

ASSEMBLY BILL NO. 463—ASSEMBLYWOMAN SMITH

MARCH 16, 2009

Referred to Committee on Government Affairs

SUMMARY—Restricts a department, division or other agency of this State or a local government from employing a person as a consultant. (BDR 23-1057)

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 governmental administration; restricting a department, division or other agency of this State or a local government from employing a person as a consultant; requiring a school district to submit to the Interim Finance Committee a report concerning each consultant employed by the school district; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

1 **Section 1** of this bill restricts a department, division or other agency of this  
2 State or a local government from employing a person as a consultant for the agency  
3 or local government unless the Interim Finance Committee approves the  
4 employment and any of the following circumstances exist, as determined by the  
5 Interim Finance Committee: (1) the person provides services that are not provided  
6 by any other employee of the agency or local government or for which a critical  
7 labor shortage exists; or (2) a short-term need or unusual economic circumstance  
8 exists for the agency or local government to employ the person. **Section 1** prohibits  
9 the Interim Finance Committee from approving the employment of the person as a  
10 consultant if the person is a former employee of a department, division or other  
11 agency of this State or a local government and at least 1 year has not expired before  
12 the person is employed as a consultant. **Section 1** also requires each school district  
13 to submit to the Interim Finance Committee, at least once every 6 months, a report  
14 concerning each consultant employed by the school district.



\* A B 4 6 3 \*

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

**Section 1.** Chapter 281 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. Notwithstanding any provision of law to the contrary and except as otherwise provided in subsection 2, a department, division or other agency of this State or a local government shall not employ, by contract or otherwise, a person to provide services as a consultant for the agency or local government unless, before the person is employed by the agency or local government:*

*(a) The Interim Finance Committee approves the employment of the person; and*

*(b) Any of the following circumstances exist, as determined by the Interim Finance Committee:*

*(1) The person provides services that are not provided by any other employee of the agency or local government or for which a critical labor shortage exists; or*

*(2) A short-term need or unusual economic circumstance exists for the agency or local government to employ the person as a consultant.*

*2. If a person specified in subsection 1 is a former employee of a department, division or other agency of this State or a local government, the Interim Finance Committee shall not approve the employment of the person as a consultant for an agency or local government specified in that subsection unless at least 1 year has expired after the termination of that former employment.*

*3. Notwithstanding any provision of law to the contrary, each school district in this State shall, at least once every 6 months, submit to the Interim Finance Committee a report setting forth:*

*(a) The number of consultants employed by the school district;*

*(b) The purpose for which the school district employs each consultant; and*

*(c) The amount of money or other remuneration received by each consultant from the school district.*

**Sec. 2.** NRS 218.6827 is hereby amended to read as follows:

218.6827 1. Except as otherwise provided in subsection 2, the Interim Finance Committee may exercise the powers conferred upon it by law only when the Legislature is not in regular or special session.

2. During a regular or special session, the Interim Finance Committee may also perform the duties imposed on it by subsection 5 of NRS 284.115, subsection 2 of NRS 321.335, NRS 322.007, subsection 2 of NRS 323.020, NRS 323.050, subsection 1 of NRS 323.100, subsection 3 of NRS 341.090, NRS 341.142, subsection 6



1 of NRS 341.145, NRS 353.220, 353.224, 353.2705 to 353.2771,  
2 inclusive, and 353.335, paragraph (b) of subsection 4 of NRS  
3 407.0762, NRS 428.375, 439.620, 439.630, 445B.830 and 538.650  
4 ~~§~~ and section 1 of this act. In performing those duties, the Senate  
5 Standing Committee on Finance and the Assembly Standing  
6 Committee on Ways and Means may meet separately and transmit  
7 the results of their respective votes to the Chairman of the Interim  
8 Finance Committee to determine the action of the Interim Finance  
9 Committee as a whole.

10 3. The Chairman of the Interim Finance Committee may  
11 appoint a subcommittee consisting of six members of the  
12 Committee to review and make recommendations to the Committee  
13 on matters of the State Public Works Board that require prior  
14 approval of the Interim Finance Committee pursuant to subsection 3  
15 of NRS 341.090, NRS 341.142 and subsection 6 of NRS 341.145. If  
16 the Chairman appoints such a subcommittee:

17 (a) The Chairman shall designate one of the members of the  
18 subcommittee to serve as the chairman of the subcommittee;

19 (b) The subcommittee shall meet throughout the year at the  
20 times and places specified by the call of the chairman of the  
21 subcommittee; and

22 (c) The Director of the Legislative Counsel Bureau or his  
23 designee shall act as the nonvoting recording secretary of the  
24 subcommittee.

25 **Sec. 3.** The amendatory provisions of section 1 of this act do  
26 not apply to a contract of employment specified in that section that  
27 is entered into or renewed before the effective date of this act.

28 **Sec. 4.** This act becomes effective upon passage and approval.

