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FIRST REPRINT

S.B. 320

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 certain members of the Senate or Assembly elect 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:

1 Existing law provides that a member of the Senate or Assembly who elects to
2 participate in the Public Employees’ Benefits Program shall pay the entire premium
3 or contribution for the member’s insurance. (NRS 287.044) **Section 2** of this bill
4 provides instead that if a member of the Senate or Assembly who is elected or
5 appointed to a term beginning after November 5, 2024, elects to participate in the
6 Program: (1) the Legislative Counsel Bureau is required to pay to the Program the
7 amount specified by law as if the member were employed by the Legislative
8 Counsel Bureau on a permanent and full-time basis; and (2) the member must
9 arrange with the Program for the payment of premiums or contributions. Any such
10 arrangement must require the member to pay such a premium or contribution based
11 on the actual amount of the premium or contribution after deducting certain
12 amounts.



13 **Section 1** of this bill makes a conforming change to update an internal
14 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:

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

3 287.0435 1. Except as otherwise provided in subsection 4 of
4 NRS 287.04362 and subsection ~~7~~ 8 of NRS 287.044, all money
5 received for the Program, including, without limitation, money
6 transferred from the Active Employee Group Insurance Subsidy
7 Account established in NRS 287.044, must be deposited in the State
8 Treasury for credit to the Fund for the Public Employees' Benefits
9 Program which is hereby created as a trust fund. The Program Fund
10 must be accounted for as an internal service fund. Payments into and
11 disbursements from the Program Fund must be so arranged as to
12 keep the Program Fund solvent at all times.

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

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

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

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

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

32 287.044 1. ~~Each~~ ~~participating state agency shall pay to the Program an~~
33 ~~amount specified by law for every state officer or employee who is~~
34 ~~employed by a participating public agency on a permanent and full-~~
35 ~~time basis and elects to participate in the Program.~~
36 *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.

37 2. ~~Each~~ *If a* member of the Senate or Assembly who *is elected*
38 *or appointed to a term beginning after November 5, 2024,* elects to
39 participate in the Program , *the Legislative Counsel Bureau* shall



1 pay *to* the ~~entire premium or contribution~~ *Program* for the
2 member's insurance ~~[]~~ *the amount specified by law as if*
3 *the member of the Senate or Assembly were employed by the*
4 *Legislative Counsel Bureau on a permanent and full-time basis.*

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

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

19 5. If a state officer or employee *or a member of the Senate or*
20 *Assembly* chooses to cover any dependents, whenever this option is
21 made available by the Board, except as otherwise provided in NRS
22 287.021 and 287.0477, the state officer or employee *or member of*
23 *the Senate or Assembly* must pay the difference between the
24 amount of the premium or contribution for the coverage for the state
25 officer or employee *or member of the Senate or Assembly* and such
26 dependents and any amount allocated by the Board pursuant to
27 subsection ~~[6.]~~ 7.

28 ~~[5.]~~ 6. A participating state agency shall not pay any part of
29 those premiums or contributions if the group life insurance or group
30 accident or health insurance is not approved by the Board.

31 ~~[6.]~~ 7. The Board may allocate the money paid to the Program
32 pursuant to ~~[subsection]~~ *subsections 1 and 2* between the cost of
33 premiums and contributions for group insurance for each state
34 officer or employee ~~[, except a]~~ *or member of the Senate or*
35 *Assembly, and the dependents of each state officer or employee []*
36 *or member of the Senate or Assembly.*

37 ~~[7.]~~ 8. Any amounts paid to the Program pursuant to
38 ~~[subsection]~~ *subsections 1 and 2* must be deposited in the Active
39 Employee Group Insurance Subsidy Account, which is hereby
40 established within the Agency Fund for the Payroll of the State
41 created by NRS 227.130. Money in the Account must be used solely
42 for the purposes of subsections 1 , 2 and ~~[6.]~~ 7. The interest and
43 income earned on the money in the Account, after deducting any
44 applicable charges, must be credited to the Account.



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

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