
SENATE BILL NO. 431—COMMITTEE ON FINANCE

(ON BEHALF OF THE DIVISION OF BUDGET AND PLANNING)

MARCH 28, 2011

Referred to Committee on Finance

SUMMARY—Authorizes the Secretary of State to make broader use of revenue from the enforcement of securities laws. (BDR 7-1155)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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 securities; authorizing the Secretary of State, with the approval of the Interim Finance Committee, to use money received from the enforcement of securities laws for other purposes; providing that such money does not decrease amounts appropriated to the Secretary of State; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law provides that the money received as a result of the enforcement of
2 securities laws must be deposited in the Secretary of State’s Operating General
3 Fund Budget Account and used for investigations, enforcement and education.
4 (NRS 90.851) This bill authorizes the Secretary of State, with the approval of the
5 Interim Finance Committee, to use money in the Account for other purposes. This
6 bill also provides that such money does not decrease amounts appropriated to the
7 Secretary of State.

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

1 **Section 1.** NRS 90.851 is hereby amended to read as follows:
2 90.851 1. All money received by the Administrator as the
3 result of an action for the enforcement of the provisions of this



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1 chapter must be deposited in the State General Fund for credit to the
2 Secretary of State's Operating General Fund Budget Account.

3 2. The ~~Division shall use the~~ money deposited in the Account
4 pursuant to this section ~~to~~ *may be used:*

5 (a) *To* pay the expenses *of the Division* involved in:

6 ~~(a)~~ (1) Investigations of the Division involving securities;

7 ~~(b)~~ (2) Actions to enforce the provisions of this chapter; and

8 ~~(c)~~ (3) Providing educational programs for the public which
9 are related to the operations of the Division.

10 (b) *For any other purposes related to the Office of the*
11 *Secretary of State, with the approval of the Interim Finance*
12 *Committee.*

13 3. The money deposited ~~in the Account pursuant to this~~
14 ~~section is restricted to the uses specified, and the~~ *or used pursuant*
15 *to this section supplements any amount appropriated to the*
16 *Secretary of State. Notwithstanding any law to the contrary, no*
17 *appropriation from the State General Fund may be decreased as a*
18 *result of money being so deposited or used, regardless of the*
19 *amount deposited or used. The* unexpended balance of the money
20 in the Account may be carried forward at the end of each fiscal year.

21 **Sec. 2.** This act becomes effective upon passage and approval.

