

SENATE BILL NO. 320—SENATORS D. HARRIS, STONE, DONATE;
DALY, HAMMOND, KRASNER, OHRENSCHALL AND SCHEIBLE

MARCH 20, 2023

JOINT SPONSORS: ASSEMBLYMEN WATTS, PETERS, GONZÁLEZ,
KASAMA; ANDERSON, CONSIDINE, LA RUE HATCH,
BRITTNEY MILLER AND MOSCA

Referred to Committee on Government Affairs

SUMMARY—Revises provisions related to the Legislature.
(BDR 23-194)

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 the Legislature; requiring the Legislative Counsel Bureau to pay a certain amount to the Public Employees' Benefits Program if a member of the Senate or Assembly elects to participate in the Program; requiring any such member to arrange to pay the Program the cost of premiums and contributions to the Program; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides that a member of the Senate or Assembly who elects to participate in the Public Employees' Benefits Program shall pay the entire premium or contribution for the member's insurance. (NRS 287.044) **Section 2** of this bill provides instead that if a member of the Senate or Assembly elects to participate in the Program: (1) the Legislative Counsel Bureau is required to pay to the Program the amount specified by law as if the member were employed by the Legislative Counsel Bureau on a permanent and full-time basis; and (2) the member must arrange with the Program for the payment of premiums or contributions. Any such arrangement must require the member to pay such a premium or contribution based on the actual amount of the premium or contribution after deducting certain amounts.

Section 1 of this bill makes a conforming change to update an internal reference to a subsection that is renumbered in **section 2**.



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

Section 1. NRS 287.0435 is hereby amended to read as follows:

287.0435 1. Except as otherwise provided in subsection 4 of NRS 287.04362 and subsection ~~[7]~~ 8 of NRS 287.044, all money received for the Program, including, without limitation, money transferred from the Active Employee Group Insurance Subsidy Account established in NRS 287.044, must be deposited in the State Treasury for credit to the Fund for the Public Employees' Benefits Program which is hereby created as a trust fund. The Program Fund must be accounted for as an internal service fund. Payments into and disbursements from the Program Fund must be so arranged as to keep the Program Fund solvent at all times.

2. The money in the Program Fund must be invested as other money of the State is invested and any income from investments paid into the Program Fund for the benefit of the Program Fund.

3. Disbursements from the Program Fund must be made as any other claims against the State are paid and may only be made for the benefit of the participants in the Program.

4. The State Treasurer may charge a reasonable fee for the State Treasurer's services in administering the Program Fund, but the State, the State General Fund and the State Treasurer are not liable to the Program Fund for any loss sustained by the Program Fund as a result of any investment made on behalf of the Program Fund or any loss sustained in the operation of the Program.

5. The Board shall deposit any disbursement received from the Program Fund into an interest-bearing checking account in a bank or credit union qualified to receive deposits of public money. Claims that have been submitted to the Program and approved must be paid from the account, and any refund of such a claim must be deposited into the account.

Sec. 2. NRS 287.044 is hereby amended to read as follows:

287.044 1. ~~[Except as otherwise provided in subsection 2, each]~~ *Each* participating state agency shall pay to the Program an amount specified by law for every state officer or employee who is employed by a participating public agency on a permanent and full-time basis and elects to participate in the Program.

2. ~~[A]~~ *If* a member of the Senate or Assembly ~~[who]~~ elects to participate in the Program, *the Legislative Counsel Bureau* shall pay *to* the ~~[entire premium or contribution]~~ *Program* for the member's insurance ~~[]~~ *the amount specified by law as if the member of the Senate or Assembly were employed by the Legislative Counsel Bureau on a permanent and full-time basis.*



3. State officers and employees who elect to participate in the Program must authorize deductions from their compensation for the payment of premiums or contributions for the Program. Any deduction from the compensation of a state officer or employee for the payment of such a premium or contribution must be based on the actual amount of the premium or contribution after deducting any amount allocated by the Board pursuant to subsection ~~[6.]~~ 7.

4. *If a member of the Senate or Assembly elects to participate in the Program, the member must arrange with the Program for the payment of premiums or contributions for the Program. Any such arrangement must require the member to pay such a premium or contribution based on the actual amount of the premium or contribution after deducting any amount allocated by the Board pursuant to subsection 7.*

5. If a state officer or employee *or a member of the Senate or Assembly* chooses to cover any dependents, whenever this option is made available by the Board, except as otherwise provided in NRS 287.021 and 287.0477, the state officer or employee *or member of the Senate or Assembly* must pay the difference between the amount of the premium or contribution for the coverage for the state officer or employee *or member of the Senate or Assembly* and such dependents and any amount allocated by the Board pursuant to subsection ~~[6.]~~ 7.

~~[5.]~~ 6. A participating state agency shall not pay any part of those premiums or contributions if the group life insurance or group accident or health insurance is not approved by the Board.

~~[6.]~~ 7. The Board may allocate the money paid to the Program pursuant to ~~[subsection]~~ *subsections 1 and 2* between the cost of premiums and contributions for group insurance for each state officer or employee ~~[, except a]~~ *or* member of the Senate or Assembly, and the dependents of each state officer or employee ~~[.]~~ *or member of the Senate or Assembly.*

~~[7.]~~ 8. Any amounts paid to the Program pursuant to ~~[subsection]~~ *subsections 1 and 2* must be deposited in the Active Employee Group Insurance Subsidy Account, which is hereby established within the Agency Fund for the Payroll of the State created by NRS 227.130. Money in the Account must be used solely for the purposes of subsections 1, 2 and ~~[6.]~~ 7. The interest and income earned on the money in the Account, after deducting any applicable charges, must be credited to the Account.

Sec. 3. This act becomes effective on July 1, 2023.

