

SENATE BILL NO. 233—SENATOR GOICOECHEA

FEBRUARY 20, 2019

Referred to Committee on Finance

SUMMARY—Revises provisions relating to capital improvement funds. (BDR 34-152)

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 education; removing certain requirements to obtain a grant of money from the Fund to Assist School Districts in Financing Capital Improvements; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law allows the board of trustees of a school district to apply for a grant of money from the Fund to Assist School Districts in Financing Capital Improvements if certain emergency conditions exist within the school district. A school district must submit proof that: (a) the assessed valuation of the taxable property within the school district is declining and other capital resources are diminishing; (b) the combined ad valorem tax rate of the county is at a certain limit; and (c) at least: (1) one building at a school within the school district has been condemned, (2) one of the facilities at a school is unsuitable for use or (3) the cost of renovating a facility at a school exceeds a certain percent of the cost of constructing a new facility. (NRS 387.3335)

This bill removes the requirement that the assessed valuation of the taxable property within the school district is declining and other capital resources are diminishing in order to receive money from the Fund.

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

Section 1. NRS 387.3335 is hereby amended to read as follows:

387.3335 1. The board of trustees of a school district may apply to the Director of the Office of Finance for a grant of money from the Fund created pursuant to NRS 387.333 on a form provided



by the Director of the Office of Finance. The application must be accompanied by proof that the following emergency conditions exist within the school district:

(a) ~~The assessed valuation of the taxable property in the county in which the school district is located is declining and all other resources available to the school district for financing capital improvements are diminishing;~~

~~(b)~~ The combined ad valorem tax rate of the county is at the limit imposed by NRS 361.453; and

~~(c)~~ (b) At least:

(1) One building that is located on the grounds of a school within the school district has been condemned;

(2) One of the facilities that is located on the grounds of a school within the school district is unsuitable for use as a result of:

(I) Structural defects;

(II) Barriers to accessibility; or

(III) Hazards to life, health or safety, including, without limitation, environmental hazards and the operation of the facility in an unsafe manner; or

(3) One of the facilities that is located on the grounds of a school within the school district is in such a condition that the cost of renovating the facility would exceed 40 percent of the cost of constructing a new facility.

2. Upon receipt of an application submitted pursuant to subsection 1, the Director of the Office of Finance shall forward the application to the:

(a) Department of Taxation to determine whether or not:

(1) The application satisfies the showing of proof required pursuant to ~~paragraphs~~ **paragraph** (a) ~~and (b)~~ of subsection 1; and

(2) The board of county commissioners in the county in which the school district is located has imposed a tax of more than one-eighth of 1 percent pursuant to NRS 377B.100;

(b) State Public Works Division of the Department of Administration to determine whether the application satisfies the showing of proof required pursuant to paragraph ~~(c)~~ (b) of subsection 1; and

(c) Department of Education for informational purposes.

3. The Department of Taxation and the State Public Works Division shall submit written statements of their determinations pursuant to subsection 2 regarding an application to the Director of the Office of Finance. Upon receipt of such statements, the Director shall submit the application accompanied by the written statements from the Department of Taxation and State Public Works Division to the State Board of Examiners for approval.



1 4. The Director of the Office of Finance shall make grants from
2 the Fund created pursuant to NRS 387.333 based upon the need of
3 each school district whose application is approved by the State
4 Board of Examiners.

5 5. The Director of the Office of Finance shall adopt regulations
6 that prescribe the annual deadline for submission of an application
7 to the Director of the Office of Finance by a school district that
8 desires to receive a grant of money from the Fund.

9 **Sec. 2.** This act becomes effective upon passage and approval.

