

SENATE BILL NO. 78—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE STATE CONTROLLER)

PREFILED NOVEMBER 20, 2018

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to state financial administration. (BDR 31-468)

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 state financial administration; providing for the retention and use of certain unobligated balances remaining at the end of a fiscal year by a state agency within the Executive Department of the State Government; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, with certain exceptions, any balance that is remaining at
2 the end of a fiscal year in a budget account of a state agency reverts to the source of
3 funding that supports the state agency. (NRS 353.253) With certain exceptions, this
4 bill provides for the nonreversion and retention by an agency of the Executive
5 Department of the State Government of 50 percent of the remaining balances of
6 appropriations made from the State General Fund or the State Highway Fund for
7 the operation of the state agency that are not obligated for expenditure on or before
8 the end of the fiscal year. This bill authorizes such a state agency to use that
9 retained money for any purpose within the responsibilities of the state agency.

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

1 **Section 1.** Chapter 353 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *1. Except as otherwise provided in subsection 2, 50 percent of*
4 *all remaining balances of appropriations made from the State*
5 *General Fund or the State Highway Fund for the operation of a*



1 *state agency that are not obligated for expenditure on or before*
2 *June 30 of that fiscal year:*

3 *(a) Must not revert to the State General Fund or State*
4 *Highway Fund, as applicable; and*

5 *(b) Must be retained by the state agency and used for any*
6 *purpose within the responsibilities of the state agency.*

7 *2. The provisions of subsection 1 do not apply to a*
8 *supplemental or one-time appropriation.*

9 *3. As used in this section, "state agency" means an agency,*
10 *board, bureau, commission, department, division, office or any*
11 *other unit of the Executive Department of the State Government*
12 *except those boards listed in NRS 353.005.*

13 **Sec. 2.** NRS 353.253 is hereby amended to read as follows:

14 353.253 1. Every agency, department and institution of the
15 State of Nevada shall deposit all money received from the Federal
16 Government, the counties or other sources, in the State Treasury as
17 provided in NRS 353.250 unless otherwise provided by law. These
18 deposits must be made to work program accounts directly or to other
19 budget accounts.

20 2. Except *as otherwise provided in section 1 of this act and*
21 *except* for the balance in any proprietary fund and appropriated or
22 authorized reserves, any balance remaining at the end of a fiscal
23 year in a budget account of an agency, department or institution of
24 the State of Nevada, whether or not authorized for expenditure
25 under a work program, reverts to the source of funding supporting
26 the agency, department or institution. If that source of funding is
27 federal money or a source of revenue the use of which is restricted
28 by statute, then the balance may be authorized for expenditure under
29 a work program for the subsequent fiscal year in accordance with
30 the provisions of this chapter.

31 3. No provision of this chapter may be construed to authorize
32 or direct the transfer, expenditure or reversion of any money
33 received from the Federal Government contrary to the conditions
34 upon which that money was received or to any federal law or
35 regulation respecting the accountability therefor.

36 4. This section does not apply to the Board of Regents of the
37 University of Nevada and the Nevada State Museum.

38 **Sec. 3.** NRS 353.255 is hereby amended to read as follows:

39 353.255 1. ~~The~~ *Except as otherwise provided in section 1*
40 *of this act, the* sums appropriated for the various branches of
41 expenditure in the public service of the State shall be applied solely
42 to the objects for which they are respectively made, and for no
43 others.

44 2. Any person violating the provisions of subsection 1 shall be
45 punished by a fine of not more than \$500.



1 **Sec. 4.** This act becomes effective on July 1, 2019.

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