

Amendment No. 321

Senate Amendment to Senate Bill No. 355

(BDR 38-1314)

Proposed by: Senate Committee on Human Resources and Education**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: Yes Digest: No

ASSEMBLY ACTION				Initial and Date		SENATE ACTION				Initial and Date	
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____		Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold* is newly added transitory language.

HAC/MSM



Date: 4/15/2007

S.B. No. 355—Creates an Office of Faith-Based and Community Initiatives.
(BDR 38-1314)



SENATE BILL NO. 355—SENATORS HORSFORD AND TITUS

MARCH 19, 2007

JOINT ~~[SPONSOR: ASSEMBLYWOMAN]~~ SPONSORS: ASSEMBLYWOMEN
KIRKPATRICK AND WEBER

Referred to Committee on Human Resources and Education

SUMMARY—Creates an Office of Faith-Based and Community Initiatives.
(BDR 38-1314)

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

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

AN ACT relating to the public welfare; establishing and setting forth the duties of the Office of Faith-Based and Community Initiatives within the Department of Health and Human Services; setting forth the duties of the Office; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 11 of this bill establishes the Office of Faith-Based and Community Initiatives in the Department of Health and Human Services. **Section 12** of this bill provides that the Office shall: (1) provide a central source of information for the use of the public concerning faith-based and community nonprofit organizations; (2) identify and use any available resources for the improvement of the quality of social service programs provided by faith-based and community nonprofit organizations; (3) develop and coordinate plans and programs to improve the quality of social service programs provided by faith-based and community nonprofit organizations, including, without limitation, plans and programs that primarily serve local communities; (4) whenever possible, incorporate the use of bilingual communication in its programs and activities; (5) publicize social service programs provided by faith-based and community nonprofit organizations; and (6) develop and carry out such other programs and activities as the Office deems appropriate.

Section 14 of this bill requires the Director of the Department to appoint a Manager of the Office. **Section 15** of this bill provides that the Manager shall: (1) advise the Director, the Department, the Governor and the Legislature concerning matters relating to faith-based and community nonprofit organizations and social service programs in this State; (2) encourage faith-based and community nonprofit organizations to seek governmental funding; (3) identify, recommend and carry out policies related to assisting faith-based and community nonprofit organizations in the expansion of social service programs; (4) act as a liaison between faith-based and community nonprofit organizations and departments, commissions, boards and other agencies of federal, state and local governments; (5) develop and coordinate efforts to attract faith-based and community nonprofit organizations to this State; and (6) establish and maintain a clearinghouse of information regarding faith-based and community nonprofit organizations and social service programs in this State.

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

Section 1. Title 38 of NRS is hereby amended by adding thereto a new chapter to consist of the provisions set forth as sections 2 to ~~21~~ 22, inclusive, of this act.

Sec. 2. *The Legislature hereby finds and declares that:*

1. Faith-based and community nonprofit organizations are indispensable resources in serving the needs of the residents of our State and that by embracing and partnering with such organizations, the capacity of State Government to respond to the needs of the residents is strengthened.

2. Faith-based and community nonprofit organizations provide services in our State that are aimed at reducing poverty, homelessness, violence, chemical addiction and dependency, and improving the lives of low-income and vulnerable adults and children.

3. Faith-based and community nonprofit organizations should have an opportunity to seek funding from federal, state and local governments for social service programs that are separate from the religious practices of such organizations.

4. Faith-based and community nonprofit organizations have the capacity to operate social service programs as effectively and efficiently as any governmental entity that provides similar services.

5. Communication, coordination and technical assistance at the highest levels of State Government are necessary for faith-based and community nonprofit organizations to provide the social service programs needed by Nevadans.

Sec. 3. *As used in sections 2 to ~~21~~ 22, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 4 to 10, inclusive, of this act have the meanings ascribed to them in those sections.*

Sec. 4. *“Department” means the Department of Health and Human Services.*

Sec. 5. *“Director” means the Director of the Department.*

Sec. 6. *“Faith-based and community nonprofit organization” means any organization that:*

1. The Secretary of the Treasury has determined to be tax exempt pursuant to the provisions of section 501(c)(3) of the Internal Revenue Code of 1986, 26 U.S.C. § 501(c)(3); and

2. Through the operation of a social service program, provides assistance to persons in this State without regard for a person’s religious beliefs or affiliation.

Sec. 7. *“Governmental funding” means financial assistance provided by federal, state or local governments and includes, without limitation, grants, loans, loan programs, cooperative agreements, food commodities and appropriations.*

Sec. 8. *“Manager” means the Manager of the Office.*

Sec. 9. *“Office” means the Office of Faith-Based and Community Initiatives of the Department.*

Sec. 10. *“Social service program”:*

1. Means a program that is administered by a faith-based and community nonprofit organization, which program is financed in whole or in part by governmental funding; and

2. Includes, without limitation:

(a) Daycare for children or adults.

(b) A program that provides adoption services.

1 (c) A program that provides counseling and support to victims or
2 perpetrators of domestic violence.

3 (d) A program that provides services for adults or children with special needs
4 or disabilities.

5 (e) A program for job training or placement.

6 (f) A program that provides food, meal preparations or services for the
7 delivery of food.

8 (g) Programs to prevent or treat substance abuse.

9 (h) A program that provides transportation services.

10 (i) A program that provides health services.

11 (j) Literacy and educational programs for children or adults.

12 (k) A program that is concerned with the prevention of crime or which
13 provides assistance to the victims of crime or to the family members of persons
14 convicted of crimes.

15 (l) A program that provides services to persons upon release from prison.

16 (m) A program that provides housing assistance, including, without
17 limitation, emergency shelter, transitional housing or permanent housing.

18 **Sec. 11.** The Office of Faith-Based and Community Initiatives is hereby
19 created within the Department. The purposes of the Office are to:

20 1. Improve the quality of social service programs;

21 2. Increase access to social service programs; and

22 3. Disseminate information to the public concerning faith-based and
23 community nonprofit organizations and the social service programs they offer.

24 **Sec. 12.** 1. In accomplishing its purposes, the Office shall:

25 (a) Provide a central source of information for the use of the public
26 concerning faith-based and community nonprofit organizations;

27 (b) Identify and use any available resources for the improvement of the
28 quality of social service programs provided by faith-based and community
29 nonprofit organizations;

30 (c) Develop and coordinate plans and programs to improve the quality of
31 social service programs provided by faith-based and community nonprofit
32 organizations, including, without limitation, plans and programs that primarily
33 serve local communities;

34 (d) Whenever possible, incorporate the use of bilingual communication in its
35 programs and activities;

36 (e) Publicize social service programs provided by faith-based and community
37 nonprofit organizations; and

38 (f) Develop and carry out such other programs and activities as the Office
39 deems appropriate.

40 2. In carrying out the duties set forth in subsection 1, the Office may seek
41 assistance from and cooperate with any public or private entity.

42 **Sec. 13.** The Office may:

43 1. Apply for any available grants and accept any available gifts, grants,
44 appropriations or donations, and use any such gifts, grants, appropriations or
45 donations to carry out its purposes;

46 2. Contract with a public or private entity to assist the Office in carrying out
47 its purposes; and

48 3. Adopt such regulations as it determines to be necessary or advisable to
49 carry out the provisions of sections 2 to ~~21~~ 22, inclusive, of this act.

50 **Sec. 14.** The Director shall appoint a Manager of the Office. The Manager
51 must be appointed on the basis of his education, training, experience,
52 demonstrated abilities and interest in the provision of health care services to
53 members of minority groups, disadvantaged populations and in related programs.

1 **Sec. 15. The Manager shall:**

2 1. Advise the Director, the Department, the Governor and the Legislature
3 concerning matters relating to faith-based and community nonprofit
4 organizations and social service programs in this State.

5 2. Encourage faith-based and community nonprofit organizations to seek
6 funding from governmental sources.

7 3. At the behest of the Director, identify, recommend and carry out policies
8 relating to assisting faith-based and community nonprofit organizations to
9 expand social service programs.

10 4. Act as a liaison between faith-based and community nonprofit
11 organizations and departments, commissions, boards and other agencies of
12 federal, state and local government.

13 5. Develop and coordinate efforts to attract faith-based and community
14 nonprofit organizations to this State.

15 6. Establish and maintain a clearinghouse of information regarding faith-
16 based and community nonprofit organizations and social service programs that
17 are available in this State.

18 **Sec. 16. The Office shall maintain a website on the Internet to provide to**
19 **the public information that is maintained, collected or compiled by the Manager.**
20 **The website must provide information on the social service programs that are**
21 **offered by faith-based and community nonprofit organizations in this State.**

22 **Sec. 17. On or before March 1 of each odd-numbered year, the Manager**
23 **shall submit a report to the Governor and to the Director of the Legislative**
24 **Counsel Bureau for transmittal to the Legislature. The report must outline the**
25 **manner in which the Office has accomplished its purposes during the biennium,**
26 **including, without limitation, setting forth information concerning the activities,**
27 **findings and recommendations of the Office.**

28 **Sec. 18. 1. The Manager may, within the limits of legislative**
29 **appropriations and other available money, award a grant of money to a ~~(person)~~**
30 **faith-based and community nonprofit organization for use consistent with the**
31 **provisions of sections 2 to ~~(21)~~ 22, inclusive, of this act.**

32 2. Before the Manager may award a grant pursuant to subsection 1, he
33 shall adopt by regulation:

34 (a) Procedures by which a ~~(person)~~ faith-based and community nonprofit
35 organization may apply for a grant from the Manager;

36 (b) Criteria that the Manager will consider in determining whether to award
37 a grant; and

38 (c) Procedures by which the Manager will distribute any money that the
39 Office receives pursuant to section 13 of this act.

40 **Sec. 19. In administering a social service program, a faith-based and**
41 **community nonprofit organization that receives any governmental funding shall**
42 **not:**

43 1. Discriminate on the basis of a person's religious beliefs or affiliation.

44 2. Require a person to take part in any religious activity in order to
45 participate in or receive assistance from the social service program.

46 ~~(Sec. 19.)~~ **Sec. 20. 1. There is hereby created in the Office an Advisory**
47 **Committee consisting of ~~(nine)~~ 21 members appointed by the Governor ~~(7)~~ as**
48 **follows:**

49 (a) Seven members, each of whom represents an organization that the
50 Secretary of the Treasury has determined to be tax exempt pursuant to the
51 provisions of section 501(c)(3) of the Internal Revenue Code of 1986, 26 U.S.C. §
52 501(c)(3).

1 (b) Seven members, each of whom represents a church, religious
2 organization or faith-based ministry.

3 (c) Seven members who represent State Government.

4 2. When appointing a member to the Advisory Committee, consideration
5 must be given to whether the members appointed to the Advisory Committee
6 reflect the religious, ethnic and geographical diversity of this State.

7 3. The term of each member of the Advisory Committee is 2 years. A
8 member may be reappointed for an additional term of 2 years in the same manner
9 as the original appointment. A vacancy occurring in the membership of the
10 Advisory Committee must be filled in the same manner as the original
11 appointment.

12 4. At its first meeting and annually thereafter, the Advisory Committee shall
13 elect a Chairman from among its members.

14 ~~[Sec. 20.] Sec. 21. 1. [Each member of the Advisory Committee created~~
15 ~~by section 19 of this act who is not an officer or employee of the State of Nevada~~
16 ~~is entitled to receive a salary of not more than \$80 per day, as fixed by the~~
17 ~~Manager in consultation with the Advisory Committee, for each day or portion of~~
18 ~~a day spent on the business of the Advisory Committee. Each member of the~~
19 ~~Advisory Committee who is an officer or employee of the State of Nevada serves~~
20 ~~without additional compensation.]~~ Each member of the Advisory Committee is
21 entitled to receive the per diem allowance and travel expenses provided for state
22 officers and employees generally. A claim for a payment pursuant to this section
23 must be made on a voucher approved by the Manager and paid as other claims
24 against the State are paid.

25 2. Each member of the Advisory Committee who is an officer or employee
26 of the State of Nevada or a local government must be relieved from his duties
27 without loss of his regular compensation so that he may prepare for and attend
28 meetings of the Advisory Committee and perform any work necessary to carry out
29 the duties of the Advisory Committee in the most timely manner practicable. A
30 state agency or local governmental entity may not require an employee who is a
31 member of the Advisory Committee to make up time or take annual vacation or
32 compensatory time for the time that he is absent from work to carry out his duties
33 as a member of the Advisory Committee.

34 ~~[Sec. 21.]~~ Sec. 22. The Advisory Committee created by section ~~[19]~~ 20 of
35 this act shall:

36 1. Advise the Manager on all matters concerning the manner in which the
37 purposes of the Office are being carried out;

38 2. Review the manner in which the Office uses any gifts, grants, donations
39 or appropriations to carry out the purposes of the Office, and make
40 recommendations relevant thereto; and

41 3. Review any reports to be submitted by the Manager, including, without
42 limitation, the report required pursuant to section 17 of this act, and make
43 recommendations relevant thereto.

44 ~~[Sec. 22.]~~ Sec. 23. This act becomes effective on July 1, 2007.