

SENATE BILL NO. 377—COMMITTEE ON
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON
CHILD WELFARE AND JUVENILE JUSTICE)

MARCH 26, 2021

Referred to Committee on Finance

SUMMARY—Revises provisions relating to the adoption assistance program. (BDR 38-505)

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 protection of children; revising provisions relating to the funding of the adoption assistance program; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing federal law requires each child welfare agency to calculate savings
2 realized from expanded eligibility for children under Title IV-E of the Social
3 Security Act, known as adoption savings, and reinvest an equal amount in the
4 state’s child welfare system. (42 U.S.C. § 673(a)(8)(D)(ii)) Under existing state
5 law, the agency which provides child welfare services is: (1) the Division of Child
6 and Family Services of the Department of Health and Human Services in a county
7 whose population is less than 100,000 (currently all counties other than Clark and
8 Washoe Counties); and (2) the county in a county whose population is 100,000 or
9 more (currently Clark and Washoe Counties). (NRS 432B.030) Money is
10 appropriated each biennium to the Division of Child and Family Services to
11 provide child welfare services in a county whose population is less than 100,000
12 (currently all counties other than Clark and Washoe Counties). (See, e.g., section 17
13 of chapter 544, Statutes of Nevada 2019, as amended by section 31 of chapter 5,
14 Statutes of Nevada 2020, 31st Special Session, at page 48) Existing law requires the
15 Division of Child and Family Services to provide a categorical grant to each agency
16 which provides child welfare services in a county whose population is 100,000 or
17 more (currently Clark and Washoe Counties) for each fiscal year for its adoption
18 assistance program to the extent that money was appropriated to the Division for
19 this purpose. Under existing law, the use of the money from the grant is restricted
20 solely to the costs associated with the adoption assistance program and any money
21 remaining from the grant that has not been used or committed for expenditure by
22 the agency by the end of the fiscal year reverts to the State General Fund.



23 (NRS 432B.219) This bill provides that any money remaining from such a grant to
24 the county, or an appropriation to the Division, for its adoption assistance program
25 at the end of a fiscal year that is identified as savings pursuant to the calculation
26 required under federal law does not revert to the State General Fund and must be
27 carried forward to the next fiscal year for use by the county or the Division, as
28 applicable, for the costs of providing child welfare services without restriction. Any
29 such savings that is carried forward and is remaining at the end of that next fiscal
30 year reverts to the State General Fund.

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

1 **Section 1.** Chapter 432B of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *The portion of any money remaining at the end of a fiscal year*
4 *from an appropriation to the Division of Child and Family*
5 *Services for its adoption assistance program in a county whose*
6 *population is less than 100,000 that is identified as savings*
7 *pursuant to the calculation required under 42 U.S.C. §*
8 *673(a)(8)(D)(ii) does not revert to the State General Fund and may*
9 *be carried forward to the next fiscal year and used for any costs of*
10 *providing child welfare services without restriction. Any such*
11 *money identified as savings that has not been used or committed*
12 *for expenditure by the Division by the end of the fiscal year to*
13 *which the money was carried forward reverts to the State General*
14 *Fund.*

15 **Sec. 2.** NRS 432B.219 is hereby amended to read as follows:

16 432B.219 1. The Division of Child and Family Services shall
17 provide a categorical grant to each agency which provides child
18 welfare services for each fiscal year for its adoption assistance
19 program to the extent that money has been appropriated to the
20 Division for that purpose. The amount of the grant must be based
21 upon the estimated cost of the projected growth in the adoption
22 assistance program.

23 2. The amount of the grant awarded pursuant to subsection 1
24 must be determined for 2 years beginning on July 1 of each odd-
25 numbered year and allocated each fiscal year.

26 3. ***Except as otherwise provided in subsection 4:***

27 **(a)** An agency which provides child welfare services that
28 receives a grant pursuant to subsection 1 must use the money
29 allocated only for costs associated with the adoption assistance
30 program.

31 **(b)** Any money from the grant awarded pursuant to subsection 1
32 that has not been used or committed for expenditure by the agency
33 which provides child welfare services by the end of the fiscal year
34 reverts to the State General Fund.



1 **4.** *The portion of any money remaining at the end of a fiscal*
2 *year from a grant awarded pursuant to subsection 1 that is*
3 *identified as savings pursuant to the calculation required under 42*
4 *U.S.C. § 673(a)(8)(D)(ii) does not revert to the State General Fund*
5 *and may be carried forward to the next fiscal year and used for*
6 *any costs of providing child welfare services without restriction.*
7 *Any such money identified as savings that has not been used or*
8 *committed for expenditure by the agency which provides child*
9 *welfare services by the end of the fiscal year to which the money*
10 *was carried forward reverts to the State General Fund.*

11 **Sec. 3.** Notwithstanding the provisions of NRS 218D.430 and
12 218D.435, a committee, other than the Assembly Standing
13 Committee on Ways and Means and the Senate Standing Committee
14 on Finance, may vote on this act before the expiration of the period
15 prescribed for the return of a fiscal note in NRS 218D.475. This
16 section applies retroactively from and after March 22, 2021.

17 **Sec. 4.** This act becomes effective on July 1, 2021.



