

SENATE BILL NO. 254—SENATOR SEEVERS GANSERT

MARCH 13, 2023

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to the Account for Aid for Victims of Domestic or Sexual Violence. (BDR 16-920)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

AN ACT relating to crimes; revising provisions governing eligibility for and the awarding of grants from the Account for Aid for Victims of Domestic or Sexual Violence; renaming the Account; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Account for Aid for Victims of Domestic or Sexual Violence in the State General Fund, which is administered by the Administrator of the Division of Child and Family Services of the Department of Health and Human Services. (NRS 217.440) Existing law prescribes certain requirements relating to eligibility for a grant of money from the Account. Under existing law, a nonprofit organization is eligible for a grant from the Account if, among other requirements, the nonprofit organization provides its services: (1) exclusively for victims of domestic or sexual violence if located in a county whose population is 100,000 or more (currently Clark and Washoe Counties); or (2) primarily for victims of domestic or sexual violence if located in a county whose population is less than 100,000 (currently all counties other than Clark and Washoe Counties). (NRS 217.420) **Section 1** of this bill additionally makes eligible to receive a grant from the Account a nonprofit organization that exclusively provides services for victims of human trafficking and is located in a county whose population is 100,000 or more.

In order to receive a grant from the Account, existing law generally requires a nonprofit organization to be capable of providing shelter to victims on any day, at any hour and be equipped with facilities where food can be stored or prepared. Existing law exempts an organization that provides services exclusively to victims of sexual violence from those requirements. (NRS 217.420) **Section 1** additionally excludes nonprofit organizations that provide services exclusively to victims of human trafficking from such eligibility requirements.



Existing law requires that 75 percent of the money allocated from the Account to each county be allocated for grants for services for victims of domestic violence and 25 percent of such money be allocated for grants for victims of sexual violence. (NRS 217.450) **Section 3** of this bill instead requires that, of the money allocated from the Account to each county whose population is 100,000 or more: (1) seventy percent be allocated for grants for services for victims of domestic violence; (2) twenty percent be allocated for grants for services for victims of sexual violence; and (3) ten percent be allocated for grants for services for victims of human trafficking.

Existing law requires the Administrator to award grants to not more than: (1) one applicant to provide services for victims of domestic violence and one applicant to provide services for victims of sexual violence in counties whose population is less than 100,000; and (2) two applicants to provide services for victims of domestic violence and two applicants to provide services for victims of sexual violence in counties whose population is 100,000 or more. (NRS 217.450) **Section 3** additionally requires the Administrator to award grants to not more than one applicant to provide services for victims of human trafficking in a county whose population is 100,000 or more.

Section 2 of this bill renames the Account as the Account for Aid for Victims of Domestic or Sexual Violence or Human Trafficking to reflect the additional use of money in the Account for services for victims of human trafficking. **Section 4** of this bill makes a conforming change for purposes of furnishing certain reports to the Administrator.

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

Section 1. NRS 217.420 is hereby amended to read as follows:

217.420 To be eligible for a grant from the Account for Aid for Victims of Domestic or Sexual Violence ~~§~~ *or Human Trafficking*, an applicant must:

1. Be a nonprofit corporation, incorporated or qualified in this state.

2. Be governed by a board of trustees which reflects the racial, ethnic, economic and social composition of the county to be served and includes at least one trustee who has been a victim of domestic or sexual violence.

3. Receive at least 15 percent of its money from sources other than the Federal Government, the State, any local government or other public body or their instrumentalities. Any goods or services which are contributed to the organization may be assigned their reasonable monetary value for the purpose of complying with the requirement of this subsection.

4. Provide its services:

(a) Exclusively for victims of domestic or sexual violence *or human trafficking* and only within this state if located in a county whose population is 100,000 or more; or



(b) Primarily for victims of domestic or sexual violence and only within this state if located in a county whose population is less than 100,000.

5. Require its employees and volunteer assistants to maintain the confidentiality of any information which would identify persons receiving the services.

6. Provide its services without any discrimination on the basis of race, religion, color, age, sex, sexual orientation, gender identity or expression, marital status, national origin or ancestry.

7. Be able to provide:

(a) Except in counties whose population is less than 100,000 or if the organization provides services exclusively to victims of sexual violence ~~§~~ *or human trafficking*, shelter to victims on any day, at any hour.

(b) A telephone service capable of receiving emergency calls on any day, at any hour.

(c) Except in counties whose population is less than 100,000 or if the organization provides services exclusively to victims of sexual violence ~~§~~ *or human trafficking*, facilities where food can be stored and prepared.

(d) Counseling, or make referrals for counseling, for victims, partners of victims and family members of victims.

(e) Assistance to victims in obtaining legal, medical, psychological or vocational help.

(f) Education and training, including prevention programs, for members of the community on matters which relate to domestic and sexual violence ~~§~~ *or human trafficking*.

Sec. 2. NRS 217.440 is hereby amended to read as follows:

217.440 1. An Account for Aid for Victims of Domestic or Sexual Violence *or Human Trafficking* is hereby created in the State General Fund. The Account must be administered by the Administrator of the Division.

2. Any nonprofit organization in the State which is able to meet the requirements specified in NRS 217.420 may apply for a grant from the Account for Aid for Victims of Domestic or Sexual Violence ~~§~~ *or Human Trafficking*.

3. An application for a grant must be received by the Division before April 1 preceding the fiscal year for which the grant is sought.

Sec. 3. NRS 217.450 is hereby amended to read as follows:

217.450 1. The Commission on Behavioral Health shall advise the Administrator of the Division concerning the award of grants from the Account for Aid for Victims of Domestic or Sexual Violence ~~§~~ *or Human Trafficking*.



2. The Administrator of the Division shall give priority to those applications for grants from the Account for Aid for Victims of Domestic or Sexual Violence *or Human Trafficking* submitted by organizations which offer the broadest range of services for the least cost within one or more counties. The Administrator shall not approve the use of money from a grant to acquire any buildings.

3. The Administrator of the Division shall award grants to not more than:

(a) One applicant to provide services for victims of domestic violence and one applicant to provide services for victims of sexual violence in counties whose population is less than 100,000; and

(b) Two applicants to provide services for victims of domestic violence, ~~and~~ two applicants to provide services for victims of sexual violence *and one applicant to provide services for victims of human trafficking* in counties whose population is 100,000 or more.

4. The Administrator of the Division has the final authority to approve or deny an application for a grant. The Administrator shall notify each applicant in writing of the action taken on its application within 45 days after the deadline for filing the application.

5. In determining the amount of money to be allocated for grants, the Administrator of the Division shall use the following formula:

(a) A basic allocation of \$7,000 must be made for each county whose population is less than 100,000. For counties whose population is 100,000 or more, the basic allocation is \$35,000. These allocations must be increased or decreased for each fiscal year ending after June 30, 1990, by the same percentage that the amount deposited in the account during the preceding fiscal year, pursuant to NRS 122.060, is greater or less than the sum of \$791,000.

(b) Any additional revenue available in the Account must be allocated to grants, on a per capita basis, for all counties whose population is 20,000 or more.

(c) ~~[Seventy five]~~ *For counties whose population is less than 100,000, 75* percent of the revenue allocated to each county must be allocated for grants for services for victims of domestic violence and 25 percent must be allocated for grants for services for victims of sexual violence.

(d) *For counties whose population is 100,000 or more, 70 percent of the revenue allocated to each county must be allocated for grants for services for victims of domestic violence, 20 percent must be allocated for grants for services for victims of sexual violence and 10 percent must be allocated for grants for services for victims of human trafficking.*



(e) Money remaining in the Account after disbursement of grants does not revert and may be awarded in a subsequent year.

Sec. 4. NRS 217.460 is hereby amended to read as follows:

217.460 Each organization which has received a grant for assistance to victims of domestic or sexual violence *or human trafficking* shall furnish quarterly and annual financial reports to the Administrator of the Division in a manner which the Administrator may prescribe.

Sec. 5. 1. Any administrative regulations adopted by an officer or an agency whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer or agency remain in force until amended by the officer or agency to which the responsibility for the adoption of the regulations has been transferred.

2. Any contracts or other agreements entered into by an officer or agency whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer or agency are binding upon the officer or agency to which the responsibility for the administration of the provisions of the contract or other agreement has been transferred. Such contracts and other agreements may be enforced by the officer or agency to which the responsibility for the enforcement of the provisions of the contract or other agreement has been transferred.

3. Any action taken by an officer or agency whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer or agency remains in effect as if taken by the officer or agency to which the responsibility for the enforcement of such actions has been transferred.

Sec. 6. The Legislative Counsel shall:

1. In preparing the reprint and supplements to the Nevada Revised Statutes, appropriately change any references to an officer, agency or other entity whose name is changed or whose responsibilities are transferred pursuant to the provisions of this act to refer to the appropriate officer, agency or other entity.

2. In preparing supplements to the Nevada Administrative Code, appropriately change any references to an officer, agency or other entity whose name is changed or whose responsibilities are transferred pursuant to the provisions of this act to refer to the appropriate officer, agency or other entity.

Sec. 7. This act becomes effective on July 1, 2023.

