

Amendment No. 54

Senate Amendment to Senate Bill No. 65	(BDR 21-400)
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	<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 underlining is newly added transitory language.

SRT/HAC



Date: 3/31/2011

S.B. No. 65—Revises provisions concerning the quarterly publication of certain financial information by incorporated cities. (BDR 21-400)



SENATE BILL NO. 65—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE NEVADA LEAGUE OF
CITIES AND MUNICIPALITIES)

PREFILED DECEMBER 15, 2010

Referred to Committee on Government Affairs

SUMMARY—Revises provisions concerning the quarterly publication of certain financial information by ~~[incorporated cities.]~~ certain local governments. (BDR 21-400)

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

~

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

AN ACT relating to local financial administration; revising provisions concerning the quarterly publication of certain financial information by an incorporated city or a county; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the clerk and council of each city incorporated under general law or charter to publish in a newspaper a quarterly statement of the city’s finances that shows the receipts and disbursements and the details of each bill that the city has paid. (NRS 268.030) **Section 2** of this bill requires the publication of only the total amounts of the city’s receipts, disbursements and bills paid for the quarter but expressly provides that the receipts, bills and other documents which support each transaction that is included in the published totals are public records which are available for inspection and copying. Section 2 also requires publication of the financial statement on the Internet website of the city, if the city maintains an Internet website. **Section 1** of this bill eliminates a duplicative requirement for the publication of financial information that only applies to the city clerks of cities incorporated under general law.

Under existing law, a board of county commissioners is required to publish in a newspaper a quarterly financial statement of receipts, expenditures and bills allowed. (NRS 244.225, 354.210) Sections 3 and 4 of this bill require the publication of only the total amounts of the county’s receipts, expenditures and bills allowed but expressly provides that the receipts, bills and other documents which support each transaction that is included in the published totals are public records which are available for inspection and copying. Sections 3 and 4 also require publication of the financial statement on the Internet website of the county if the county maintains an Internet website.

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

Section 1. NRS 266.480 is hereby amended to read as follows:

266.480 The city clerk shall:

1. Keep the office of the city clerk at the place of meeting of the city council, or some other place convenient thereto, as the council may direct.

2. Keep the corporate seal and all papers and records of the city.

3. Keep a record of the proceedings of the city council, whose meetings the city clerk shall attend.

4. Countersign all contracts made in behalf of the city, and every such contract or contracts to which the city is a party shall be void unless signed by the city clerk.

~~[5.— Cause to be published quarterly in some newspaper published in the city a statement of the finances of the city, showing receipts and disbursements, and bills allowed and paid. The statement shall be signed by the mayor and attested by the city clerk. If there should be no newspaper published in the county, the financial statement shall be published in a newspaper of general circulation in the county.]~~

Sec. 2. NRS 268.030 is hereby amended to read as follows:

268.030 1. After March 23, 1939, the city clerk and city council of every incorporated city in this state, whether incorporated under the provisions of chapter 266 of NRS or under the provisions of a special act, shall cause to be published quarterly in some newspaper, published as hereinafter provided, a statement of the finances of the city, showing *the total amounts of* receipts, ~~[and]~~ disbursements ~~[exhibiting in detail the]~~ and bills allowed and paid ~~[]~~ *for the period covered by the statement.* The statement ~~[shall] must [inform] :~~

(a) Inform the public of the provisions of subsection [2, must be] 3;

(b) If the city maintains an official Internet website, inform the public of where the financial statement is posted on the Internet website pursuant to subsection 2;

(c) Provide a telephone number the public may call for further instructions on how to obtain the detailed financial documents;

(d) Provide the address of the city office or offices where the public may view the detailed financial documents;

(e) Be signed by the mayor and attested by the city clerk [] ; and [shall] [must be]

(f) Be published in a newspaper published in [such] the city [] for a period of at least 5 consecutive days. If [there shall be] no newspaper is published in [such] the city, then the financial statement [shall] must be published in a newspaper published in the county, and if [there be] no newspaper is published in the county, [such] the financial statement [shall] must be published in a newspaper of general circulation in the county or posted by the city clerk at the door of the city hall.

2. If a city maintains an official Internet website, the city clerk and city council shall cause to be published quarterly on the Internet website of the city a statement of the finances of the city, showing the total amounts of receipts, disbursements and bills allowed and paid for the period covered by the statement. The statement must:

(a) Inform the public of the provisions of subsection 3;

(b) Provide a telephone number the public may call for further instructions on how to obtain the detailed financial documents;

(c) Provide the address of the city office or offices where the public may view the detailed financial documents;

1 (d) Be signed by the mayor and attested by the city clerk; and
 2 (e) Be published on the Internet website of the city for a period of at least 5
 3 consecutive days.

4 3. The original and any duplicate or copy of each receipt, bill, invoice,
 5 check, warrant, voucher or other similar document that supports a transaction,
 6 the amount of which is included in the total amounts shown in the financial
 7 statement published pursuant to this section is a public record that is available
 8 for inspection and copying by any person pursuant to the provisions of chapter
 9 239 of NRS.

10 ~~3.4~~ 4. Any city officer ~~[in this state]~~ who ~~[shall violate]~~ violates the
 11 provisions of this section ~~[shall be deemed]~~ is guilty of a misdemeanor.

12 Sec. 3. NRS 244.225 is hereby amended to read as follows:

13 244.225 1. The board of county commissioners shall publish quarterly a
 14 statement of the total amounts of receipts and expenditures of the 3 months next
 15 preceding, and the total amounts of accounts allowed. Publications shall be made
 16 by making one insertion of the statement in a newspaper published in the county,
 17 but if no newspaper ~~be~~ is published in the county, then such publication shall be
 18 made by posting a copy of the statement at the courthouse door and at two other
 19 public places in the county. The statement must:

20 (a) Inform the public of the provisions of subsection 3;

21 (b) If the county maintains an official Internet website, inform the public of
 22 where the statement is posted on the Internet website pursuant to subsection 2;

23 (c) Provide a telephone number the public may call for further instructions
 24 on how to obtain the detailed financial documents;

25 (d) Provide the address of the county office or offices where the public may
 26 view the detailed financial documents; and

27 (e) Be published for a period of at least 5 consecutive days.

28 2. If a county maintains an official Internet website, the board of county
 29 commissioners shall publish quarterly on the Internet website of the county a
 30 statement of the total amounts of receipts and expenditures of the 3 months next
 31 preceding and the total amounts of accounts allowed. The statement must:

32 (a) Inform the public of the provisions of subsection 3;

33 (b) Provide a telephone number the public may call for further instructions
 34 on how to obtain the detailed financial documents;

35 (c) Provide the address of the county office or offices where the public may
 36 view the detailed financial documents; and

37 (d) Be published on the official Internet website of the county for a period of
 38 at least 5 consecutive days.

39 3. The original and any duplicate or copy of each receipt, bill, invoice,
 40 check, warrant, voucher or other similar document that supports a transaction,
 41 the amount of which is included in the total amounts shown in the statement
 42 published pursuant to this section, is a public record that is available for
 43 inspection and copying by any person pursuant to the provisions of chapter 239
 44 of NRS.

45 Sec. 4. NRS 354.210 is hereby amended to read as follows:

46 354.210 1. Except as provided in subsection 3, the board of county
 47 commissioners shall cause a statement of the total amount of ~~all~~ bills allowed by
 48 it, ~~[together with the names of the persons to whom such allowances are made and~~
 49 ~~for what such allowances are made,~~ to be published in some newspaper published
 50 in the county. The statement must:

51 (a) Inform the public of the provisions of subsection 5;

52 (b) If the county maintains an official Internet website, inform the public of
 53 where the statement is posted on the Internet website pursuant to subsection 4;

1 (c) Provide a telephone number the public may call for further instructions
2 on how to obtain the detailed financial documents;

3 (d) Provide the address of the county office or offices where the public may
4 view the detailed financial documents; and

5 (e) Be published for a period of at least 5 consecutive days.

6 2. The amount paid for such publication shall not exceed the statutory rate for
7 publication of legal notices, and the publication shall not extend beyond a single
8 insertion.

9 3. Where no newspaper is published in a county, the board of county
10 commissioners may cause to be published, in some newspaper having a general
11 circulation within the county, the allowances provided for in subsection 1, or shall
12 cause the clerk of the board to post such allowances at the door of the courthouse.

13 4. If a county maintains an official Internet website, the board of county
14 commissioners shall publish on the official Internet website of the county a
15 statement of the total amount of bills allowed by it. The statement must:

16 (a) Inform the public of the provisions of subsection 5;

17 (b) Provide a telephone number the public may call for further instructions
18 on how to obtain the detailed financial documents;

19 (c) Provide the address of the county office or offices where the public may
20 view the detailed financial documents; and

21 (d) Be published on the official Internet website of the county for a period of
22 at least 5 consecutive days.

23 5. The original and any duplicate or copy of each bill, including, without
24 limitation, the amount of the bill, the name of the person to whom such
25 allowance is made and for what such allowance is made, or any other document
26 that supports a transaction, the amount of which is included in the total amount
27 shown in the statement published pursuant to this section, is a public record that
28 is available for inspection and copying by any person pursuant to the provisions
29 of chapter 239 of NRS.

30 ~~Sec. 3.~~ Sec. 5. This act becomes effective upon passage and approval.