
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:

1 Existing law creates the Office of the State Controller, whose duties include,
2 without limitation, administering the State’s accounting system, processing and
3 recording the State’s financial transactions, conducting audits and recommending
4 plans for the support of public credit, promoting frugality and economy, and better
5 management and understanding of the fiscal affairs of the State. (Nev. Const. Art.
6 5, § 19; chapter 227 of NRS) This bill creates the Nevada Office of the Inspector
7 General within the Office of the State Controller with authority to audit,
8 investigate, inspect and review the performance of any county school district.

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



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

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

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

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

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

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

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

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

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



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

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

76 **Section 30** of this bill requires the Lieutenant Governor, State Treasurer and
77 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:

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

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

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

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

13 **Sec. 5.** *“School district” means a county school district*
14 *created by chapter 386 of NRS.*

15 **Sec. 6.** *“Waste” means the squandering of money or*
16 *resources, whether or not the activity is unlawful.*

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

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



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

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

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

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

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

21 5. *The Inspector General:*

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

23 (b) *Shall devote his or her entire time and attention to the*
24 *business of his or her office and shall not engage in any other*
25 *gainful employment or occupation.*

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

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

32 **Sec. 9. 1. The Inspector General:**

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

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

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



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

3 **Sec. 10. 1. The Inspector General shall:**

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

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

19 **2. The Inspector General may:**

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

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

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

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

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

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

35 *(1) Compensation for employment; or*

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

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

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



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

3 *(i) Conduct civil, criminal and administrative investigations.*

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

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

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

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

16 *(n) Issue public reports.*

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

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

21 **Sec. 11. 1. The Inspector General shall:**

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

26 *(b) Create a written notice that:*

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

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

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

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

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

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

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

43 *(1) The purpose of the review; and*

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



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

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

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

10 (a) Pursuant to NRS 239.0115;

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

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

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

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

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

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

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



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

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

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

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

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

14 3. As used in this section:

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

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

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

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

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

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

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

43 2. The interest and income earned on the money in the
44 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;



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

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

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

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

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

11 ~~[(6)]~~ (7) A justice of the Supreme Court, judge of the Court
12 of Appeals, district judge, justice of the peace, municipal judge,
13 magistrate, court commissioner, master or referee, including a
14 person acting pro tempore in a capacity listed in this subparagraph;

15 ~~[(7)]~~ (8) An employee of this State or a political subdivision
16 of this State whose official duties require the employee to make
17 home visits;

18 ~~[(8)]~~ (9) A civilian employee or a volunteer of a law
19 enforcement agency whose official duties require the employee or
20 volunteer to:

21 (I) Interact with the public;

22 (II) Perform tasks related to law enforcement; and

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

26 ~~[(9)]~~ (10) A civilian employee or a volunteer of a fire-
27 fighting agency whose official duties require the employee or
28 volunteer to:

29 (I) Interact with the public;

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

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

35 ~~[(10)]~~ (11) A civilian employee or volunteer of this State or
36 a political subdivision of this State whose official duties require the
37 employee or volunteer to:

38 (I) Interact with the public;

39 (II) Perform tasks related to code enforcement; and

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

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



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

18 (e) "School employee" means a licensed or unlicensed person
19 employed by a board of trustees of a school district pursuant to NRS
20 391.100 or 391.281.

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

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

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

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

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

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

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

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

39 (c) If paragraph (d) does not apply to the circumstances of the
40 crime and if the assault is committed upon an officer, a provider of
41 health care, a school employee, a taxicab driver or a transit operator
42 who is performing his or her duty or upon a sports official based on
43 the performance of his or her duties at a sporting event and the
44 person charged knew or should have known that the victim was an
45 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,



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

3 ~~[(7)]~~ (8) An employee of this State or a political subdivision
4 of this State whose official duties require the employee to make
5 home visits;

6 ~~[(8)]~~ (9) A civilian employee or a volunteer of a law
7 enforcement agency whose official duties require the employee or
8 volunteer to:

- 9 (I) Interact with the public;
- 10 (II) Perform tasks related to law enforcement; and
- 11 (III) Wear identification, clothing or a uniform that
12 identifies the employee or volunteer as working or volunteering for
13 the law enforcement agency;

14 ~~[(9)]~~ (10) A civilian employee or a volunteer of a fire-
15 fighting agency whose official duties require the employee or
16 volunteer to:

- 17 (I) Interact with the public;
- 18 (II) Perform tasks related to fire fighting or fire
19 prevention; and
- 20 (III) Wear identification, clothing or a uniform that
21 identifies the employee or volunteer as working or volunteering for
22 the fire-fighting agency; or

23 ~~[(10)]~~ (11) A civilian employee or volunteer of this State or
24 a political subdivision of this State whose official duties require the
25 employee or volunteer to:

- 26 (I) Interact with the public;
- 27 (II) Perform tasks related to code enforcement; and
- 28 (III) Wear identification, clothing or a uniform that
29 identifies the employee or volunteer as working or volunteering for
30 this State or a political subdivision of this State.

31 (e) "Provider of health care" has the meaning ascribed to it in
32 NRS 200.471.

33 (f) "School employee" means a licensed or unlicensed person
34 employed by a board of trustees of a school district pursuant to NRS
35 391.100 or 391.281.

36 (g) "Sporting event" has the meaning ascribed to it in
37 NRS 41.630.

38 (h) "Sports official" has the meaning ascribed to it in
39 NRS 41.630.

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

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

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



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

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

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

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

14 (c) If:

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

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

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

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

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

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

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

44 (2) Substantial bodily harm to the victim results or the
45 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.



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

6 (a) The public record:

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

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

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

11 (1) Give access to proprietary software; or

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

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

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

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

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

26 289.470 "Category II peace officer" means:

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

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

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

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

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

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

42 7. Agents of the Nevada Gaming Control Board who exercise
43 the powers of enforcement specified in NRS 289.360, 463.140 or
44 463.1405, except those agents whose duties relate primarily to



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

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

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

10 10. Legislative police officers of the State of Nevada;

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

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

18 13. Field investigators of the Taxicab Authority;

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

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

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

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

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

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

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

36 353A.010 As used in this chapter, unless the context otherwise
37 requires:

38 1. "Agency" means every agency, department, division, board,
39 commission or similar body, or elected officer, of the Executive
40 Branch of the State.

41 2. "Committee" means the Executive Branch Audit Committee
42 created pursuant to NRS 353A.038.

43 3. "Director" means the Director of the Office of Finance.



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

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

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

10 353A.025 1. The head of each agency shall periodically
11 review the agency’s system of internal accounting and
12 administrative control to determine whether it is in compliance with
13 the uniform system of internal accounting and administrative control
14 for agencies adopted pursuant to subsection 1 of NRS 353A.020.

15 2. On or before July 1 of each even-numbered year, the head of
16 each agency shall report to the Director whether the agency’s
17 system of internal accounting and administrative control is in
18 compliance with the uniform system adopted pursuant to subsection
19 1 of NRS 353A.020. The reports must be made available for
20 inspection by the members of the Legislature.

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

22 (a) A board created by the provisions of NRS 590.485 and
23 chapters 623 to 625A, inclusive, 628, 630 to 644A, inclusive, 648,
24 654 and 656 of NRS.

25 (b) The Nevada System of Higher Education.

26 (c) The Public Employees’ Retirement System.

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

29 (e) The Colorado River Commission of Nevada.

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

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

35 (1) Senate Standing Committee on Finance; and

36 (2) Assembly Standing Committee on Ways and Means;

37 (b) Governor; ~~and~~

38 (c) *Inspector General; and*

39 (d) Legislative Auditor.

40 5. The report submitted by the Director pursuant to subsection
41 4 must include, without limitation:

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



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

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

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

8 385A.400 1. The State Board shall, on or before January 15
9 of each year, prepare for the immediately preceding school year a
10 single annual report of accountability that includes, without
11 limitation the information prescribed by NRS 385A.400 to
12 385A.520, inclusive.

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

22 3. The annual report of accountability must:

23 (a) Be prepared in a concise manner; and

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

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

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

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

40 387.013 The State Controller shall, each quarter, prepare a
41 complete financial report of the State Permanent School Fund. A
42 copy of this report must be submitted to the State Treasurer, ~~and~~
43 ~~to~~ the Fiscal Analysis Division of the Legislative Counsel Bureau
44 ~~and~~ *and the Inspector General appointed pursuant to section 7 of*
45 *this act.*



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

2 387.303 1. Not later than November 1 of each year, the board
3 of trustees of each school district shall submit to the Superintendent
4 of Public Instruction , ~~and~~ the Department of Taxation *and the*
5 *Inspector General appointed pursuant to section 7 of this act* a
6 report which includes the following information:

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

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

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

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

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

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

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



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

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

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

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

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

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

25 5. The request prepared pursuant to subsection 3 must:

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

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

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

34 388A.345 1. On or before November 1 of each year, the
35 governing body of each charter school shall submit to the sponsor of
36 the charter school, the Superintendent of Public Instruction and the
37 Director of the Legislative Counsel Bureau for transmission to the
38 Majority Leader of the Senate and the Speaker of the Assembly a
39 report that includes:

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

43 (b) For each fund maintained by the charter school, including,
44 without limitation, the general fund of the charter school and any
45 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.



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

3 388A.3965 1. A parent or legal guardian of a pupil enrolled
4 in a charter school, a pupil who is at least 18 years of age enrolled in
5 a charter school, a member of the governing body of a charter
6 school or an employee of a charter school may file a complaint
7 relating to that charter school directly with the State Public Charter
8 School Authority, *or the Inspector General appointed pursuant to*
9 *section 7 of this act for a complaint related to paragraph (d)*, if the
10 person has evidence that the charter school has:

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

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

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

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

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

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

31 3. As used in this section:

32 (a) "Expulsion" has the meaning ascribed to it in NRS 392.4603.

33 (b) "Suspension" has the meaning ascribed to it in
34 NRS 392.4607.

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

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

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

44 **Sec. 32.** 1. This section becomes effective upon passage and
45 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.



