

CHAPTER.....

AN ACT relating to tort claims; allowing the risk management division of the department of administration and the attorney general to assess counties for certain tort claims under certain circumstances; 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 331.187 is hereby amended to read as follows:

331.187 1. There is created in the state treasury the fund for insurance premiums as an internal service fund to be maintained for use by the risk management division of the department of administration and the attorney general.

2. Each state agency shall deposit in the fund:

(a) An amount equal to its insurance premium and other charges for potential liability, self-insured claims, other than self-insured tort claims, and administrative expenses, as determined by the risk management division; and

(b) An amount for self-insured tort claims and expenses related to those claims, as determined by the attorney general.

3. *Each county shall deposit in the fund an assessment for the employees of the district court of that county, excluding district judges, unless the county enters into a written agreement with the attorney general to:*

(a) Hold the State of Nevada harmless and assume liability and costs of defense for the employees of the district court;

(b) Reimburse the State of Nevada for any liability and costs of defense that the State of Nevada incurs for the employees of the district court; or

(c) Include the employees of the district court under the county's own insurance or other coverage.

4. Expenditures from the fund must be made by the risk management division or the attorney general to an insurer for premiums of state agencies as they become due or for deductibles, self-insured property and tort claims or claims pursuant to NRS 41.0349. If the money in the fund is insufficient to pay a tort claim, it must be paid from the reserve for statutory contingency account.

5. *As used in this section, "assessment" means an amount determined by the risk management division and the attorney general to be equal to the share of a county for:*

(a) Applicable insurance premiums;

(b) Other charges for potential liability and tort claims; and

(c) Expenses related to tort claims.

Sec. 2. This act becomes effective on July 1, 2001.