

Amendment No. 146

Senate Amendment to Senate Bill No. 133	(BDR 34-118)
Proposed by: Senate Committee on Education	
Amendment Box: Replaces Amendment No. 143.	
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) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.

RBL



Date: 3/19/2015

S.B. No. 133—Authorizes the reimbursement of teachers for certain out-of-pocket expenses. (BDR 34-118)



SENATE BILL NO. 133—SENATORS ROBERSON, HARRIS,
BROWER, FARLEY, ~~AND~~ LIPPARELLI, HAMMOND, WOODHOUSE AND DENIS

FEBRUARY 10, 2015

Referred to Committee on Education

SUMMARY—Authorizes the reimbursement of teachers for certain out-of-pocket expenses. (BDR 34-118)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Contains Appropriation not included in Executive Budget.

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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; creating the Teachers' School Supplies Reimbursement Account; providing for an annual allocation from the Account to each school district ~~and authorizing~~ and charter school for distribution to teachers ~~to submit claims to the school districts by which they are employed~~ for reimbursement for certain out-of-pocket expenses; ~~requiring the Department of Education to adopt by regulation the procedure for submission and approval of the claims;~~ authorizing the donation of unclaimed property to the Account under certain circumstances; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 3 of this bill creates the Teachers' School Supplies Reimbursement Account in the State General Fund, and **section 4** of this bill requires the Department of Education to determine the amount of money available in the Account and apportion the money deposited in the Account among the school districts and charter schools annually based on the number of teachers employed by each school district ~~or~~ or charter school, as applicable, up to \$250 per teacher.

Section 4 also requires the board of trustees of each school district and the governing body of each charter school to establish a special revenue fund and deposit the money it receives from the Account in that fund. **Section 4** further provides that money in the special revenue fund must be used only to reimburse teachers for out-of-pocket expenses incurred in connection with purchasing certain school supplies. **Section 4** also requires the board of trustees of each school district or the governing body of a charter school, as applicable, to transfer any balance remaining in the special revenue fund that has not been committed for expenditure to the Account at the end of each fiscal year.

Section 5 of this bill ~~authorizes a teacher to submit a claim to~~ requires the board of trustees of ~~the~~ each school district ~~by which the teacher is employed for reimbursement from the special revenue fund for out-of-pocket expenses. Section 5 requires the teacher to sign a form, under penalty of perjury, attesting that the claim for reimbursement is for out-of-pocket expenses incurred in connection with purchasing necessary school supplies for the pupils whom he or she instructs. Section 5 authorizes the board of trustees to reimburse such a~~

teacher up to \$ 100 per year. Section 5 further requires the Department to adopt by regulation procedures for: (1) the submission of claims by teachers for reimbursement from a school district's special revenue fund; and (2) the review and approval of such claims, and the governing body of each charter school to determine the manner in which to distribute the money received to the teachers, including whether the teachers will be required to submit a request for reimbursement. Section 5 also requires teachers to submit receipts for purchases made with money received from the special revenue fund to the principal of the school, who must retain the receipts until the end of the next fiscal year.

Existing law requires the Administrator of Unclaimed Property in this State to take possession of property that is abandoned and unclaimed by its owner and to hold it in trust until the owner or the owner's legal heirs can be located. (NRS 120A.530, 120A.620) Existing law allows the original owner or his or her heirs to file a claim to recover property in the possession of the Administrator at any time. (NRS 120A.560, 120A.640) Section 6 of this bill authorizes a person whose claim to recover such property of less than \$500 and has been approved by the Administrator to donate the property or the net proceeds of a sale of the property to the Teacher's School Supplies Reimbursement Account.

Section ~~6~~ 7 of this bill appropriates \$2,500,000 for Fiscal Year 2015-2016 and \$2,500,000 for Fiscal Year 2016-2017 from the State General Fund to the Teachers' School Supplies Reimbursement Account.

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

Section 1. Chapter 387 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this act.

Sec. 2. *As used in sections 2 to 5, inclusive, of this act, "teacher" means a licensed employee of a school district who devotes the majority of his or her working time to the rendering of direct educational service to pupils ~~or~~, except that the term does not include a substitute teacher.*

Sec. 3. 1. *The Teachers' School Supplies Reimbursement Account is hereby created in the State General Fund. The Department shall administer the Account.*

2. *The money in the Account must be invested as other money of the State is invested. All interest and income earned on the money in the Account must be credited to the Account.*

3. *The money in the Account must be used only for the purposes specified in section 4 of this act.*

4. *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.*

5. *The Department may accept gifts, grants, bequests and donations from any source for deposit in the Account.*

Sec. 4. 1. *On or before September 1 of each year, the Department shall ~~apportion the~~ determine the amount of money that is available in the Teachers' School Supplies Reimbursement Account created by section 3 of this act for distribution among all of the school districts and charter schools in this State for that fiscal year. Any such distribution must be provided to each school district and charter school based on the number of teachers employed by ~~each~~ the school district ~~or~~ or charter school, as applicable. To the extent that money is available, the Department shall establish the amount of reimbursement for each teacher which must not exceed \$250 per fiscal year.*

2. The board of trustees of each school district and the governing body of each charter school shall establish a special revenue fund and direct that the money it receives pursuant to subsection 1 be deposited in that fund. Money in the special revenue fund must not be commingled with money from other sources. The board of trustees or the governing body, as applicable, shall disburse ~~the~~ money in the special revenue fund to teachers in accordance with section 5 of this act.

3. The money in the special revenue fund must be used ~~by the board of trustees~~ only to reimburse teachers for out-of-pocket expenses incurred in connection with purchasing necessary school supplies for the pupils they instruct.

4. The board of trustees ~~shall~~

~~(a) Shall~~ or governing body of a charter school, as applicable, shall not use money in the special revenue fund to pay any administrative costs.

~~(b) May enter into an agreement with the recognized employee organization representing licensed educational personnel within the school district for the purpose of obtaining the assistance of the employee organization in administering the reimbursement of teachers pursuant to section 5 of this act. The board of trustees shall not compensate the employee organization for any service performed pursuant to the agreement.~~

5. ~~The~~ Any money remaining in the special revenue fund ~~must not be committed for expenditure after June 30 of each year. As soon as practicable on or after July 1 of each year, the board of trustees shall transfer any balance remaining in the special revenue fund that has not been committed for expenditure~~ at the end of a fiscal year reverts to the Teachers' School Supplies Reimbursement Account.

Sec. 5. 1. ~~A teacher employed by the~~ The board of trustees of ~~for each school district and the governing body of each charter school that receives money pursuant to subsection 1 of section 4 of this act may submit to the board of trustees a claim~~ shall determine the manner in which to distribute the money to teachers in the school district or charter school, as applicable, including, without limitation, whether to require a teacher to submit a request for a claim for reimbursement for out-of-pocket expenses from the special revenue fund established pursuant to section 4 of this act. ~~The claim must be submitted on a form prescribed by the Department and be accompanied by the documentation required by the Department. The teacher shall sign the form attesting, under penalty of perjury, that the claim for reimbursement is for out of pocket expenses incurred in connection with purchasing necessary school supplies for the pupils he or she instructs.~~

2. To the extent that money is available in the special revenue fund, the board of trustees or governing body, as applicable, may reimburse a teacher ~~who~~ submits a claim pursuant to subsection 1 in an up to the maximum amount not to exceed \$100 per determined by the Department for each teacher pursuant to section 4 of this act for the fiscal year.

3. ~~The Department shall adopt by regulation:~~

~~(a) Procedures for the submission of claims pursuant to this section;~~

~~(b) Procedures for the review and approval of claims submitted pursuant to this section, including, without limitation, a list of school supplies that are eligible for reimbursement; and~~

~~(c) Any other provisions necessary to carry out the provisions of sections 2 to 5, inclusive, of this act.~~ If the board of trustees of a school district or the governing body of a charter school, as applicable, requires a teacher to submit a claim for reimbursement for out-of-pocket expenses to receive money from the

special revenue fund, the teacher must submit such a claim no later than 2 weeks after the last day of the school year.

4. The board of trustees of a school district may enter into an agreement with the recognized employee organization representing licensed educational personnel within the school district for the purpose of obtaining assistance of the employee organization in administering the reimbursement of teachers pursuant to this section.

5. A teacher who receives money from the special revenue fund must submit receipts for any supplies purchased with the money to the principal of the school or charter school, as applicable. The principal must maintain such receipts until the end of the next fiscal year and make them available for inspection upon request of the Department.

Sec. 6. Chapter 120A of NRS is hereby amended by adding thereto a new section to read as follows:

1. A person with a claim to property paid or delivered to the Administrator that is less than \$500 may, if the claim is allowed by the Administrator pursuant to NRS 120A.640, donate the money or the net proceeds from the sale of the property, together with any dividend, interest or other increment to which the person is entitled under NRS 120A.600 and 120A.610, to the State for educational purposes.

2. The Administrator must, within 30 days after the allowance of a claim pursuant to NRS 120A.040, transfer the amount of the claim, together with any dividend, interest or other increment to which the person is entitled under NRS 120A.600 and 120A.610, from the Abandoned Property Trust Account to the Teachers' School Supplies Reimbursement Account created pursuant to section 3 of this act.

3. The Administrator may adopt regulations to carry out the provisions of this section.

~~Sec. 6.~~ Sec. 7. There is hereby appropriated from the State General Fund to the Teachers' School Supplies Reimbursement Account created by section 3 of this act:

For the Fiscal Year 2015-2016.....\$2,500,000

For the Fiscal Year 2016-2017.....\$2,500,000

~~Sec. 7.~~ Sec. 8. This act becomes effective on July 1, 2015.