

CHAPTER.....

AN ACT relating to education; renaming the University and Community College System of Nevada as the Nevada System of Higher Education; clarifying that the System includes state colleges; 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 385.3469 is hereby amended to read as follows:

385.3469 1. The State Board shall prepare an annual report of accountability that includes, without limitation:

(a) Information on the achievement of all pupils based upon the results of the examinations administered pursuant to NRS 389.015 and 389.550, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

(b) Except as otherwise provided in subsection 2, pupil achievement, reported separately by gender and reported separately for the following subgroups of pupils:

(1) Pupils who are economically disadvantaged, as defined by the State Board;

(2) Pupils from major racial and ethnic groups, as defined by the State Board;

(3) Pupils with disabilities;

(4) Pupils who are limited English proficient; and

(5) Pupils who are migratory children, as defined by the State Board.

(c) A comparison of the achievement of pupils in each subgroup identified in paragraph (b) of subsection 1 of NRS 385.361 with the annual measurable objectives of the State Board.

(d) The percentage of all pupils who were not tested, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

(e) Except as otherwise provided in subsection 2, the percentage of pupils who were not tested, reported separately by gender and reported separately for the subgroups identified in paragraph (b).

(f) The most recent 3-year trend in the achievement of pupils in each subject area tested and each grade level tested pursuant to NRS 389.015 and 389.550, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole, which may include information regarding the trend

in the achievement of pupils for more than 3 years, if such information is available.

(g) Information on whether each school district has made adequate yearly progress, including, without limitation, the name of each school district, if any, designated as demonstrating need for improvement pursuant to NRS 385.377 and the number of consecutive years that the school district has carried that designation.

(h) Information on whether each public school, including, without limitation, each charter school, has made adequate yearly progress, including, without limitation, the name of each public school, if any, designated as demonstrating need for improvement pursuant to NRS 385.3623 and the number of consecutive years that the school has carried that designation.

(i) Information on the results of pupils who participated in the examinations of the National Assessment of Educational Progress required pursuant to NRS 389.012.

(j) The ratio of pupils to teachers in kindergarten and at each grade level for all elementary schools, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole, and the average class size for each core academic subject, as set forth in NRS 389.018, for each secondary school, reported for each school district and for this State as a whole.

(k) For each school district, including, without limitation, each charter school in the district, and for this State as a whole, information on the professional qualifications of teachers employed by the school districts and charter schools, including, without limitation:

(1) The percentage of teachers who are:

(I) Providing instruction pursuant to NRS 391.125;

(II) Providing instruction pursuant to a waiver of the requirements for licensure for the grade level or subject area in which the teachers are employed; or

(III) Otherwise providing instruction without an endorsement for the subject area in which the teachers are employed;

(2) The percentage of classes in the core academic subjects, as set forth in NRS 389.018, in this State that are not taught by highly qualified teachers; and

(3) The percentage of classes in the core academic subjects, as set forth in NRS 389.018, in this State that are not taught by highly qualified teachers, in the aggregate and disaggregated by high-poverty compared to low-poverty schools, which for the purposes of this subparagraph H means schools in the top quartile of poverty and the bottom quartile of poverty in this State.

(l) The total expenditure per pupil for each school district in this State, including, without limitation, each charter school in the district. If this State has a financial analysis program that is designed to track educational expenditures and revenues to individual schools, the State Board shall use that statewide program in complying with this paragraph. If a statewide program is not available, the State Board shall use the Department's own financial analysis program in complying with this paragraph.

(m) The total statewide expenditure per pupil. If this State has a financial analysis program that is designed to track educational expenditures and revenues to individual schools, the State Board shall use that statewide program in complying with this paragraph. If a statewide program is not available, the State Board shall use the Department's own financial analysis program in complying with this paragraph.

(n) For all elementary schools, junior high schools and middle schools, the rate of attendance, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

(o) The annual rate of pupils who drop out of school in grades 9 to 12, inclusive, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole, excluding pupils who:

(1) Provide proof to the school district of successful completion of the examinations of general educational development.

(2) Are enrolled in courses that are approved by the Department as meeting the requirements for an adult standard diploma.

(3) Withdraw from school to attend another school.

(p) The attendance of teachers who provide instruction, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

(q) Incidents involving weapons or violence, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

(r) Incidents involving the use or possession of alcoholic beverages or controlled substances, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

(s) The suspension and expulsion of pupils required or authorized pursuant to NRS 392.466 and 392.467, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

(t) The number of pupils who are deemed habitual disciplinary problems pursuant to NRS 392.4655, reported for each school

district, including, without limitation, each charter school in the district, and for this State as a whole.

(u) The number of pupils in each grade who are retained in the same grade pursuant to NRS 392.033 or 392.125, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

(v) The transiency rate of pupils, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole. For the purposes of this paragraph, a pupil is not a transient if he is transferred to a different school within the school district as a result of a change in the zone of attendance by the board of trustees of the school district pursuant to NRS 388.040.

(w) Each source of funding for this State to be used for the system of public education.

(x) The amount and sources of money received by this State for remedial education.

(y) The percentage of pupils who graduated from a high school or charter school in the immediately preceding year and enrolled in remedial courses in reading, writing or mathematics at a university, *state college* or community college within the ~~[University and Community College System of Nevada,]~~ *Nevada System of Higher Education*, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

(z) The technological facilities and equipment available for educational purposes, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

(aa) For each school district, including, without limitation, each charter school in the district, and for this State as a whole, the number and percentage of pupils who received:

- (1) A standard high school diploma.
- (2) An adjusted diploma.
- (3) A certificate of attendance.

(bb) The number and percentage of pupils who did not receive a high school diploma because the pupils failed to pass the high school proficiency examination, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

(cc) The number of habitual truants who are reported to a school police officer or local law enforcement agency pursuant to paragraph (a) of subsection 2 of NRS 392.144 and the number of habitual truants who are referred to an advisory board to review school attendance pursuant to paragraph (b) of subsection 2 of NRS 392.144, reported for each school district, including, without

limitation, each charter school in the district, and for this State as a whole.

(dd) Information on the paraprofessionals employed at public schools in this State, including, without limitation, the charter schools in this State. The information must include:

(1) The number of paraprofessionals employed, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole; and

(2) For each school district, including, without limitation, each charter school in the district, and for this State as a whole, the number and percentage of all paraprofessionals who do not satisfy the qualifications set forth in 20 U.S.C. § 6319(c). The reporting requirements of this subparagraph apply to paraprofessionals who are employed in programs supported with Title I money and to paraprofessionals who are not employed in programs supported with Title I money.

(ee) An identification of appropriations made by the Legislature to improve the academic achievement of pupils and programs approved by the Legislature to improve the academic achievement of pupils.

2. A separate reporting for a subgroup of pupils must not be made pursuant to this section if the number of pupils in that subgroup is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual pupil. The State Board shall prescribe a mechanism for determining the minimum number of pupils that must be in a subgroup for that subgroup to yield statistically reliable information.

3. The annual report of accountability must:

(a) Comply with 20 U.S.C. § 6311(h)(1) and the regulations adopted pursuant thereto;

(b) Be prepared in a concise manner; and

(c) Be presented in an understandable and uniform format and, to the extent practicable, provided in a language that parents can understand.

4. On or before September 1 of each year, the State Board shall provide for public dissemination of the annual report of accountability and submit a copy of the report to the:

(a) Governor;

(b) Committee;

(c) Bureau;

(d) Board of Regents of the University of Nevada;

(e) Board of trustees of each school district; and

(f) Governing body of each charter school.

5. As used in this section:

(a) “Highly qualified” has the meaning ascribed to it in 20 U.S.C. § 7801(23).

(b) “Paraprofessional” has the meaning ascribed to it in NRS 391.008.

Sec. 2. NRS 385.347 is hereby amended to read as follows:

385.347 1. The board of trustees of each school district in this State, in cooperation with associations recognized by the State Board as representing licensed personnel in education in the district, shall adopt a program providing for the accountability of the school district to the residents of the district and to the State Board for the quality of the schools and the educational achievement of the pupils in the district, including, without limitation, pupils enrolled in charter schools in the school district. The board of trustees of a school district shall report the information required by subsection 2 for each charter school within the school district, regardless of the sponsor of the charter school.

2. The board of trustees of each school district shall, on or before August 15 of each year, prepare an annual report of accountability concerning:

(a) The educational goals and objectives of the school district.

(b) Pupil achievement for each school in the district and the district as a whole, including, without limitation, each charter school in the district. The board of trustees of the district shall base its report on the results of the examinations administered pursuant to NRS 389.015 and 389.550 and shall compare the results of those examinations for the current school year with those of previous school years. The report must include, for each school in the district, including, without limitation, each charter school in the district, and each grade in which the examinations were administered:

(1) The number of pupils who took the examinations;

(2) An explanation of instances in which a school was exempt from administering or a pupil was exempt from taking an examination;

(3) A record of attendance for the period in which the examinations were administered, including an explanation of any difference in the number of pupils who took the examinations and the number of pupils who are enrolled in the school;

(4) Except as otherwise provided in this paragraph, pupil achievement, reported separately by gender and reported separately for the following subgroups of pupils:

(I) Pupils who are economically disadvantaged, as defined by the State Board;

(II) Pupils from major racial and ethnic groups, as defined by the State Board;

(III) Pupils with disabilities;

(IV) Pupils who are limited English proficient; and

(V) Pupils who are migratory children, as defined by the State Board;

(5) A comparison of the achievement of pupils in each subgroup identified in paragraph (b) of subsection 1 of NRS 385.361 with the annual measurable objectives of the State Board;

(6) The percentage of pupils who were not tested;

(7) Except as otherwise provided in this paragraph, the percentage of pupils who were not tested, reported separately by gender and reported separately for the subgroups identified in subparagraph (4);

(8) The most recent 3-year trend in pupil achievement in each subject area tested and each grade level tested pursuant to NRS 389.015 and 389.550, which may include information regarding the trend in the achievement of pupils for more than 3 years, if such information is available;

(9) Information that compares the results of pupils in the school district, including, without limitation, pupils enrolled in charter schools in the district, with the results of pupils throughout this State. The information required by this subparagraph must be provided in consultation with the Department to ensure the accuracy of the comparison; and

(10) For each school in the district, including, without limitation, each charter school in the district, information that compares the results of pupils in the school with the results of pupils throughout the school district and throughout this State. The information required by this subparagraph must be provided in consultation with the Department to ensure the accuracy of the comparison.

➔ A separate reporting for a subgroup of pupils must not be made pursuant to this paragraph if the number of pupils in that subgroup is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual pupil. The State Board shall prescribe the mechanism for determining the minimum number of pupils that must be in a subgroup for that subgroup to yield statistically reliable information.

(c) The ratio of pupils to teachers in kindergarten and at each grade level for each elementary school in the district and the district as a whole, including, without limitation, each charter school in the district, and the average class size for each core academic subject, as set forth in NRS 389.018, for each secondary school in the district and the district as a whole, including, without limitation, each charter school in the district.

(d) Information on the professional qualifications of teachers employed by each school in the district and the district as a whole, including, without limitation, each charter school in the district. The information must include, without limitation:

(1) The percentage of teachers who are:

(I) Providing instruction pursuant to NRS 391.125;

(II) Providing instruction pursuant to a waiver of the requirements for licensure for the grade level or subject area in which the teachers are employed; or

(III) Otherwise providing instruction without an endorsement for the subject area in which the teachers are employed;

(2) The percentage of classes in the core academic subjects, as set forth in NRS 389.018, that are not taught by highly qualified teachers; and

(3) The percentage of classes in the core academic subjects, as set forth in NRS 389.018, that are not taught by highly qualified teachers, in the aggregate and disaggregated by high-poverty compared to low-poverty schools, which for the purposes of this subparagraph H means schools in the top quartile of poverty and the bottom quartile of poverty in this State.

(e) The total expenditure per pupil for each school in the district and the district as a whole, including, without limitation, each charter school in the district. If this State has a financial analysis program that is designed to track educational expenditures and revenues to individual schools, each school district shall use that statewide program in complying with this paragraph. If a statewide program is not available, each school district shall use its own financial analysis program in complying with this paragraph.

(f) The curriculum used by the school district, including:

(1) Any special programs for pupils at an individual school; and

(2) The curriculum used by each charter school in the district.

(g) Records of the attendance and truancy of pupils in all grades, including, without limitation:

(1) The average daily attendance of pupils, for each school in the district and the district as a whole, including, without limitation, each charter school in the district.

(2) For each elementary school, middle school and junior high school in the district, including, without limitation, each charter school in the district that provides instruction to pupils enrolled in a grade level other than high school, information that compares the attendance of the pupils enrolled in the school with the attendance of pupils throughout the district and throughout this State. The information required by this subparagraph must be provided in consultation with the Department to ensure the accuracy of the comparison.

(h) The annual rate of pupils who drop out of school in grades 9 to 12, inclusive, for each such grade, for each school in the district and for the district as a whole, excluding pupils who:

(1) Provide proof to the school district of successful completion of the examinations of general educational development.

(2) Are enrolled in courses that are approved by the Department as meeting the requirements for an adult standard diploma.

(3) Withdraw from school to attend another school.

(i) Records of attendance of teachers who provide instruction, for each school in the district and the district as a whole, including, without limitation, each charter school in the district.

(j) Efforts made by the school district and by each school in the district, including, without limitation, each charter school in the district, to increase:

(1) Communication with the parents of pupils in the district; and

(2) The participation of parents in the educational process and activities relating to the school district and each school, including, without limitation, the existence of parent organizations and school advisory committees.

(k) Records of incidents involving weapons or violence for each school in the district, including, without limitation, each charter school in the district.

(l) Records of incidents involving the use or possession of alcoholic beverages or controlled substances for each school in the district, including, without limitation, each charter school in the district.

(m) Records of the suspension and expulsion of pupils required or authorized pursuant to NRS 392.466 and 392.467.

(n) The number of pupils who are deemed habitual disciplinary problems pursuant to NRS 392.4655, for each school in the district and the district as a whole, including, without limitation, each charter school in the district.

(o) The number of pupils in each grade who are retained in the same grade pursuant to NRS 392.033 or 392.125, for each school in the district and the district as a whole, including, without limitation, each charter school in the district.

(p) The transiency rate of pupils for each school in the district and the district as a whole, including, without limitation, each charter school in the district. For the purposes of this paragraph, a pupil is not transient if he is transferred to a different school within the school district as a result of a change in the zone of attendance by the board of trustees of the school district pursuant to NRS 388.040.

(q) Each source of funding for the school district.

(r) The amount and sources of money received for remedial education for each school in the district and the district as a whole, including, without limitation, each charter school in the district.

(s) For each high school in the district, including, without limitation, each charter school in the district, the percentage of pupils who graduated from that high school or charter school in the immediately preceding year and enrolled in remedial courses in reading, writing or mathematics at a university, *state college* or community college within the ~~[University and Community College System of Nevada.] Nevada System of Higher Education.~~

(t) The technological facilities and equipment available at each school, including, without limitation, each charter school, and the district's plan to incorporate educational technology at each school.

(u) For each school in the district and the district as a whole, including, without limitation, each charter school in the district, the number and percentage of pupils who received:

- (1) A standard high school diploma.
- (2) An adjusted diploma.
- (3) A certificate of attendance.

(v) For each school in the district and the district as a whole, including, without limitation, each charter school in the district, the number and percentage of pupils who did not receive a high school diploma because the pupils failed to pass the high school proficiency examination.

(w) The number of habitual truants who are reported to a school police officer or law enforcement agency pursuant to paragraph (a) of subsection 2 of NRS 392.144 and the number of habitual truants who are referred to an advisory board to review school attendance pursuant to paragraph (b) of subsection 2 of NRS 392.144, for each school in the district and for the district as a whole.

(x) The amount and sources of money received for the training and professional development of teachers and other educational personnel for each school in the district and for the district as a whole, including, without limitation, each charter school in the district.

(y) Whether the school district has made adequate yearly progress. If the school district has been designated as demonstrating need for improvement pursuant to NRS 385.377, the report must include a statement indicating the number of consecutive years the school district has carried that designation.

(z) Information on whether each public school in the district, including, without limitation, each charter school in the district, has made adequate yearly progress, including, without limitation:

- (1) The number and percentage of schools in the district, if any, that have been designated as needing improvement pursuant to NRS 385.3623; and
- (2) The name of each school, if any, in the district that has been designated as needing improvement pursuant to NRS 385.3623

and the number of consecutive years that the school has carried that designation.

(aa) Information on the paraprofessionals employed by each public school in the district, including, without limitation, each charter school in the district. The information must include:

(1) The number of paraprofessionals employed at the school; and

(2) The number and percentage of all paraprofessionals who do not satisfy the qualifications set forth in 20 U.S.C. § 6319(c). The reporting requirements of this subparagraph apply to paraprofessionals who are employed in positions supported with Title I money and to paraprofessionals who are not employed in positions supported with Title I money.

(bb) For each high school in the district, including, without limitation, each charter school that operates as a high school, information that provides a comparison of the rate of graduation of pupils enrolled in the high school with the rate of graduation of pupils throughout the district and throughout this State. The information required by this paragraph must be provided in consultation with the Department to ensure the accuracy of the comparison.

(cc) An identification of the appropriations made by the Legislature that are available to the school district or the schools within the district and programs approved by the Legislature to improve the academic achievement of pupils.

(dd) Such other information as is directed by the Superintendent of Public Instruction.

3. The records of attendance maintained by a school for purposes of paragraph (i) of subsection 2 must include the number of teachers who are in attendance at school and the number of teachers who are absent from school. A teacher shall be deemed in attendance if the teacher is excused from being present in the classroom by the school in which he is employed for one of the following reasons:

(a) Acquisition of knowledge or skills relating to the professional development of the teacher; or

(b) Assignment of the teacher to perform duties for cocurricular or extracurricular activities of pupils.

4. The annual report of accountability prepared pursuant to subsection 2 must:

(a) Comply with 20 U.S.C. § 6311(h)(2) and the regulations adopted pursuant thereto; and

(b) Be presented in an understandable and uniform format and to the extent practicable, provided in a language that parents can understand.

5. The Superintendent of Public Instruction shall:

(a) Prescribe forms for the reports required pursuant to subsection 2 and provide the forms to the respective school districts.

(b) Provide statistical information and technical assistance to the school districts to ensure that the reports provide comparable information with respect to each school in each district and among the districts throughout this State.

(c) Consult with a representative of the:

(1) Nevada State Education Association;

(2) Nevada Association of School Boards;

(3) Nevada Association of School Administrators;

(4) Nevada Parent Teacher Association;

(5) Budget Division of the Department of Administration;

and

(6) Legislative Counsel Bureau,

➔ concerning the program and consider any advice or recommendations submitted by the representatives with respect to the program.

6. The Superintendent of Public Instruction may consult with representatives of parent groups other than the Nevada Parent Teacher Association concerning the program and consider any advice or recommendations submitted by the representatives with respect to the program.

7. On or before April 1 of each year, the board of trustees of each school district shall submit to:

(a) Each advisory board to review school attendance created in the county pursuant to NRS 392.126 the information required in paragraph (g) of subsection 2.

(b) The Commission on Educational Technology created by NRS 388.790 the information prepared by the board of trustees pursuant to paragraph (t) of subsection 2.

8. On or before August 15 of each year, the board of trustees of each school district shall:

(a) Submit the report required pursuant to subsection 2 to the:

(1) Governor;

(2) State Board;

(3) Department;

(4) Committee; and

(5) Bureau.

(b) Provide for public dissemination of the annual report of accountability prepared pursuant to subsection 2 in the manner set forth in 20 U.S.C. § 6311(h)(2)(E) to the schools in the school district, including, without limitation, each charter school in the district, the residents of the district, and the parents and guardians of pupils enrolled in schools in the district, including, without limitation, each charter school in the district.

9. As used in this section:

(a) “Highly qualified” has the meaning ascribed to it in 20 U.S.C. § 7801(23).

(b) “Paraprofessional” has the meaning ascribed to it in NRS 391.008.

Sec. 3. NRS 396.005 is hereby amended to read as follows:

396.005 As used in this chapter, unless the context otherwise requires:

1. “Board of Regents” means the Board of Regents of the University of Nevada.

2. “Community college” means all of the community colleges within the ~~[University and Community College System of Nevada.] Nevada System of Higher Education.~~

3. “State college” means all of the state colleges within the Nevada System of Higher Education.

4. “System” means the ~~[University and Community College System of Nevada.]~~

~~—4.] Nevada System of Higher Education.~~

5. “University” means all of the universities within the ~~[University and Community College System of Nevada.] Nevada System of Higher Education.~~

Sec. 4. NRS 396.010 is hereby amended to read as follows:

396.010 1. The seat of the State University, as described in Section 4 of Article 11 of the Constitution of the State of Nevada, is hereby located at the Office of the Chancellor of the ~~[University and Community College System of Nevada.] Nevada System of Higher Education.~~

2. Extension instruction on the collegiate level, research and service activities may be conducted throughout the State.

Sec. 5. NRS 396.020 is hereby amended to read as follows:

396.020 The legal and corporate name of the State University is the University of Nevada. The System of:

1. Universities;

2. *State colleges;*

3. Community colleges;

~~[3.]~~ 4. Administrative services;

~~[4.]~~ 5. Research facilities, including, without limitation:

(a) The Desert Research Institute;

(b) The Ethics Institute; and

(c) The Center for the Analysis of Crime Statistics, established within the Department of Criminal Justice at the University of Nevada, Las Vegas; and

~~[5.]~~ 6. Departments within the Public Service Division,

↪ administered under the direction of the Board of Regents is hereby collectively known as the ~~[University and Community College System of Nevada.] Nevada System of Higher Education.~~

The System is comprised of such branches and facilities as the Board of Regents deems appropriate.

Sec. 6. NRS 396.340 is hereby amended to read as follows:

396.340 1. The ~~University and Community College System~~ of Nevada ~~System of Higher Education~~ was, and now is, established in accordance with the provisions of the Constitution of the State of Nevada, and also in accordance with the provisions of an Act of Congress entitled "An Act donating Public Lands to the several States and Territories which may provide Colleges for the Benefit of Agriculture and the Mechanic Arts," approved July 2, 1862 (c. 130, 12 Stat. 503), and acts amendatory thereof or supplementary thereto.

2. The Board of Regents are the proper trustees of the System to receive and disburse all appropriations made to this State under the provisions of an Act of Congress entitled "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and mechanic arts, established under the provisions of an Act of Congress approved July second, eighteen hundred and sixty-two," approved August 30, 1890 (c. 841, 26 Stat. 419), and all appropriations hereafter to be made under the Act.

3. The Board of Regents shall make a report at the end of each fiscal year, in connection with its annual report to the Governor, of other matters concerning the System, including the amounts received and disbursed under the provisions of this section. The Governor shall transmit all annual reports to the Legislature.

4. The Legislature of Nevada hereby gratefully assents to the purposes of all grants of money made heretofore and all which may hereafter be made to the State of Nevada by Congress, under the Act of Congress, the title of which is recited in subsection 2, and agrees that the grants must be used only for the purposes named in the Act of Congress, or acts amendatory thereof or supplemental thereto.

Sec. 7. NRS 396.383 is hereby amended to read as follows:

396.383 1. The ~~University and Community College System~~ of Nevada ~~System of Higher Education~~ Accounts Payable Revolving Fund is hereby created. The Board of Regents may deposit the money of the Fund in one or more state or national banks or credit unions in the State of Nevada.

2. The chief business officer of each business center of the System shall:

(a) Pay from the fund such operating expenses of the System as the Board of Regents may by rule prescribe.

(b) Submit claims to the State Board of Examiners for money of the System on deposit in the State Treasury or elsewhere to replace money paid from the ~~University and Community College System~~

of Nevada *System of Higher Education* Accounts Payable Revolving Fund.

Sec. 8. NRS 396.405 is hereby amended to read as follows:

396.405 1. A university foundation:

- (a) Shall comply with the provisions of chapter 241 of NRS;
- (b) Except as otherwise provided in subsection 2, shall make its records public and open to inspection pursuant to NRS 239.010;
- (c) Is exempt from the taxes imposed by NRS 375.020, 375.023 and 375.026 pursuant to subsection 13 of NRS 375.090; and
- (d) May allow a president or an administrator of the university , *state college* or community college which it supports to serve as a member of its governing body.

2. A university foundation is not required to disclose the name of any contributor or potential contributor to the university foundation, the amount of his contribution or any information which may reveal or lead to the discovery of his identity. The university foundation shall, upon request, allow a contributor to examine, during regular business hours, any record, document or other information of the foundation relating to that contributor.

3. As used in this section, "university foundation" means a nonprofit corporation, association or institution or a charitable organization that is:

- (a) Organized and operated exclusively for the purpose of supporting a university , *state college* or a community college;
- (b) Formed pursuant to the laws of this State; and
- (c) Exempt from taxation pursuant to 26 U.S.C. § 501(c)(3).

Sec. 9. NRS 396.4365 is hereby amended to read as follows:

396.4365 1. The Board of Regents shall ensure that each university , *state college* and community college within the System:

- (a) Maintains at the university , *state college* or community college a material safety data sheet for each hazardous chemical used on the buildings or grounds of the university , *state college* or community college;

- (b) Complies with any safety precautions contained in those sheets; and

- (c) Makes those sheets available to all the personnel of the university , *state college* or community college and the parents of each student attending the university , *state college* or community college.

2. For the purposes of this section, "material safety data sheet" has the meaning ascribed to it in 29 C.F.R. § 1910.1200.

Sec. 10. NRS 396.516 is hereby amended to read as follows:

396.516 The Board of Regents may approve a uniform course of study and develop policies and procedures on the teaching of American Sign Language in the ~~[University and Community College System of Nevada.]~~ *Nevada System of Higher Education.*

Sec. 11. NRS 396.540 is hereby amended to read as follows:
396.540 1. For the purposes of this section:

(a) “Bona fide resident” shall be construed in accordance with the provisions of NRS 10.155. The qualification “bona fide” is intended to assure that the residence is genuine and established for purposes other than the avoidance of tuition.

(b) “Tuition charge” means a charge assessed against students who are not residents of Nevada and which is in addition to registration fees or other fees assessed against students who are residents of Nevada.

2. The Board of Regents may fix a tuition charge for students at all campuses of the ~~[University of Nevada System,]~~ *Nevada System of Higher Education*, but tuition ~~[shall]~~ *must* be free to:

(a) All students whose families are bona fide residents of the State of Nevada;

(b) All students whose families reside outside of the State of Nevada, providing such students have themselves been bona fide residents of the State of Nevada for at least 6 months ~~[prior to]~~ *before* their matriculation at the university;

(c) All public school teachers who are employed full time by school districts in the State of Nevada; and

(d) All full-time teachers in private elementary, secondary and postsecondary educational institutions in the State of Nevada whose curricula meet the requirements of chapter 394 of NRS.

3. ~~[In its discretion, the]~~ *The* Board of Regents may grant tuitions free each university semester to worthwhile and deserving students from other states and foreign countries, in number not to exceed a number equal to 3 percent of the total matriculated enrollment of students for the last preceding fall semester.

Sec. 12. NRS 396.543 is hereby amended to read as follows:

396.543 1. The Board of Regents may enter into an agreement with another state for the granting of full or partial waivers of the nonresident tuition to residents of the other state who are students at or are eligible for admission to any branch of the System if the agreement provides that, under substantially the same circumstances, the other state will grant reciprocal waivers to residents of Nevada who are students at or are eligible for admission to universities or colleges in the other state.

2. Each agreement must specify:

(a) The criteria for granting the waivers; and

(b) The specific universities, *state colleges* and community colleges for which the waivers will be granted.

3. The Board of Regents shall provide by regulation for the administration of any waivers for which an agreement is entered into pursuant to subsection 1.

4. The waivers granted pursuant to this section must not be included in the number of waivers determined for the purpose of applying the limitation in subsection 3 of NRS 396.540.

Sec. 13. NRS 396.545 is hereby amended to read as follows:

396.545 1. To the extent of legislative appropriation, the Board of Regents shall pay all registration fees, laboratory fees and expenses for required textbooks and course materials assessed against or incurred by a dependent child of:

(a) A police officer, fireman or officer of the Nevada Highway Patrol who was killed in the line of duty; or

(b) A volunteer ambulance driver or attendant who was killed while engaged as a volunteer ambulance driver or attendant,

↳ for classes taken towards satisfying the requirements of an undergraduate degree at a school within the ~~[University and Community College System of Nevada.]~~ *Nevada System of Higher Education*. No such payment may be made for any fee assessed after the child reaches the age of 23 years.

2. There is hereby created in the State Treasury a Trust Fund for the Education of Dependent Children. The Board of Regents shall administer the Trust Fund. The Board of Regents may accept gifts and grants for deposit in the Trust Fund. All money held by the State Treasurer or received by the Board of Regents for that purpose must be deposited in the Trust Fund. The money in the Trust Fund must be invested as the money in other state funds is invested. After deducting all applicable charges, all interest and income earned on the money in the Trust Fund must be credited to the Trust Fund.

3. As used in this section:

(a) "Fireman" means a person who is a salaried employee or volunteer member of a fire prevention or suppression unit organized by a local government and whose principal duty is to control and extinguish fires.

(b) "Local government" means a county, city, unincorporated town or metropolitan police department.

(c) "Police officer" means a person who is a salaried employee of a police department or other law enforcement agency organized or operated by a local government and whose principal duty is to enforce the law.

(d) "Volunteer ambulance driver or attendant" means a person who is a driver of or attendant on an ambulance owned or operated by:

(1) A nonprofit organization that provides volunteer ambulance service in any county, city or town in this State; or

(2) A political subdivision of this State.

Sec. 14. NRS 396.548 is hereby amended to read as follows:

396.548 The Board of Regents shall require employees of the System to provide to the board of trustees of each school district of this State, as appropriate, information regarding the:

1. Number of pupils who graduated from a high school in the district in the immediately preceding year and enrolled in remedial courses in reading, writing or mathematics at a university , *state college* or community college within the System.

2. Costs incurred by the System in providing remedial instruction pursuant to subsection 1.

Sec. 15. NRS 396.838 is hereby amended to read as follows:

396.838 “University” means the ~~[University and Community College System of Nevada,]~~ *Nevada System of Higher Education*, the State University constituting a body corporate and politic, a political subdivision of this State, with the seat located in the City of Reno, in the County of Washoe and State of Nevada.

Sec. 16. NRS 43.080 is hereby amended to read as follows:

43.080 “Municipality” means the State of Nevada, or any corporation, instrumentality or other agency thereof, or any incorporated city, any unincorporated town, or any county, school district, conservancy district, drainage district, irrigation district, general improvement district, other corporate district constituting a political subdivision of this State, housing authority, urban renewal authority, other type of authority, the ~~[University and Community College System of Nevada,]~~ *Nevada System of Higher Education*, the Board of Regents of the University of Nevada, or any other body corporate and politic of the State of Nevada, but excluding the Federal Government.

Sec. 17. NRS 277.069 is hereby amended to read as follows:

277.069 1. Except as otherwise provided in subsections 2 and 3, any party to an agreement entered into pursuant to NRS 277.067, or any entity established by such an agreement, may:

(a) Obligate itself to contribute money for the purchase of insurance, the establishment of a reserve or fund for coverage, the payment of any debt, or for any other purpose related to the undertaking;

(b) Borrow money for any such purpose;

(c) Issue notes and bonds evidencing the borrowing; and

(d) Secure payment of the notes and bonds by a pledge of revenues.

2. Except as otherwise provided in subsection 3, any obligation to contribute money which is undertaken pursuant to a cooperative agreement:

(a) Is binding notwithstanding that it is intended to remain in force beyond the current budget year or the terms of office of the present members of the governing body of the obligor.

(b) If undertaken to pay any debt, does not remain in force more than 30 years after the date of the borrowing.

(c) If undertaken to pay claims and administrative expenses, does not remain in force more than 10 years, except with respect to claims arising from occurrences during the period it is in force.

3. Except for a pledge of revenues or obligation to contribute money which pledges revenues or commits money derived from a source other than taxation, any pledge or obligation which is made or undertaken pursuant to a cooperative agreement by an agency of the State or the ~~[University and Community College System of]~~ Nevada *System of Higher Education* does not remain in force after the end of the biennium in which it is made or undertaken.

Sec. 18. NRS 277.0695 is hereby amended to read as follows:

277.0695 1. NRS 277.067 and 277.069 provide full authority for the exercise of the powers granted in those sections. No other act or law relating to the authorization or issuance of securities that provides for an election applies to any proceedings taken or acts done pursuant to those sections.

2. An issuance of bonds or notes, pledge of revenues, or obligation to contribute money which is made or undertaken pursuant to NRS 277.067 and 277.069 shall be deemed not to create indebtedness for the purposes of any limitation on indebtedness contained in any general or special law or charter.

3. Except as otherwise provided in this section and in NRS 277.067 and 277.069, the issuance of any bonds or notes pursuant to NRS 277.069 must be made in accordance with:

(a) The Local Government Securities Law, if the bonds or notes are issued by or on behalf of a municipality as that term is defined in NRS ~~[350.542;]~~ *350.538*;

(b) The State Securities Law, if the bonds or notes are issued by or on behalf of an agency of the State; or

(c) The University Securities Law, if the bonds or notes are issued by or on behalf of the ~~[University and Community College System of Nevada;]~~ *Nevada System of Higher Education*.

Sec. 19. NRS 348.200 is hereby amended to read as follows:

348.200 "Public body" means this State, the ~~[University and Community College System of Nevada;]~~ *Nevada System of Higher Education*, or a city or town, incorporated or unincorporated, county, school district, other public educational institution, other district, authority or other body corporate and politic comprising a political subdivision of the State or acting on behalf thereof.

Sec. 20. NRS 350.554 is hereby amended to read as follows:

350.554 "Public body" means the ~~[University and Community College System of Nevada;]~~ *Nevada System of Higher Education*, the Board of Regents of the University of Nevada, any county, city, town, school district, other type district, authority, commission or

other type of body corporate and politic constituting a political subdivision of the State, other than the municipality proceeding hereunder.

Sec. 21. NRS 353B.004 is hereby amended to read as follows:

353B.004 "System" means the ~~[University and Community College System of Nevada.]~~ *Nevada System of Higher Education.*

Sec. 22. NRS 353B.090 is hereby amended to read as follows:

353B.090 1. The Board shall develop the Nevada Higher Education Prepaid Tuition Program for the prepayment of tuition at a guaranteed rate which is established based on the annual actuarial study required pursuant to NRS 353B.190 for undergraduate studies at a university, *state college* or community college that is a member of the System.

2. The Board shall adopt regulations for the implementation of the Program, including, without limitation, regulations setting forth requirements for residency, a limit on the number of qualified beneficiaries, the termination, withdrawal and transfer of money paid into the Trust Fund, the time within which the money paid into the Trust Fund must be used, and payment schedules.

Sec. 23. NRS 353B.100 is hereby amended to read as follows:

353B.100 1. The Board may enter into a prepaid tuition contract with a purchaser.

2. The Board shall create a prepaid tuition contract in accordance with the provisions of this section.

3. The prepaid tuition contract must include, without limitation:

(a) The terms and conditions under which the purchaser shall remit payment, including, without limitation:

(1) The amount and number of payments that are required from the purchaser on behalf of the qualified beneficiary;

(2) The date upon which each payment is due; and

(3) A provision for a reasonable penalty for a delinquent payment or default.

(b) The name and date of birth of the qualified beneficiary on whose behalf the prepaid tuition contract is drawn.

(c) The terms and conditions under which another person may be substituted as the qualified beneficiary.

(d) The terms and conditions under which the purchaser, or another person designated by the purchaser, may terminate the prepaid tuition contract, receive a refund of money that he has paid into the Trust Fund or withdraw money that he has paid into the Trust Fund, including, without limitation, a provision allowing the Board to impose a fee that amounts to more than a de minimis penalty.

(e) A provision that the Board shall, after making a reasonable effort to contact the purchaser, report any money that has been

deposited under a prepaid tuition contract that has not been terminated and has not been used within a specified period to the State Treasurer for proper disposition.

(f) The number of semesters for which the purchaser is contracting.

(g) A provision that money paid into the Trust Fund under a prepaid tuition contract may be applied toward tuition at:

(1) A university, *state college* or community college that is a member of the System;

(2) An accredited college or university in this State that is not a member of the System; or

(3) An accredited community college, college or university in another state.

➡ Payments authorized pursuant to subparagraph (2) or (3) must not exceed the projected highest payment for tuition for the current academic year at a university that is a member of the System.

(h) Any other term or condition that the Board considers necessary or proper.

Sec. 24. NRS 375A.700 is hereby amended to read as follows:

375A.700 1. The Department shall deposit all payments received pursuant to NRS 375A.100 in the State Treasury:

(a) For credit to the Estate Tax Account in the State General Fund, an amount determined by the Department as necessary to pay the costs of administration of this chapter and to refund any overpayments of tax.

(b) For credit to the Estate Tax Account in the Endowment Fund of the ~~[University and Community College System of Nevada,]~~ *Nevada System of Higher Education*, 50 percent of the remainder after deducting the amount pursuant to paragraph (a).

(c) For credit to the Fund for School Improvement created pursuant to NRS 387.032, 50 percent of the remainder after deducting the amount pursuant to paragraph (a).

2. The interest earned on the money in the Estate Tax Account must be credited to the Account.

Sec. 25. NRS 375A.705 is hereby amended to read as follows:

375A.705 1. All money received by the Board of Regents of the University of Nevada pursuant to paragraph (b) of subsection 1 of NRS 375A.700 must be accounted for separately in the Endowment Fund of the ~~[University and Community College System of Nevada,]~~ *Nevada System of Higher Education*.

2. The money in the Estate Tax Account must be invested pursuant to the same investment policies as the other money in the Endowment Fund is invested. All interest and income earned on the money in the Account must be credited to the Account.

3. The Board of Regents of the University of Nevada may, upon approval by the Legislature when in regular session or by the

Interim Finance Committee when the Legislature is not in regular session, expend any money in the Estate Tax Account.

Sec. 26. NRS 375A.710 is hereby amended to read as follows:

375A.710 1. There is hereby created the Committee on the Estate Tax Account for the Endowment of the ~~[University and Community College System of Nevada.]~~ *Nevada System of Higher Education*, composed of:

(a) Two members of the Board of Regents of the University of Nevada, appointed by the Chairman of the Board with the approval of the other members.

(b) Two members who are administrators of the ~~[University and Community College System of Nevada.]~~ *Nevada System of Higher Education*, appointed by the Chancellor of the ~~[University and Community College System of Nevada.]~~ *Nevada System of Higher Education*.

(c) Two members who are members of the faculty of the ~~[University and Community College System of Nevada.]~~ *Nevada System of Higher Education*, appointed by the faculty.

(d) One member who is a student, appointed by the student governments of the ~~[University and Community College System of Nevada.]~~ *Nevada System of Higher Education*.

2. If any authority having the power to appoint a member of the Committee ceases to exist, the Governor shall exercise that power in a manner consistent with the intent of this section.

3. The member of the Committee who is appointed pursuant to paragraph (d) of subsection 1 shall serve a term of 1 year. All other members of the Committee shall serve terms of 3 years.

4. The Committee shall make recommendations to the Board of Regents of the University of Nevada concerning the expenditure of the money in the Estate Tax Account in the Endowment Fund.

Sec. 27. NRS 375B.410 is hereby amended to read as follows:

375B.410 The money collected pursuant to the provisions of this chapter must be used only for the purpose of education, to be divided between the common schools and the ~~[University and Community College System of]~~ Nevada *System of Higher Education* for their support and maintenance.

Sec. 28. NRS 412.143 is hereby amended to read as follows:

412.143 1. The Adjutant General may authorize the payment of ~~[no]~~ *not* more than 100 percent of the consolidated fee each semester for each member of the active Nevada National Guard who attends one of the universities *or state colleges* within the ~~[University and Community College System of]~~ Nevada *System of Higher Education* as a full-time or part-time student from money appropriated for this purpose.

2. The Adjutant General may authorize the payment of ~~[no]~~ *not* more than 100 percent of the credit-hour cost each semester for each

member of the active Nevada National Guard who attends one of the community colleges within the ~~University and Community College System of~~ Nevada *System of Higher Education* as a full-time or part-time student from money appropriated for this purpose.

3. To be eligible to receive benefits, a person must be a member in good standing of the active Nevada National Guard at the beginning of and throughout the entire semester for which benefits are received.

Sec. 29. NRS 439.630 is hereby amended to read as follows:

439.630 1. The Task Force for the Fund for a Healthy Nevada shall:

(a) Conduct public hearings to accept public testimony from a wide variety of sources and perspectives regarding existing or proposed programs that:

- (1) Promote public health;
- (2) Improve health services for children, senior citizens and persons with disabilities;
- (3) Reduce or prevent the use of tobacco;
- (4) Reduce or prevent the abuse of and addiction to alcohol and drugs; and
- (5) Offer other general or specific information on health care in this State.

(b) Establish a process to evaluate the health and health needs of the residents of this State and a system to rank the health problems of the residents of this State, including, without limitation, the specific health problems that are endemic to urban and rural communities.

(c) Reserve not more than 30 percent of all revenues deposited in the Fund for a Healthy Nevada each year for direct expenditure by the Department to pay for prescription drugs and pharmaceutical services for senior citizens pursuant to NRS 439.635 to 439.690, inclusive, and to fund in whole or in part any program established pursuant to NRS 422.274 or 422.2745. From the money reserved to the Department pursuant to this paragraph, the Department may subsidize all of the cost of policies of health insurance that provide coverage to senior citizens for prescription drugs and pharmaceutical services pursuant to NRS 439.635 to 439.690, inclusive, and fund in whole or in part any program established pursuant to NRS 422.274 or 422.2745. The Department shall consider recommendations from the Task Force for the Fund for a Healthy Nevada in carrying out the provisions of NRS 439.635 to 439.690, inclusive, and administering any program established pursuant to NRS 422.274 or 422.2745. The Department shall submit a quarterly report to the Governor, the Task Force for the Fund for a Healthy Nevada and the Interim Finance Committee regarding the

general manner in which expenditures have been made pursuant to this paragraph and the status of the program.

(d) Reserve not more than 30 percent of all revenues deposited in the Fund for a Healthy Nevada each year for allocation by the Aging Services Division of the Department in the form of grants for existing or new programs that assist senior citizens with independent living, including, without limitation, programs that provide:

- (1) Respite care or relief of family caretakers;
- (2) Transportation to new or existing services to assist senior citizens in living independently; and
- (3) Care in the home which allows senior citizens to remain at home instead of in institutional care.

↳ The Aging Services Division of the Department shall consider recommendations from the Task Force for the Fund for a Healthy Nevada concerning the independent living needs of senior citizens.

(e) Allocate, by contract or grant, for expenditure not more than 20 percent of all revenues deposited in the Fund for a Healthy Nevada each year for programs that prevent, reduce or treat the use of tobacco and the consequences of the use of tobacco.

(f) Allocate, by contract or grant, for expenditure not more than 10 percent of all revenues deposited in the Fund for a Healthy Nevada each year for programs that improve health services for children.

(g) Allocate, by contract or grant, for expenditure not more than 7.5 percent of all revenues deposited in the Fund for a Healthy Nevada each year for programs that improve the health and well-being of persons with disabilities. In making allocations pursuant to this paragraph, the Task Force shall, to the extent practicable, allocate the money evenly among the following three types of programs:

- (1) Programs that provide respite for persons caring for persons with disabilities;
- (2) Programs that provide positive behavioral supports to persons with disabilities; and
- (3) Programs that assist persons with disabilities to live safely and independently in their communities outside of an institutional setting.

(h) Reserve not more than 2.5 percent of all revenues deposited in the Fund for a Healthy Nevada each year for direct expenditure by the Department to fund in whole or in part any program established pursuant to NRS 422.2745. The Department shall consider recommendations from the Task Force for the Fund for a Healthy Nevada in administering any program established pursuant to NRS 422.2745.

(i) Maximize expenditures through local, federal and private matching contributions.

(j) Ensure that any money expended from the Fund for a Healthy Nevada will not be used to supplant existing methods of funding that are available to public agencies.

(k) Develop policies and procedures for the administration and distribution of contracts, grants and other expenditures to state agencies, political subdivisions of this State, nonprofit organizations, universities, *state colleges* and community colleges. A condition of any such contract or grant must be that not more than 8 percent of the contract or grant may be used for administrative expenses or other indirect costs. The procedures must require at least one competitive round of requests for proposals per biennium.

(l) To make the allocations required by paragraphs (e), (f) and (g):

- (1) Prioritize and quantify the needs for these programs;
- (2) Develop, solicit and accept applications for allocations;
- (3) Conduct annual evaluations of programs to which allocations have been awarded; and

(4) Submit annual reports concerning the programs to the Governor and the Interim Finance Committee.

(m) Transmit a report of all findings, recommendations and expenditures to the Governor and each regular session of the Legislature.

2. The Task Force may take such other actions as are necessary to carry out its duties.

3. The Department shall take all actions necessary to ensure that all allocations for expenditures made by the Task Force are carried out as directed by the Task Force.

4. To make the allocations required by paragraph (d) of subsection 1, the Aging Services Division of the Department shall:

(a) Prioritize and quantify the needs of senior citizens for these programs;

(b) Develop, solicit and accept grant applications for allocations;

(c) As appropriate, expand or augment existing state programs for senior citizens upon approval of the Interim Finance Committee;

(d) Award grants or other allocations;

(e) Conduct annual evaluations of programs to which grants or other allocations have been awarded; and

(f) Submit annual reports concerning the grant program to the Governor and the Interim Finance Committee.

5. The Aging Services Division of the Department shall submit each proposed grant which would be used to expand or augment an existing state program to the Interim Finance Committee for approval before the grant is awarded. The request for approval must include a description of the proposed use of the money and the person or entity that would be authorized to expend the money. The Aging Services Division of the Department shall not expend or

transfer any money allocated to the Aging Services Division pursuant to this section to subsidize any portion of the cost of policies of health insurance that provide coverage to senior citizens for prescription drugs and pharmaceutical services pursuant to NRS 439.635 to 439.690, inclusive, or to pay for any program established pursuant to NRS 422.274 or 422.2745.

6. The Department, on behalf of the Task Force, shall submit each allocation proposed pursuant to paragraph (e), (f) or (g) of subsection 1 which would be used to expand or augment an existing state program to the Interim Finance Committee for approval before the contract or grant is awarded. The request for approval must include a description of the proposed use of the money and the person or entity that would be authorized to expend the money.

Sec. 30. NRS 463.385 is hereby amended to read as follows:

463.385 1. In addition to any other license fees and taxes imposed by this chapter, there is hereby imposed upon each slot machine operated in this State an annual excise tax of \$250. If a slot machine is replaced by another, the replacement is not considered a different slot machine for the purpose of imposing this tax.

2. The Commission shall:

(a) Collect the tax annually on or before June 30, as a condition precedent to the issuance of a state gaming license to operate any slot machine for the ensuing fiscal year beginning July 1, from a licensee whose operation is continuing.

(b) Collect the tax in advance from a licensee who begins operation or puts additional slot machines into play during the fiscal year, prorated monthly after July 31.

(c) Include the proceeds of the tax in its reports of state gaming taxes collected.

3. Any other person, including, without limitation, an operator of an inter-casino linked system, who is authorized to receive a share of the revenue from any slot machine that is operated on the premises of a licensee is liable to the licensee for that person's proportionate share of the license fees paid by the licensee pursuant to this section and shall remit or credit the full proportionate share to the licensee on or before the dates set forth in subsection 2. A licensee is not liable to any other person authorized to receive a share of the licensee's revenue from any slot machine that is operated on the premises of a licensee for that person's proportionate share of the license fees to be remitted or credited to the licensee by that person pursuant to this section.

4. The Commission shall pay over the tax as collected to the State Treasurer to be deposited to the credit of the State Distributive School Account in the State General Fund, and the Capital Construction Fund for Higher Education and the Special Capital Construction Fund for Higher Education, which are hereby created

in the State Treasury as special revenue funds, in the amounts and to be expended only for the purposes specified in this section.

5. During each fiscal year, the State Treasurer shall deposit the tax paid over to him by the Commission as follows:

(a) The first \$5,000,000 of the tax in the Capital Construction Fund for Higher Education;

(b) Twenty percent of the tax in the Special Capital Construction Fund for Higher Education; and

(c) The remainder of the tax in the State Distributive School Account in the State General Fund.

6. There is hereby appropriated from the balance in the Special Capital Construction Fund for Higher Education on July 31 of each year the amount necessary to pay the principal and interest due in that fiscal year on the bonds issued pursuant to section 5 of chapter 679, Statutes of Nevada 1979, as amended by chapter 585, Statutes of Nevada 1981, at page 1251, the bonds authorized to be issued by section 2 of chapter 643, Statutes of Nevada 1987, at page 1503, the bonds authorized to be issued by section 2 of chapter 614, Statutes of Nevada 1989, at page 1377, the bonds authorized to be issued by section 2 of chapter 718, Statutes of Nevada 1991, at page 2382, and the bonds authorized to be issued by section 2 of chapter 629, Statutes of Nevada 1997, at page 3106. If in any year the balance in that fund is not sufficient for this purpose, the remainder necessary is hereby appropriated on July 31 from the Capital Construction Fund for Higher Education. The balance remaining unappropriated in the Capital Construction Fund for Higher Education on August 1 of each year and all amounts received thereafter during the fiscal year must be transferred to the State General Fund for the support of higher education. If bonds described in this subsection are refunded and if the amount required to pay the principal of and interest on the refunding bonds in any fiscal year during the term of the bonds is less than the amount that would have been required in the same fiscal year to pay the principal of and the interest on the original bonds if they had not been refunded, there is appropriated to the ~~University and Community College System of~~ Nevada **System of Higher Education** an amount sufficient to pay the principal of and interest on the original bonds, as if they had not been refunded. The amount required to pay the principal of and interest on the refunding bonds must be used for that purpose from the amount appropriated. The amount equal to the saving realized in that fiscal year from the refunding must be used by the ~~University and Community College System of~~ Nevada **System of Higher Education** to defray, in whole or in part, the expenses of operation and maintenance of the facilities acquired in part with the proceeds of the original bonds.

7. After the requirements of subsection 6 have been met for each fiscal year, when specific projects are authorized by the

Legislature, money in the Capital Construction Fund for Higher Education and the Special Capital Construction Fund for Higher Education must be transferred by the State Controller and the State Treasurer to the State Public Works Board for the construction of capital improvement projects for the ~~[University and Community College System of Nevada.] Nevada System of Higher Education,~~ including, but not limited to, capital improvement projects for the community colleges of the ~~[University and Community College System of Nevada.] Nevada System of Higher Education.~~ As used in this subsection, "construction" includes, but is not limited to, planning, designing, acquiring and developing a site, construction, reconstruction, furnishing, equipping, replacing, repairing, rehabilitating, expanding and remodeling. Any money remaining in either Fund at the end of a fiscal year does not revert to the State General Fund but remains in those Funds for authorized expenditure.

8. The money deposited in the State Distributive School Account in the State General Fund under this section must be apportioned as provided in NRS 387.030 among the several school districts and charter schools of the State at the times and in the manner provided by law.

9. The Board of Regents of the University of Nevada may use any money in the Capital Construction Fund for Higher Education and the Special Capital Construction Fund for Higher Education for the payment of interest and amortization of principal on bonds and other securities, whether issued before, on or after July 1, 1979, to defray in whole or in part the costs of any capital project authorized by the Legislature.

Sec. 31. NRS 482.3749 is hereby amended to read as follows:

482.3749 1. The Department shall, in cooperation with the Nevada Commission on Sports and using any colors and designs that the Department deems appropriate, design, prepare and issue license plates which indicate status as a hall of fame athlete. The design of the license plates must include the words "hall of fame."

2. The Department shall issue license plates that indicate status as a hall of fame athlete for a passenger car or a light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates that indicate status as a hall of fame athlete if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates that indicate status as a hall of fame athlete.

3. An application for the issuance or renewal of license plates that indicate status as a hall of fame athlete is void unless it is accompanied by documentation which, in the determination of the Department, provides reasonable proof of identity and status as a hall of fame athlete.

4. In addition to all other applicable registration and license fees and governmental services taxes:

(a) A person who requests license plates that indicate status as a hall of fame athlete shall pay a fee to the Department of \$35.

(b) License plates that indicate status as a hall of fame athlete are renewable upon the payment to the Department of \$10.

5. If, during a registration year, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, he may retain the plates and:

(a) Affix them to another vehicle that meets the requirements of this section if the transfer and registration fees are paid as set forth in this chapter; or

(b) Within 30 days after removing the plates from the vehicle, return them to the Department.

6. As used in this section, "hall of fame athlete" means a current or former athlete who has been inducted into a hall of fame pertaining to the sport in which the athlete participates or participated, including, but not limited to:

(a) The National Baseball Hall of Fame, located in Cooperstown, New York.

(b) The Basketball Hall of Fame, located in Springfield, Massachusetts.

(c) The Pro Football Hall of Fame, located in Canton, Ohio.

(d) The Hockey Hall of Fame, located in Toronto, Ontario, Canada.

(e) The National Soccer Hall of Fame, located in Oneonta, New York.

(f) The International Tennis Hall of Fame, located in Newport, Rhode Island.

(g) The Pro Rodeo Hall of Fame, located in Colorado Springs, Colorado.

(h) Any hall of fame which has been established at a university , *state college* or community college within the ~~[University and Community College System of Nevada.] Nevada System of Higher Education.~~

Sec. 32. NRS 645.830 is hereby amended to read as follows:

645.830 1. The following fees must be charged by and paid to the Division:

For each original real estate broker's, broker-salesman's or corporate broker's license \$105

For each original real estate salesman's license.....	\$85
For each original branch office license	120
For real estate education, research and recovery to be paid at the time an application for an original license is filed	40
For real estate education, research and recovery to be paid at the time an application for renewal of a license is filed.....	40
For each renewal of a real estate broker's, broker- salesman's or corporate broker's license	180
For each renewal of a real estate salesman's license	140
For each renewal of a real estate branch office license	110
For each penalty for late filing of a renewal for a broker's, broker-salesman's or corporate broker's license	95
For each penalty for late filing of a renewal for a salesman's license	75
For each change of name or address	20
For each transfer of a real estate salesman's or broker-salesman's license and change of association or employment	20
For each duplicate license where the original license is lost or destroyed, and an affidavit is made thereof	20
For each change of broker status from broker to broker-salesman	20
For each change of broker status from broker- salesman to broker	40
For each reinstatement to active status of an inactive real estate broker's, broker-salesman's or salesman's license.....	20
For each reinstatement of a real estate broker's license when the licensee fails to give immediate written notice to the Division of a change of name or business location	30
For each reinstatement of a real estate salesman's or broker-salesman's license when he fails to notify the Division of a change of broker within 30 days of termination by previous broker	30
For each original registration of an owner-developer	125
For each annual renewal of a registration of an owner-developer	125
For each enlargement of the area of an owner- developer's registration.....	50

For each cooperative certificate issued to an out-of-state broker licensee for 1 year or fraction thereof.....	\$150
For each original accreditation of a course of continuing education.....	100
For each renewal of accreditation of a course of continuing education.....	50
For each annual approval of a course of instruction offered in preparation for an original license or permit.....	100

2. The fees prescribed by this section for courses of instruction offered in preparation for an original license or permit or for courses of continuing education do not apply to:

(a) Any university , *state college* or community college of the ~~[University and Community College System of Nevada.]~~ *Nevada System of Higher Education.*

(b) Any agency of the State.

(c) Any regulatory agency of the Federal Government.

3. The Commission shall adopt regulations which establish the fees to be charged and collected by the Division to pay the costs of any investigation of a person's background.

Sec. 33. The Legislative Counsel shall:

1. In preparing the reprint and supplements to the Nevada Revised Statutes, appropriately change any references to an officer, agency or other entity whose name is changed or whose responsibilities are transferred pursuant to the provisions of this act to refer to the appropriate officer, agency or other entity.

2. In preparing supplements to the Nevada Administrative Code, appropriately change any references to an officer, agency or other entity whose name is changed or whose responsibilities are transferred pursuant to the provisions of this act to refer to the appropriate officer, agency or other entity.

Sec. 34. This act becomes effective upon passage and approval.

