

ASSEMBLY BILL NO. 353—ASSEMBLYMEN DELONG, DICKMAN,
GRAY; GALLANT, GURR AND HANSEN

MARCH 20, 2023

Referred to Committee on Education

SUMMARY—Revises provisions relating to governmental administration. (BDR 18-930)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 governmental administration; creating the Nevada Office of the Inspector General and the position of Inspector General; setting forth the powers and duties of the Inspector General and employees of the Office; requiring a school district to cooperate with and provide assistance to the Inspector General in carrying out those duties; prohibiting retaliation against certain persons who make a lawful complaint concerning fraud, waste, abuse or corruption within a school district; prohibiting certain acts to deter or prevent the Inspector General or an employee of the Office from performing his or her duty; imposing increased penalties for certain acts of assault or battery on the Inspector General or an employee of the Office; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Office of the State Controller, whose duties include, without limitation, administering the State's accounting system, processing and recording the State's financial transactions, conducting audits and recommending plans for the support of public credit, promoting frugality and economy, and better management and understanding of the fiscal affairs of the State. (Nev. Const. Art. 5, § 19; chapter 227 of NRS) This bill creates the Nevada Office of the Inspector General within the Office of the State Controller with authority to audit, investigate, inspect and review the performance of any county school district.

Sections 3-6 and 23 of this bill define terms related to the Nevada Office of the Inspector General. **Section 7** of this bill creates the Nevada Office of the Inspector General, consisting of the Inspector General and any person employed by the



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Office. **Section 7** also requires the Inspector General to be appointed for a term of 4 years by agreement of the Lieutenant Governor, State Treasurer and State Controller. **Section 8** of this bill requires the Inspector General to administer provisions of law governing the Office. **Section 9** of this bill: (1) requires the Inspector General to appoint a deputy inspector general and a special counsel, who are in the unclassified service of the State; and (2) authorizes the Inspector General, within the limits of available money, to employ such persons in the classified service of the State as he or she deems necessary to provide an appropriate staff for the Office and to enter into contracts with certain professionals for professional services related to the functions of the Office.

Section 10 of this bill sets forth certain responsibilities and duties of the Inspector General, including: (1) establishing and maintaining a full-time program of auditing, investigation, inspection and performance review of each school district; and (2) submitting a report to the State Controller and the Director of the Legislative Counsel Bureau, on at least a quarterly basis or at the State Controller's request, setting forth any findings, conclusions or recommendations relating to an audit, investigation, inspection or review conducted by the Inspector General.

Section 11 of this bill requires the Inspector General to establish a telephone number to receive information relating to abuse, fraud and waste with respect to the use of public money by a school district. **Section 12** of this bill: (1) requires each school district, upon request of the Inspector General, to cooperate with and provide assistance to the Inspector General in carrying out his or her duties; and (2) makes any person who willfully prevents, impairs or prohibits the performance of the duties of the Inspector General guilty of a category E felony. **Section 13** of this bill authorizes the Inspector General to issue subpoenas.

Sections 11, 14 and 21 of this bill provide for the confidentiality of: (1) any record maintained by the Inspector General during an investigation; and (2) the identity of any whistleblower. Otherwise, **section 14** requires a report of the Inspector General to be made available to the public annually. **Section 15** of this bill requires the Legislative Auditor to review at least once every 3 years a representative sample of the audits, investigations, inspections and reviews conducted by the Office of the Inspector General to ensure conformance with professional standards. **Section 16** of this bill creates the Fund for the Office of the Inspector General as a special revenue fund without reversion to the State General Fund.

Section 17 of this bill makes it a category E felony to retaliate against certain persons who file a lawful complaint concerning fraud, waste, abuse or corruption within a school district.

Sections 25-28 of this bill require certain state agencies and local governments to provide the Inspector General with certain financial reports.

Section 29 of this bill allows a parent or legal guardian of a pupil enrolled in a charter school, a pupil who is at least 18 years of age enrolled in a charter school, a member of the governing body of a charter school or an employee of a charter school to file a complaint relating to that charter school directly with the Inspector General if the complaint relates to allegations of fraud, financial mismanagement or financial malfeasance.

Existing law provides that a person commits a gross misdemeanor if he or she uses any threat, force or violence to prevent an executive or administrative officer from performing his or her duties. (NRS 197.090) **Section 18** of this bill makes it a category E felony for a person to use any threat, force or violence to prevent the Inspector General or any employee of the Office from performing his or her duties.

Sections 19 and 20 of this bill provide that the increased penalty for assault or battery of an officer applies to an assault or battery of the Inspector General or an employee of the Office. (NRS 200.471, 200.481)



Section 22 of this bill makes the Inspector General and investigators employed by the Office category II peace officers.

Existing law requires the head of each state agency to periodically review and report to the Director of the Office of Finance whether the agency's system of internal accounting and administrative control is in compliance with the uniform system of internal accounting and administrative control adopted by the Director for state agencies. Existing law further requires the Director to submit a report on the status of internal accounting and administrative controls in state agencies to certain persons. (NRS 353A.025) **Section 24** of this bill requires the Director to provide certain reports to the Inspector General.

Section 30 of this bill requires the Lieutenant Governor, State Treasurer and State Controller to appoint the Inspector General on or before December 1, 2023.

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

Section 1. Title 18 of NRS is hereby amended by adding thereto a new chapter to consist of the provisions set forth as sections 2 to 17, inclusive, of this act.

Sec. 2. *As used in this chapter, unless the context otherwise requires, the words and terms defined in sections 3 to 6, inclusive, of this act have the meanings ascribed to them in those sections.*

Sec. 3. *"Office" means the Nevada Office of the Inspector General created by section 7 of this act.*

Sec. 4. *"Public money" includes any money received from the Federal Government or a governmental agency that must be used by a recipient for purposes of educating K-12 pupils in this State.*

Sec. 5. *"School district" means a county school district created by chapter 386 of NRS.*

Sec. 6. *"Waste" means the squandering of money or resources, whether or not the activity is unlawful.*

Sec. 7. 1. *The Nevada Office of the Inspector General is hereby created within the Office of the State Controller. The Nevada Office of the Inspector General consists of the Inspector General appointed pursuant to subsection 2 and any person employed by the Office.*

2. *The Inspector General must be appointed by agreement of the Lieutenant Governor, State Treasurer and State Controller. Each term of the Inspector General is 4 years. The Inspector General may be reappointed, unless the appointing officers determine that the incumbent should not be reappointed for cause, including, without limitation, inefficiency, neglect of duty or malfeasance in office. A vacancy in the Office must be filled in the same manner as the original appointment.*



3. The Inspector General may be removed only by impeachment for misdemeanor or malfeasance in office. The Inspector General shall be deemed to be a state officer for the purposes of NRS 283.140 to 283.290, inclusive.

4. The Inspector General must have the demonstrated ability to administer a major public agency in the field of auditing, investigations, inspections or performance reviews of programs of governmental agencies, including, without limitation:

(a) Experience in accounting, auditing, financial analysis, law, management analysis, public administration, investigation, criminal justice administration or any other closely related field;

(b) Certification as a Certified Fraud Examiner by the Association of Certified Fraud Examiners, or its successor organization, and as a Certified Inspector General by the Association of Inspectors General, or its successor organization, not later than 18 months after appointment as Inspector General; and

(c) Continued status as a Certified Inspector General by the Association of Inspectors General, or its successor organization, while in the Office.

5. The Inspector General:

(a) Is in the unclassified service of the State.

(b) 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.

(c) Is ineligible for elective public office under the government and laws of this State, other than federal office, for 7 years after the date he or she leaves office.

Sec. 8. The Inspector General shall administer this chapter and all other provisions of law relating to the functions of the Office.

Sec. 9. 1. The Inspector General:

(a) Shall appoint a deputy inspector general and a special counsel. The deputy inspector general and special counsel are in the unclassified service of the State.

(b) May, within the limits of available money, employ such other persons that he or she deems necessary to provide an appropriate staff for the Office, including, without limitation, auditors, administrative staff, investigators and sworn peace officers. The Inspector General may employ category II peace officers. Any such persons employed pursuant to this paragraph are in the classified service of the State.

2. The Inspector General may enter into contracts for the services of certified public accountants, qualified management consultants or other professional experts necessary to



independently perform the functions of the Office, within the limits of money available for that purpose.

Sec. 10. 1. The Inspector General shall:

(a) Establish and maintain a full-time program of auditing, investigation, inspection and performance review of each school district to provide increased accountability and oversight of each school district and to assist in improving operations and deterring and identifying fraud, waste, abuse or corruption; and

(b) Upon request by the Controller, but not less than quarterly, submit a report to the Controller and to the Director of the Legislative Counsel Bureau for transmittal to the Legislature setting forth any findings and conclusions relating to an audit, investigation, inspection or review specified in subsection 2 and any suggested corrective or remedial actions, including, without limitation, increased oversight, carrying out or modifying any controls for internal management, termination of employment or referral to the Commission on Ethics or the Attorney General when appropriate.

2. The Inspector General may:

(a) Engage in prevention activities, including, without limitation, the review of rules, regulations, policies and procedures of any school district.

(b) Review the reliability and validity of the information provided through performance measures and standards of any school district.

(c) Conduct a review of the performance measurement system of any school district.

(d) Attend any meeting held by a school district.

(e) Audit the economy, efficiency and effectiveness of the operations and functions of any school district.

(f) Audit, inspect, investigate and review the activities, records, procurements, grants, agreements and other financial arrangements undertaken by any school district, but not including a natural person who is receiving:

(1) Compensation for employment; or

(2) An income subsidy with no restriction on his or her use of the money or property.

(g) Recommend remedial actions to be taken by any school district to overcome or correct operating or maintenance deficiencies or inefficiencies identified by the Office.

(h) Establish a program for receiving, reviewing and investigating any complaint submitted to the Inspector General concerning any fraud, waste, abuse or corruption within any school district, including, without limitation, deficiencies in the



operation and maintenance of facilities, and referral of those complaints to the appropriate school district.

(i) Conduct civil, criminal and administrative investigations.

(j) Conduct joint investigations and projects with other oversight or law enforcement agencies.

(k) Provide information and evidence relating to alleged criminal acts to the appropriate law enforcement officials.

(l) Refer matters for further civil, criminal and administrative action to the appropriate administrative and prosecutorial agencies.

(m) Identify any other governmental agency that is responsible for auditing, investigating, inspecting or reviewing the operation and management of a school district and coordinate with those agencies to share information and avoid any duplication of activities.

(n) Issue public reports.

(o) Adopt regulations to carry out the provisions of this chapter.

(p) Perform any other task relating to his or her duties as he or she deems necessary.

Sec. 11. 1. The Inspector General shall:

(a) Establish a telephone number at which a person may confidentially report to the Office information relating to the abuse, fraud, waste or corruption with respect to public money received and used by a school district; and

(b) Create a written notice that:

(1) Clearly identifies the telephone number established pursuant to paragraph (a); and

(2) Contains a statement directing any person with any information relating to abuse, fraud, waste or corruption with respect to public money received and used by a school district to report the information at the telephone number established pursuant to paragraph (a).

2. The written notice created pursuant to paragraph (b) of subsection 1 must be posted conspicuously:

(a) In each public building of each state agency; and

(b) On the Internet website maintained by the Office.

3. Upon receipt of information from a person calling the telephone number established pursuant to paragraph (a) of subsection 1, the Office must perform a review and prepare a report of its findings. The report is a public record and:

(a) Must include, without limitation, an explanation of:

(1) The purpose of the review; and

(2) Any resolution or corrective action taken by the Office that resulted from the review.



(b) Must not include the identity of the person who reported the information.

4. Except as otherwise provided in subsections 3 and 5, any information reported to the Office at the telephone number established pursuant to paragraph (a) of subsection 1, including, without limitation, the identity of the person who reported the information, is confidential.

5. The Office shall not disclose information that is confidential pursuant to subsection 4 except:

(a) Pursuant to NRS 239.0115;

(b) For the purpose of carrying out any duty of the Office or for the purpose of assisting the Director of the Office of Finance or Administrator of the Division of Internal Audits of the Office of Finance in carrying out any duty of the Director or Administrator;

(c) Upon the lawful order of a court of competent jurisdiction; or

(d) To the Office of the Attorney General or the office of a district attorney within this State for the purpose of investigating the alleged abuse, fraud, waste or corruption reported to the Nevada Office of the Inspector General.

Sec. 12. 1. Upon request by the Inspector General, each school district and any employee of a school district shall cooperate with and provide assistance to the Inspector General in carrying out the provisions of this chapter and shall ensure that the premises, equipment, employees, books, papers, contracts, correspondence and other records of the school district are available for use by the Inspector General in carrying out those provisions.

2. A person who willfully prevents, impairs or prohibits the Inspector General from initiating, carrying out or completing any audit, investigation, inspection or review is guilty of a category E felony and shall be punished as provided in NRS 193.130.

Sec. 13. 1. In carrying out the provisions of this chapter, the Inspector General may subpoena the attendance of witnesses or the production of books, papers and documents, notwithstanding any claim or privilege.

2. If any person refuses to obey a subpoena issued by the Inspector General, the Inspector General may present a petition to the district court of the county in which the person resides, setting forth the facts, and thereupon the court, in a proper case, shall issue its subpoena to the person requiring his or her attendance before the court to testify or to produce books, papers and documents.



3. Any person failing or refusing to obey the subpoena or a district court may be proceeded against in the same manner as for a refusal to obey any other order of the court.

Sec. 14. 1. Except as otherwise provided in subsection 2, the Inspector General shall make public an annual report of audits, investigations, inspections and reviews conducted by the Office after such audits, investigations, inspections or reviews are concluded.

2. A report made public pursuant to subsection 1 must not include:

(a) The personal identifying information of an original source without his or her written consent; or

(b) Any information deemed privileged or confidential by law.

3. As used in this section:

(a) "Original source" means a person who:

(1) Voluntarily discloses to the Inspector General the information on which the allegations or transactions for an audit, investigation, inspection or review are based before the public disclosure of the information; or

(2) Has knowledge of information that is independent of and materially adds to any allegations or transactions which are publicly disclosed and who voluntarily provides such information to the Inspector General.

(b) "Personal identifying information" has the meaning ascribed to it in NRS 205.4617.

Sec. 15. 1. Audits, investigations, inspections and reviews conducted by the Office must conform to professional standards, including, without limitation, standards promulgated by the Association of Inspectors General or its successor organization.

2. The Legislative Auditor shall, on or before July 1, 2026, and at least once every 3 years thereafter, prepare and make public a report reviewing a representative sample of the audits, investigations, inspections and reviews performed by the Office for that time period for conformance with the professional standards described in subsection 1.

Sec. 16. 1. The Account for the Nevada Office of the Inspector General is hereby created in the State General Fund to be administered by the Inspector General. All money received by the Office must be deposited in the Account. The money in the Account does not revert to the State General Fund at the end of any fiscal year, and the balance in the Account must be carried forward to the next fiscal year.

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



1 *to the Account. All claims against the Account must be paid as*
2 *other claims against the State are paid.*

3 *3. The money in the Account may be used only to pay the*
4 *costs of carrying out programs or law administered by the Office.*

5 *Sec. 17. A person who willfully discharges, demotes,*
6 *suspends, threatens, harasses or discriminates against an*
7 *employee, contractor or agent as a result of a lawful complaint of*
8 *the employee, contractor or agent concerning any fraud, waste,*
9 *abuse or corruption within any school district is guilty of a*
10 *category E felony and shall be punished as provided in*
11 *NRS 193.130.*

12 **Sec. 18.** NRS 197.090 is hereby amended to read as follows:

13 197.090 **1.** Except under circumstances where a greater
14 penalty is provided in NRS 200.481, any person who, by means of
15 any threat, force or violence, attempts to deter or prevent any
16 executive or administrative officer from performing any duty
17 imposed upon the officer by law, or who knowingly resists by force
18 or violence any executive or administrative officer in the
19 performance of the officer's duty, is guilty of a gross misdemeanor.

20 **2.** *Any person who, by means of any threat, force or violence,*
21 *attempts to deter or prevent the Inspector General or an employee*
22 *of the Nevada Office of the Inspector General from performing*
23 *any duty imposed upon the Inspector General or the Office by law,*
24 *or who knowingly resists by force or violence the Inspector*
25 *General or an employee of the Office in the performance of his or*
26 *her duty, is guilty of a category E felony and shall be punished as*
27 *provided in NRS 193.130.*

28 **3.** As used in this section:

29 (a) *"Inspector General" means the Inspector General*
30 *appointed pursuant to section 7 of this act.*

31 (b) *"Nevada Office of the Inspector General" or "Office"*
32 *means the Nevada Office of the Inspector General created by*
33 *section 7 of this act.*

34 **Sec. 19.** NRS 200.471 is hereby amended to read as follows:

35 200.471 **1.** As used in this section:

36 (a) "Assault" means:

37 (1) Unlawfully attempting to use physical force against
38 another person; or

39 (2) Intentionally placing another person in reasonable
40 apprehension of immediate bodily harm.

41 (b) "Fire-fighting agency" has the meaning ascribed to it in
42 NRS 239B.020.

43 (c) "Officer" means:

44 (1) A person who possesses some or all of the powers of a
45 peace officer;



(2) A person employed in a full-time salaried occupation of fire fighting for the benefit or safety of the public;

(3) A member of a volunteer fire department;

(4) A jailer, guard or other correctional officer of a city or county jail;

(5) *The Inspector General appointed pursuant to section 7 of this act or an employee of the Nevada Office of the Inspector General created by section 7 of this act;*

(6) A prosecuting attorney of an agency or political subdivision of the United States or of this State;

~~[(6)]~~ (7) A justice of the Supreme Court, judge of the Court of Appeals, district judge, justice of the peace, municipal judge, magistrate, court commissioner, master or referee, including a person acting pro tempore in a capacity listed in this subparagraph;

~~[(7)]~~ (8) An employee of this State or a political subdivision of this State whose official duties require the employee to make home visits;

~~[(8)]~~ (9) A civilian employee or a volunteer of a law enforcement agency whose official duties require the employee or volunteer to:

(I) Interact with the public;

(II) Perform tasks related to law enforcement; and

(III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for the law enforcement agency;

~~[(9)]~~ (10) A civilian employee or a volunteer of a fire-fighting agency whose official duties require the employee or volunteer to:

(I) Interact with the public;

(II) Perform tasks related to fire fighting or fire prevention; and

(III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for the fire-fighting agency; or

~~[(10)]~~ (11) A civilian employee or volunteer of this State or a political subdivision of this State whose official duties require the employee or volunteer to:

(I) Interact with the public;

(II) Perform tasks related to code enforcement; and

(III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for this State or a political subdivision of this State.

(d) "Provider of health care" means a physician, a medical student, a perfusionist or a physician assistant licensed pursuant to chapter 630 of NRS, a practitioner of respiratory care, a



homeopathic physician, an advanced practitioner of homeopathy, a homeopathic assistant, an osteopathic physician, a physician assistant licensed pursuant to chapter 633 of NRS, a podiatric physician, a podiatry hygienist, a physical therapist, a medical laboratory technician, an optometrist, a chiropractic physician, a chiropractic assistant, a doctor of Oriental medicine, a nurse, a student nurse, a certified nursing assistant, a nursing assistant trainee, a medication aide - certified, a dentist, a dental student, a dental hygienist, a dental hygienist student, a pharmacist, a pharmacy student, an intern pharmacist, an attendant on an ambulance or air ambulance, a psychologist, a social worker, a marriage and family therapist, a marriage and family therapist intern, a clinical professional counselor, a clinical professional counselor intern, a licensed dietitian, the holder of a license or a limited license issued under the provisions of chapter 653 of NRS, an emergency medical technician, an advanced emergency medical technician and a paramedic.

(e) "School employee" means a licensed or unlicensed person employed by a board of trustees of a school district pursuant to NRS 391.100 or 391.281.

(f) "Sporting event" has the meaning ascribed to it in NRS 41.630.

(g) "Sports official" has the meaning ascribed to it in NRS 41.630.

(h) "Taxicab" has the meaning ascribed to it in NRS 706.8816.

(i) "Taxicab driver" means a person who operates a taxicab.

(j) "Transit operator" means a person who operates a bus or other vehicle as part of a public mass transportation system.

2. A person convicted of an assault shall be punished:

(a) If paragraph (c) or (d) does not apply to the circumstances of the crime and the assault is not made with the use of a deadly weapon or the present ability to use a deadly weapon, for a misdemeanor.

(b) If the assault is made with the use of a deadly weapon or the present ability to use a deadly weapon, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment.

(c) If paragraph (d) does not apply to the circumstances of the crime and if the assault is committed upon an officer, a provider of health care, a school employee, a taxicab driver or a transit operator who is performing his or her duty or upon a sports official based on the performance of his or her duties at a sporting event and the person charged knew or should have known that the victim was an officer, a provider of health care, a school employee, a taxicab



1 driver, a transit operator or a sports official, for a gross
2 misdemeanor, unless the assault is made with the use of a deadly
3 weapon or the present ability to use a deadly weapon, then for a
4 category B felony by imprisonment in the state prison for a
5 minimum term of not less than 1 year and a maximum term of not
6 more than 6 years, or by a fine of not more than \$5,000, or by both
7 fine and imprisonment.

8 (d) If the assault is committed upon an officer, a provider of
9 health care, a school employee, a taxicab driver or a transit operator
10 who is performing his or her duty or upon a sports official based on
11 the performance of his or her duties at a sporting event by a
12 probationer, a prisoner who is in lawful custody or confinement or a
13 parolee, and the probationer, prisoner or parolee charged knew or
14 should have known that the victim was an officer, a provider of
15 health care, a school employee, a taxicab driver, a transit operator or
16 a sports official, for a category D felony as provided in NRS
17 193.130, unless the assault is made with the use of a deadly weapon
18 or the present ability to use a deadly weapon, then for a category B
19 felony by imprisonment in the state prison for a minimum term of
20 not less than 1 year and a maximum term of not more than 6 years,
21 or by a fine of not more than \$5,000, or by both fine and
22 imprisonment.

23 **Sec. 20.** NRS 200.481 is hereby amended to read as follows:

24 200.481 1. As used in this section:

25 (a) "Battery" means any willful and unlawful use of force or
26 violence upon the person of another.

27 (b) "Child" means a person less than 18 years of age.

28 (c) "Fire-fighting agency" has the meaning ascribed to it in
29 NRS 239B.020.

30 (d) "Officer" means:

31 (1) A person who possesses some or all of the powers of a
32 peace officer;

33 (2) A person employed in a full-time salaried occupation of
34 fire fighting for the benefit or safety of the public;

35 (3) A member of a volunteer fire department;

36 (4) A jailer, guard, matron or other correctional officer of a
37 city or county jail or detention facility;

38 (5) *The Inspector General appointed pursuant to section 7*
39 *of this act or an employee of the Nevada Office of the Inspector*
40 *General created by section 7 of this act;*

41 (6) A prosecuting attorney of an agency or political
42 subdivision of the United States or of this State;

43 ~~[(6)]~~ (7) A justice of the Supreme Court, judge of the Court
44 of Appeals, district judge, justice of the peace, municipal judge,
45 magistrate, court commissioner, master or referee, including,



without limitation, a person acting pro tempore in a capacity listed in this subparagraph;

~~[(7)]~~ (8) An employee of this State or a political subdivision of this State whose official duties require the employee to make home visits;

~~[(8)]~~ (9) A civilian employee or a volunteer of a law enforcement agency whose official duties require the employee or volunteer to:

(I) Interact with the public;

(II) Perform tasks related to law enforcement; and

(III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for the law enforcement agency;

~~[(9)]~~ (10) A civilian employee or a volunteer of a fire-fighting agency whose official duties require the employee or volunteer to:

(I) Interact with the public;

(II) Perform tasks related to fire fighting or fire prevention; and

(III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for the fire-fighting agency; or

~~[(10)]~~ (11) A civilian employee or volunteer of this State or a political subdivision of this State whose official duties require the employee or volunteer to:

(I) Interact with the public;

(II) Perform tasks related to code enforcement; and

(III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for this State or a political subdivision of this State.

(e) “Provider of health care” has the meaning ascribed to it in NRS 200.471.

(f) “School employee” means a licensed or unlicensed person employed by a board of trustees of a school district pursuant to NRS 391.100 or 391.281.

(g) “Sporting event” has the meaning ascribed to it in NRS 41.630.

(h) “Sports official” has the meaning ascribed to it in NRS 41.630.

(i) “Strangulation” means intentionally impeding the normal breathing or circulation of the blood by applying pressure on the throat or neck or by blocking the nose or mouth of another person in a manner that creates a risk of death or substantial bodily harm.

(j) “Taxicab” has the meaning ascribed to it in NRS 706.8816.

(k) “Taxicab driver” means a person who operates a taxicab.



(l) "Transit operator" means a person who operates a bus or other vehicle as part of a public mass transportation system.

2. Except as otherwise provided in NRS 200.485, a person convicted of a battery, other than a battery committed by an adult upon a child which constitutes child abuse, shall be punished:

(a) If the battery is not committed with a deadly weapon, and no substantial bodily harm to the victim results, except under circumstances where a greater penalty is provided in this section or NRS 197.090, for a misdemeanor.

(b) If the battery is not committed with a deadly weapon, and either substantial bodily harm to the victim results or the battery is committed by strangulation, for a category C felony as provided in NRS 193.130.

(c) If:

(1) The battery is committed upon an officer, provider of health care, school employee, taxicab driver or transit operator who was performing his or her duty or upon a sports official based on the performance of his or her duties at a sporting event;

(2) The officer, provider of health care, school employee, taxicab driver, transit operator or sports official suffers substantial bodily harm or the battery is committed by strangulation; and

(3) The person charged knew or should have known that the victim was an officer, provider of health care, school employee, taxicab driver, transit operator or sports official,

➤ for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 10 years, or by a fine of not more than \$10,000, or by both fine and imprisonment.

(d) If the battery is committed upon an officer, provider of health care, school employee, taxicab driver or transit operator who is performing his or her duty or upon a sports official based on the performance of his or her duties at a sporting event and the person charged knew or should have known that the victim was an officer, provider of health care, school employee, taxicab driver, transit operator or sports official, for a gross misdemeanor, except under circumstances where a greater penalty is provided in this section.

(e) If the battery is committed with the use of a deadly weapon, and:

(1) No substantial bodily harm to the victim results, for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000.

(2) Substantial bodily harm to the victim results or the battery is committed by strangulation, for a category B felony by



1 imprisonment in the state prison for a minimum term of not less
2 than 2 years and a maximum term of not more than 15 years, and
3 may be further punished by a fine of not more than \$10,000.

4 (f) If the battery is committed by a probationer, a prisoner who
5 is in lawful custody or confinement or a parolee, without the use of
6 a deadly weapon, whether or not substantial bodily harm results and
7 whether or not the battery is committed by strangulation, for a
8 category B felony by imprisonment in the state prison for a
9 minimum term of not less than 1 year and a maximum term of not
10 more than 6 years.

11 (g) If the battery is committed by a probationer, a prisoner who
12 is in lawful custody or confinement or a parolee, with the use of a
13 deadly weapon, and:

14 (1) No substantial bodily harm to the victim results, for a
15 category B felony by imprisonment in the state prison for a
16 minimum term of not less than 2 years and a maximum term of not
17 more than 10 years.

18 (2) Substantial bodily harm to the victim results or the
19 battery is committed by strangulation, for a category B felony by
20 imprisonment in the state prison for a minimum term of not less
21 than 2 years and a maximum term of not more than 15 years.

22 **Sec. 21.** NRS 239.010 is hereby amended to read as follows:

23 239.010 1. Except as otherwise provided in this section and
24 NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.0397, 41.071, 49.095,
25 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030,
26 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152,
27 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413,
28 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345,
29 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270,
30 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280,
31 119A.280, 119A.653, 119A.677, 119B.370, 119B.382, 120A.640,
32 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730,
33 127.007, 127.057, 127.130, 127.140, 127.2817, 128.090, 130.312,
34 130.712, 136.050, 159.044, 159A.044, 172.075, 172.245, 176.015,
35 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715,
36 178.5691, 179.495, 179A.070, 179A.165, 179D.160, 200.3771,
37 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392,
38 209.3923, 209.3925, 209.419, 209.429, 209.521, 211A.140,
39 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464,
40 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240,
41 218G.350, 224.240, 226.300, 228.270, 228.450, 228.495, 228.570,
42 231.069, 231.1473, 232.1369, 233.190, 237.300, 239.0105,
43 239.0113, 239.014, 239B.026, 239B.030, 239B.040, 239B.050,
44 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 239C.420,
45 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335,



1 247.540, 247.550, 247.560, 250.087, 250.130, 250.140, 250.150,
2 268.095, 268.0978, 268.490, 268.910, 269.174, 271A.105, 281.195,
3 281.805, 281A.350, 281A.680, 281A.685, 281A.750, 281A.755,
4 281A.780, 284.4068, 284.4086, 286.110, 286.118, 287.0438,
5 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503,
6 293.504, 293.558, 293.5757, 293.870, 293.906, 293.908, 293.910,
7 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335,
8 338.070, 338.1379, 338.1593, 338.1725, 338.1727, 348.420,
9 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100,
10 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.2242,
11 361.610, 365.138, 366.160, 368A.180, 370.257, 370.327, 372A.080,
12 378.290, 378.300, 379.0075, 379.008, 379.1495, 385A.830,
13 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503,
14 388.513, 388.750, 388A.247, 388A.249, 391.033, 391.035,
15 391.0365, 391.120, 391.925, 392.029, 392.147, 392.264, 392.271,
16 392.315, 392.317, 392.325, 392.327, 392.335, 392.850, 393.045,
17 394.167, 394.16975, 394.1698, 394.447, 394.460, 394.465,
18 396.1415, 396.1425, 396.143, 396.159, 396.3295, 396.405, 396.525,
19 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888,
20 408.5484, 412.153, 414.280, 416.070, 422.2749, 422.305,
21 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.028,
22 432.205, 432B.175, 432B.280, 432B.290, 432B.4018, 432B.407,
23 432B.430, 432B.560, 432B.5902, 432C.140, 432C.150, 433.534,
24 433A.360, 439.4941, 439.4988, 439.840, 439.914, 439A.116,
25 439A.124, 439B.420, 439B.754, 439B.760, 439B.845, 440.170,
26 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735,
27 442.774, 445A.665, 445B.570, 445B.7773, 447.345, 449.209,
28 449.245, 449.4315, 449A.112, 450.140, 450B.188, 450B.805,
29 453.164, 453.720, 458.055, 458.280, 459.050, 459.3866, 459.555,
30 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403,
31 463.3407, 463.790, 467.1005, 480.535, 480.545, 480.935, 480.940,
32 481.063, 481.091, 481.093, 482.170, 482.368, 482.5536, 483.340,
33 483.363, 483.575, 483.659, 483.800, 484A.469, 484B.830,
34 484B.833, 484E.070, 485.316, 501.344, 503.452, 522.040,
35 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098,
36 598A.110, 598A.420, 599B.090, 603.070, 603A.210, 604A.303,
37 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350,
38 618.341, 618.425, 622.238, 622.310, 623.131, 623A.137, 624.110,
39 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230,
40 628B.760, 629.047, 629.069, 630.133, 630.2671, 630.2672,
41 630.2673, 630.30665, 630.336, 630A.327, 630A.555, 631.332,
42 631.368, 632.121, 632.125, 632.3415, 632.3423, 632.405, 633.283,
43 633.301, 633.4715, 633.4716, 633.4717, 633.524, 634.055,
44 634.1303, 634.214, 634A.169, 634A.185, 635.111, 635.158,
45 636.262, 636.342, 637.085, 637.145, 637B.192, 637B.288, 638.087,



1 638.089, 639.183, 639.2485, 639.570, 640.075, 640.152, 640A.185,
2 640A.220, 640B.405, 640B.730, 640C.580, 640C.600, 640C.620,
3 640C.745, 640C.760, 640D.135, 640D.190, 640E.225, 640E.340,
4 641.090, 641.221, 641.2215, 641.325, 641A.191, 641A.217,
5 641A.262, 641B.170, 641B.281, 641B.282, 641C.455, 641C.760,
6 641D.260, 641D.320, 642.524, 643.189, 644A.870, 645.180,
7 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220,
8 645C.225, 645D.130, 645D.135, 645G.510, 645H.320, 645H.330,
9 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.126,
10 652.228, 653.900, 654.110, 656.105, 657A.510, 661.115, 665.130,
11 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480,
12 675.380, 676A.340, 676A.370, 677.243, 678A.470, 678C.710,
13 678C.800, 679B.122, 679B.124, 679B.152, 679B.159, 679B.190,
14 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410,
15 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306,
16 687A.060, 687A.115, 687B.404, 687C.010, 688C.230, 688C.480,
17 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536,
18 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550,
19 696C.120, 703.196, 704B.325, 706.1725, 706A.230, 710.159,
20 711.600, *and sections 11 and 14 of this act*, sections 35, 38 and 41
21 of chapter 478, Statutes of Nevada 2011 and section 2 of chapter
22 391, Statutes of Nevada 2013 and unless otherwise declared by law
23 to be confidential, all public books and public records of a
24 governmental entity must be open at all times during office hours to
25 inspection by any person, and may be fully copied or an abstract or
26 memorandum may be prepared from those public books and public
27 records. Any such copies, abstracts or memoranda may be used to
28 supply the general public with copies, abstracts or memoranda of the
29 records or may be used in any other way to the advantage of the
30 governmental entity or of the general public. This section does not
31 supersede or in any manner affect the federal laws governing
32 copyrights or enlarge, diminish or affect in any other manner the
33 rights of a person in any written book or record which is
34 copyrighted pursuant to federal law.

35 2. A governmental entity may not reject a book or record
36 which is copyrighted solely because it is copyrighted.

37 3. A governmental entity that has legal custody or control of a
38 public book or record shall not deny a request made pursuant to
39 subsection 1 to inspect or copy or receive a copy of a public book or
40 record on the basis that the requested public book or record contains
41 information that is confidential if the governmental entity can
42 redact, delete, conceal or separate, including, without limitation,
43 electronically, the confidential information from the information
44 included in the public book or record that is not otherwise
45 confidential.



4. If requested, a governmental entity shall provide a copy of a public record in an electronic format by means of an electronic medium. Nothing in this subsection requires a governmental entity to provide a copy of a public record in an electronic format or by means of an electronic medium if:

(a) The public record:

(1) Was not created or prepared in an electronic format; and

(2) Is not available in an electronic format; or

(b) Providing the public record in an electronic format or by means of an electronic medium would:

(1) Give access to proprietary software; or

(2) Require the production of information that is confidential and that cannot be redacted, deleted, concealed or separated from information that is not otherwise confidential.

5. An officer, employee or agent of a governmental entity who has legal custody or control of a public record:

(a) Shall not refuse to provide a copy of that public record in the medium that is requested because the officer, employee or agent has already prepared or would prefer to provide the copy in a different medium.

(b) Except as otherwise provided in NRS 239.030, shall, upon request, prepare the copy of the public record and shall not require the person who has requested the copy to prepare the copy himself or herself.

Sec. 22. NRS 289.470 is hereby amended to read as follows:

289.470 “Category II peace officer” means:

1. The bailiffs of the district courts, justice courts and municipal courts whose duties require them to carry weapons and make arrests;

2. Subject to the provisions of NRS 258.070, constables and their deputies;

3. Inspectors employed by the Nevada Transportation Authority who exercise those powers of enforcement conferred by chapters 706 and 712 of NRS;

4. Special investigators who are employed full-time by the office of any district attorney or the Attorney General;

5. Investigators of arson for fire departments who are specially designated by the appointing authority;

6. Investigators for the State Forester Firewarden who are specially designated by the State Forester Firewarden and whose primary duties are related to the investigation of arson;

7. Agents of the Nevada Gaming Control Board who exercise the powers of enforcement specified in NRS 289.360, 463.140 or 463.1405, except those agents whose duties relate primarily to



auditing, accounting, the collection of taxes or license fees, or the investigation of applicants for licenses;

8. Investigators and administrators of the Division of Compliance Enforcement of the Department of Motor Vehicles who perform the duties specified in subsection 2 of NRS 481.048;

9. Officers and investigators of the Section for the Control of Emissions From Vehicles and the Enforcement of Matters Related to the Use of Special Fuel of the Department of Motor Vehicles who perform the duties specified in subsection 3 of NRS 481.0481;

10. Legislative police officers of the State of Nevada;

11. Parole counselors of the Division of Child and Family Services of the Department of Health and Human Services;

12. Juvenile probation officers and deputy juvenile probation officers employed by the various judicial districts in the State of Nevada or by a department of juvenile justice services established by ordinance pursuant to NRS 62G.210 whose official duties require them to enforce court orders on juvenile offenders and make arrests;

13. Field investigators of the Taxicab Authority;

14. Security officers employed full-time by a city or county whose official duties require them to carry weapons and make arrests;

15. The chief of a department of alternative sentencing created pursuant to NRS 211A.080 and the assistant alternative sentencing officers employed by that department;

16. Agents of the Cannabis Compliance Board who exercise the powers of enforcement specified in NRS 289.355;

17. Criminal investigators who are employed by the Secretary of State; ~~and~~

18. The Inspector General of the Department of Corrections and any person employed by the Department as a criminal investigator ~~and~~; and

19. The Inspector General appointed pursuant to section 7 of this act and any person employed as an investigator by the Nevada Office of the Inspector General created by section 7 of this act.

Sec. 23. NRS 353A.010 is hereby amended to read as follows:

353A.010 As used in this chapter, unless the context otherwise requires:

1. “Agency” means every agency, department, division, board, commission or similar body, or elected officer, of the Executive Branch of the State.

2. “Committee” means the Executive Branch Audit Committee created pursuant to NRS 353A.038.

3. “Director” means the Director of the Office of Finance.



4. *“Inspector General” means the Inspector General appointed by the Lieutenant Governor, State Treasurer and State Controller pursuant to section 7 of this act.*

5. “Internal accounting and administrative control” means a method through which agencies can safeguard assets, check the accuracy and reliability of their accounting information, promote efficient operations and encourage adherence to prescribed managerial policies.

Sec. 24. NRS 353A.025 is hereby amended to read as follows:

353A.025 1. The head of each agency shall periodically review the agency’s system of internal accounting and administrative control to determine whether it is in compliance with the uniform system of internal accounting and administrative control for agencies adopted pursuant to subsection 1 of NRS 353A.020.

2. On or before July 1 of each even-numbered year, the head of each agency shall report to the Director whether the agency’s system of internal accounting and administrative control is in compliance with the uniform system adopted pursuant to subsection 1 of NRS 353A.020. The reports must be made available for inspection by the members of the Legislature.

3. For the purposes of this section, “agency” does not include:

(a) A board created by the provisions of NRS 590.485 and chapters 623 to 625A, inclusive, 628, 630 to 644A, inclusive, 648, 654 and 656 of NRS.

(b) The Nevada System of Higher Education.

(c) The Public Employees’ Retirement System.

(d) The Housing Division of the Department of Business and Industry.

(e) The Colorado River Commission of Nevada.

4. The Director shall, on or before the first Monday in February of each odd-numbered year, submit a report on the status of internal accounting and administrative controls in agencies to the:

(a) Director of the Legislative Counsel Bureau for transmittal to the:

(1) Senate Standing Committee on Finance; and

(2) Assembly Standing Committee on Ways and Means;

(b) Governor; ~~and~~

(c) *Inspector General; and*

(d) Legislative Auditor.

5. The report submitted by the Director pursuant to subsection 4 must include, without limitation:

(a) The identification of each agency that has not complied with the requirements of subsections 1 and 2;



(b) The identification of each agency that does not have an effective method for reviewing its system of internal accounting and administrative control; and

(c) The identification of each agency that has weaknesses in its system of internal accounting and administrative control, and the extent and types of such weaknesses.

Sec. 25. NRS 385A.400 is hereby amended to read as follows:

385A.400 1. The State Board shall, on or before January 15 of each year, prepare for the immediately preceding school year a single annual report of accountability that includes, without limitation the information prescribed by NRS 385A.400 to 385A.520, inclusive.

2. A separate reporting for a group of pupils must not be made pursuant to NRS 385A.400 to 385A.520, inclusive, if the number of pupils in that group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual pupil. The Department shall use the mechanism approved by the United States Department of Education for the statewide system of accountability for public schools for determining the minimum number of pupils that must be in a group for that group to yield statistically reliable information.

3. The annual report of accountability must:

(a) Be prepared in a concise manner; and

(b) Be presented in an understandable and uniform format and, to the extent practicable, provided in a language that parents can understand.

4. On or before January 15 of each year, the State Board shall provide for public dissemination of the annual report of accountability by posting a copy of the report on the Internet website maintained by the Department.

5. Upon the request of the Governor, the Attorney General, the Committee, *the Inspector General appointed pursuant to section 7 of this act*, the Bureau, the Board of Regents of the University of Nevada, the board of trustees of a school district, the State Public Charter School Authority, a college or university within the Nevada System of Higher Education, the governing body of a charter school or a member of the general public, the State Board shall provide a portion or portions of the annual report of accountability.

Sec. 26. NRS 387.013 is hereby amended to read as follows:

387.013 The State Controller shall, each quarter, prepare a complete financial report of the State Permanent School Fund. A copy of this report must be submitted to the State Treasurer, ~~and~~ *the Fiscal Analysis Division of the Legislative Counsel Bureau and the Inspector General appointed pursuant to section 7 of this act.*



Sec. 27. NRS 387.303 is hereby amended to read as follows:

387.303 1. Not later than November 1 of each year, the board of trustees of each school district shall submit to the Superintendent of Public Instruction, ~~and~~ the Department of Taxation *and the Inspector General appointed pursuant to section 7 of this act* a report which includes the following information:

(a) For each fund within the school district, including, without limitation, the school district's general fund and any special revenue fund which receives state money, the total number and salaries of licensed and nonlicensed persons whose salaries are paid from the fund and who are employed by the school district in full-time positions or in part-time positions added together to represent full-time positions. Information must be provided for the current school year based upon the school district's final budget, including any amendments and augmentations thereto, and for the preceding school year. An employee must be categorized as filling an instructional, administrative, instructional support or other position.

(b) The school district's actual expenditures in the fiscal year immediately preceding the report.

(c) The school district's proposed expenditures for the current fiscal year.

(d) The schedule of salaries for licensed employees in the current school year and a statement of whether the negotiations regarding salaries for the current school year have been completed. If the negotiations have not been completed at the time the schedule of salaries is submitted, the board of trustees shall submit a supplemental report to the Superintendent of Public Instruction upon completion of negotiations or the determination of an arbitrator concerning the negotiations that includes the schedule of salaries agreed to or required by the arbitrator.

(e) The number of employees who received an increase in salary pursuant to NRS 391.161, 391.162 or 391.163 for the current and preceding fiscal years. If the board of trustees is required to pay an increase in salary retroactively pursuant to NRS 391.161, the board of trustees shall submit a supplemental report to the Superintendent of Public Instruction not later than February 15 of the year in which the retroactive payment was made that includes the number of teachers to whom an increase in salary was paid retroactively.

(f) The number of employees eligible for health insurance within the school district for the current and preceding fiscal years and the amount paid for health insurance for each such employee during those years.

(g) The rates for fringe benefits, excluding health insurance, paid by the school district for its licensed employees in the preceding and current fiscal years.



(h) The amount paid for extra duties, supervision of extracurricular activities and supplemental pay and the number of employees receiving that pay in the preceding and current fiscal years.

2. On or before November 25 of each year, the Superintendent of Public Instruction shall submit to the Office of Finance and the Fiscal Analysis Division of the Legislative Counsel Bureau, in a format approved by the Director of the Office of Finance, a compilation of the reports made by each school district pursuant to subsection 1.

3. In preparing the agency biennial budget request for the State Education Fund for submission to the Office of Finance, the Superintendent of Public Instruction:

(a) Shall compile the information from the most recent compilation of reports submitted pursuant to subsection 2; and

(b) May consider the cost of enhancements to existing programs or the projected cost of proposed new educational programs, regardless of whether those enhancements or new programs are included in the adjusted base per pupil funding for inclusion in the biennial budget request to the Office of Finance.

4. The Superintendent of Public Instruction shall, in the compilation required by subsection 2, reconcile the revenues of the school districts with the apportionment received by those districts from the State Education Fund for the preceding year.

5. The request prepared pursuant to subsection 3 must:

(a) Be presented by the Superintendent of Public Instruction to such standing committees of the Legislature as requested by the standing committees for the purposes of developing educational programs and providing appropriations for those programs; and

(b) Provide for a direct comparison of appropriations to the proposed budget of the Governor submitted pursuant to subsection 4 of NRS 353.230.

Sec. 28. NRS 388A.345 is hereby amended to read as follows:

388A.345 1. On or before November 1 of each year, the governing body of each charter school shall submit to the sponsor of the charter school, the Superintendent of Public Instruction and the Director of the Legislative Counsel Bureau for transmission to the Majority Leader of the Senate and the Speaker of the Assembly a report that includes:

(a) A written description of the progress of the charter school in achieving the mission and goals of the charter school set forth in its application.

(b) For each fund maintained by the charter school, including, without limitation, the general fund of the charter school and any special revenue fund which receives state money, the total number



1 and salaries of licensed and nonlicensed persons whose salaries are
2 paid from the fund and who are employed by the governing body in
3 full-time positions or in part-time positions added together to
4 represent full-time positions. Information must be provided for the
5 current school year based upon the final budget of the charter
6 school, including any amendments and augmentations thereto, and
7 for the preceding school year. An employee must be categorized as
8 filling an instructional, administrative, instructional support or other
9 position.

10 (c) The actual expenditures of the charter school in the fiscal
11 year immediately preceding the report.

12 (d) The proposed expenditures of the charter school for the
13 current fiscal year.

14 (e) The salary schedule for licensed employees and nonlicensed
15 teachers in the current school year and a statement of whether salary
16 negotiations for the current school year have been completed. If
17 salary negotiations have not been completed at the time the salary
18 schedule is submitted, the governing body shall submit a
19 supplemental report to the Superintendent of Public Instruction upon
20 completion of negotiations.

21 (f) The number of employees eligible for health insurance within
22 the charter school for the current and preceding fiscal years and the
23 amount paid for health insurance for each such employee during
24 those years.

25 (g) The rates for fringe benefits, excluding health insurance,
26 paid by the charter school for its licensed employees in the
27 preceding and current fiscal years.

28 (h) The amount paid for extra duties, supervision of
29 extracurricular activities and supplemental pay and the number of
30 employees receiving that pay in the preceding and current fiscal
31 years.

32 2. On or before November 25 of each year, the Superintendent
33 of Public Instruction shall submit to the Office of Finance, ~~and~~ the
34 Fiscal Analysis Division of the Legislative Counsel Bureau ~~and~~ *and*
35 *the Inspector General appointed pursuant to section 7 of this act*,
36 in a format approved by the Director of the Office of Finance, a
37 compilation of the reports made by each governing body pursuant to
38 subsection 1.

39 3. The Superintendent of Public Instruction shall, in the
40 compilation required by subsection 2, reconcile the revenues and
41 expenditures of the charter schools with the apportionment received
42 by those schools from the State Education Fund for the preceding
43 year.



Sec. 29. NRS 388A.3965 is hereby amended to read as follows:

388A.3965 1. A parent or legal guardian of a pupil enrolled in a charter school, a pupil who is at least 18 years of age enrolled in a charter school, a member of the governing body of a charter school or an employee of a charter school may file a complaint relating to that charter school directly with the State Public Charter School Authority, *or the Inspector General appointed pursuant to section 7 of this act for a complaint related to paragraph (d)*, if the person has evidence that the charter school has:

(a) Violated any law or regulation relating to the health and safety of pupils;

(b) Violated any law or regulation relating to the civil rights of pupils, except for a law or regulation described in subsection 1 of NRS 388A.396;

(c) Violated any law or regulation or policy of the sponsor of the charter school relating to the enrollment, suspension or expulsion of pupils;

(d) Committed fraud, financial mismanagement or financial malfeasance; or

(e) Committed academic dishonesty, including, without limitation, engaging in a policy or practice that has the intent or effect of inappropriately increasing the graduation rate or inappropriately increasing performance on assessments mandated by this State or the State Public Charter School Authority.

2. If the State Public Charter School Authority determines that credible evidence exists to support a complaint submitted *to the State Public Charter School Authority* pursuant to subsection 1, the State Public Charter School Authority shall investigate the complaint and respond to the complaining party in writing.

3. As used in this section:

(a) “Expulsion” has the meaning ascribed to it in NRS 392.4603.

(b) “Suspension” has the meaning ascribed to it in NRS 392.4607.

Sec. 30. 1. On or before December 1, 2023, the Lieutenant Governor, State Treasurer and State Controller shall appoint an Inspector General pursuant to section 7 of this act.

2. The State Controller is the acting Inspector General until the Lieutenant Governor, State Treasurer and State Controller appoint the initial Inspector General pursuant to section 7 of this act.

Sec. 31. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report of the Legislature.

Sec. 32. 1. This section becomes effective upon passage and approval.



- 1 2. Sections 1 to 31, inclusive, of this act become effective:
2 (a) Upon passage and approval for the purpose of adopting any
3 regulations and performing any other preparatory administrative
4 tasks that are necessary to carry out the provisions of this act; and
5 (b) On January 1, 2024, for all other purposes.

