

Assembly Bill No. 239–Assemblyman Nolan

CHAPTER.....

AN ACT relating to volunteers; creating a revolving account to pay the costs of the central repository to process requests from nonprofit agencies to determine whether a volunteer who works directly with children has committed a sexual offense; authorizing state and local governmental agencies to establish forms and procedures for persons to make donations to the account while they are transacting business with the governmental agency; providing that the decision by a nonprofit agency not to use the account must not be considered as evidence of negligence or causation in a civil action brought against the agency; and providing other matters properly relating thereto.

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

**Section 1.** Chapter 179A of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

**Sec. 2. 1.** *The revolving account to investigate the background of volunteers who work with children is hereby created in the state general fund.*

*2. The director of the department shall administer the account to investigate the background of volunteers who work with children. The money in the account must be expended only to pay the costs of the central repository to process requests from nonprofit agencies to determine whether a volunteer of a nonprofit agency who works directly with children or a prospective volunteer of the nonprofit agency who will work directly with children has committed a sexual offense. The existence of the account to investigate the background of volunteers who work with children does not create a right in any person to receive money from the account.*

*3. The director of the department may apply for and accept any gift, donation, bequest, grant or other source of money. Any money so received must be deposited in the account to investigate the background of volunteers who work with children.*

*4. The interest and income earned on money in the account from any gift, donation, or bequest, after deducting any applicable charges, must be credited to the account. Money from any gift, donation, or bequest that remains in the account at the end of the fiscal year does not revert to the state general fund, and the balance in the account must be carried forward to the next fiscal year.*

*5. The director of the department shall adopt regulations to carry out the provisions of this section. The regulations must include, without limitation:*

*(a) The procedure by which a person may apply for a grant of money from the account to investigate the background of volunteers who work with children;*

*(b) The criteria that the department will consider in determining whether to award such a grant of money from the account; and*

*(c) Procedures to distribute the money in the account in a fair and equitable manner.*

*6. The following facts must not be considered as evidence of negligence or causation in any civil action brought against a nonprofit agency:*

*(a) The fact that the nonprofit agency did not apply for a grant of money from the account.*

*(b) The fact that the nonprofit agency did not request that the central repository, through the use of the account, determine whether a volunteer or prospective volunteer of the nonprofit agency has committed a sexual offense.*

**Sec. 3.** *A state or local governmental agency:*

*1. May establish forms and procedures for a person to donate money to the account to investigate the background of volunteers who work with children while the person is transacting business with the state or local governmental agency; and*

*2. Shall deposit any money received for the account to investigate the background of volunteers who work with children with the state treasurer for credit to the account.*

**Sec. 4.** This act becomes effective upon passage and approval.

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