

Amendment No. 745

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

Proposed by: Senate 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: 5/29/2011

A.B. No. 242—Requires a quasi-public organization that receives money from a state agency to make available certain information. (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 that receives money from a state agency~~ certain organizations 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~~ designated organization that receives money from ~~a state agency~~ the Department of Health and Human Services to make available certain information ~~to the public and to make reports biannually to the Department; requiring the Department to submit those reports to the Director of the Legislative Counsel Bureau;~~ 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) This bill requires each ~~quasi-public~~ designated organization that receives money from ~~a state agency~~ the Department of Health and Human Services in the form of a donation, gift, grant or other conveyance to: (1) make certain information concerning the organization available on an Internet website; and (2) make certain reports to the Department every 6 months for the period commencing on July 1, 2011, and ending on June 30, 2013. This bill requires the Department to provide copies of ~~certain~~ those reports to the Director of the Legislative Counsel Bureau. This bill defines the term ~~quasi-public~~ "designated 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~~ which receives money by way of a grant, contract or similar agreement for the purpose of providing to persons services that are within the purview of the Department, and which is created by or pursuant to an interlocal agreement. The provisions of this bill sunset on July 31, 2013.

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. 1. If a ~~quasi-public~~ designated organization receives money from ~~a state agency~~ the Department in the form of a donation, gift, grant or other conveyance, the following information must be included on the Internet website of the ~~quasi-public~~ designated 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~~ Department:

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

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

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

2. ~~Except as otherwise provided in this subsection, if a quasi public organization is required by law to~~ For a period of 2 years commencing on July 1, 2011, and ending on June 30, 2013, the Department shall require, as part of any grant, contract or similar agreement pursuant to which a designated organization provides to persons services that are within the purview of the Department, that the designated organization 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~~ the Department once every 6 months. Such reports must:

(a) Be submitted to the Department within 30 days after the end of each 6-month period; and

(b) At a minimum, contain the following information:

(1) The amount of money that the designated organization received from the Department during the immediately preceding 6-month period;

(2) The number of persons served pursuant to the grant, contract or similar agreement;

(3) A description of the services provided pursuant to the grant, contract or similar agreement; and

(4) Any other information deemed appropriate by the Department.

3. The Department shall ~~also~~ submit ~~a copy~~ copies of the ~~report~~ reports described in subsection 2, in electronic format, to the Director of the Legislative Counsel Bureau. ~~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 in lieu of submitting any other report that is more frequent or specific in nature.~~

~~3.~~

4. As used in this section:

(a) ~~"Quasi-public"~~ "Department" means the Department of Health and Human Services created by NRS 232.300.

1 (b) "Designated organization" means:

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

4 (2) Any other entity that ~~is~~ :

5 (I) Receives money by way of a grant, contract or similar agreement
6 for the purpose of providing to persons services that are within the purview of the
7 Department, including, without limitation, domestic violence prevention and
8 assistance, and treatment for mental health issues and substance abuse; and

9 (II) Is created by or pursuant to an interlocal agreement.

10 ~~1 (b) "State agency" means an agency, bureau, board, commission,~~
11 ~~department, division or any other unit of the Executive Department of the State~~
12 ~~Government.~~

13 Sec. 6. (Deleted by amendment.)

14 Sec. 7. (Deleted by amendment.)

15 Sec. 8. This act becomes effective upon passage and approval ~~it~~ and expires
16 by limitation on July 31, 2013.