

**Amendment No. 595**

Assembly Amendment to Assembly Bill No. 311 (BDR 16-715)

**Proposed by:** Assembly Committee on Ways and Means

**Amends:** Summary: No 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.

EGO



Date: 5/15/2013

A.B. No. 311—Creates the Contingency Account for Victims of Human Trafficking. (BDR 16-715)



ASSEMBLY BILL NO. 311—ASSEMBLYMEN SPRINKLE, HAMBRICK, HORNE, FRIERSON,  
BOBZIEN; DONDERO LOOP, DUNCAN, KIRKPATRICK AND OSCARSON

MARCH 18, 2013

Referred to Committee on Judiciary

SUMMARY—Creates the Contingency Account for Victims of Human Trafficking. (BDR 16-715)

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 victims of crime; creating the Contingency Account for Victims of Human Trafficking in the State General Fund; authorizing the ~~Interim Finance Committee~~ **Director of the Department of Health and Human Services** to allocate money from the Account to nonprofit corporations and agencies and political subdivisions of this State for the purposes of establishing or providing programs and services to victims of human trafficking; and providing other matters properly relating thereto.

#### Legislative Counsel's Digest:

Existing law prohibits holding a person in involuntary servitude, assuming ownership over a person, the purchase or sale of a person, trafficking in persons, pandering and living from the earnings of a prostitute. (NRS 200.463, 200.464, 200.465, 200.467, 200.468, 201.310-201.340) **Section 4** of this bill defines a victim of any of those crimes as a "victim of human trafficking."

**Section 5** of this bill creates the Contingency Account for Victims of Human Trafficking in the State General Fund to be administered by the ~~Interim Finance Committee~~ **Director of the Department of Health and Human Services**. **Section 5** also requires that funds in the Contingency Account be expended only for establishing or providing programs or services to victims of human trafficking. **Section 5** authorizes the ~~Interim Finance Committee~~ **Director** to **apply for and** accept gifts, grants and donations ~~(from)~~ **or any other source of money** for deposit into the Contingency Account. Finally, **section 5** provides that money remaining in the Contingency Account at the end of each fiscal year does not revert to the State General Fund and is required to be carried over into the next fiscal year.

**Section 6** of this bill authorizes a nonprofit ~~agency~~ **organization** or an agency or political subdivision of this State to apply for an allocation of money from the Contingency Account. **Section 6** ~~authorizes the Interim Finance Committee to approve the application and make the allocation if, after reviewing the application, the Interim Finance Committee determines that the money is needed to establish or provide programs or services to victims of human trafficking.~~ **requires the Grants Management Advisory Committee within the Department of Health and Human Services to review such applications and make recommendations to the Director of the Department concerning allocations of money from the Contingency Account to applicants. Section 6 authorizes the Director to make allocations of money from the Contingency Account and place such conditions on the**

acceptance of an allocation as the Director determines are necessary, including, without limitation, requiring the submission of periodic reports concerning the use of an allocation by the recipient. Section 6 also requires that the recipient of an allocation of money from the Contingency Account use the money to establish or provide programs or services to victims of human trafficking. ~~{Section 6 also authorizes the Interim Finance Committee to require a recipient of an allocation of money from the Contingency Account to submit a report to the Interim Finance Committee regarding the use of the money at such times as the Interim Finance Committee deems appropriate.~~

~~Section 5 of this bill authorizes the Interim Finance Committee to perform its duties with respect to the Contingency Account during a regular or special session of the Legislature in addition to any period when the Legislature is not in regular or special session.~~

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

**Section 1.** Chapter 217 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 6, inclusive, of this act.

**Sec. 2.** *As used in sections 2 to 6, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3 and 4 of this act have the meanings ascribed to them in those sections.*

**Sec. 3.** *"Contingency Account" means the Contingency Account for Victims of Human Trafficking created by section 5 of this act.*

**Sec. 4.** *"Victim of human trafficking" means a person who is a victim of:*

*1. Involuntary servitude as set forth in NRS 200.463 or 200.464.*

*2. A violation of any provision of NRS 200.465.*

*3. Trafficking in persons in violation of any provision of NRS 200.467 or 200.468.*

*4. Pandering in violation of any provision of NRS 201.300, 201.310, 201.330 or 201.340.*

*5. A violation of NRS 201.320.*

**Sec. 5.** *1. The Contingency Account for Victims of Human Trafficking is hereby created in the State General Fund.*

*2. The ~~Interim Finance Committee~~ Director of the Department of Health and Human Services shall administer the Contingency Account. The money in the Contingency Account must be expended only for the purpose of establishing or providing programs or services to victims of human trafficking ~~and is hereby authorized for expenditure as a continuing appropriation for this purpose.~~*

*3. The ~~Interim Finance Committee~~ Director may apply for and accept gifts, grants and donations or other sources of money for deposit in the Contingency Account.*

*4. The interest and income earned on the money in the Contingency Account, after deducting any applicable charges, must be credited to the Contingency Account.*

*5. Any money remaining in the Contingency Account at the end of a fiscal year does not revert to the State General Fund, and the balance in the Contingency Account must be carried forward ~~to the next fiscal year.~~*

**Sec. 6.** *1. A nonprofit organization or any agency or political subdivision of this State may apply to the ~~Interim Finance Committee~~ Director of the Department of Health and Human Services for an allocation of money from the Contingency Account.*

*2. ~~Upon receipt of an application for an allocation from the Contingency Account, the Interim Finance Committee shall review the application and~~*

~~determine whether the approval of the application is needed to establish or provide programs or services to victims of human trafficking. If the Interim Finance Committee determines that approving the application is needed to establish or provide programs or services to victims of human trafficking, the Interim Finance Committee may approve the application and make an allocation.~~  
The Grants Management Advisory Committee created by NRS 232.383 shall review applications received by the Director pursuant to subsection 1 and make recommendations to the Director concerning allocations of money from the Contingency Account to ~~the applicant.~~ applicants.

~~3. If a nonprofit organization or an agency or political subdivision of this State receives, The Director may make allocations of money from the Contingency Account to applicants and may place such conditions on the acceptance of such an allocation as the Director determines are necessary, including, without limitation, requiring the recipient of an allocation to submit periodic reports concerning the recipient's use of the allocation.~~

~~4. The recipient of an allocation of money from the Contingency Account~~  
~~ff~~ may use the money ~~must be used~~ only for the purposes of establishing or providing programs or services to victims of human trafficking.

~~4. The Interim Finance Committee may require a recipient of an allocation of money from the Contingency Account to submit to the Interim Finance Committee, at such times as the Interim Finance Committee deems appropriate, a report concerning the use of any money allocated from the Contingency Account.~~

**Sec. 7.** ~~NRS 218E.405 is hereby amended to read as follows:~~

~~218E.405 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 a 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, NRS 284.1720, 285.070, subsection 2 of NRS 321.335, NRS 322.007, subsection 2 of NRS 322.020, NRS 323.050, subsection 1 of NRS 323.100, subsection 3 of NRS 341.126, NRS 341.142, paragraph (f) of subsection 1 of NRS 341.145, NRS 353.220, 353.224, 353.2705 to 353.2771 inclusive, 353.288, 353.335, 353C.226, paragraph (b) of subsection 4 of NRS 407.0762, NRS 428.375, 429.4905, 429.620, 429.630, 445B.830 and 538.650 [.] and sections 5 and 6 of this act. In performing those duties, the Senate Standing Committee on Finance and the Assembly Standing Committee on Ways and Means may meet separately and transmit the results of their respective votes to the Chair of the Interim Finance Committee to determine the action of the Interim Finance Committee as a whole.~~

~~3. The Chair of the Interim Finance Committee may appoint a subcommittee consisting of six members of the Committee to review and make recommendations to the Committee on matters of the State Public Works Division of the Department of Administration that require prior approval of the Interim Finance Committee pursuant to subsection 3 of NRS 341.126, NRS 341.142 and paragraph (f) of subsection 1 of NRS 341.145. If the Chair appoints such a subcommittee:~~

~~(a) The Chair shall designate one of the members of the subcommittee to serve as the chair of the subcommittee;~~

~~(b) The subcommittee shall meet throughout the year at the times and places specified by the call of the chair of the subcommittee; and~~

~~(c) The Director or the Director's designee shall act as the nonvoting recording secretary of the subcommittee.~~ (Deleted by amendment.)

**Sec. 8.** This act becomes effective on July 1, 2013.