AN ACT relating to state financial administration; authorizing expenditures by various officers, departments, boards, agencies, commissions and institutions of the State Government for the 2021-2023 biennium; authorizing the collection of certain amounts from the counties for the use of the services of the State Public Defender; 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. Expenditure of the following sums not appropriated from the State General Fund or the State Highway Fund is hereby authorized during Fiscal Year 2021-2022 and Fiscal Year 2022-2023 by the various officers, departments, boards, agencies, commissions and institutions of the State Government mentioned in this act:

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Sec. 2. 1. There is hereby authorized for expenditure from the money received by the State of Nevada pursuant to any settlement entered into by the State of Nevada and a manufacturer of tobacco products or recovered by the State of Nevada from a judgment in a civil action against a manufacturer of tobacco products the sum of $834,364 for Fiscal Year 2021-2022 and the sum of $834,105 for Fiscal Year 2022-2023 to support the tobacco
enforcement operations of the Attorney General Special Litigation Account.

2. Notwithstanding any other provisions of law to the contrary, upon receipt of sufficient money by the State of Nevada pursuant to any settlement entered into by the State of Nevada and a manufacturer of tobacco products or recovered by the State of Nevada from a judgment in a civil action against a manufacturer of tobacco products, the State Controller shall:

   (a) Disburse, on or after July 1, 2021, the money authorized for expenditure by subsection 1 in its entirety for Fiscal Year 2021-2022 before other disbursements required by law are made;

   (b) Disburse, on or after July 1, 2022, the money authorized for expenditure by subsection 1 in its entirety for Fiscal Year 2022-2023 before other disbursements required by law are made; and

   (c) Thereafter in each fiscal year, disburse all other money authorized for expenditure from this same source in the manner provided in NRS 439.630.

3. Any balance of the sums authorized for expenditure by subsection 1 remaining at the end of the respective fiscal years must be disbursed as soon as all payments of money committed have been made as follows: 40 percent to the Millennium Scholarship Trust Fund created by NRS 396.926 and 60 percent to the Fund for a Healthy Nevada created by NRS 439.620.

4. Any money authorized for expenditure in section 1 of this act that originated from the Fund for a Healthy Nevada remaining at the end of the respective fiscal years must be disbursed to the Fund for a Healthy Nevada as soon as all payments of money committed have been made.

Sec. 3. 1. Expenditure of $30,885,269 by the Nevada Gaming Control Board from the State General Fund pursuant to the provisions of NRS 463.330 is hereby authorized during Fiscal Year 2021-2022.

2. Expenditure of $31,511,712 by the Nevada Gaming Control Board from the State General Fund pursuant to the provisions of NRS 463.330 is hereby authorized during Fiscal Year 2022-2023.

3. Any balance of the sums authorized by subsections 1 and 2 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years by the Nevada Gaming Control Board or any entity to which money from the authorization is granted or otherwise transferred in any manner, and any portion of the balance remaining must not be spent for any purpose after September 16, 2022, and September 15, 2023, respectively, by either the Nevada Gaming Control Board or the entity to which money from the authorization was subsequently granted or transferred, and must be reverted to the State General
Fund on or before September 16, 2022, and September 15, 2023, respectively.

Sec. 4. 1. Expenditure of $835,621 by the Nevada Gaming Commission from the State General Fund pursuant to the provisions of NRS 463.330 is hereby authorized during Fiscal Year 2021-2022.

2. Expenditure of $709,173 by the Nevada Gaming Commission from the State General Fund pursuant to the provisions of NRS 463.330 is hereby authorized during Fiscal Year 2022-2023.

3. Any balance of the sums authorized by subsections 1 and 2 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years by the Nevada Gaming Commission or any entity to which money from the authorization is granted or otherwise transferred in any manner, and any portion of the balance remaining must not be spent for any purpose after September 16, 2022, and September 15, 2023, respectively, by either the Nevada Gaming Commission or the entity to which money from the authorization was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 16, 2022, and September 15, 2023, respectively.

Sec. 5. The money authorized to be expended by the provisions of sections 1 to 4, inclusive, of this act, except for expenditures by the Legislative Department, judicial agencies, the Public Employees’ Retirement System and the Tahoe Regional Planning Agency, must be expended in accordance with the allotment transfer, work program and budget provisions of NRS 353.150 to 353.246, inclusive, and transfers to and from salary allotments, travel allotments, operating expense allotments, equipment allotments and other allotments must be allowed and made in accordance with the provisions of NRS 353.215 to 353.225, inclusive, and after separate consideration of the merits of each request.

Sec. 6. 1. Except as otherwise provided in subsection 2 and section 7 of this act, and in accordance with the provisions of NRS 353.220, the Chief of the Budget Division of the Office of Finance in the Office of the Governor may, with the approval of the Governor, authorize the augmentation of the amounts authorized in sections 1 to 4, inclusive, of this act for expenditure by a given officer, department, board, agency, commission and institution from any other state agency, from any agency of local government or of the Federal Government, or from any other source which the Chief determines is in excess of the amount so taken into consideration by this act. The Chief of the Budget Division of the Office of Finance in the Office of the Governor shall reduce any authorization whenever the Chief determines that money to be received will be
less than the amounts authorized in sections 1 to 4, inclusive, of this act.

2. The Director of the Legislative Counsel Bureau may, with the approval of the Legislative Commission, authorize the augmentation of the amount authorized in section 1 of this act to the Legislative Fund and the State Printing Fund for expenditure by the Legislative Counsel Bureau from any source which the Director determines is in excess of the amount so taken into consideration by this act. The Director of the Legislative Counsel Bureau shall reduce the authorization whenever the Director determines that money to be received will be less than the amount so authorized in section 1 of this act.

Sec. 7. Except as otherwise provided in sections 8, 11, 13, 14, 15, 17, 18 and 24 of this act and subsection 3 of section 9 of this act, where the operation of an office, department, board, agency, commission, institution or program is financed during the 2021-2023 biennium by an appropriation or appropriations from the State General Fund or the State Highway Fund as well as by money received from other sources, the portion provided by appropriation from the State General Fund or the State Highway Fund must be decreased to the extent that the receipts of the money from other sources is exceeded, but such a decrease must not jeopardize the receipts of such money as is to be received from other sources.

Sec. 8. 1. The Nevada System of Higher Education may expend the following fees and tuition collected from the registration of students, resident or nonresident:

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<th>Institution</th>
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<th>Fiscal Year 2022-2023</th>
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<tr>
<td>University of Nevada, Las Vegas</td>
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<td>College of Southern Nevada</td>
<td>50,481,195</td>
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<tr>
<td>Western Nevada College</td>
<td>4,517,469</td>
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<tr>
<td>Truckee Meadows Community College</td>
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<td>Great Basin College</td>
<td>4,702,024</td>
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<tr>
<td>Nevada State College</td>
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<td>13,232,880</td>
</tr>
<tr>
<td>UNLV Dental School</td>
<td>9,076,734</td>
<td>9,076,734</td>
</tr>
<tr>
<td>UNLV Law School</td>
<td>5,582,631</td>
<td>5,808,148</td>
</tr>
<tr>
<td>UNR School of Medicine</td>
<td>7,178,053</td>
<td>7,366,084</td>
</tr>
<tr>
<td>UNLV School of Medicine</td>
<td>4,830,425</td>
<td>4,974,169</td>
</tr>
<tr>
<td>Prison Education Program</td>
<td>102,176</td>
<td>102,764</td>
</tr>
<tr>
<td>Capacity Building Enhancement</td>
<td>1,040,318</td>
<td>1,150,043</td>
</tr>
</tbody>
</table>

2. The Nevada System of Higher Education may expend any additional registration fees and any additional nonresident tuition...
fees collected from students as a result of registering additional students beyond the budgeted enrollments. The Nevada System of Higher Education may also expend any additional registration fees and nonresident tuition fees resulting from the imposition of fee increases. The Nevada System of Higher Education shall report to the Interim Finance Committee on a biannual basis within 60 days after each reporting period, with the first reporting period to cover July 1, 2021, to December 31, 2021, any additional registration fees and any additional nonresident tuition fees received by each institution beyond the authorized amounts in subsection 1, including identification of the expenditures funded through the additional fees.

3. At the close of Fiscal Year 2021-2022 and Fiscal Year 2022-2023, the amounts authorized for the Nevada System of Higher Education as provided in section 1 of this act shall be considered cumulatively for each budget account. Authorized revenues received within each budget account that do not exceed the amount included in section 1 of this act, combined with authorized amounts approved by the Board of Regents of the University of Nevada and the Office of Finance in the Office of the Governor, if applicable, must not be utilized to decrease State General Fund appropriations when determining whether a reversion to the State General Fund is required at the close of Fiscal Year 2021-2022 and Fiscal Year 2022-2023.

Sec. 9. 1. Except as otherwise provided in subsections 2 and 3, the State Public Defender shall collect not more than the following amounts from the counties for the use of his or her services:

<table>
<thead>
<tr>
<th>County</th>
<th>Fiscal Year 2021-2022</th>
<th>Fiscal Year 2022-2023</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carson City</td>
<td>$1,261,529</td>
<td>$1,276,548</td>
</tr>
<tr>
<td>Storey County</td>
<td>$103,212</td>
<td>$104,441</td>
</tr>
<tr>
<td>Totals</td>
<td>$1,364,741</td>
<td>$1,380,989</td>
</tr>
</tbody>
</table>

2. The State Public Defender may assess and collect, from the counties, their pro rata share of any salary benefit or cost of living increases approved by the 81st Session of the Nevada Legislature for employees of the Office of the State Public Defender for Fiscal Year 2021-2022 and Fiscal Year 2022-2023.

3. If any county chooses to contribute an additional amount, the State Public Defender may, with the approval of the Interim Finance Committee, accept it and apply it to augment his or her services.

Sec. 10. In Fiscal Year 2021-2022 and Fiscal Year 2022-2023, the State Treasurer shall allocate the amount of tax on motor vehicle fuel computed pursuant to NRS 365.535, to be paid on fuel used in watercraft for recreational purposes, equally between the
Department of Wildlife and the Division of State Parks of the State Department of Conservation and Natural Resources.

Sec. 11. Money authorized for expenditure in section 1 of this act for the Division of Forestry, the Forestry Conservation Camps and Forest Fire Suppression budget accounts of the State Department of Conservation and Natural Resources for the costs of repair and maintenance of fire-fighting and emergency response vehicles may be expended for that purpose.

Sec. 12. Money authorized for expenditure in section 1 of this act for the State Fire Marshal from the Contingency Account for Hazardous Materials created by NRS 459.735 must be expended to support eligible training programs and related operating costs before any money from the State General Fund may be expended for such training programs.

Sec. 13. Money authorized for expenditure in section 1 of this act for the Division of Forestry and Forest Fire Suppression budget accounts of the State Department of Conservation and Natural Resources for support of the incident business unit may be expended for that purpose.

Sec. 14. Money authorized for expenditure in section 1 of this act for the Forest Fire Suppression budget account of the State Department of Conservation and Natural Resources for the support of the incident business unit and up to $425,000 for the repair and maintenance of fire-fighting and emergency response vehicles that remains unexpended on June 30 of Fiscal Year 2021-2022 or Fiscal Year 2022-2023 may be carried forward to the next fiscal year for those purposes.

Sec. 15. Notwithstanding any provision of law to the contrary, the Western Interstate Commission for Higher Education Loans and Stipends budget account may balance forward to the subsequent fiscal year for expenditure on Health Profession Education Program slots any unobligated loan, stipend and interest repayment revenues authorized by section 1 of this act which were received after May 15 of each fiscal year in the 2021-2023 biennium.

Sec. 16. Money deposited in the Emergency Operations Center Account of the Office of the Military is restricted to the uses specified, and the unexpended balance of that money on June 30 of Fiscal Year 2021-2022 and Fiscal Year 2022-2023 may be carried forward to the next fiscal year.

Sec. 17. If the Division of Child and Family Services of the Department of Health and Human Services or Clark County or Washoe County receives an additional amount of money from sources other than the State General Fund during Fiscal Year 2021-2022 or Fiscal Year 2022-2023, the Division or County may, with the approval of the Interim Finance Committee, accept the money
and apply it to augment child welfare services. This section does not apply to Medicaid funding received, directly or indirectly, as a result of a state plan option related to specialized foster care.

**Sec. 18.** Money authorized for expenditure in section 8 of this act for the Nevada System of Higher Education that remains unexpended on June 30 of either fiscal year may be carried forward to the next fiscal year for the authorized purposes.

**Sec. 19.** Notwithstanding the provisions of subsection 4 of NRS 353.220, the approval of the Interim Finance Committee is not required for any request for the revision of a work program for the Municipal Bond Bank Revenue or Municipal Bond Bank Debt Services budget account of the Office of the State Treasurer. This section only applies to the bond repayment costs of the bonds from the budget accounts prescribed in this section. As used in this section, “bond repayment costs” means the principal, interest and related costs of issuance of the bonds and any other costs related to the payment of the bonds or compliance with covenants made in connection with those bonds, as estimated by the State Treasurer.

**Sec. 20.** Notwithstanding the provisions of NRS 334.040, if the Fleet Services Division of the Department of Administration sells a retired vehicle during the 2021-2023 biennium that was purchased with money from an appropriation from the State General Fund, the revenue from such a sale must be deposited in the State General Fund.

**Sec. 21.** 1. The Public Employees’ Benefits Program shall comply with the provisions of NRS 353.220 when projecting funding available in excess of projected budgeted expenditures.

2. Notwithstanding the provisions of NRS 353.220, the Public Employees’ Benefits Program, including, without limitation, the Board of the Public Employees’ Benefits Program, shall not expend or otherwise obligate reserves, either realized or projected, in excess of the amounts authorized in section 1 of this act for purposes of changing the health benefits available to state and nonstate active employees, retirees and covered dependents over the 2021-2023 biennium without approval of the Interim Finance Committee upon the recommendation of the Governor.

**Sec. 22.** Notwithstanding the provisions of NRS 231.1573, except for remaining grant obligations, the unallocated balance in the Catalyst Account established pursuant to NRS 231.1573 must not be committed for expenditure after June 30, 2023, and must be reverted to the State General Fund on or before September 15, 2023.

**Sec. 23.** It is the intent of the Legislature that the amounts authorized in section 1 of this act for the Nevada Medicaid and the Nevada Check-Up Program budget accounts of the Division of Health Care Financing and Policy of the Department of Health and
Human Services must be expended in such a manner as to continue
the current service delivery model for prescription drugs in which
persons who are enrolled in a Medicaid or Check Up managed care
program receive prescription drugs through a Medicaid managed
care organization in the 2021-2023 biennium.

Sec. 24. In addition to the amounts authorized in section 1 of
this act, if the Division of Health Care Financing and Policy of the
Department of Health and Human Services receives additional
money not appropriated from the State General Fund or the State
Highway Fund during Fiscal Year 2021-2022 or Fiscal Year 2022-
2023 for the Nevada Medicaid budget account or the Nevada
Check-Up Program budget account, the Division may accept the
money in accordance with chapter 353 of NRS to support the
Nevada Medicaid budget account and the Nevada Check-Up
Program budget account.

Sec. 25. Of the money authorized for the Division of Health
Care Financing and Policy of the Department of Health and Human
Services for the Nevada Medicaid budget account by section 1 of
this act for Fiscal Year 2021-2022, the State Controller shall transfer
an authorization of $37,125 to the Health Care Financing and Policy
Administration budget account for administrative costs necessary
for implementing the provisions of Assembly Bill No. 191 of this
session. Any authorized expenditures of money must be expended
from a separate expenditure category and must only be used for the
purposes of implementing the provisions of Assembly Bill No. 191
of this session. Notwithstanding the provisions of subsection 4 of
NRS 353.220, the approval of the Interim Finance Committee is not
required for any request for the revision of a work program to
transfer money authorized pursuant to this section.

Sec. 26. Of the money authorized for the Division of Health
Care Financing and Policy of the Department of Health and Human
Services for the Nevada Medicaid budget account by section 1 of
this act for Fiscal Year 2021-2022, the State Controller shall transfer
an authorization of $43,500 to the Health Care Financing and Policy
Administration budget account for administrative costs necessary
for implementing the provisions of Assembly Bill No. 256 of this
session. Any authorized expenditures of money must be expended
from a separate expenditure category and must only be used for the
purposes of implementing the provisions of Assembly Bill No. 256
of this session. Notwithstanding the provisions of subsection 4 of
NRS 353.220, the approval of the Interim Finance Committee is not
required for any request for the revision of a work program to
transfer money pursuant authorized to this section.

Sec. 27. Of the money authorized for the Division of Health
Care Financing and Policy of the Department of Health and Human
Services for the Nevada Medicaid budget account by section 1 of this act for Fiscal Year 2021-2022, the State Controller shall transfer an authorization of $36,750 to the Health Care Financing and Policy Administration budget account for administrative costs necessary for implementing the provisions of Senate Bill No. 154 of this session. Any authorized expenditures of money must be expended from a separate expenditure category and must only be used for the purposes of implementing the provisions of Senate Bill No. 154 of this session. Notwithstanding the provisions of subsection 4 of NRS 353.220, the approval of the Interim Finance Committee is not required for any request for the revision of a work program to transfer money authorized pursuant to this section.

Sec. 28. Of the money authorized for the Division of Health Care Financing and Policy of the Department of Health and Human Services for the Nevada Medicaid budget account by section 1 of this act for Fiscal Year 2021-2022, the State Controller shall transfer an authorization of $125,000 to the Health Care Financing and Policy Administration budget account for administrative costs necessary for implementing the provisions of Senate Bill No. 420 of this session. Any authorized expenditures of money must be expended from a separate expenditure category and must only be used for the purposes of implementing the provisions of Senate Bill No. 420 of this session. Notwithstanding the provisions of subsection 4 of NRS 353.220, the approval of the Interim Finance Committee is not required for any request for the revision of a work program to transfer money authorized pursuant to this section.

Sec. 29. Of the money authorized for the Division of Health Care Financing and Policy of the Department of Health and Human Services for the Nevada Medicaid budget account by section 1 of this act for Fiscal Year 2021-2022, the State Controller shall transfer an authorization of $39,000 to the Health Care Financing and Policy Administration budget account for administrative costs necessary for implementing the provisions of Assembly Bill No. 387 of this session. Any authorized expenditures of money must be expended from a separate expenditure category and must only be used for the purposes of implementing the provisions of Assembly Bill No. 387 of this session. Notwithstanding the provisions of subsection 4 of NRS 353.220, the approval of the Interim Finance Committee is not required for any request for the revision of a work program to transfer money authorized pursuant to this section.

Sec. 30. Money authorized for expenditure in section 1 of this act for the Applied Behavior Analysis budget account of the Aging and Disability Services Division of the Department of Health and Human Services must be transferred to the Board of Applied Behavior Analysis on October 1, 2021, if and only if Senate Bill No.
217 of this session is enacted by the Legislature and approved by the
Governor.

Sec. 31. The amount of $367,665 from the allocation made
pursuant to subsection 3 of section 2.7 of chapter 455, Statutes of
Nevada 2019, at page 2791, approved by the Interim Finance
Committee in Fiscal Year 2019-2020 for the State Department of
Conservation and Natural Resources for the purposes set forth in
section 2.3 of chapter 455, Statutes of Nevada 2019, at page 2791,
which was subsequently transferred to the Division of Forestry
budget account during Fiscal Year 2019-2020, may be transferred
within the Division of Forestry budget account from one fiscal year
to the other, for the support of costs directly related to the four
positions approved for wildfire prevention, restoration and long-
term planning efforts, and does not revert to the Contingency
Account created by NRS 353.266. Any remaining balance of the
allocation must not be committed for expenditure after June 30,
2025, and must be reverted to the State General Fund on or before
September 19, 2025.

Sec. 32. If the name of an officer or agency has been changed
or the responsibilities of an officer or agency have been transferred
pursuant to the provisions of another act enacted by the Legislature
this session and approved by the Governor and the change in name
or transfer of duties is not indicated in this act, any reference to that
officer or agency in this act shall be deemed to refer to the officer or
agency the name of which or duties of which have been changed or
transferred by the other act.

Sec. 33. 1. This section and sections 22, 31 and 32 of this act
become effective upon passage and approval.

2. Sections 1 to 21, inclusive, 23 and 24 of this act become
effective on July 1, 2021.

3. Section 25 of this act becomes effective on July 1, 2021, if
and only if Assembly Bill No. 191 of this session is enacted by the
Legislature and approved by the Governor.

4. Section 26 of this act becomes effective on July 1, 2021, if
and only if Assembly Bill No. 256 of this session is enacted by the
Legislature and approved by the Governor.

5. Section 27 of this act becomes effective on July 1, 2021, if
and only if Senate Bill No. 154 of this session is enacted by the
Legislature and approved by the Governor.

6. Section 28 of this act becomes effective on July 1, 2021, if
and only if Senate Bill No. 420 of this session is enacted by the
Legislature and approved by the Governor.

7. Section 29 of this act becomes effective on July 1, 2021, if
and only if Assembly Bill No. 387 of this session is enacted by the
Legislature and approved by the Governor.
8. Section 30 of this act becomes effective on July 1, 2021, if and only if Senate Bill No. 217 of this session is enacted by the Legislature and approved by the Governor.