
ASSEMBLY BILL NO. 493—COMMITTEE ON WAYS AND MEANS

(ON BEHALF OF THE DIVISION OF BUDGET AND PLANNING)

MARCH 28, 2011

Referred to Committee on Ways and Means

SUMMARY—Provides a temporary waiver from certain minimum expenditure requirements for school districts, charter schools and university schools for profoundly gifted pupils. (BDR S-1179)

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; extending the prospective expiration of the temporary waiver from certain requirements governing expenditures of money for textbooks, instructional supplies, instructional software and instructional hardware by school districts, charter schools and university schools for profoundly gifted pupils; providing a temporary waiver from certain requirements governing expenditures of money for library books, software for computers, the purchase of equipment relating to instruction and the maintenance and repair of equipment, vehicles, and buildings and facilities by school districts; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law requires the Department of Education to determine the amount of
- 2 money that each school district, charter school and university school for profoundly
- 3 gifted pupils is required to expend during each fiscal year on textbooks,
- 4 instructional supplies, instructional software and instructional hardware. (NRS
- 5 387.206) Existing law also authorizes the board of trustees of a school district, the
- 6 governing body of a charter school or the governing body of a university school for
- 7 profoundly gifted pupils that is experiencing an economic hardship to submit a
- 8 request to the Department for a waiver of all or a portion of the minimum
- 9 expenditure requirements. (NRS 387.2065) Assembly Bill No. 5 of the 26th Special



* A B 4 9 3 *

Session provided a temporary waiver for the 2009-2011 biennium from the minimum expenditure requirements for textbooks, instructional supplies, instructional software and instructional hardware without requiring the school districts, charter schools or university schools for profoundly gifted pupils to submit a request for such a waiver. The provisions of Assembly Bill No. 5 are scheduled to expire on June 30, 2011. (Chapter 6, Statutes of Nevada 2010, pp. 41-42) This bill extends the prospective expiration of the temporary waiver to June 30, 2013, thereby extending the temporary waiver from the minimum expenditure requirements for the 2011-2013 biennium.

Existing law requires that each school district expend each school year for library books, software for computers, the purchase of equipment relating to instruction and the maintenance and repair of equipment, vehicles, and buildings and facilities an amount of money, expressed as an amount per pupil, that is at least equal to the average of the total amount of money that was expended per year for those items in the immediately preceding 3 years. (NRS 387.207) This bill provides a temporary waiver for the 2011-2013 biennium to each school district from these minimum expenditure requirements. The provisions of this temporary waiver apply retroactively to July 1, 2009, in the same manner as the temporary waiver on the minimum expenditure requirements for textbooks, instructional supplies, instructional software and instructional hardware applies retroactively pursuant to the provisions of Assembly Bill No. 5 of the 26th Special Session. (Chapter 6, Statutes of Nevada 2010, p. 42)

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

Section 1. Section 1 of chapter 6, Statutes of Nevada 2010, at page 41, is hereby amended to read as follows:

Section 1. 1. Notwithstanding the provisions of NRS 387.206 , ~~and~~ 387.2065 *and 387.207* to the contrary for the ~~[2009-2011]~~ *2011-2013* biennium:

(a) The Department of Education is not required to comply with the provisions of NRS 387.206 and 387.2065.

(b) Each school district, charter school and university school for profoundly gifted pupils is not required to comply with the provisions governing the minimum amount of money that must be expended for each fiscal year in that biennium for textbooks, instructional supplies, instructional software and instructional hardware as prescribed pursuant to NRS 387.206 and is not required to submit a request for a waiver pursuant to NRS 387.2065. The restrictions on the use of the money that would have otherwise been expended by the school district, charter school or university school for profoundly gifted pupils to meet the requirements of NRS 387.206 as set forth in subsection 7 of NRS 387.2065 apply during this period.

(c) Each school district is not required to comply with the provisions governing the minimum amount of money



1 *that must be expended for each school year in that*
2 *biennium for library books, software for computers, the*
3 *purchase of equipment relating to instruction and the*
4 *maintenance and repair of equipment, vehicles, and*
5 *buildings and facilities as prescribed pursuant to*
6 *NRS 387.207.*

7 2. If, before the effective date of this act, the board of
8 trustees of a school district, the governing body of a charter
9 school or the governing body of a university school for
10 profoundly gifted pupils submitted a request for a waiver
11 pursuant to NRS 387.2065, the Department of Education shall
12 return the request to the applicant.

13 **Sec. 2.** Section 2 of chapter 6, Statutes of Nevada 2010, at
14 page 42, is hereby amended to read as follows:

15 Sec. 2. This act becomes effective upon passage and
16 approval and applies retroactively from and after
17 July 1, 2009, and expires by limitation on
18 June 30, ~~2011~~ **2013**.

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

