

ASSEMBLY BILL NO. 351—ASSEMBLYMEN DICKMAN, MOORE, DOOLING; EDWARDS, ELLISON, GARDNER, HANSEN, JONES, KIRNER, MUNFORD, OSCARSON, SHELTON, TITUS AND WHEELER

MARCH 17, 2015

JOINT SPONSORS: SENATORS HARDY; AND SETTELMAYER

Referred to Committee on Education

SUMMARY—Revises provisions relating to projects to benefit charter schools. (BDR 34-1012)

FISCAL NOTE: Effect on Local Government: No.
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 charter schools; revising the requirements for a project that is financed through bonds to benefit a charter school; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law authorizes the Director of the Department of Business and
2 Industry to issue bonds and other obligations to finance the acquisition,
3 construction, improvement, restoration or rehabilitation of property, buildings and
4 facilities for charter schools if certain criteria are met. Existing law requires a
5 charter school for whose benefit a project is being financed to have received, within
6 the immediately preceding 3 consecutive school years, one of the two highest
7 ratings of performance pursuant to the statewide system of accountability for public
8 schools. (NRS 386.630, 386.632, 386.634) This bill instead requires a charter
9 school for whose benefit a project is being financed to have received, within the
10 immediately preceding 2 consecutive school years, one of the three highest ratings
11 of performance pursuant to the statewide system of accountability for public
12 schools.



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

1 **Section 1.** NRS 386.632 is hereby amended to read as follows:
2 386.632 Except as otherwise provided in NRS 386.639, the
3 Director of the Department of Business and Industry shall not
4 finance a project unless, before financing the project, the Director
5 finds and the State Board of Finance approves the findings of the
6 Director that:

7 1. The project consists of any land, building or other
8 improvement, and all real and personal properties necessary in
9 connection therewith, which is suitable for new construction,
10 improvement, restoration or rehabilitation of charter school
11 facilities;

12 2. The charter school for whose benefit the project is being
13 financed is not in default under the written charter or charter
14 contract, as applicable, granted by its sponsor, as determined by the
15 sponsor;

16 3. The charter school for whose benefit the project is being
17 financed has received, within the immediately preceding ~~13~~ 2
18 consecutive school years, one of the ~~two~~ three highest ratings of
19 performance pursuant to the statewide system of accountability for
20 public schools, or has received equivalent ratings in another state, as
21 determined by the Department of Education;

22 4. There are sufficient safeguards to ensure that all money
23 provided by the Director of the Department of Business and
24 Industry will be expended solely for the purposes of the project;

25 5. There are sufficient safeguards to ensure that the Director of
26 the Department of Business and Industry will have the ability to
27 monitor compliance with the provisions of NRS 386.612 to 386.649,
28 inclusive, on an ongoing basis with respect to the project;

29 6. Through the advice of counsel or other reliable source, the
30 project has received all approvals by the local, state and federal
31 governments which may be necessary to proceed with construction,
32 improvement, rehabilitation or redevelopment of the project; and

33 7. There has been a request by a charter school, lessee,
34 purchaser or other obligor to have the Director of the Department of
35 Business and Industry issue bonds to finance the project.

36 **Sec. 2.** (Deleted by amendment.)

37 **Sec. 3.** (Deleted by amendment.)

38 **Sec. 4.** This act becomes effective on July 1, 2015.

