

ASSEMBLY BILL NO. 226—ASSEMBLYMEN CARLTON, KIRKPATRICK, CARRILLO, ELLIOT ANDERSON; PAUL ANDERSON, ARAUJO, BENITEZ-THOMPSON, BUSTAMANTE ADAMS, DIAZ, FLORES, HAMBRICK, HANSEN, JOINER, NEAL, OHRENSCHALL, SPIEGEL, SPRINKLE, SWANK AND THOMPSON

MARCH 5, 2015

Referred to Committee on Education

SUMMARY—Revises provisions for the payment of certain undergraduate fees and expenses of certain dependent children. (BDR 34-1010)

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 education; expanding the provisions that require the Board of Regents of the University of Nevada to pay undergraduate fees and expenses of a dependent child of a public safety officer killed in the line of duty to include the child of any other public employee killed in the performance of his or her duty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law requires the Board of Regents of the University of Nevada, to the
2 extent money is available, to pay certain fees and expenses associated with
3 undergraduate classes taken at a school within the Nevada System of Higher
4 Education by the dependent child of a public safety officer who was killed while
5 performing his or her duties. (NRS 396.545) This bill expands the applicability of
6 this provision to include the payment of those fees and expenses for a dependent
7 child of any other public employee who was killed in the performance of his or her
8 duty.



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

Section 1. NRS 396.545 is hereby amended to read as follows:

396.545 1. To the extent of money available for this purpose, the Board of Regents shall pay all registration fees, laboratory fees and expenses for required textbooks and course materials assessed against or incurred by a dependent child of a public safety officer who was killed in the line of duty ~~or~~ *or any other public employee who was killed in the performance of his or her duty*, for classes taken towards satisfying the requirements of an undergraduate degree at a school within the System. No such payment may be made for any fee assessed after the child reaches the age of 23 years.

2. There is hereby created in the State General Fund a Trust Account for the Education of Dependent Children. The Board of Regents shall administer the Account. The Board of Regents may accept gifts and grants for deposit in the Account. All money held by the State Treasurer or received by the Board of Regents for that purpose must be deposited in the Account. The money in the Account must be invested as the money in other state accounts is invested. After deducting all applicable charges, all interest and income earned on the money in the Account must be credited to the Account. Any money remaining in the Account at the end of a fiscal year does not revert to the State General Fund, and the balance in the Account must be carried forward to the next fiscal year.

3. For each fiscal year, the Board of Regents shall estimate:

(a) The amount of money in the Trust Account that is available to make payments pursuant to subsection 1 for that fiscal year; and

(b) The anticipated amount of such payments for that fiscal year. ➤ If the anticipated amount of payments estimated for the fiscal year exceeds the estimated amount of money available in the Account in the fiscal year for such payments, the Board of Regents may request an allocation from the Contingency Account created in the State General Fund pursuant to NRS 353.266 to cover the projected shortfall.

4. As used in this section:

(a) "Firefighter" means a person who is a salaried employee or volunteer member of a:

(1) Fire prevention or suppression unit organized by a local government and whose principal duty is to control and extinguish fires; or

(2) Fire-fighting agency.

(b) "Fire-fighting agency" has the meaning ascribed to it in NRS 450B.072.



(c) "Local government" means a county, city, unincorporated town or metropolitan police department.

(d) "Member of a rescue or emergency medical services crew" means:

(1) A member of a search and rescue organization in this State under the direct supervision of any county sheriff;

(2) A person licensed as an attendant pursuant to chapter 450B of NRS if the person is a salaried employee of a public agency and is not retained under contract to perform services for the public agency;

(3) A person certified as an emergency medical technician, advanced emergency medical technician or paramedic pursuant to chapter 450B of NRS if the person is a salaried employee or volunteer of a public agency and is not retained under contract to perform services for the public agency; or

(4) A volunteer attendant as that term is defined in NRS 450B.110.

(e) "Peace officer" means a category I peace officer, category II peace officer or category III peace officer as those terms are defined in NRS 289.460, 289.470 and 289.480, respectively.

(f) "Public agency" means an agency, bureau, commission, department or division of the State of Nevada or a political subdivision of the State of Nevada that provides police, firefighting, rescue or emergency medical services.

(g) *"Public employee" means any person who performs public duties for compensation paid by or through the State, a county, city, local government or other political subdivision of the State or an agency thereof.*

(h) *"Public employee who was killed in the performance of his or her duty" includes, without limitation, a public employee who dies as a result of injuries sustained in the performance of his or her duty.*

(i) "Public safety officer" means a person serving a public agency in an official capacity, with or without compensation, as a peace officer, a firefighter or a member of a rescue or emergency medical services crew.

(j) *"Public safety officer who was killed in the line of duty" includes, without limitation, a public safety officer who dies as a result of injuries sustained in the line of duty.*

Sec. 2. This act becomes effective on July 1, 2015.

