

SENATE BILL NO. 392—SENATOR SEGERBLOM

MARCH 18, 2013

Referred to Committee on Education

SUMMARY—Requires reporting of certain gifts and bequests relating to education. (BDR 34-147)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 education; requiring certain gifts and bequests of money or property to be reported by the State Board of Education or the board of trustees of a school district; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, the State Board of Education and the board of trustees of
2 each school district are authorized to accept gifts and bequests of money and
3 property for certain purposes. (NRS 385.095, 386.390) This bill requires the State
4 Board and each board of trustees to prepare reports relating to such gifts and
5 bequests and the donors thereof and include the reports on the agenda of the next
6 regular meeting of the State Board or board of trustees, as applicable.

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

1 **Section 1.** NRS 385.095 is hereby amended to read as follows:
2 385.095 Except as otherwise provided in NRS 385.091:
3 1. All gifts of money which the State Board is authorized to
4 accept must be deposited in a special revenue fund in the State
5 Treasury designated as the Education Gift Fund ~~and~~ *and reported*
6 *pursuant to subsection 4.*
7 2. The money available in the Education Gift Fund must be
8 used only for the purpose specified by the donor, within the scope of
9 the State Board's powers and duties, and no expenditure may be
10 made until approved by the Legislature in an authorized expenditure



* S B 3 9 2 *

1 act or by the Interim Finance Committee if the Legislature is not in
2 session.

3 3. If all or part of the money accepted by the State Board from
4 a donor is not expended before the end of any fiscal year, the
5 remaining balance of the amount donated must remain in the
6 Education Gift Fund until needed for the purpose specified by
7 the donor.

8 *4. The State Board shall record each gift of money deposited*
9 *in the Education Gift Fund pursuant to this section and prepare a*
10 *report which includes, for each such gift:*

11 *(a) The amount of the gift;*

12 *(b) The name of the donor of the gift;*

13 *(c) Any instructions provided by the donor concerning the use*
14 *of the gift; and*

15 *(d) Information concerning any connection between the donor*
16 *and the State Board or the administration of the system of public*
17 *education in this State, including, without limitation:*

18 *(1) Any contract between the donor and the State Board;*

19 *(2) Any contract between the donor and the State Public*
20 *Charter School Authority;*

21 *(3) Any bid by the donor for a contract with the State*
22 *Board;*

23 *(4) Any bid by the donor for a contract with the State*
24 *Public Charter School Authority;*

25 *(5) If the donor is a lobbyist as defined in NRS 218H.080, a*
26 *statement of whether the donor lobbies on issues of interest to the*
27 *State Board or relating to the system of public education in this*
28 *State; and*

29 *(6) Any service by the donor on a committee to form a*
30 *charter school pursuant to NRS 386.520.*

31 *5. The State Board shall include the report prepared pursuant*
32 *to subsection 4 on the agenda of the next regular meeting of the*
33 *State Board held pursuant to NRS 385.040 and review all gift*
34 *transactions listed on the report that have taken place since the*
35 *previous meeting of the State Board.*

36 **Sec. 2.** NRS 386.390 is hereby amended to read as follows:

37 386.390 1. Each board of trustees shall have the power to
38 accept on behalf of and for the school district any gift or bequest of
39 money or property for a purpose deemed by the board of trustees to
40 be suitable, and to utilize such money or property for the purpose so
41 designated.

42 2. *The board of trustees shall record each gift or bequest*
43 *accepted pursuant to this section and prepare a report which*
44 *includes, for each such gift or bequest:*



1 (a) *The amount of the gift or bequest of money or the fair*
2 *market value of the bequest of property, as applicable;*

3 (b) *The name of the donor of the gift or bequest;*

4 (c) *Any instructions provided by the donor concerning the use*
5 *of the gift or bequest; and*

6 (d) *Information concerning any connection between the donor*
7 *and the board of trustees or any person responsible for the*
8 *administration of the system of public education in this State,*
9 *including, without limitation:*

10 (1) *Any contract between the donor and the board of*
11 *trustees;*

12 (2) *Any contract between the donor and the State Public*
13 *Charter School Authority;*

14 (3) *Any bid by the donor for a contract with the board of*
15 *trustees;*

16 (4) *Any bid by the donor for a contract with the State*
17 *Public Charter School Authority;*

18 (5) *If the donor is a lobbyist as defined in NRS 218H.080, a*
19 *statement of whether the donor lobbies on issues of interest to the*
20 *board of trustees or relating to the system of public education in*
21 *this State; and*

22 (6) *Any service by the donor on a committee to form a*
23 *charter school pursuant to NRS 386.520.*

24 3. *The board of trustees shall include the report prepared*
25 *pursuant to subsection 2 on the agenda of the next regular*
26 *meeting of the board of trustees held pursuant to NRS 386.330*
27 *and review all transactions involving a gift or bequest listed on the*
28 *report that have taken place since the previous meeting of the*
29 *board of trustees.*

30 **Sec. 3.** This act becomes effective on July 1, 2013.

