

Amendment No. 389

Assembly Amendment to Assembly Bill No. 242 (BDR 31-67)

Proposed by: Assembly Committee on Government Affairs

Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

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 underlining* is newly added transitory language.

MSM/BJE



Date: 4/25/2011

A.B. No. 242—Requires quasi-public organization to submit annual report to Legislative Commission detailing disposition and use of money conveyed to organization by state agency. (BDR 31-67)



ASSEMBLY BILL NO. 242—ASSEMBLYMEN KIRKPATRICK,
SMITH, OCEGUERA, CONKLIN AND ATKINSON

MARCH 7, 2011

Referred to Committee on Government Affairs

SUMMARY—Requires a quasi-public organization ~~{to submit annual report to Legislative Commission detailing disposition and use of}~~ that receives money {conveyed to organization by} from a state agency ~~{to make available certain information.}~~ (BDR 31-67)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 state financial administration; requiring each quasi-public organization that receives money from a state agency to ~~{submit annually to the Legislative Commission a report detailing the disposition and use of that money; requiring that each state agency which conveys money to a quasi-public organization include an entry in the budget of the state agency summarizing that conveyance; providing an exception;}~~ make available certain information; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires certain governmental entities to report quarterly to the Interim Finance Committee regarding the taxes and fees that were legally due to be paid to the governmental entity, the taxes and fees that the governmental entity was actually able to collect, and the taxes and fees that the governmental entity failed to collect or otherwise did not collect. (Chapter 238, Statutes of Nevada 2009, pp. 970-71) ~~{Section 5 of this}~~ This bill requires each quasi-public organization that receives money from a state agency in the form of a donation, gift, grant or other conveyance to ~~{report to the Legislative Commission, on or before September 1 of each year for the immediately preceding fiscal year, concerning the disposition and use of the money so received. Section 6 of this bill requires that each state agency which conveys money to a quasi public organization include an entry in the budget of the state agency summarizing that conveyance. Section 7 of this bill exempts from the preceding requirements any money that is conveyed by a state agency to a quasi public organization in the form of a direct appropriation, if the money so conveyed is required to be used for a specific purpose as a condition of the appropriation. Section 3 of this}~~ (1) make certain information concerning the organization available on an Internet website; and (2) provide copies of certain reports to the Director of the Legislative Counsel Bureau. This bill defines the term "quasi-public organization" for the purposes of the bill to mean: (1) a nonprofit organization that qualifies for tax-exempt status under 26 U.S.C. § 501(c); or (2) any entity that is created by or pursuant to an interlocal agreement.

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

Section 1. Chapter 353 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 7, inclusive, of this act.

Sec. 2. ~~(Deleted by amendment.)~~

Sec. 3. ~~(Deleted by amendment.)~~

Sec. 4. ~~(Deleted by amendment.)~~

Sec. 5. ~~[Except as otherwise provided in section 7 of this act:]~~

1. ~~{Each} If a quasi-public organization {that} receives money from a state agency in the form of a donation, gift, grant or other conveyance {shall, on or before September 1 of each year, file with the Legislative Commission a report that complies with the requirements of subsection 2.~~

~~2. Each report required to be filed pursuant to subsection 1 must:~~

~~(a) Be submitted on a document provided by; , the following information must be included on the Internet website of the quasi-public organization or, if the organization does not have a website, on the website of the state agency from which the organization received money in the form of a donation, gift, grant or other conveyance:~~

~~(a) The names and terms of the persons on the board of directors or other governing body of the quasi-public organization;~~

~~(b) The most recent annual report of the quasi-public organization; and~~

~~(c) The mission statement or other statement of purpose of the quasi-public organization.~~

2. ~~Except as otherwise provided in this subsection, if a quasi-public organization is required by law to submit a report to a state agency from which the organization receives money in the form of a donation, gift, grant or other conveyance, the organization shall also submit a copy of the report to the Director of the Legislative Counsel Bureau. ; and~~

~~(b) Include the following components:~~

~~(1) The name, address and phone number of each state agency from which the quasi public organization received money during the immediately preceding fiscal year;~~

~~(2) The amount of money that the quasi public organization received from each state agency during the immediately preceding fiscal year;~~

~~(3) For each separate donation, gift, grant or other conveyance of money that the quasi public organization received from a state agency during the immediately preceding fiscal year, the specific purpose for which the quasi public organization used that money during the immediately preceding fiscal year, including, without limitation;~~

~~(I) The particular goods, products and services that the quasi public organization provided using the money so received;~~

~~(II) The nature and duration of any programs that the quasi public organization conducted using the money so received;~~

~~(III) The number of persons and entities to whom the quasi public organization provided goods, products and services using the money so received;~~

~~(IV) Whether the goods, products and services that the quasi public organization provided using the money so received, or the programs that the quasi public organization conducted using the money so received, were required to be provided or conducted, as applicable, pursuant to federal or state law;~~

~~(V) Whether the money so received was used by the quasi-public organization to replace or supplant funding available from other sources;~~

~~(VI) To the extent that the dissemination of such information is not prohibited by federal or state law, the identity of any persons who benefited from the money so received; and~~

~~(VII) The amount and nature of any administrative costs, including, without limitation, the salary and benefits of employees, that the quasi-public organization paid using the money so received; and~~

~~(4) Such other information as may be requested by~~ If the quasi-public organization prepares a summary annual report for submission to a state agency from which the organization receives money in the form of a donation, gift, grant or other conveyance, the organization may submit a copy of such summary annual report to the Director of the Legislative Counsel Bureau ~~for~~ in lieu of submitting any other report that is more frequent or specific in nature.

3. As used in this section:

(a) "Quasi-public organization" means:

(1) A nonprofit religious, charitable, fraternal or other organization that qualifies as a tax-exempt organization pursuant to 26 U.S.C. § 501(c); or

(2) Any entity that is created by or pursuant to an interlocal agreement.

(b) "State agency" means an agency, bureau, board, commission, department, division or any other unit of the Executive Department of the State Government.

Sec. 6. (Deleted by amendment.)

Sec. 7. (Deleted by amendment.)

Sec. 8. This act becomes effective upon passage and approval.