

SENATE BILL NO. 377—COMMITTEE ON
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON
CHILD WELFARE AND JUVENILE JUSTICE)

MARCH 26, 2021

Referred to Committee on Finance

SUMMARY—Revises provisions relating to the adoption assistance program. (BDR 38-505)

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 protection of children; revising provisions relating to the funding of the adoption assistance program; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing federal law requires each child welfare agency to calculate savings realized from expanded eligibility for children under Title IV-E of the Social Security Act, known as adoption savings, and reinvest an equal amount in the state’s child welfare system. (42 U.S.C. § 673(a)(8)(D)(ii)) Existing state law requires the Division of Child and Family Services of the Department of Health and Human Services to provide a categorical grant to each agency which provides child welfare services for each fiscal year for its adoption assistance program to the extent that money was appropriated to the Division for this purpose. Under existing law, the use of the money from the grant is restricted solely to the costs associated with the adoption assistance program and any money remaining from the grant that has not been used or committed for expenditure by the agency by the end of the fiscal year reverts to the State General Fund. (NRS 432B.219) This bill provides that any money remaining from such a grant at the end of a fiscal year that is identified as savings pursuant to the calculation required under federal law does not revert to the State General Fund and must be carried forward to the next fiscal year for use by the agency for the costs of providing child welfare services without restriction. Any such savings that is carried forward and is remaining at the end of that next fiscal year reverts to the State General Fund.



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

Section 1. NRS 432B.219 is hereby amended to read as follows:

432B.219 1. The Division of Child and Family Services shall provide a categorical grant to each agency which provides child welfare services for each fiscal year for its adoption assistance program to the extent that money has been appropriated to the Division for that purpose. The amount of the grant must be based upon the estimated cost of the projected growth in the adoption assistance program.

2. The amount of the grant awarded pursuant to subsection 1 must be determined for 2 years beginning on July 1 of each odd-numbered year and allocated each fiscal year.

3. *Except as otherwise provided in subsection 4:*

(a) An agency which provides child welfare services that receives a grant pursuant to subsection 1 must use the money allocated only for costs associated with the adoption assistance program.

(b) Any money from the grant awarded pursuant to subsection 1 that has not been used or committed for expenditure by the agency which provides child welfare services by the end of the fiscal year reverts to the State General Fund.

4. The portion of any money remaining at the end of a fiscal year from a grant awarded pursuant to subsection 1 that is identified as savings pursuant to the calculation required under 42 U.S.C. § 673(a)(8)(D)(ii) does not revert to the State General Fund and may be carried forward to the next fiscal year and used for any costs of providing child welfare services without restriction. Any such money identified as savings that has not been used or committed for expenditure by the agency which provides child welfare services by the end of the fiscal year to which the money was carried forward reverts to the State General Fund.

Sec. 2. Notwithstanding the provisions of NRS 218D.430 and 218D.435, a committee, other than the Assembly Standing Committee on Ways and Means and the Senate Standing Committee on Finance, may vote on this act before the expiration of the period prescribed for the return of a fiscal note in NRS 218D.475. This section applies retroactively from and after March 22, 2021.

Sec. 3. This act becomes effective on July 1, 2021.

