

ASSEMBLY BILL NO. 311—ASSEMBLYMEN SPRINKLE, HAMBRICK, HORNE, FRIERSON, BOBZIEN; DONDERO LOOP, DUNCAN, KIRKPATRICK AND OSCARSON

MARCH 18, 2013

Referred to Committee on Judiciary

SUMMARY—Creates the Contingency Account for Victims of Human Trafficking. (BDR 16-715)

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 victims of crime; creating the Contingency Account for Victims of Human Trafficking in the State General Fund; authorizing the Interim Finance Committee to allocate money from the Account to nonprofit corporations and agencies and political subdivisions of this State for the purposes of establishing or providing programs and services to victims of human trafficking; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

- 1 Existing law prohibits holding a person in involuntary servitude, assuming
- 2 ownership over a person, the purchase or sale of a person, trafficking in persons,
- 3 pandering and living from the earnings of a prostitute. (NRS 200.463, 200.464,
- 4 200.465, 200.467, 200.468, 201.310-201.340) **Section 4** of this bill defines a victim
- 5 of any of those crimes as a “victim of human trafficking.”
- 6 **Section 5** of this bill creates the Contingency Account for Victims of Human
- 7 Trafficking in the State General Fund to be administered by the Interim Finance
- 8 Committee. **Section 5** also requires that funds in the Contingency Account be
- 9 expended only for establishing or providing programs or services to victims of
- 10 human trafficking. **Section 5** authorizes the Interim Finance Committee to accept
- 11 gifts, grants and donations from any source for deposit into the Contingency
- 12 Account. Finally, **section 5** provides that money remaining in the Contingency
- 13 Account at the end of each fiscal year does not revert to the State General Fund and
- 14 is required to be carried over into the next fiscal year.
- 15 **Section 6** of this bill authorizes a nonprofit agency or an agency or political
- 16 subdivision of this State to apply for an allocation of money from the Contingency
- 17 Account. **Section 6** authorizes the Interim Finance Committee to approve the
- 18 application and make the allocation if, after reviewing the application, the Interim



19 Finance Committee determines that the money is needed to establish or provide  
20 programs or services to victims of human trafficking. **Section 6** requires that the  
21 recipient of an allocation of money from the Contingency Account use the money  
22 to establish or provide programs or services to victims of human trafficking.  
23 **Section 6** also authorizes the Interim Finance Committee to require a recipient of  
24 an allocation of money from the Contingency Account to submit a report to the  
25 Interim Finance Committee regarding the use of the money at such times as the  
26 Interim Finance Committee deems appropriate.  
27 **Section 5** of this bill authorizes the Interim Finance Committee to perform its  
28 duties with respect to the Contingency Account during a regular or special session  
29 of the Legislature in addition to any period when the Legislature is not in regular or  
30 special session.

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

- 1 **Section 1.** Chapter 217 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 to 6, inclusive, of this  
3 act.
- 4 **Sec. 2.** *As used in sections 2 to 6, inclusive, of this act, unless*  
5 *the context otherwise requires, the words and terms defined in*  
6 *sections 3 and 4 of this act have the meanings ascribed to them in*  
7 *those sections.*
- 8 **Sec. 3.** *“Contingency Account” means the Contingency*  
9 *Account for Victims of Human Trafficking created by section 5 of*  
10 *this act.*
- 11 **Sec. 4.** *“Victim of human trafficking” means a person who is*  
12 *a victim of:*
- 13 1. *Involuntary servitude as set forth in NRS 200.463 or*  
14 *200.464.*
- 15 2. *A violation of any provision of NRS 200.465.*
- 16 3. *Trafficking in persons in violation of any provision of*  
17 *NRS 200.467 or 200.468.*
- 18 4. *Pandering in violation of any provision of NRS 201.300,*  
19 *201.310, 201.330 or 201.340.*
- 20 5. *A violation of NRS 201.320.*
- 21 **Sec. 5.** 1. *The Contingency Account for Victims of Human*  
22 *Trafficking is hereby created in the State General Fund.*
- 23 2. *The Interim Finance Committee shall administer the*  
24 *Contingency Account. The money in the Contingency Account*  
25 *must be expended only for the purpose of establishing or providing*  
26 *programs or services to victims of human trafficking.*
- 27 3. *The Interim Finance Committee may apply for and accept*  
28 *gifts, grants and donations or other sources of money for deposit*  
29 *in the Contingency Account.*



1       4. *The interest and income earned on the money in the*  
2 *Contingency Account, after deducting any applicable charges,*  
3 *must be credited to the Contingency Account.*

4       5. *Any money remaining in the Contingency Account at the*  
5 *end of a fiscal year does not revert to the State General Fund and*  
6 *the balance in the Contingency Account must be carried forward.*

7       **Sec. 6. 1.** *A nonprofit organization or any agency or*  
8 *political subdivision of this State may apply to the Interim Finance*  
9 *Committee for an allocation of money from the Contingency*  
10 *Account.*

11       2. *Upon receipt of an application for an allocation from the*  
12 *Contingency Account, the Interim Finance Committee shall*  
13 *review the application and determine whether the approval of the*  
14 *application is needed to establish or provide programs or services*  
15 *to victims of human trafficking. If the Interim Finance Committee*  
16 *determines that approving the application is needed to establish or*  
17 *provide programs or services to victims of human trafficking, the*  
18 *Interim Finance Committee may approve the application and*  
19 *make an allocation of money from the Contingency Account to the*  
20 *applicant.*

21       3. *If a nonprofit organization or an agency or political*  
22 *subdivision of this State receives an allocation of money from the*  
23 *Contingency Account, the money must be used for the purposes of*  
24 *establishing or providing programs or services to victims of*  
25 *human trafficking.*

26       4. *The Interim Finance Committee may require a recipient of*  
27 *an allocation of money from the Contingency Account to submit to*  
28 *the Interim Finance Committee, at such times as the Interim*  
29 *Finance Committee deems appropriate, a report concerning the*  
30 *use of any money allocated from the Contingency Account.*

31       **Sec. 7.** NRS 218E.405 is hereby amended to read as follows:

32       218E.405 1. Except as otherwise provided in subsection 2,  
33 the Interim Finance Committee may exercise the powers conferred  
34 upon it by law only when the Legislature is not in a regular or  
35 special session.

36       2. During a regular or special session, the Interim Finance  
37 Committee may also perform the duties imposed on it by subsection  
38 5 of NRS 284.115, NRS 284.1729, 285.070, subsection 2 of  
39 NRS 321.335, NRS 322.007, subsection 2 of NRS 323.020,  
40 NRS 323.050, subsection 1 of NRS 323.100, subsection 3 of NRS  
41 341.126, NRS 341.142, paragraph (f) of subsection 1 of NRS  
42 341.145, NRS 353.220, 353.224, 353.2705 to 353.2771, inclusive,  
43 353.288, 353.335, 353C.226, paragraph (b) of subsection 4 of NRS  
44 407.0762, NRS 428.375, 439.4905, 439.620, 439.630, 445B.830  
45 and 538.650 **H** *and sections 5 and 6 of this act.* In performing those



1 duties, the Senate Standing Committee on Finance and the  
2 Assembly Standing Committee on Ways and Means may meet  
3 separately and transmit the results of their respective votes to the  
4 Chair of the Interim Finance Committee to determine the action of  
5 the Interim Finance Committee as a whole.

6 3. The Chair of the Interim Finance Committee may appoint a  
7 subcommittee consisting of six members of the Committee to  
8 review and make recommendations to the Committee on matters of  
9 the State Public Works Division of the Department of  
10 Administration that require prior approval of the Interim Finance  
11 Committee pursuant to subsection 3 of NRS 341.126, NRS 341.142  
12 and paragraph (f) of subsection 1 of NRS 341.145. If the Chair  
13 appoints such a subcommittee:

14 (a) The Chair shall designate one of the members of the  
15 subcommittee to serve as the chair of the subcommittee;

16 (b) The subcommittee shall meet throughout the year at the  
17 times and places specified by the call of the chair of the  
18 subcommittee; and

19 (c) The Director or the Director's designee shall act as the  
20 nonvoting recording secretary of the subcommittee.

21 **Sec. 8.** This act becomes effective on July 1, 2013.

