

Amendment No. 359

Assembly Amendment to Assembly Bill No. 445	(BDR 18-862)
Proposed by: Assembly Committee on Government Affairs	
Amends: Summary: No Title: No 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.



ASSEMBLY BILL NO. 445—COMMITTEE
ON GROWTH AND INFRASTRUCTURE

MARCH 29, 2021

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to financial administration.
(BDR 18-862)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 financial administration; transferring the Office of Grant Procurement, Coordination and Management in the Department of Administration to the Office of the Governor; renaming the Office as the Office of Federal Assistance; requiring the Governor to appoint a Director of the Office; requiring the Director to develop a State Plan for Maximizing Federal Assistance; revising the duties of the Office relating to the procurement, coordination and management of federal assistance; creating the Nevada Grant Matching Program to provide funds to certain public agencies, tribal governments and nonprofit organizations as matching funds for federal grants; requiring that certain money from the Abandoned Property Trust Account be transferred to a trust fund established as part of the Program; revising the membership and duties of the Nevada Advisory Council on Federal Assistance; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Office of Grant Procurement, Coordination and Management of the Department of Administration to assist state agencies with identifying, obtaining and managing federal grants. (NRS 232.213, 232.222-232.227) **Sections 2-25, 27.5, 29 and 34** of this bill transfer the Office of Grant Procurement, Coordination and Management into the Office of the Governor ~~[Section 8 of this bill renames]~~ **on July 1, 2022, and rename** the Office as the Office of Federal Assistance. ~~[Sections 17-19, 23-25 and 29 of this bill make conforming changes relating to the transfer and renaming of this Office.]~~ **Section 8 [also] of this bill** requires: (1) the Governor to propose a budget for the Office; and (2) the Office to maintain an office in northern Nevada and southern Nevada. **Section 20** of this bill requires the Governor to appoint a Director of the Office, who serves in the nonclassified service of the State. Subject to the limits of available funding, **section 21** of this bill: (1) authorizes the Director to employ such persons as are necessary to carry out the duties of the Office; and (2) provides that such persons serve in the nonclassified service of the State. **Section 16** of this bill makes a conforming change relating to the employment by the Director of certain persons in the nonclassified service of the State.

Section 9 of this bill requires the Director to develop a State Plan for Maximizing Federal Assistance and post the plan on the Internet website maintained by the Office. **Section 22** of this bill requires the Director to: (1) carry out the State Plan developed pursuant to **section 9**; (2) administer a grant management system; (3) develop a manual of policies and procedures relating to federal assistance and post the manual on the Internet website maintained by the Office; (4) serve as the designated entity to perform certain duties for purposes of an Executive Order; and (5) perform certain duties previously performed by the Administrator of the Office of Grant Procurement, Coordination and Management.

Existing law : (1) directs the Administrator of the Office of Grant Procurement, Coordination and Management to create a pilot program to provide funds as grants to state agencies, local governments, tribal governments and nonprofit organizations for the purpose of satisfying the matching requirement for a federal or nongovernmental organization grant ~~;~~ ; and (2) creates the Grant Matching Fund to hold money for the pilot program to provide such grants to satisfy grant matching requirements. [(Section 2)] (Sections 1.5-5 of chapter 575, Statutes of Nevada 2019, at page 3709) [Section] The pilot program expires on June 30, 2021. (Section 8 of chapter 575, Statutes of Nevada 2019, at page 3710) Sections 29.3, 29.5 and 34 of this bill extend the pilot program until June 30, 2022, and revise it to: (1) prohibit money deposited in the Grant Matching Fund from being used for the purpose of providing grants to satisfy matching requirements for nongovernmental organization grants; (2) authorize the Office to use not more than 10 percent of the amount deposited in the Grant Matching Fund to pay administrative and personnel costs; and (3) provide that the balance remaining at the end of the fiscal year, except any money received from a gift, grant or donation, reverts to the State General Fund. Sections 11 and 34 of this bill [creates] create the Nevada Grant Matching Program within the Office of Federal Assistance. [Section 11 requires] effective July 1, 2022, and require the Program to serve the same purpose the pilot program served. [except that the Program will not provide funds for the purpose of satisfying any matching requirement for any nongovernmental organization grant.] **Section 12** of this bill creates the Grant Matching Fund as part of the Program, and requires the Fund to be administered by the Office of Federal Assistance. [Section 12 also: (1) prohibits the Office from using more than 10 percent of the amount deposited] in the same manner as the Grant Matching Fund [to pay administrative and personnel costs; and (2) provides that any balance remaining at the end of an odd-numbered fiscal year reverts to the State General Fund.] created for the pilot program.

Existing law provides for the creation of the Abandoned Property Trust Account into which proceeds from the sale of abandoned property are deposited. Under existing law, the first \$7,600,000 of the balance in the Account is required to be transferred to the Millennium Scholarship Trust Fund at the end of each fiscal year. (NRS 120A.620) ~~[Section] Sections 26 and 29.7 of this bill [requires] provide for the transfer of~~ the next \$1,000,000 of the balance in the Account ~~[to be transferred]~~ to the Grant Matching Fund ~~[Account created by section 12]~~ at the end of each fiscal year ~~;~~ , commencing with a transfer from the balance in the Account at the end of the Fiscal Year 2020-2021.

Section 13 of this bill requires the Director to: (1) consult with the Nevada Advisory Council on Federal Assistance and certain other persons to develop certain processes relating to the Program; and (2) administer all applicable aspects of those processes. **Section 14** of this bill adopts the same criteria for eligibility for a grant from the Grant Matching Fund as were adopted for eligibility for a grant under the pilot program. **Section 15** of this bill requires the Director to prepare and submit a biennial report to the Legislature that includes certain information relating to grant requests received and approved by the Director.

Existing law creates the Nevada Advisory Council on Federal Assistance for the purposes of advising and assisting state and local agencies with respect to obtaining and maximizing federal assistance that may be available from any agency or authority of the Federal Government. (NRS 358.020, 358.040) **Section 27** of this bill expands the membership of the Nevada Advisory Council on Federal Assistance effective July 1, 2021, to include: (1) two voting members who represent a nonprofit organization, ~~[that provides grants in this State,]~~ a local agency or a tribal government and are appointed by the Majority Leader of the Senate and the Speaker of the Assembly, respectively; (2) the State Treasurer, who serves as a voting member; and (3) the State Controller, who serves as a voting member. ~~[Section] Sections 28 and 34 of this bill [revises] revise~~ the duties of the Council to require the Council, beginning on July 1, 2022, to: (1) advise and assist the Director with developing and carrying out the

State Plan for Maximizing Federal Assistance and carrying out certain other responsibilities; and (2) develop legislative and executive recommendations relating to obtaining and maximizing federal assistance in this State. Sections 3-7 and 10 of this bill define certain terms relating to the Office and Program.

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

Section 1. Chapter 223 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 15, inclusive, of this act.

Sec. 2. *As used in sections 2 to 15, inclusive, of this act, and NRS 232.222 to 232.227, inclusive, unless the context otherwise requires, the words and terms defined in sections 3 to 7, inclusive, of this act have the meanings ascribed to them in those sections.*

Sec. 3. *“Director” means the Director of the Office.*

Sec. 4. *“Federal assistance” means money, equipment, material or services that may be available to a state agency, local agency, tribal government or nonprofit organization from any agency or authority of the Federal Government pursuant to a federal program.*

Sec. 5. *“Local agency” means any local legislative body, agency, bureau, board, commission, department, division, office or other unit of any county, city or other political subdivision.*

Sec. 6. *“Office” means the Office of Federal Assistance created by section 8 of this act.*

Sec. 7. *“State agency” means an agency, bureau, board, commission, department, division or any other unit of government of the State Government.*

Sec. 8. *1. There is hereby created within the Office of the Governor the Office of Federal Assistance for the purpose of obtaining and maximizing federal assistance.*

2. The Governor shall propose a budget for the Office.

3. The Office shall maintain an office located in an urban area in northern Nevada and an office located in an urban area in southern Nevada.

Sec. 9. *1. The Director shall, in consultation with the Nevada Advisory Council on Federal Assistance created by NRS 358.020, develop and may periodically revise a State Plan for Maximizing Federal Assistance, which must identify:*

(a) Methods for expanding opportunities for obtaining federal assistance, including, without limitation, expanding opportunities for obtaining matching funds for federal assistance through the Nevada Grant Matching Program created by section 11 of this act;

(b) Methods for streamlining process, regulatory, structural and other barriers to the acquisition of federal assistance that exist at each level of federal, state or local government;

(c) Methods for the effective administration of grants, including, without limitation, best practices relating to indirect cost allocation;

(d) Opportunities for:

(1) Reducing administrative costs associated with obtaining federal assistance; and

(2) Coordination between state agencies, local agencies, tribal governments and nonprofit organizations to avoid duplication and achieve common goals;

~~[(d)]~~ (e) Specific tasks which must be performed to improve the administration of grants and maximize the amount of federal assistance received by this State and a schedule for implementing any such tasks; and

~~— (c) Standards for:~~

~~— (1) The use of performance;~~

(f) Performance metrics ~~[by recipients of]~~ and targets relating to obtaining and maximizing federal assistance ~~], and~~

~~— (2) Balancing the costs to a state agency, local agency, tribal government or nonprofit organization of maximizing eligibility for federal assistance relative to the ability of the agency, government or organization to effectively utilize such federal assistance;]~~ and improving the administration of grants; and

(g) Best practices for considering whether to respond to a grant opportunity, including, without limitation, the monetary and programmatic cost of implementing a grant.

2. The Director shall post the State Plan for Maximizing Federal Assistance on the Internet website maintained by the Office.

Sec. 10. As used in sections 10 to 15, inclusive, of this act, unless the context otherwise requires, “Program” means the Nevada Grant Matching Program created by section 11 of this act.

Sec. 11. 1. The Nevada Grant Matching Program is hereby created within the Office. The Program must:

(a) Allow state agencies, local agencies, tribal governments and nonprofit organizations to request grants from the Grant Matching Fund created by section 12 of this act for the purpose of satisfying the matching funds requirement for a federal grant;

(b) Provide a clear, streamlined and timely process for state agencies, local agencies, tribal governments and nonprofit organizations to apply for matching funds for a specific federal grant and receive a prompt decision from the Director; and

(c) Prioritize grants that:

(1) Add services to constituents;

(2) Align with the documented priorities of the state agency, local agency, tribal government or nonprofit organization;

(3) Address the needs of underserved or frontier communities;

(4) Help state agencies, local agencies, tribal governments and nonprofit organizations build capacity for future grant opportunities; and

(5) Enable a state agency, local agency, tribal government or nonprofit organization to sustain the grant in its next budget.

Sec. 12. 1. The Grant Matching Fund is hereby created as a trust fund in the State Treasury. The Office shall administer the Grant Matching Fund.

2. Money received from:

(a) A direct legislative appropriation to the Grant Matching Fund;

(b) A transfer from the Abandoned Property Trust Account pursuant to NRS 120A.620; and

(c) A grant, gift or donation to the Grant Matching Fund,

↪ must be deposited in the Grant Matching Fund. The interest and income earned on the money in the Grant Matching Fund must be credited to the Grant Matching Fund.

3. The Office may use not more than 10 percent of the amount deposited in the Grant Matching Fund to pay administrative and personnel costs.

4. ~~[The]~~ Except as otherwise provided in subsection 5, the balance remaining in the Grant Matching Fund that has not been committed for

1 *expenditure on or before June 30 of an odd-numbered fiscal year reverts to the*
2 *State General Fund.*

3 5. All money received from a grant, gift or donation to the Grant Matching
4 Fund:

5 (a) Must be accounted for separately in the Fund;

6 (b) Must be expended in accordance with the terms of the gift, grant or
7 donation; and

8 (c) Does not revert to the State General Fund and must be carried over into
9 the next fiscal year.

10 **Sec. 13. 1. The Director shall consult with the Nevada Advisory Council**
11 **on Federal Assistance created by NRS 358.020, grant professionals employed by**
12 **the State and other grant experts to develop:**

13 (a) A process for:

14 (1) State agencies, local agencies, tribal governments and nonprofit
15 organizations to make a request for a grant for matching funds;

16 (2) The payment or transfer of grant money; and

17 (3) Reporting on the use and implementation of grant awards; and

18 (b) Criteria for the review, award and notification of grant requests.

19 2. The Director shall administer all applicable aspects of the process set
20 forth in subsection 1.

21 **Sec. 14. To be eligible for a grant from the Grant Matching Fund created**
22 **by section 12 of this act, a state agency, local agency, tribal government or**
23 **nonprofit organization must:**

24 1. Demonstrate that:

25 (a) It is pursuing a bona fide federal grant for which it is eligible;

26 (b) It attempted but was unable to secure adequate matching funding
27 through its own budget or in-kind resources;

28 (c) The grant is within its scope;

29 (d) The grant is a competitive grant; and

30 (e) The grant will provide not less than \$2 for each \$1 received from the
31 Grant Matching Fund.

32 2. Apply for a grant in the form and process prescribed by the Director.

33 3. Adhere to other requirements deemed appropriate for the Program.

34 **Sec. 15. On or before January 1 of each odd-numbered year, the Director**
35 **of the Office shall prepare and submit to the Director of the Legislative Counsel**
36 **Bureau for transmittal to the Legislature a summary report for the Program**
37 **detailing:**

38 1. The number and purpose of grant requests received from state agencies,
39 local agencies, tribal governments and nonprofit organizations;

40 2. The number and purpose of grant requests approved and the amount of
41 money awarded from the Grant Matching Fund created by section 12 of this act
42 to each approved grant request applicant; and

43 3. The amount of federal grant funding received by each grant applicant as
44 a result of receiving money from the Grant Matching Fund.

45 **Sec. 16. NRS 223.085 is hereby amended to read as follows:**

46 223.085 1. The Governor may, within the limits of available money, employ
47 such persons as he or she deems necessary to provide an appropriate staff for the
48 Office of the Governor, including, without limitation, the Office of Economic
49 Development, *the Office of Federal Assistance*, the Office of Science, Innovation
50 and Technology, the Office of the Western Regional Education Compact, the
51 Office of Workforce Innovation and the Governor's mansion. Except as otherwise
52 provided by specific statute, such employees are not in the classified or unclassified

1 service of the State and, except as otherwise provided in NRS 231.043 and 231.047,
2 serve at the pleasure of the Governor.

3 2. Except as otherwise provided by specific statute, the Governor shall:

4 (a) Determine the salaries and benefits of the persons employed pursuant to
5 subsection 1, within limits of money available for that purpose; and

6 (b) Adopt such rules and policies as he or she deems appropriate to establish
7 the duties and employment rights of the persons employed pursuant to subsection 1.

8 3. The Governor may:

9 (a) Appoint a Chief Information Officer of the State; or

10 (b) Designate the Administrator as the Chief Information Officer of the State.

11 ➤ If the Administrator is so appointed, the Administrator shall serve as the Chief
12 Information Officer of the State without additional compensation.

13 4. As used in this section, "Administrator" means the Administrator of the
14 Division of Enterprise Information Technology Services of the Department of
15 Administration.

16 **Sec. 17.** NRS 232.213 is hereby amended to read as follows:

17 232.213 1. The Department of Administration is hereby created.

18 2. The Department consists of a Director and the following:

19 (a) Risk Management Division.

20 (b) Hearings Division, which consists of hearing officers, compensation
21 officers and appeals officers.

22 (c) State Public Works Division.

23 (d) Purchasing Division.

24 (e) Administrative Services Division.

25 (f) Division of Human Resource Management.

26 (g) Division of Enterprise Information Technology Services.

27 (h) Division of State Library, Archives and Public Records.

28 ~~(i) Office of Grant Procurement, Coordination and Management.~~

29 ~~(j)~~ Fleet Services Division.

30 ~~(k)~~ (j) Public Employees' Deferred Compensation Program.

31 **Sec. 18.** NRS 232.215 is hereby amended to read as follows:

32 232.215 The Director:

33 1. Shall appoint an Administrator of the:

34 (a) Risk Management Division;

35 (b) State Public Works Division;

36 (c) Purchasing Division;

37 (d) Administrative Services Division;

38 (e) Division of Human Resource Management;

39 (f) Division of Enterprise Information Technology Services;

40 (g) Division of State Library, Archives and Public Records;

41 ~~(h) Office of Grant Procurement, Coordination and Management;~~ and

42 ~~(i)~~ (h) Fleet Services Division.

43 2. Shall, with the concurrence of the Governor and the Committee to
44 Administer the Public Employees' Deferred Compensation Program, appoint the
45 Executive Officer of the Public Employees' Deferred Compensation Program.

46 3. Shall serve as Chief of the Hearings Division and shall appoint the hearing
47 officers and compensation officers. The Director may designate one of the appeals
48 officers in the Division to supervise the administrative, technical and procedural
49 activities of the Division.

50 4. Is responsible for the administration, through the divisions of the
51 Department, of the provisions of chapters 233F, 242 and 284 of NRS, NRS 287.250
52 to 287.370, inclusive, and chapters 331, 333, 336, 338, 341 and 378 of NRS and all
53 other provisions of law relating to the functions of the divisions of the Department.

5. Is responsible for the administration of the laws of this State relating to the negotiation and procurement of medical services and other benefits for state agencies.

6. Has such other powers and duties as are provided by law.

Sec. 19. NRS 232.2165 is hereby amended to read as follows:

232.2165 1. The Administrator of:

(a) The State Public Works Division;

(b) The Purchasing Division;

(c) The Administrative Services Division;

(d) The Division of Human Resource Management;

(e) The Division of Enterprise Information Technology Services;

(f) The Division of State Library, Archives and Public Records;

~~[(g) The Office of Grant Procurement, Coordination and Management;]~~ and

~~[(h)]~~ (g) The Fleet Services Division,

of the Department serves at the pleasure of the Director and is in the unclassified service of the State.

2. The Executive Officer of the Public Employees' Deferred Compensation Program appointed pursuant to NRS 232.215 is in the unclassified service of the State and serves at the pleasure of the Director, except that he or she may be removed by a majority vote of the Committee to Administer the Public Employees' Deferred Compensation Program.

Sec. 20. NRS 232.222 is hereby amended to read as follows:

232.222 1. The ~~[(person appointed to serve as the Administrator)]~~ **Governor shall appoint a Director** of the Office ~~[(of Grant Procurement, Coordination and Management)]~~ **who must [have:] possess:**

(a) Extensive expertise and experience in applying for and receiving ~~[(grants;)]~~ **federal assistance;**

(b) Specialized knowledge of the process of grant writing and approval in the public and private ~~[(sector;)]~~ **sectors;** and

(c) Proven experience in designing and managing programs which rely solely or partially upon ~~[(money received from grants;)]~~ **federal assistance.**

2. The ~~[(Administrator)]~~ **Director** shall devote his or her entire time and attention to the business of his or her office and shall not engage in any other gainful employment or occupation.

3. The Director is not in the classified or unclassified service of the State and serves at the pleasure of the Governor.

Sec. 21. NRS 232.223 is hereby amended to read as follows:

232.223 1. The ~~[(Administrator of the Office of Grant Procurement, Coordination and Management)]~~ **Director** shall, within the limits of money appropriated or authorized to be expended for this purpose, employ such persons as he or she deems necessary to ~~[(serve)]~~ **carry out the provisions of sections 2 to 15, inclusive, of this act.**

2. A person employed pursuant to subsection 1 is not in the classified or unclassified service of the State ~~[(for the purposes set forth in this section;)]~~

~~—2.— A person employed pursuant to this section shall, under the direction of the Administrator of the Office of Grant Procurement, Coordination and Management, assist the Administrator in carrying out the provisions of NRS 232.222 to 232.227, inclusive, and serves at the pleasure of the Director.~~

Sec. 22. NRS 232.224 is hereby amended to read as follows:

232.224 1. The ~~[(Administrator)]~~ **Director** of the Office of ~~[(Grant Procurement, Coordination and Management)]~~ **Federal Assistance** shall:

(a) ~~[(Research and identify federal grants which may be available to state agencies;)]~~ **Coordinate and collaborate with state agencies, local agencies, tribal**

governments and nonprofit organizations to implement the State Plan for Maximizing Federal Assistance developed pursuant to section 9 of this act;

~~(b) [Write grants for federal funds for state agencies.~~
~~—(c) Coordinate]~~ To the extent money is available, administer a grant management system;

(c) Develop a manual of policies and procedures relating to federal assistance and post the manual on the Internet website maintained by the Office;

(d) Serve as the entity designated by the State to review and coordinate proposed federal financial assistance and direct federal development for purposes of 47 Fed. Reg. 30,959 (July 14, 1982);

(e) To the greatest extent practicable, coordinate with the members of Congress representing this State to combine efforts relating to identifying and managing available federal ~~[grants and related programs.~~

~~—(d)] assistance;~~

(f) If requested by a state agency, research the availability of ~~[grants and write grant proposals and applications.]~~ federal assistance for the state agency.

~~[(e)]~~ (g) To the greatest extent practicable, ensure that state agencies are aware of any ~~[grant]~~ opportunities to obtain federal assistance for which they are or may be eligible.

~~[(f)]~~ (h) If requested by the ~~[director]~~ executive head of a state agency, advise the ~~[director and the]~~ state agency concerning the requirements for receiving and managing ~~[grants.~~

~~—(g)] federal assistance;~~

(i) To the greatest extent practicable, coordinate with state agencies and local agencies that have received ~~[grants.]~~ federal assistance for similar projects to ensure that the efforts and services of those ~~[state and local]~~ agencies are not duplicated.

~~[(h)]~~ (j) Serve as a clearinghouse for disseminating information relating to unexpended grant money of state agencies by ~~[compiling]~~ :

(1) Compiling and updating periodically a list of the grants and unexpended amounts thereof for which the Office received notification from state agencies pursuant to subsection 3 of NRS 232.225 ; and ~~[making]~~

(2) Making the list available on the Internet website maintained by the ~~[Department.~~

~~—(i)] Office; and]~~

(k) To the greatest extent practicable, develop and provide to state agencies, local agencies, tribal governments and nonprofit organizations, training opportunities relating to the acquisition and administration of grants, including, without limitation, compliance with requirements during the term of the grant; and

(l) On or before January 1 of each odd-numbered year, submit to the Director of the Legislative Counsel Bureau for transmittal to the Legislature a report regarding all activity relating to the application for, receipt of and use of grants in this State.

2. The ~~[Administrator]~~ Director may:

(a) Adopt regulations to carry out the provisions of this section and NRS 232.225 and 232.226.

~~(b) [Provide training on grant procurement, coordination and management to state agencies.]~~ If requested by a state agency, local agency, tribal government or nonprofit organization, write grant proposals and applications and otherwise assist such an entity in obtaining federal resources.

~~(c) [Provide training and technical assistance regarding grant procurement, coordination and management procuring, coordinating and managing federal~~

~~assistance to state agencies, local governments, agencies, tribal governments and nonprofit organizations.~~

~~(d)~~ Provide administrative support to the Nevada Advisory Council on Federal Assistance created by NRS 358.020.

Sec. 23. NRS 232.225 is hereby amended to read as follows:

232.225 In addition to any other requirement concerning applying for or receiving a grant, a state agency shall notify the Office, ~~[of Grant Procurement, Coordination and Management,]~~ on a form prescribed by the Office, of:

1. Any grant for which the state agency applies.

2. Any grant which the state agency receives.

3. The amount of any portion of a grant received by the state agency that the state agency determines will be unexpended by the end of the period for which the grant was made.

Sec. 24. NRS 232.226 is hereby amended to read as follows:

232.226 The Office ~~[of Grant Procurement, Coordination and Management]~~ may apply for and receive any gift, grant, contribution or other money from any source to carry out the provisions of NRS 232.222 to 232.227, inclusive.

Sec. 25. NRS 232.227 is hereby amended to read as follows:

232.227 1. The Account for the Office of ~~[Grant Procurement, Coordination and Management]~~ **Federal Assistance** is hereby created in the State General Fund. The Account must be administered by the ~~[Administrator of the Office.]~~ **Director**.

2. Any money accepted pursuant to NRS 232.226 must be deposited in the Account.

3. The interest and income earned on the money in the Account, after deducting any applicable charges, must be credited to the Account.

4. The money in the Account which is donated for a purpose specified by the donor, within the scope of the duties of the ~~[Administrator of the Office of Grant Procurement, Coordination and Management.]~~ **Director**, must only be used for that purpose. If no purpose is specified, the money in the Account must only be used to carry out the duties of the ~~[Administrator.]~~ **Director**.

5. Claims against the Account must be paid as other claims against the State are paid.

Sec. 26. NRS 120A.620 is hereby amended to read as follows:

120A.620 1. There is hereby created in the State General Fund the Abandoned Property Trust Account.

2. All money received by the Administrator under this chapter, including the proceeds from the sale of abandoned property, must be deposited by the Administrator in the State General Fund for credit to the Account.

3. Before making a deposit, the Administrator shall record the name and last known address of each person appearing from the holders' reports to be entitled to the abandoned property and the name and last known address of each insured person or annuitant, and with respect to each policy or contract listed in the report of an insurance company, its number, the name of the company and the amount due. The record must be available for public inspection at all reasonable business hours.

4. The Administrator may pay from money available in the Account:

(a) Any costs in connection with the sale of abandoned property.

(b) Any costs of mailing and publication in connection with any abandoned property.

(c) Reasonable service charges.

(d) Any costs incurred in examining the records of a holder and in collecting the abandoned property.

(e) Any valid claims filed pursuant to this chapter.

5. Except as otherwise provided in NRS 120A.610, by the end of each fiscal year, the balance in the Account must be transferred as follows:

(a) The first \$7,600,000 each year must be transferred to the Millennium Scholarship Trust Fund created by NRS 396.926.

(b) *The next \$1,000,000 each year must be transferred to the Grant Matching Fund created by section 12 of this act.*

(c) The remainder must be transferred to the State General Fund, but remains subject to the valid claims of holders pursuant to NRS 120A.590 and owners pursuant to NRS 120A.640 and any claims approved for payment by the Administrator pursuant to NRS 120A.525. No such claim may be satisfied from money in the Millennium Scholarship Trust Fund ~~(f) or the Grant Matching Fund.~~

6. If there is an insufficient amount of money in the Account to pay any cost or charge pursuant to subsection 4 or NRS 120A.525, the State Board of Examiners may, upon the application of the Administrator, authorize a temporary transfer from the State General Fund to the Account of an amount necessary to pay those costs or charges. The Administrator shall repay the amount of the transfer as soon as sufficient money is available in the Account.

Sec. 27. NRS 358.020 is hereby amended to read as follows:

358.020 1. The Nevada Advisory Council on Federal Assistance is hereby created. The Council consists of the following ~~seven~~ *11* members:

(a) One member of the Senate appointed by the Majority Leader of the Senate.

(b) One member of the Assembly appointed by the Speaker of the Assembly.

(c) *One member appointed by the Majority Leader of the Senate who represents a nonprofit organization, ~~that provides grants in this State,~~ a local agency or a tribal government.*

(d) *One member appointed by the Speaker of the Assembly who represents a nonprofit organization, ~~that provides grants in this State,~~ a local agency or a tribal government.*

(e) One member appointed by the Governor who represents a nonprofit organization that provides grants in this State.

~~(f)~~ (f) One member appointed by the Governor who represents a local government.

~~(g)~~ (g) One member appointed by the Governor who represents private businesses.

~~(h)~~ (h) *The State Treasurer, who may name a designee to serve on the Council on his or her behalf.*

(i) *The State Controller, who may name a designee to serve on the Council on his or her behalf.*

(j) The Chief of the Budget Division of the Office of Finance.

~~(k)~~ (k) The Administrator ~~(Director)~~ of the Office of Grant Procurement, Coordination and Management of the Department of Administration. ~~(Federal Assistance.)~~

2. The members described in:

(a) Paragraphs (a) to ~~(e)~~ (i), inclusive, of subsection 1 are voting members.

(b) Paragraphs ~~(f)~~ (j) and ~~(g)~~ (k) of subsection 1 are nonvoting members.

3. The Governor shall, to the extent practicable, collaborate to ensure that the persons appointed pursuant to paragraphs ~~(e), (d) and~~ (e), (f) and (g) of subsection 1 are representative of the urban and rural areas of this State.

4. Each appointed member of the Council serves a term of 2 years.

5. An appointed member of the Council:

(a) May be reappointed.

(b) Shall not serve more than three terms.

6. Any vacancy occurring in the appointed membership of the Council must be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs. A member appointed to fill a vacancy shall serve as a member of the Council for the remainder of the original term of appointment.

7. Each member of the Council:

(a) Serves without compensation; and

(b) While engaged in the business of the Council, is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

8. The ~~[Department of Administration]~~ Office of [Federal Assistance] Grant Procurement, Coordination and Management of the Department of Administration shall provide the Council with administrative support.

Sec. 27.5. NRS 358.020 is hereby amended to read as follows:

358.020 1. The Nevada Advisory Council on Federal Assistance is hereby created. The Council consists of the following 11 members:

(a) One member of the Senate appointed by the Majority Leader of the Senate.

(b) One member of the Assembly appointed by the Speaker of the Assembly.

(c) One member appointed by the Majority Leader of the Senate who represents a nonprofit organization, a local agency or a tribal government.

(d) One member appointed by the Speaker of the Assembly who represents a nonprofit organization, a local agency or a tribal government.

(e) One member appointed by the Governor who represents a nonprofit organization that provides grants in this State.

(f) One member appointed by the Governor who represents a local government.

(g) One member appointed by the Governor who represents private businesses.

(h) The State Treasurer, who may name a designee to serve on the Council on his or her behalf.

(i) The State Controller, who may name a designee to serve on the Council on his or her behalf.

(j) The Chief of the Budget Division of the Office of Finance.

(k) The ~~[Administrator]~~ Director of the Office of ~~[Grant Procurement, Coordination and Management of the Department of Administration.]~~ Federal Assistance.

2. The members described in:

(a) Paragraphs (a) to (i), inclusive, of subsection 1 are voting members.

(b) Paragraphs (j) and (k) of subsection 1 are nonvoting members.

3. The Governor shall, to the extent practicable, collaborate to ensure that the persons appointed pursuant to paragraphs (e), (f) and (g) of subsection 1 are representative of the urban and rural areas of this State.

4. Each appointed member of the Council serves a term of 2 years.

5. An appointed member of the Council:

(a) May be reappointed.

(b) Shall not serve more than three terms.

6. Any vacancy occurring in the appointed membership of the Council must be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs. A member appointed to fill a vacancy shall serve as a member of the Council for the remainder of the original term of appointment.

7. Each member of the Council:

(a) Serves without compensation; and

(b) While engaged in the business of the Council, is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

8. The Office of ~~[Grant Procurement, Coordination and Management in the Department of Administration]~~ *Federal Assistance* shall provide the Council with administrative support.

Sec. 28. NRS 358.040 is hereby amended to read as follows:

358.040 1. The Council shall ~~[, within the scope of its authority, advise] ;~~

(a) *Advise* and assist ~~[state and local agencies with respect]~~ *the Director with:*

(1) *Developing and carrying out the State Plan For Maximizing Federal Assistance required by section 9 of this act; and*

(2) *Carrying out the provisions of sections 2 to 15, inclusive, of this act, including, without limitation, any training provided by the Director pursuant to subsection 2 of section NRS 223.224; and*

(b) *Develop legislative and executive recommendations relating* to obtaining and maximizing federal assistance ~~[,] in this State.~~

2. The Council may request information from state and local agencies , *tribal governments and nonprofit organizations* for the purposes of *advising and assisting the Director with* evaluating and monitoring the success of such agencies , *governments or organizations* in accordance with the stated purpose of the ~~[Council]~~ *Office* pursuant to ~~[subsection 1.]~~ *section 8 of this act.* A state ~~[or]~~ *agency*, local agency , *tribal government or nonprofit organization* may provide any information, collaborate with the Council or utilize any assistance offered by the Council for the purpose of obtaining and maximizing any federal assistance that may be available to the ~~[state or local]~~ *agency [,], government or organization.*

3. ~~[The Council shall:~~

~~—(a) Address methods and models for identifying, procuring, utilizing and maintaining federal assistance, including, without limitation:~~

~~—(1) Streamlining process, regulatory, structural and other barriers to the acquisition of federal assistance that may exist at each level of federal, state or local government.~~

~~—(2) Developing and expanding opportunities for obtaining matching funds for federal assistance.~~

~~—(3) Ensuring sufficient personnel and technical expertise in state and local governments and nonprofit organizations.~~

~~—(4) Developing and expanding opportunities to work with nonprofit organizations to achieve common goals.~~

~~—(5) Standards for balancing the costs to a state or local agency of maximizing eligibility for federal assistance relative to the ability of the agency to utilize effectively such federal assistance.~~

~~—(b) Develop legislative and executive recommendations on matters described in paragraph (a).~~

~~—4.] As used in this section [,"federal] :~~

(a) *"Director" means the Director of the Office.*

(b) *"Federal" assistance"* ~~[means money, equipment, material or services that may be available to a state or local agency from any agency or authority of the Federal Government pursuant to a federal program.]~~ *has the meaning ascribed to it in section 4 of this act.*

(c) *"Office" means the Office of Federal Assistance created by section 8 of this act.*

Sec. 29. NRS 439.263 is hereby amended to read as follows:

439.263 1. It is the policy of this State to:

(a) Improve the completeness and quality of data concerning diverse demographic groups that is collected, reported and analyzed for the purposes of clinical trials of drugs and medical devices;

(b) Identify barriers to participation in clinical trials by persons who are members of demographic groups that are underrepresented in such trials and employ strategies recognized by the United States Food and Drug Administration to encourage greater participation in clinical trials by such persons; and

(c) Make data concerning demographic groups that is collected, reported and analyzed for the purposes of clinical trials more available and transparent.

2. To assist in carrying out this policy:

(a) The Division shall review the most recent version of "Collection of Race and Ethnicity Data in Clinical Trials—Guidance for Industry and Food and Drug Administration Staff," published by the United States Food and Drug Administration, and establish, using existing infrastructure and tools, a program to encourage participation in clinical trials of drugs and medical devices by persons who are members of demographic groups that are underrepresented in such clinical trials. The program must include, without limitation:

(1) Collaboration with medical facilities, health authorities and other local governmental entities, nonprofit organizations and scientific investigators and institutions that are performing research relating to drugs or medical devices to assist such investigators and institutions in identifying and recruiting persons who are members of underrepresented demographic groups to participate in clinical trials; and

(2) The establishment and maintenance of an Internet website that:

(I) Provides information concerning methods recognized by the United States Food and Drug Administration for identifying and recruiting persons who are members of underrepresented demographic groups to participate in clinical trials; and

(II) Contains links to Internet websites maintained by medical facilities, health authorities and other local governmental entities, nonprofit organizations and scientific investigators and institutions that are performing research relating to drugs or medical devices in this State.

(b) With the assistance of the Office of ~~Grant Procurement, Coordination and Management of the Department of Administration,~~ *Federal Assistance*, the Division shall apply for grants from any source, including, without limitation, the Federal Government, to fund the program established pursuant to paragraph (a).

(c) Not later than May 1 of each even-numbered year, the Division shall submit to the Director of the Legislative Counsel Bureau for transmittal to the Legislature a report concerning the status and results of the program established pursuant to paragraph (a).

(d) Each state or local governmental entity that conducts clinical trials of drugs or medical devices, including, without limitation, the Board of Regents of the University of Nevada, shall adopt a policy concerning the identification and recruitment of persons who are members of underrepresented demographic groups to participate in those clinical trials. Such a policy must include, without limitation, requirements that investigators who are conducting clinical trials collaborate with community-based organizations and use methods recognized by the United States Food and Drug Administration to identify and recruit such persons to participate in those clinical trials.

3. For the purposes of this section, demographic groups that are underrepresented in clinical trials may include, without limitation, persons who are underrepresented by race, sex, sexual orientation, socioeconomic status and age.

4. The Division may accept gifts, grants and donations from any source for the purpose of carrying out the provisions of this section.

5. As used in this section, "medical facility" has the meaning ascribed to it in NRS 449.0151.

Sec. 29.3. Section 1.5 of chapter 575, Statutes of Nevada 2019, as amended by chapter 5, Statutes of Nevada 2020, 31st Special Session, at page 38, is hereby amended to read as follows:

Sec. 1.5. 1. There is hereby created in the State Treasury a special fund which shall be designated as the Grant Matching Fund.

~~1. The~~

2. Money received from:

(a) A direct legislative appropriation to the Grant Matching Fund;

(b) A transfer from the Abandoned Property Trust Account created by NRS 120A.620; and

(c) A gift, grant or donation to the Grant Matching Fund,
→ must be deposited in the Grant Matching Fund.

3. Except as otherwise provided in subsection 4, money in the Grant Matching Fund ~~shall hold appropriated money in trust for the exclusive purpose of providing~~ may be used only to provide grants to state agencies, local governments, tribal governments and nonprofit organizations to satisfy federal ~~and nongovernmental organization~~ grant matching requirements and for any other purpose authorized by the Legislature.

~~4.~~ 4. The Office of Grant Procurement, Coordination and Management of the Department of Administration may use not more than 10 percent of the amount deposited in the Grant Matching Fund to pay administrative and personnel costs.

5. The Interim Finance Committee must authorize the transfer of money from the Grant Matching Fund before the acceptance of a federal grant award greater than \$150,000. ~~for a nongovernmental organization grant award greater than \$20,000.~~

6. Except as otherwise provided in subsection 7, the balance remaining in the Grant Matching Fund that has not been committed for expenditure on or before the end of the fiscal year reverts to the State General Fund.

7. All money received from a grant, gift or donation to the Grant Matching Fund:

(a) Must be accounted for separately in the Grant Matching Fund;

(b) Must be expended in accordance with the terms of the gift, grant or donation; and

(c) Does not revert to the State General Fund.

Sec. 29.5. Section 8 of chapter 575, Statutes of Nevada 2019, at page 3710, is hereby amended to read as follows:

Sec. 8. 1. This act becomes effective on July 1, 2019.

2. Sections 1.5 to 5, inclusive, of this act expire by limitation on June 30, ~~2021~~ 2022.

Sec. 29.7. 1. As soon as practicable after the close of the Fiscal Year 2020-2021, the State Controller shall transfer \$1,000,000 from the balance of the Abandoned Property Trust Account created by NRS 120A.620 at the end of Fiscal Year 2020-2021 to the Grant Matching Fund created by section 1.5 of chapter 575, Statutes of Nevada 2019, at page 3708, as amended by section 29.3 of this act.

2. As soon as practicable on or after July 1, 2022, the State Controller shall transfer the balance of the Grant Matching Fund created by section 1.5 of chapter 575, Statutes of Nevada 2019, at page 3708, as amended by section 29.3 of this act, to the Grant Matching Fund created by section 12 of this act.

1 **Sec. 30.** The State Controller shall change the designation of the name of the
2 Account for the Office of Grant Procurement, Coordination and Management
3 created pursuant to NRS 223.227, as amended by section 25 of this act, to the
4 Account for the Office of Federal Assistance without making any transfer of the
5 money in the Account. The assets and liabilities of the Account are unaffected by
6 the change of the name.

7 **Sec. 31.** ~~[In the codification of the Nevada Revised Statutes after the 81st~~
8 ~~Legislative Session, the Legislative Counsel shall move the provisions of NRS~~
9 ~~222.222 to 222.227, inclusive, to chapter 223 of the Nevada Revised Statutes.]~~
10 (Deleted by amendment.)

11 **Sec. 32.** The provisions of subsection 1 of NRS 218D.380 do not apply to
12 any provision of this act which adds or revises a requirement to submit a report to
13 the Legislature.

14 **Sec. 33.** Notwithstanding the provisions of NRS 218D.430 and 218D.435, a
15 committee, other than the Assembly Standing Committee on Ways and Means and
16 the Senate Standing Committee on Finance, may vote on this act before the
17 expiration of the period prescribed for the return of a fiscal note in NRS 218D.475.
18 This section applies retroactively from and after March 22, 2021.

19 **Sec. 34.** 1. This section ~~(becomes)~~ and sections 29.5, 31, 32 and 33 of this
20 act become effective upon passage and approval.

21 2. Sections ~~[1 to 33, inclusive,]~~ 27, 29.3 and 29.7 of this act become
22 effective:

23 (a) Upon passage and approval for the purpose of adopting any regulations and
24 performing any other preparatory administrative tasks that are necessary to carry
25 out the provisions of this act; and

26 (b) On ~~[October]~~ July 1, 2021, for all other purposes.

27 3. Sections 1 to 26, inclusive, 27.5, 28, 29 and 30 of this act become
28 effective;

29 (a) Upon passage and approval for the purpose of adopting any
30 regulations and performing any other preparatory administrative tasks that
31 are necessary to carry out the provisions of this act; and

32 (b) On July 1, 2022, for all other purposes.

33 4. Section 29.3 of this act expires by limitation on June 30, 2022.