

ASSEMBLY BILL NO. 305—ASSEMBLYWOMAN TITUS

MARCH 16, 2021

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to collective bargaining by school districts. (BDR 31-912)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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; revising provisions governing the budgeted ending fund balance of a county school district fund that is excluded from collective bargaining negotiations; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides for the resolution of an impasse in collective bargaining through fact-finding, arbitration or both, but imposes limitations on the money that a fact finder or arbitrator may consider in determining the financial ability of a county school district to pay compensation or monetary benefits. (NRS 288.200, 288.217, 354.6241) Under existing law, for certain funds of a school district, a budgeted ending fund balance of not more than 16.6 percent of the total budgeted expenditures for a county school district fund is not subject to negotiation in collective bargaining with an employee organization and must not be considered by a fact finder or arbitrator in determining the school district's financial ability to pay compensation or monetary benefits. (NRS 354.6241) This bill increases the budgeted ending fund balance for a county school district fund that is not subject to negotiation in collective bargaining with an employee organization and must not be considered by a fact finder or arbitrator in determining the school district's financial ability to pay compensation and monetary benefits to not more than 25 percent of the total budgeted expenditures.



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

Section 1. NRS 354.6241 is hereby amended to read as follows:

354.6241 1. The statement required by paragraph (a) of subsection 5 of NRS 354.624 must indicate for each fund set forth in that paragraph:

(a) Whether the fund is being used in accordance with the provisions of this chapter.

(b) Whether the fund is being administered in accordance with generally accepted accounting procedures.

(c) Whether the reserve in the fund is limited to an amount that is reasonable and necessary to carry out the purposes of the fund.

(d) The sources of revenues available for the fund during the fiscal year, including transfers from any other funds.

(e) The statutory and regulatory requirements applicable to the fund.

(f) The balance and retained earnings of the fund.

2. Except as otherwise provided in subsections 3 and 4 and NRS 354.59891 and 354.613, to the extent that the reserve in any fund set forth in paragraph (a) of subsection 5 of NRS 354.624 exceeds the amount that is reasonable and necessary to carry out the purposes for which the fund was created, the reserve may be expended by the local government pursuant to the provisions of chapter 288 of NRS.

3. For any local government other than a school district, for the purposes of chapter 288 of NRS, a budgeted ending fund balance of not more than 16.67 percent of the total budgeted expenditures, less capital outlay, for a general fund:

(a) Is not subject to negotiations with an employee organization; and

(b) Must not be considered by a fact finder or arbitrator in determining the financial ability of the local government to pay compensation or monetary benefits.

4. For a school district, for the purposes of chapter 288 of NRS, a budgeted ending fund balance of not more than ~~16.6~~ 25 percent of the total budgeted expenditures for a county school district fund:

(a) Is not subject to negotiations with an employee organization; and

(b) Must not be considered by a fact finder or arbitrator in determining the financial ability of the local government to pay compensation or monetary benefits.



1 **Sec. 2.** Insofar as they conflict with the provisions of such an
2 agreement, the amendatory provisions of this act do not apply
3 during the current term of any collective bargaining agreement
4 entered into before the effective date of this act, but do apply to any
5 extension or renewal of such an agreement and to any agreement
6 entered into on or after the effective date of this act. For the
7 purposes of this section, the term of an agreement ends on the date
8 provided in the agreement, notwithstanding any provision of the
9 agreement that it remains in effect, in whole or in part, after that
10 date until a successor agreement becomes effective.

11 **Sec. 3.** This act becomes effective upon passage and approval.

