5 of this act.*  
13    *2. A state agency may designate training as specialized training if the*  
14    *state agency:*  
15    *(a) Before the employee receives the specialized training:*  
16    *(1) Estimates the cost of the specialized training for the employee;*  
17    *and*  
18    *(2) Notifies the employee:*  
19    *(I) That the training is specialized training;*  
20    *(II) Of the estimated cost of the specialized training; and*



1       (III) Of the provisions of section 5 of this act; or

2       (b) After the employee receives the specialized training:

3       (1) Determines the actual cost of the specialized training for the  
4       employee; and

5       (2) Notifies the employee of the actual cost of the specialized  
6       training.

7       3. Each state agency shall maintain a record of the date of  
8       completion and actual cost of all specialized training received by each:

9       (a) Employee of the state agency; and

10       (b) Former employee of the state agency for not less than 3 years after  
11       the termination of the employee's service with the state agency and any  
12       other state agency.

13       Sec. 5. 1. A political subdivision of this state, including, without  
14       limitation, a county, city or township, may not employ a former employee  
15       of a state agency for 1 year after the termination of his service with the  
16       state agency if the total adjusted cost of the specialized training received  
17       by the former employee is greater than zero.

18       2. If a political subdivision of this state employs a former employee  
19       of a state agency in violation of subsection 1, the political subdivision  
20       shall pay to the state treasurer three times the total adjusted cost of the  
21       specialized training received by the former employee.

22       3. Except as otherwise provided in this subsection, the total adjusted  
23       cost of the specialized training received by a former employee of a state  
24       agency is the sum of the adjusted cost of all specialized training received  
25       by the former employee. The adjusted cost of specialized training  
26       received by the former employee is the actual cost of the specialized  
27       training pursuant to section 4 of this act reduced by 10 percent of the  
28       actual cost of the specialized training for each year after the completion  
29       of the specialized training that the former employee is employed by the  
30       state agency or any other state agency. The total adjusted cost of the  
31       specialized training received by the former employee is deemed to be zero  
32       1 year after the termination of his service with the state agency and any  
33       other state agency.

34       4. The state treasurer shall deposit the money he receives pursuant to  
35       this section in the account for specialized training for credit to a separate  
36       subaccount for the state agency which provided the specialized training  
37       to the former employee. The state agency shall use the money in the  
38       separate subaccount to recruit new employees and provide specialized  
39       training for employees. If more than one state agency provided  
40       specialized training to the former employee, the state treasurer shall  
41       divide the money among the separate subaccounts for the state agencies  
42       on a pro rata basis in accordance with the percentage of the total  
43       adjusted cost of the specialized training of the former employee provided  
44       by each state agency.

45       5. The attorney general, at the request of a state agency or on his  
46       own motion, may bring any appropriate action or proceeding in any  
47       court of competent jurisdiction for the enforcement of the provisions of  
48       this section.



\* S B 3 5 4 \*

- 1     **Sec. 6.** The provisions of this act do not apply to:  
2     1. Conduct that occurred before July 1, 2001; or  
3     2. An employee of a department, division, commission, board, bureau  
4     or other agency of the executive, legislative or judicial branch of the  
5     government of this state who is continuously employed by one or more  
6     departments, divisions, commissions, boards, bureaus or other agencies of  
7     the executive, legislative or judicial branches of the government of this  
8     state beginning before July 1, 2001.  
9     **Sec. 7.** This act becomes effective on July 1, 2001.

