

SENATE BILL NO. 392—SENATOR SEGERBLOM

MARCH 18, 2013

Referred to Committee on Education

SUMMARY—Requires reporting of certain gifts and bequests relating to education. (BDR 34-147)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
Effect on the State: No.

~

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

AN ACT relating to education; requiring certain gifts and bequests of money or property to be reported by the State Board of Education or the board of trustees of a school district; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Under existing law, the State Board of Education and the board of trustees of  
2 each school district are authorized to accept gifts and bequests of money and  
3 property for certain purposes. (NRS 385.095, 386.390) This bill requires the State  
4 Board and each board of trustees to prepare reports relating to such gifts and  
5 bequests and the donors thereof and include the reports on the agenda of the next  
6 regular meeting of the State Board or board of trustees, as applicable.

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

1 **Section 1.** NRS 385.095 is hereby amended to read as follows:  
2 385.095 Except as otherwise provided in NRS 385.091:  
3 1. All gifts of money which the State Board is authorized to  
4 accept must be deposited in a special revenue fund in the State  
5 Treasury designated as the Education Gift Fund ~~and~~ *and reported*  
6 *pursuant to subsection 4.*  
7 2. The money available in the Education Gift Fund must be  
8 used only for the purpose specified by the donor, within the scope of  
9 the State Board’s powers and duties, and no expenditure may be  
10 made until approved by the Legislature in an authorized expenditure



\* S B 3 9 2 \*

1 act or by the Interim Finance Committee if the Legislature is not in  
2 session.

3 3. If all or part of the money accepted by the State Board from  
4 a donor is not expended before the end of any fiscal year, the  
5 remaining balance of the amount donated must remain in the  
6 Education Gift Fund until needed for the purpose specified by  
7 the donor.

8 ***4. The State Board shall record each gift of money deposited***  
9 ***in the Education Gift Fund pursuant to this section and prepare a***  
10 ***report which includes, for each such gift:***

11 (a) *The amount of the gift;*  
12 (b) *The name of the donor of the gift;*  
13 (c) *Any instructions provided by the donor concerning the use*  
14 ***of the gift; and***

15 (d) *Information concerning any connection between the donor*  
16 ***and the State Board or the administration of the system of public***  
17 ***education in this State, including, without limitation:***

18 (1) *Any contract between the donor and the State Board;*

19 (2) *Any contract between the donor and the State Public*  
20 ***Charter School Authority;***

21 (3) *Any bid by the donor for a contract with the State*  
22 ***Board;***

23 (4) *Any bid by the donor for a contract with the State*  
24 ***Public Charter School Authority;***

25 (5) *If the donor is a lobbyist as defined in NRS 218H.080, a*  
26 ***statement of whether the donor lobbies on issues of interest to the***  
27 ***State Board or relating to the system of public education in this***  
28 ***State; and***

29 (6) *Any service by the donor on a committee to form a*  
30 ***charter school pursuant to NRS 386.520.***

31 ***5. The State Board shall include the report prepared pursuant***  
32 ***to subsection 4 on the agenda of the next regular meeting of the***  
33 ***State Board held pursuant to NRS 385.040 and review all gift***  
34 ***transactions listed on the report that have taken place since the***  
35 ***previous meeting of the State Board.***

36 **Sec. 2.** NRS 386.390 is hereby amended to read as follows:

37 386.390 **1.** Each board of trustees shall have the power to  
38 accept on behalf of and for the school district any gift or bequest of  
39 money or property for a purpose deemed by the board of trustees to  
40 be suitable, and to utilize such money or property for the purpose so  
41 designated.

42 **2.** *The board of trustees shall record each gift or bequest*  
43 ***accepted pursuant to this section and prepare a report which***  
44 ***includes, for each such gift or bequest:***



1 (a) *The amount of the gift or bequest of money or the fair*  
2 *market value of the bequest of property, as applicable;*

3 (b) *The name of the donor of the gift or bequest;*

4 (c) *Any instructions provided by the donor concerning the use*  
5 *of the gift or bequest; and*

6 (d) *Information concerning any connection between the donor*  
7 *and the board of trustees or any person responsible for the*  
8 *administration of the system of public education in this State,*  
9 *including, without limitation:*

10 (1) *Any contract between the donor and the board of*  
11 *trustees;*

12 (2) *Any contract between the donor and the State Public*  
13 *Charter School Authority;*

14 (3) *Any bid by the donor for a contract with the board of*  
15 *trustees;*

16 (4) *Any bid by the donor for a contract with the State*  
17 *Public Charter School Authority;*

18 (5) *If the donor is a lobbyist as defined in NRS 218H.080, a*  
19 *statement of whether the donor lobbies on issues of interest to the*  
20 *board of trustees or relating to the system of public education in*  
21 *this State; and*

22 (6) *Any service by the donor on a committee to form a*  
23 *charter school pursuant to NRS 386.520.*

24 3. *The board of trustees shall include the report prepared*  
25 *pursuant to subsection 2 on the agenda of the next regular*  
26 *meeting of the board of trustees held pursuant to NRS 386.330*  
27 *and review all transactions involving a gift or bequest listed on the*  
28 *report that have taken place since the previous meeting of the*  
29 *board of trustees.*

30 **Sec. 3.** This act becomes effective on July 1, 2013.



