

CHAPTER.....

AN ACT relating to state financial administration; providing for the one-time issuance of a check to certain persons and entities; providing for the appropriation of the reversion for grants to disaster victims; 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. The Account for the One-Time Rebate is hereby created within the State General Fund. The Governor, with assistance from the State Treasurer, shall administer the Account.

Sec. 2. There is hereby appropriated from the State General Fund to the Account created by section 1 of this act the sum of \$300,000,000 to pay the costs incurred for issuing and paying negotiable instruments of rebate as required by section 3 of this act.

Sec. 3. 1. The Governor, with assistance from the State Treasurer and the Director of the Department of Motor Vehicles, shall establish a program pursuant to which the Governor issues a negotiable instrument of rebate to:

(a) Each owner of each vehicle that was registered in this State during the 2004 calendar year; and

(b) Each person who was at least 65 years of age on or before January 1, 2005, held a valid identification card issued by the Department of Motor Vehicles on or before that date and continues to hold such valid identification card.

2. Except as otherwise provided in this subsection and subsection 3, the program established pursuant to subsection 1 must provide for the issuance to:

(a) Each owner of each vehicle that was registered in this State during the 2004 calendar year, a negotiable instrument of rebate in an amount equal to the lesser of:

(1) Two hundred seventy five dollars; or

(2) The full amount of the Basic Governmental Services Tax and Registration Fees that was paid upon the registration of the vehicle during the 2004 calendar year.

➔ In no case may a negotiable instrument of rebate issued pursuant to this paragraph be in an amount less than \$75.

(b) Each person who was at least 65 years of age on or before January 1, 2005, held a valid identification card issued by the Department of Motor Vehicles on or before that date and continues to hold such valid identification card, a negotiable instrument of rebate in an amount equal to \$75.

3. The program established pursuant to subsection 1 must be designed and carried out to ensure that:

(a) With respect to the negotiable instruments of rebate described in paragraph (a) of that subsection, the negotiable instruments of rebate are issued on a per-vehicle basis, without regard to the number of vehicles owned by the registered owner.

(b) With respect to the negotiable instruments of rebate described in paragraphs (a) and (b) of that subsection:

(1) Each negotiable instrument of rebate is issued as soon as practicable after July 1, 2005, but in no case later than December 31, 2005.

(2) A negotiable instrument of rebate is void and without value of any kind if a demand for payment on the negotiable instrument is not made within 180 days after the date on which it was issued.

(3) Notwithstanding any other provision of law to the contrary, if a demand for payment on a negotiable instrument of rebate is not made within 180 days after its issuance, the full amount of the negotiable instrument that would otherwise have been payable reverts to the State General Fund.

4. If the State Treasurer determines that delays in the receipt of available funds will result in insufficient revenues to pay all the checks to be issued, he may submit a request for a temporary advance from the State General Fund to the Director of the Department of Administration to pay the checks.

5. The Director of the Department of Administration shall notify the State Controller and the Fiscal Analysis Division of the Legislative Counsel Bureau if he approves a request made pursuant to subsection 1. The State Controller shall draw a warrant upon receipt of such a notification.

6. An advance from the State General Fund approved by the Director of the Department of administration as authorized pursuant to this section is limited to the total estimated amounts due from the unreturned checks.

7. Any money which is temporarily advanced from the State General Fund to the Account for the One-Time Rebate pursuant to this section must be repaid before money is deposited in the revolving account established by section 5 of this act.

8. As used in this section, unless the context otherwise requires:

(a) "Registered owner" has the meaning ascribed to it in NRS 482.102, but does not include a short-term lessor that charged and collected the recovery surcharge described in paragraph (b) of subsection 1 of NRS 482.313.

(b) "Vehicle" has the meaning ascribed to it in NRS 371.020, but does not include:

(1) A utility trailer, as that term is defined in NRS 482.134;
or

(2) A motor vehicle that is based in this State and that has a declared gross weight in excess of 26,000 pounds.

Sec. 4. The negotiable instruments of rebate described in this act are not warrants issued in payment of claims against the State for the purpose of the provisions of NRS 353.130, 353.135 and 353.140.

Sec. 5. 1. Any remaining balance of the appropriation made by section 2 of this act must not be committed for expenditure after January 31, 2006, and must be reverted to the State General Fund on or before September 15, 2006.

2. The Division of Emergency Management of the Department of Public Safety shall establish a revolving account within the State General Fund for grants to persons who own and occupy homes damaged by a disaster.

3. Except as otherwise provided in this subsection, any remaining balance reverted to the State General Fund pursuant to subsection 1 must be deposited in the revolving account established by subsection 2 and is appropriated for use by the Division in making grants to persons who own and occupy homes damaged by a disaster. Not more than \$5,000,000 may be deposited in the revolving account and appropriated as described in this subsection.

Sec. 6. This act becomes effective upon passage and approval and expires by limitation on February 28, 2006.

