

SENATE BILL NO. 565—COMMITTEE ON FINANCE

APRIL 30, 2007

Referred to Committee on Finance

SUMMARY—Revises certain fees charged by the Commission on Postsecondary Education. (BDR 34-1489)

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

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to education; revising certain fees charged by the Commission on Postsecondary Education; imposing a fee for the certification by the Administrator of the Commission of alcoholic beverage awareness programs; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 The Commission on Postsecondary Education is responsible for regulating
 2 private postsecondary educational institutions in this State. This bill eliminates
 3 the fee charged by the Commission for a transcript of an academic record in the
 4 possession of the Commission and increases all the other fees charged by the
 5 Commission except the fee deposited in the Account for Student Indemnification.
 6 (NRS 394.540, 394.557)
 7 The Commission is also responsible for the certification of alcoholic beverage
 8 awareness programs. (NRS 369.600-369.635) Persons who are hired to sell or serve
 9 alcoholic beverages at certain establishments and security guards for certain
 10 establishments are required to complete such a certified program. (NRS 369.630)
 11 This bill imposes a fee of \$500 for certification of a program by the Administrator
 12 of the Commission. (NRS 394.540)

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

- 1 **Section 1.** NRS 394.540 is hereby amended to read as follows:
 2 394.540 1. The fees imposed pursuant to this section must be
 3 collected by the Administrator and deposited in the State Treasury
 4 to the credit of the State General Fund, and no fees so collected are
 5 subject to refund.



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- 1 2. The fees are:
- 2 (a) For a new license ~~[\$1,500]~~ \$2,000
- 3 (b) For an application by an unlicensed out-of-state
- 4 educational institution to employ agents in this State ... ~~[1,000]~~ 1,500
- 5 (c) For a change of ownership ~~[750]~~ 1,000
- 6 (d) To add a new degree or vocational program ~~[500]~~ 800
- 7 (e) For an initial agent's permit ~~[200]~~ 300
- 8 (f) For the renewal of an agent's permit ~~[100]~~ 200
- 9 (g) ~~[For a transcript of an academic record which is in~~
- 10 ~~the possession of the Administrator pursuant to~~
- 11 ~~NRS 394.550 5]~~

12 ***For the certification of an alcoholic beverage awareness***

13 ***program pursuant to NRS 369.625 500***

14 3. In addition, the Administrator shall collect from each

15 licensed postsecondary educational institution a fee of ~~[\$4]~~ \$5 for

16 each student from which the institution has received tuition or

17 registration fees. The institution shall collect this fee from each such

18 student at the time of the student's initial enrollment with the

19 institution. On or before the first day of January, April, July and

20 October, the institution shall transmit to the Administrator the fees

21 collected pursuant to this subsection during the preceding quarter.

22 The Administrator shall deposit the fees so transmitted with the

23 State Treasurer for credit to the State General Fund.

24 **Sec. 2.** NRS 369.625 is hereby amended to read as follows:

25 369.625 1. The Commission shall, in cooperation with state

26 and local law enforcement agencies, develop a curriculum for an

27 alcoholic beverage awareness program.

28 2. The curriculum described in subsection 1:

29 (a) Must consist of not fewer than 2 hours of instruction; and

30 (b) Must include, without limitation, instruction on the

31 following topics:

- 32 (1) The clinical effects of alcohol on the human body;
- 33 (2) Methods of identifying intoxicated persons;
- 34 (3) Relevant provisions of state and local laws concerning
- 35 the selling and serving of alcoholic beverages;
- 36 (4) Methods of preventing and halting fights, acts of affray
- 37 and other disturbances of the peace; and
- 38 (5) Methods of preventing:

39 (I) The entry of minors into establishments in which

40 minors are prohibited from loitering pursuant to NRS 202.030;

41 (II) The purchase, consumption and possession of

42 alcoholic beverages by minors as prohibited pursuant to NRS

43 202.020, including, without limitation, the recognition of altered or

44 falsified forms of identification; and



(III) The selling and furnishing of alcoholic beverages to minors as prohibited pursuant to NRS 202.055.

3. *A person may apply to the Administrator of the Commission to certify an alcoholic beverage awareness program.*

The Administrator ~~{of the Commission}~~ may certify an alcoholic beverage awareness program if : ~~{the Administrator determines that:}~~

(a) The *Administrator determines that the alcoholic beverage awareness* program meets the curricular requirements set forth in subsection 2; ~~{and}~~

(b) The *Administrator determines that the* persons who will serve as instructors for the program are competent and qualified to provide instruction in the curriculum of the *alcoholic beverage awareness* program ~~{; and}~~

(c) The applicant pays the fee required by NRS 394.540.

4. An alcoholic beverage awareness program certified by the *Administrator of the* Commission:

(a) Must not cost a person more than \$40 to complete; and

(b) May be presented through the use of audiovisual technology. As used in this paragraph, "audiovisual technology" includes, without limitation, the use of closed-circuit video, videoconferencing, videotapes, computers, television, the Internet or any other electronic means of communication, or any combination thereof.

5. The Commission shall adopt such regulations:

(a) As the Commission determines to be necessary or advisable to carry out the provisions of this section; and

(b) As are necessary to ensure that a person who successfully completes an alcoholic beverage awareness program certified pursuant to subsection 3 receives a card which verifies that the person has successfully completed that program. The regulations must provide additionally that a card described in this paragraph:

(1) Is valid for a period of 4 years from the date of issuance and may be renewed for like consecutive periods upon successful completion by the holder of the card of an alcoholic beverage awareness program certified by the *Administrator of the* Commission; and

(2) Must be honored, in any jurisdiction in which the provisions of NRS 369.630 apply, as indicia of the successful completion of an alcoholic beverage awareness program certified by the *Administrator of the* Commission.

6. As used in this section, "minor" means a person who is under 21 years of age.



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1 **Sec. 3.** This act becomes effective upon passage and approval.

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