

ASSEMBLY BILL NO. 32—COMMITTEE ON TAXATION

(ON BEHALF OF THE OFFICE OF ECONOMIC DEVELOPMENT  
IN THE OFFICE OF THE GOVERNOR)

PREFILED NOVEMBER 16, 2018

Referred to Committee on Taxation

SUMMARY—Revises provisions governing workforce development. (BDR 18-329)

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 workforce development; authorizing nonprofit entities and certain governmental agencies to participate in certain programs of workforce recruitment, assessment and training; authorizing the training of existing employees of an employer as part of certain programs of workforce recruitment, assessment and training; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires the Office of Economic Development to develop and implement one or more programs to provide customized workforce development services to persons that create and expand certain businesses in this State and relocate businesses to this State. (NRS 231.055) Existing law also authorizes a person who operates a business or will operate a business in this State to apply to the Office to participate in a program of workforce recruitment, assessment and training. (NRS 231.1467) **Section 2** of this bill expands eligibility to participate in such a program to nonprofit organizations and state and local governmental agencies. **Section 3** of this bill expands programs of workforce recruitment, assessment and training to include programs which provide training to existing employees of a participating employer.

Existing law requires an application for participation in a program of workforce recruitment, assessment and training to include a description of the number and types of jobs that the business expects will be created as a result of its participation in the program. (NRS 231.1467) **Section 5** of this bill requires the application to include a description of the number and types of jobs that the employer expects will be created or retained as a result of its participation in the program.



18        Sections 4 and 6-8 of this bill make conforming changes.

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

1        **Section 1.** Chapter 231 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 and 3 of this act.

3        **Sec. 2. "Employer" means:**

4        1. *A business conducted for profit;*

5        2. *A nonprofit organization;*

6        3. *An agency of this State or of a local government, as*  
7 *defined in NRS 354.474, in this State.*

8        **Sec. 3. "Program of workforce recruitment, assessment and**  
9 **training" includes a program which provides training to one or**  
10 **more existing employees employed by an employer participating in**  
11 **the program.**

12        **Sec. 4.** NRS 231.141 is hereby amended to read as follows:

13        231.141 As used in NRS 231.141 to 231.152, inclusive, *and*  
14 *sections 2 and 3 of this act*, unless the context otherwise requires,  
15 the words and terms defined in NRS 231.1415 and 231.146 *and*  
16 *sections 2 and 3 of this act* have the meanings ascribed to them in  
17 those sections.

18        **Sec. 5.** NRS 231.1467 is hereby amended to read as follows:

19        231.1467 1. A person who wishes to provide a program of  
20 workforce recruitment, assessment and training may apply to the  
21 Office for approval of the program. The application must be  
22 submitted on a form prescribed by the Office.

23        2. Each application must include:

24        (a) The name, address and telephone number of the applicant;

25        (b) The name of each ~~business~~ *employer* for which the  
26 applicant will provide the proposed program of workforce  
27 recruitment, assessment and training;

28        (c) A statement of the objectives of the proposed program of  
29 workforce recruitment, assessment and training;

30        (d) A workforce diversity action plan; and

31        (e) The estimated cost of the proposed program of workforce  
32 recruitment, assessment and training.

33        3. Any program of workforce recruitment, assessment and  
34 training approved by the Office pursuant to this section must:

35        (a) Include a workforce diversity action plan approved by the  
36 Office; and

37        (b) To the extent practicable, be provided on a statewide basis to  
38 support the industrial and economic development of all geographic  
39 areas of this State.



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4. The Office shall:

(a) Maintain on the Internet website of the Office a list of the criteria for evaluating applications for approval of a program of workforce recruitment, assessment and training;

(b) Approve or disapprove each application for approval of a program of workforce recruitment, assessment and training within 60 days after receiving a complete application; and

(c) Provide notice of the approval or disapproval of each application to the applicant within 10 days after approving or disapproving the application.

5. An authorized provider that provides a program of workforce recruitment, assessment and training approved by the Office pursuant to this section or the governing body of a local government within the jurisdiction of which the authorized provider will provide the program may apply to the Office for an allocation, grant or loan of money to defray in whole or in part the cost of the program. The application must be submitted on a form prescribed by the Office.

6. The Office shall approve or deny each application for an allocation, grant or loan of money submitted pursuant to subsection 5 within 45 days after receipt of the application. When considering an application, the Office shall give priority to a program of workforce recruitment, assessment and training that will provide workforce development services to one or more businesses that:

(a) Provide high-skill and high-wage jobs to residents of this State;

(b) To the greatest extent practicable, use materials that are produced or bought in this State;

(c) Are consistent with the State Plan for Economic Development developed by the Executive Director pursuant to subsection 2 of NRS 231.053; and

(d) Are consistent with the unified state plan submitted by the Governor to the Secretary of Labor pursuant to 29 U.S.C. § 3112.

7. An authorized provider may use money distributed pursuant to this section:

(a) To provide technical services to ~~[a business]~~ *an employer* that participates in the program of workforce recruitment, assessment and training;

(b) To provide publicity for the program of workforce recruitment, assessment and training and for job recruiting and assessments conducted through the program;

(c) To provide instructional services;

(d) To provide analysis of on-site training;



(e) To pay any costs relating to the rental of instructional facilities, including, without limitation, utilities and costs relating to the storage and transportation of equipment and supplies;

(f) To pay administrative and personnel costs; and

(g) To pay any other costs necessary to effectively carry out the program of workforce recruitment, assessment and training.

8. ~~{A person}~~ *An employer* who ~~{operates a business}~~ *employs* or will ~~{operate a business}~~ *employ persons* in this State may apply to the Office to participate in a program of workforce recruitment, assessment and training provided by an authorized provider. The application must be submitted on a form prescribed by the Office and must include, without limitation:

(a) The name, address and telephone number of the ~~{business;}~~ *employer;*

(b) Proof satisfactory to the Office that the ~~{business}~~ *participation of the employer in the program* is consistent with the State Plan for Economic Development developed by the Executive Director pursuant to subsection 2 of NRS 231.053;

(c) A description of the number and types of jobs that the ~~{business}~~ *employer* expects will be created *or retained in this State* as a result of its participation in the program of workforce recruitment, assessment and training and the wages the ~~{business}~~ *employer* expects to pay to persons employed in those jobs;

(d) The types of services which will be provided to the business through the program of workforce recruitment, assessment and training;

(e) A workforce diversity action plan approved by the Office; and

(f) Any other information required by the Office.

**Sec. 6.** NRS 231.149 is hereby amended to read as follows:

231.149 1. The Office may apply for or accept any gifts, grants, donations or contributions from any source to carry out the provisions of NRS 231.141 to 231.152, inclusive ~~{,}~~ *, and sections 2 and 3 of this act.*

2. Any money the Office receives pursuant to subsection 1 must be deposited in the State Treasury for credit to the Workforce Innovations for a New Nevada Account pursuant to NRS 231.151.

3. A person who makes a gift, grant, donation or contribution to the Office to carry out the provisions of NRS 231.141 to 231.152, inclusive, *and sections 2 and 3 of this act* must be:

(a) Informed that the receipt and use by the Office of the gift, grant, donation or contribution may be conditioned upon terms specified by the person; and

(b) Provided the opportunity to place conditions upon the receipt and use by the Office of the gift, grant, donation or contribution.



**Sec. 7.** NRS 231.151 is hereby amended to read as follows:

231.151 1. The Workforce Innovations for a New Nevada Account is hereby created in the State General Fund. Any money the Office receives pursuant to NRS 231.149 or that is appropriated to carry out the provisions of NRS 231.141 to 231.152, inclusive ~~H~~, *and sections 2 and 3 of this act*:

(a) Must be deposited in the State General Fund for credit to the Account; and

(b) May only be used to carry out those provisions.

2. Except as otherwise provided in subsection 3, the balance remaining in the Account that has not been committed for expenditure on or before June 30 of an odd-numbered fiscal year reverts to the State General Fund.

3. In calculating the uncommitted remaining balance in the Account at the end of an odd-numbered fiscal year, any money in the Account that is attributable to a gift, grant, donation or contribution:

(a) To the extent not inconsistent with a term of the gift, grant, donation or contribution, shall be deemed to have been committed for expenditure before any money that is attributable to a legislative appropriation; and

(b) Must be excluded from the calculation of the uncommitted remaining balance in the Account at the end of each odd-numbered fiscal year if necessary to comply with a term of the gift, grant, donation or contribution.

4. The Office shall administer the Account. Any interest or income earned on the money in the Account must be credited to the Account. Any claims against the Account must be paid as other claims against the State are paid.

**Sec. 8.** NRS 231.152 is hereby amended to read as follows:

231.152 The Office may adopt such regulations as are necessary to carry out the provisions of NRS 231.141 to 231.152, inclusive ~~H~~, *and sections 2 and 3 of this act*.

**Sec. 9.** This act becomes effective on July 1, 2019.

