

ASSEMBLY BILL NO. 149—ASSEMBLYWOMEN BRITTNEY MILLER
AND ANDERSON

FEBRUARY 13, 2023

Referred to Committee on Education

SUMMARY—Revises provisions relating to education.
(BDR 34-76)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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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 education; creating the Office of the Inspector General of Education and the position of Inspector General of Education; setting forth the powers and duties of the Inspector General and employees of the Office; requiring certain persons and governmental entities to cooperate with and provide assistance to the Inspector General in carrying out those duties; prohibiting retaliation against certain persons who make a lawful complaint concerning fraud, waste, abuse or corruption within a person or governmental entity that receives public money related to education; prohibiting certain acts to deter or prevent the Inspector General or an employee of the Office from performing his or her duty; imposing increased penalties for certain acts of assault or battery on the Inspector General or an employee of the Office; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law creates the Division of Internal Audits of the Office of Finance
2 within the Office of the Governor, which has various authority and duties related to
3 performing audits of state agencies and investigating reports relating to abuse, fraud
4 or waste with respect to public money received and used by certain agencies and
5 contractors. (NRS 223.400, 353A.045-353A.100) This bill creates the Office of the
6 Inspector General of Education as an independent agency with authority to audit,
7 investigate and review the performance of any person or governmental entity that
8 receives public money related to education.



9 **Sections 2-9 and 31** of this bill define terms related to the Office of the
10 Inspector General of Education. **Section 10** of this bill creates the Office of the
11 Inspector General of Education, consisting of the Inspector General of Education
12 and any person employed by the Office. **Section 10** also requires the Governor to
13 appoint the Inspector General for a term of 4 years from a list of candidates
14 submitted by the Legislative Commission and sets forth the qualifications required
15 for appointment. **Section 11** of this bill requires the Inspector General to administer
16 provisions of law governing the Office. **Section 12** of this bill: (1) requires the
17 Inspector General to appoint a deputy inspector general and a special counsel, who
18 are in the unclassified service of the State; and (2) authorizes the Inspector General,
19 within the limits of available money, to employ such persons in the classified
20 service of the State as he or she deems necessary to provide an appropriate staff for
21 the Office and to enter into contracts with certain professionals for professional
22 services related to the functions of the Office.

23 **Section 13** of this bill sets forth certain responsibilities and duties of the
24 Inspector General, including: (1) establishing and maintaining a full-time program
25 of auditing, investigation, inspection and performance review of each person or
26 governmental entity that receives public money related to education; and (2)
27 submitting a report to the Governor and the Director of the Legislative Counsel
28 Bureau, on at least a quarterly basis or at the Governor's request, setting forth any
29 findings, conclusions or recommendations relating to an audit, investigation,
30 inspection or review conducted by the Inspector General.

31 **Section 14** of this bill requires the Inspector General to establish a toll-free
32 telephone number to receive information relating to abuse, fraud and waste with
33 respect to the use of public money related to education. **Section 15** of this bill: (1)
34 requires each person or governmental entity that receives public money related to
35 education, upon request of the Inspector General, to cooperate with and provide
36 assistance to the Inspector General in carrying out his or her duties; and (2) makes
37 any person who willfully prevents, impairs or prohibits the performance of the
38 duties of the Inspector General guilty of a category E felony. **Section 16** of this bill
39 authorizes the Inspector General to issue subpoenas.

40 **Sections 14, 17 and 29** of this bill provide for the confidentiality of: (1) any
41 record maintained by the Inspector General during an investigation; and (2) the
42 identity of any whistleblower. Otherwise, **section 17** requires a report of the
43 Inspector General to be made available to the public annually. **Section 18** of this
44 bill requires the Legislative Auditor to review at least once every 3 years a
45 representative sample of the audits, investigations, inspections and reviews
46 conducted by the Office of the Inspector General of Education to ensure
47 conformance with professional standards. **Section 19** of this bill creates the Fund
48 for the Office of the Inspector General of Education as a special revenue fund
49 without reversion to the State General Fund.

50 **Section 20** of this bill makes it a category E felony to retaliate against certain
51 persons who file a lawful complaint concerning fraud, waste, abuse or corruption
52 within any person or governmental entity that receives public money related to
53 education.

54 **Sections 21-24** of this bill require certain state agencies and local governments
55 to provide the Inspector General of Education with certain financial reports.

56 **Section 25** of this bill allows a parent or legal guardian of a pupil enrolled in a
57 charter school, a pupil who is at least 18 years of age enrolled in a charter school, a
58 member of the governing body of a charter school or an employee of a charter
59 school to file a complaint relating to that charter school directly with the Inspector
60 General if the complaint relates to allegations of fraud, financial mismanagement or
61 financial malfeasance.

62 Existing law provides that a person commits a gross misdemeanor if he or she
63 uses any threat, force or violence to prevent an executive or administrative officer



64 from performing his or her duties. (NRS 197.090) **Section 26** of this bill makes it a
65 category E felony for a person to use any threat, force or violence to prevent the
66 Inspector General or any employee of the Office from performing his or her duties.

67 **Sections 27 and 28** of this bill provide that the increased penalty for assault or
68 battery of an officer applies to an assault or battery of the Inspector General or an
69 employee of the Office. (NRS 200.471, 200.481)

70 **Section 30** of this bill makes the Inspector General and investigators employed
71 by the Office category II peace officers.

72 Existing law requires the head of each state agency to periodically review and
73 report to the Director of the Office of Finance whether the agency's system of
74 internal accounting and administrative control is in compliance with the uniform
75 system of internal accounting and administrative control adopted by the Director
76 for state agencies. Existing law further requires the Director to submit a report on
77 the status of internal accounting and administrative controls in state agencies to
78 certain persons. (NRS 353A.020) **Section 32** of this bill requires the Director to
79 provide certain reports to the Inspector General.

80 **Section 33** of this bill requires the Governor to appoint the Inspector General of
81 Education on or before December 1, 2023.

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

1 **Section 1.** Title 34 of NRS is hereby amended by adding
2 thereto a new chapter to consist of the provisions set forth as
3 sections 2 to 20, inclusive, of this act.

4 **Sec. 2.** *As used in this chapter, unless the context otherwise*
5 *requires, the words and terms defined in sections 3 to 9, inclusive,*
6 *of this act have the meanings ascribed to them in those sections.*

7 **Sec. 3.** *Except as otherwise provided in this section,*
8 *“governmental entity” means any agency, institution, board,*
9 *commission, bureau, council, department, division, authority or*
10 *other unit of government of this State or a local government. The*
11 *term does not include the Nevada System of Higher Education.*

12 **Sec. 4.** *“Inspector General” means the Inspector General of*
13 *Education appointed pursuant to section 10 of this act.*

14 **Sec. 5.** *“Local government” means every political*
15 *subdivision and other local governmental entity in this State.*

16 **Sec. 6.** *“Office” means the Office of the Inspector General of*
17 *Education created by section 10 of this act.*

18 **Sec. 7.** *“Person or governmental entity that receives public*
19 *money related to education” includes, without limitation, any*
20 *contractor, subcontractor or other third party who receives from a*
21 *person or governmental entity public money for a purpose related*
22 *to education in this State.*

23 **Sec. 8.** *“Public money related to education” includes any*
24 *money received from the Federal Government or a governmental*



1 *entity that must be used by the recipient for some purpose related*
2 *to education in this State.*

3 **Sec. 9.** *“Waste” means the squandering of money or*
4 *resources, whether or not the activity is unlawful.*

5 **Sec. 10.** *1. The Office of the Inspector General of*
6 *Education is hereby created. The Office of the Inspector General*
7 *of Education consists of the Inspector General of Education*
8 *appointed pursuant to subsection 2 and any person employed by*
9 *the Office.*

10 *2. The Governor shall appoint the Inspector General of*
11 *Education for a term of 4 years, and until a successor is appointed*
12 *and qualified, from a list of three candidates submitted by the*
13 *Legislative Commission. The Inspector General may be*
14 *reappointed, and the Legislative Commission shall include the*
15 *incumbent Inspector General on its list of candidates, unless the*
16 *Legislative Commission determines that the incumbent should not*
17 *be recommended for reappointment for cause, including, without*
18 *limitation, inefficiency, neglect of duty or malfeasance in office. A*
19 *vacancy in the position must be filled in the same manner as the*
20 *original appointment.*

21 *3. The Inspector General may be removed from office only by*
22 *impeachment for misdemeanor or malfeasance in office. The*
23 *Inspector General shall be deemed to be a state officer for the*
24 *purposes of NRS 283.140 to 283.290, inclusive.*

25 *4. The Inspector General must have the demonstrated ability*
26 *to administer a major governmental agency in the field of*
27 *auditing, investigations or inspections or performance reviews of*
28 *governmental programs and agencies, including, without*
29 *limitation:*

30 *(a) Experience in accounting, auditing, financial analysis,*
31 *law, management analysis, public administration, investigation,*
32 *criminal justice administration or any other closely related field;*

33 *(b) Certification as a Certified Fraud Examiner by the*
34 *Association of Certified Fraud Examiners, Inc., or its successor*
35 *organization, and as a Certified Inspector General by the*
36 *Association of Inspectors General, or its successor organization,*
37 *not later than 18 months after appointment as the Inspector*
38 *General; and*

39 *(c) Continued status as a Certified Inspector General by the*
40 *Association of Inspectors General, or its successor organization,*
41 *while in office.*

42 *5. The Inspector General is not in the classified or*
43 *unclassified service of the State and:*



1 (a) Shall devote his or her entire time and attention to the
2 business of his or her office and shall not engage in any other
3 gainful employment or occupation.

4 (b) Is ineligible for elective public office under the government
5 and laws of this State.

6 **Sec. 11.** The Inspector General shall administer this chapter
7 and all other provisions of law relating to the functions of the
8 Office.

9 **Sec. 12.** 1. The Inspector General:

10 (a) Shall appoint a deputy inspector general and a special
11 counsel. The deputy inspector general and special counsel are in
12 the unclassified service of the State.

13 (b) May, within the limits available money, employ such other
14 persons he or she deems necessary to provide an appropriate staff
15 for the Office, including, without limitation, auditors,
16 administrative staff and investigators. Any such person employed
17 pursuant to this paragraph is in the classified service of the State.

18 2. The Inspector General may enter into contracts for the
19 services of certified public accountants, qualified management
20 consultants or other professional experts necessary to
21 independently perform the functions of the Office, within the
22 limits of money available for that purpose.

23 **Sec. 13.** 1. The Inspector General shall:

24 (a) Establish and maintain a full-time program of auditing,
25 investigation, inspection and performance review of each person
26 or governmental entity that receives public money related to
27 education to provide increased accountability and oversight of
28 public money related to education and to assist in improving
29 operations and deterring and identifying fraud, waste, abuse and
30 corruption; and

31 (b) Upon request by the Governor, but not less often than
32 quarterly, submit a report to the Governor and to the Director of
33 the Legislative Counsel Bureau for transmittal to the Legislature
34 setting forth any findings and conclusions relating to an audit,
35 investigation, inspection or review specified in subsection 2 and
36 any suggested corrective or remedial actions, including, without
37 limitation, increased oversight, carrying out or modifying any
38 controls for internal management, termination of employment or
39 referral to appropriate administrative and prosecutorial agencies.

40 2. The Inspector General may:

41 (a) Engage in prevention activities, including, without
42 limitation, the review of legislation, rules, regulations, policies and
43 procedures of a person or governmental entity that receives public
44 money related to education.



1 (b) Review the reliability and validity of the information
2 provided through performance measures and standards of a
3 person or governmental entity that receives public money related
4 to education.

5 (c) Conduct a review of the performance measurement system
6 of any person or governmental entity that receives public money
7 related to education.

8 (d) Audit the economy, efficiency and effectiveness of the
9 operations and functions of any person or governmental entity
10 that receives public money related to education.

11 (e) Audit, inspect, investigate and review the activities, records,
12 procurements, grants, agreements and other financial
13 arrangements undertaken by a person or governmental entity that
14 receives public money related to education.

15 (f) Recommend remedial actions to be taken by any person or
16 governmental entity that receives public money related to
17 education to overcome or correct operating or maintenance
18 deficiencies or inefficiencies identified by the Office.

19 (g) Establish a program for receiving, reviewing and
20 investigating any complaint submitted to the Inspector General
21 concerning any fraud, waste, abuse or corruption by a person or
22 governmental entity that receives public money related to
23 education.

24 (h) Conduct civil, criminal and administrative investigations.

25 (i) Conduct joint investigations and projects with other
26 oversight or law enforcement agencies.

27 (j) Provide information and evidence relating to criminal acts
28 to appropriate law enforcement agencies.

29 (k) Refer matters for further civil, criminal and administrative
30 action to appropriate administrative and prosecutorial agencies.

31 (l) Identify any other governmental entity that is responsible
32 for auditing, investigating, inspecting or reviewing the operation
33 and management of a person or governmental entity that receives
34 public money related to education and coordinate with such
35 governmental entities to share information and avoid any
36 duplicative activities.

37 (m) Issue public reports.

38 (n) Adopt regulations to carry out the provisions of this
39 chapter.

40 (o) Perform any other task relating to his or her duties as he or
41 she determines necessary.

42 **Sec. 14. 1. The Inspector General shall:**

43 (a) Establish a toll-free telephone number at which a person
44 may confidentially report to the Office information relating to
45 fraud, waste, abuse or corruption with respect to the use of public



1 *money related to education by a person or governmental entity;*
2 *and*

3 *(b) Create a written notice that:*

4 *(1) Clearly identifies the telephone number established*
5 *pursuant to paragraph (a); and*

6 *(2) Contains a statement directing any person with*
7 *information relating to fraud, waste, abuse or corruption with*
8 *respect to the use of public money related to education to report*
9 *the information to the Office.*

10 *2. The written notice created pursuant to subsection 1 must*
11 *be posted conspicuously:*

12 *(a) In each public building of a governmental entity that*
13 *receives or distributes public money related to education; and*

14 *(b) On the Internet website maintained by the Office.*

15 *3. Upon receipt of information from a person reporting*
16 *fraud, waste, abuse or corruption with respect to the use of public*
17 *money related to education by a person or governmental entity, the*
18 *Office must perform a review and prepare a report of its findings.*
19 *The report is a public record and:*

20 *(a) Must include, without limitation, an explanation of:*

21 *(1) The purpose of the review; and*

22 *(2) Any resolution or corrective action taken by the Office*
23 *that resulted from the review.*

24 *(b) Must not include the identity of the person who reported*
25 *the information.*

26 *4. Except as otherwise provided in this section, any*
27 *information reported to the Office at the telephone number*
28 *established pursuant to paragraph (a) of subsection 1, including,*
29 *without limitation, the identity of the person who reported the*
30 *information, is confidential.*

31 *5. The Office shall not disclose information that is*
32 *confidential pursuant to this section except:*

33 *(a) Pursuant to NRS 239.0115;*

34 *(b) For the purpose of carrying out any duty of the Office or*
35 *for the purpose of assisting the Director of the Office of Finance*
36 *or Administrator of the Division of Internal Audits of the Office of*
37 *Finance in carrying out any duty of the Director or Administrator;*

38 *(c) Upon the lawful order of a court of competent jurisdiction;*
39 *or*

40 *(d) To the appropriate administrative and prosecutorial*
41 *agencies.*

42 **Sec. 15. 1.** *Upon request by the Inspector General, each*
43 *person or governmental entity that receives public money related*
44 *to education shall cooperate with and provide assistance to the*
45 *Inspector General in carrying out the provisions of this chapter*



1 *and shall ensure that the premises, equipment, employees, books,*
2 *papers, contracts, correspondence and other records of the person*
3 *or governmental entity are available for use by the Inspector*
4 *General in carrying out those provisions.*

5 2. *A person who willfully prevents, impairs or prohibits the*
6 *Inspector General from initiating, carrying out or completing any*
7 *audit, investigation, inspection or review is guilty of a category E*
8 *felony and shall be punished as provided in NRS 193.130.*

9 **Sec. 16.** 1. *In carrying out the provisions of this chapter,*
10 *the Inspector General may subpoena the attendance of witnesses*
11 *or the production of books, papers and documents,*
12 *notwithstanding any claim of privilege.*

13 2. *If any person refuses to obey a subpoena issued by the*
14 *Inspector General, the Inspector General may present a petition to*
15 *the district court of the county in which the person resides or the*
16 *governmental entity is located, setting forth the facts, and*
17 *thereupon the court, in a proper case, shall issue its subpoena to*
18 *the person requiring his or her attendance before the court to*
19 *testify or to produce books, papers and documents.*

20 3. *Any person failing or refusing to obey the subpoena of a*
21 *district court may be proceeded against in the same manner as for*
22 *a refusal to obey any other court order.*

23 **Sec. 17.** 1. *Except as otherwise provided in subsection 2,*
24 *the Inspector General shall make public an annual report of*
25 *audits, investigations, inspections and reviews conducted by the*
26 *Office after such audits, investigations, inspections or reviews are*
27 *concluded.*

28 2. *A report made public pursuant to subsection 1 must not*
29 *include:*

30 (a) *The personal identifying information of an original source*
31 *without his or her written consent; or*

32 (b) *Any information deemed privileged or confidential by law.*

33 3. *As used in this section:*

34 (a) *“Original source” means a person who:*

35 (1) *Voluntarily discloses to the Inspector General any*
36 *information on which the allegations or transactions for an audit,*
37 *investigation, inspection or review are based before the public*
38 *disclosure of the information; or*

39 (2) *Has knowledge of information that is independent of*
40 *and materially adds to any allegations or transactions which are*
41 *publicly disclosed and who voluntarily provides such information*
42 *to the Inspector General.*

43 (b) *“Personal identifying information” has the meaning*
44 *ascribed to it in NRS 205.4617.*



1 **Sec. 18. 1. Audits, investigations, inspections and reviews**
2 *conducted by the Office must conform to professional standards,*
3 *including, without limitation, standards promulgated by the*
4 *Association of Inspectors General or its successor organization.*

5 **2. The Legislative Auditor shall, on or before July 1, 2026,**
6 *and at least once every 3 years thereafter, prepare and make*
7 *public a report reviewing a representative sample of the audits,*
8 *investigations, inspections and reviews performed by the Office for*
9 *that time period for conformance with the professional standards*
10 *described in subsection 1.*

11 **Sec. 19. 1. The Fund for the Office of the Inspector**
12 *General of Education is hereby created in the State Treasury as a*
13 *special revenue fund to be administered by the Office. All money*
14 *received by the Office must be deposited in the Fund. The money*
15 *in the Fund does not revert to the State General Fund at the end*
16 *of any fiscal year, and the balance in the Fund must be carried*
17 *forward to the next fiscal year.*

18 **2. The interest and income earned on the money in the Fund,**
19 *after deducting any applicable charges, must be credited to the*
20 *Fund. All claims against the Fund must be paid as other claims*
21 *against the State are paid.*

22 **3. The money in the Fund may be used only to pay the costs**
23 *of carrying out programs or laws administered by the Office.*

24 **Sec. 20. A person who willfully discharges, demotes,**
25 *suspends, threatens, harasses or discriminates against an*
26 *employee, contractor or agent as a result of a lawful complaint of*
27 *the employee, contractor or agent concerning any fraud, waste,*
28 *abuse or corruption within any person or governmental entity that*
29 *receives public money related to education is guilty of a category E*
30 *felony and shall be punished as provided in NRS 193.130.*

31 **Sec. 21. NRS 385A.400 is hereby amended to read as follows:**

32 **385A.400 1.** The State Board shall, on or before January 15
33 of each year, prepare for the immediately preceding school year a
34 single annual report of accountability that includes, without
35 limitation the information prescribed by NRS 385A.400 to
36 385A.520, inclusive.

37 **2.** A separate reporting for a group of pupils must not be made
38 pursuant to NRS 385A.400 to 385A.520, inclusive, if the number of
39 pupils in that group is insufficient to yield statistically reliable
40 information or the results would reveal personally identifiable
41 information about an individual pupil. The Department shall use the
42 mechanism approved by the United States Department of Education
43 for the statewide system of accountability for public schools for
44 determining the minimum number of pupils that must be in a group
45 for that group to yield statistically reliable information.



1 3. The annual report of accountability must:
2 (a) Be prepared in a concise manner; and
3 (b) Be presented in an understandable and uniform format and,
4 to the extent practicable, provided in a language that parents can
5 understand.

6 4. On or before January 15 of each year, the State Board shall
7 provide for public dissemination of the annual report of
8 accountability by posting a copy of the report on the Internet
9 website maintained by the Department.

10 5. Upon the request of the Governor, the Attorney General, *the*
11 *Inspector General of Education appointed pursuant to section 10*
12 *of this act*, the Committee, the Bureau, the Board of Regents of the
13 University of Nevada, the board of trustees of a school district, the
14 State Public Charter School Authority, a college or university within
15 the Nevada System of Higher Education, the governing body of a
16 charter school or a member of the general public, the State Board
17 shall provide a portion or portions of the annual report of
18 accountability.

19 **Sec. 22.** NRS 387.013 is hereby amended to read as follows:

20 387.013 The State Controller shall, each quarter, prepare a
21 complete financial report of the State Permanent School Fund. A
22 copy of this report must be submitted to the State Treasurer , ~~and~~
23 ~~to~~ the Fiscal Analysis Division of the Legislative Counsel Bureau
24 ~~and the Inspector General of Education appointed pursuant to~~
25 ~~section 10 of this act.~~

26 **Sec. 23.** NRS 387.303 is hereby amended to read as follows:

27 387.303 1. Not later than November 1 of each year, the board
28 of trustees of each school district shall submit to the Superintendent
29 of Public Instruction , ~~and~~ the Department of Taxation *and the*
30 *Inspector General of Education appointed pursuant to section 10*
31 *of this act* a report which includes the following information:

32 (a) For each fund within the school district, including, without
33 limitation, the school district's general fund and any special revenue
34 fund which receives state money, the total number and salaries of
35 licensed and nonlicensed persons whose salaries are paid from the
36 fund and who are employed by the school district in full-time
37 positions or in part-time positions added together to represent full-
38 time positions. Information must be provided for the current school
39 year based upon the school district's final budget, including any
40 amendments and augmentations thereto, and for the preceding
41 school year. An employee must be categorized as filling an
42 instructional, administrative, instructional support or other position.

43 (b) The school district's actual expenditures in the fiscal year
44 immediately preceding the report.



1 (c) The school district's proposed expenditures for the current
2 fiscal year.

3 (d) The schedule of salaries for licensed employees in the
4 current school year and a statement of whether the negotiations
5 regarding salaries for the current school year have been completed.
6 If the negotiations have not been completed at the time the schedule
7 of salaries is submitted, the board of trustees shall submit a
8 supplemental report to the Superintendent of Public Instruction upon
9 completion of negotiations or the determination of an arbitrator
10 concerning the negotiations that includes the schedule of salaries
11 agreed to or required by the arbitrator.

12 (e) The number of employees who received an increase in salary
13 pursuant to NRS 391.161, 391.162 or 391.163 for the current and
14 preceding fiscal years. If the board of trustees is required to pay an
15 increase in salary retroactively pursuant to NRS 391.161, the board
16 of trustees shall submit a supplemental report to the Superintendent
17 of Public Instruction not later than February 15 of the year in which
18 the retroactive payment was made that includes the number of
19 teachers to whom an increase in salary was paid retroactively.

20 (f) The number of employees eligible for health insurance within
21 the school district for the current and preceding fiscal years and the
22 amount paid for health insurance for each such employee during
23 those years.

24 (g) The rates for fringe benefits, excluding health insurance,
25 paid by the school district for its licensed employees in the
26 preceding and current fiscal years.

27 (h) The amount paid for extra duties, supervision of
28 extracurricular activities and supplemental pay and the number of
29 employees receiving that pay in the preceding and current fiscal
30 years.

31 2. On or before November 25 of each year, the Superintendent
32 of Public Instruction shall submit to the Office of Finance and the
33 Fiscal Analysis Division of the Legislative Counsel Bureau, in a
34 format approved by the Director of the Office of Finance, a
35 compilation of the reports made by each school district pursuant to
36 subsection 1.

37 3. In preparing the agency biennial budget request for the State
38 Education Fund for submission to the Office of Finance, the
39 Superintendent of Public Instruction:

40 (a) Shall compile the information from the most recent
41 compilation of reports submitted pursuant to subsection 2; and

42 (b) May consider the cost of enhancements to existing programs
43 or the projected cost of proposed new educational programs,
44 regardless of whether those enhancements or new programs are



1 included in the adjusted base per pupil funding for inclusion in the
2 biennial budget request to the Office of Finance.

3 4. The Superintendent of Public Instruction shall, in the
4 compilation required by subsection 2, reconcile the revenues of the
5 school districts with the apportionment received by those districts
6 from the State Education Fund for the preceding year.

7 5. The request prepared pursuant to subsection 3 must:

8 (a) Be presented by the Superintendent of Public Instruction to
9 such standing committees of the Legislature as requested by the
10 standing committees for the purposes of developing educational
11 programs and providing appropriations for those programs; and

12 (b) Provide for a direct comparison of appropriations to the
13 proposed budget of the Governor submitted pursuant to subsection 4
14 of NRS 353.230.

15 **Sec. 24.** NRS 388A.345 is hereby amended to read as follows:

16 388A.345 1. On or before November 1 of each year, the
17 governing body of each charter school shall submit to the sponsor of
18 the charter school, the Superintendent of Public Instruction and the
19 Director of the Legislative Counsel Bureau for transmission to the
20 Majority Leader of the Senate and the Speaker of the Assembly a
21 report that includes:

22 (a) A written description of the progress of the charter school in
23 achieving the mission and goals of the charter school set forth in its
24 application.

25 (b) For each fund maintained by the charter school, including,
26 without limitation, the general fund of the charter school and any
27 special revenue fund which receives state money, the total number
28 and salaries of licensed and nonlicensed persons whose salaries are
29 paid from the fund and who are employed by the governing body in
30 full-time positions or in part-time positions added together to
31 represent full-time positions. Information must be provided for the
32 current school year based upon the final budget of the charter
33 school, including any amendments and augmentations thereto, and
34 for the preceding school year. An employee must be categorized as
35 filling an instructional, administrative, instructional support or other
36 position.

37 (c) The actual expenditures of the charter school in the fiscal
38 year immediately preceding the report.

39 (d) The proposed expenditures of the charter school for the
40 current fiscal year.

41 (e) The salary schedule for licensed employees and nonlicensed
42 teachers in the current school year and a statement of whether salary
43 negotiations for the current school year have been completed. If
44 salary negotiations have not been completed at the time the salary
45 schedule is submitted, the governing body shall submit a



1 supplemental report to the Superintendent of Public Instruction upon
2 completion of negotiations.

3 (f) The number of employees eligible for health insurance within
4 the charter school for the current and preceding fiscal years and the
5 amount paid for health insurance for each such employee during
6 those years.

7 (g) The rates for fringe benefits, excluding health insurance,
8 paid by the charter school for its licensed employees in the
9 preceding and current fiscal years.

10 (h) The amount paid for extra duties, supervision of
11 extracurricular activities and supplemental pay and the number of
12 employees receiving that pay in the preceding and current fiscal
13 years.

14 2. On or before November 25 of each year, the Superintendent
15 of Public Instruction shall submit to the Office of Finance, ~~and~~ the
16 Fiscal Analysis Division of the Legislative Counsel Bureau ~~and~~
17 *the Inspector General of Education appointed pursuant to section*
18 *10 of this act*, in a format approved by the Director of the Office of
19 Finance, a compilation of the reports made by each governing body
20 pursuant to subsection 1.

21 3. The Superintendent of Public Instruction shall, in the
22 compilation required by subsection 2, reconcile the revenues and
23 expenditures of the charter schools with the apportionment received
24 by those schools from the State Education Fund for the preceding
25 year.

26 **Sec. 25.** NRS 388A.3965 is hereby amended to read as
27 follows:

28 388A.3965 1. A parent or legal guardian of a pupil enrolled
29 in a charter school, a pupil who is at least 18 years of age enrolled in
30 a charter school, a member of the governing body of a charter
31 school or an employee of a charter school may file a complaint
32 relating to that charter school directly with the State Public Charter
33 School Authority , *or the Inspector General of Education*
34 *appointed pursuant to section 10 of this act for a complaint related*
35 *to paragraph (d)*, if the person has evidence that the charter school
36 has:

37 (a) Violated any law or regulation relating to the health and
38 safety of pupils;

39 (b) Violated any law or regulation relating to the civil rights of
40 pupils, except for a law or regulation described in subsection 1 of
41 NRS 388A.396;

42 (c) Violated any law or regulation or policy of the sponsor of the
43 charter school relating to the enrollment, suspension or expulsion of
44 pupils;



1 (d) Committed fraud, financial mismanagement or financial
2 malfeasance; or

3 (e) Committed academic dishonesty, including, without
4 limitation, engaging in a policy or practice that has the intent or
5 effect of inappropriately increasing the graduation rate or
6 inappropriately increasing performance on assessments mandated by
7 this State or the State Public Charter School Authority.

8 2. If the State Public Charter School Authority determines that
9 credible evidence exists to support a complaint submitted *to*
10 *the State Public Charter School Authority* pursuant to subsection 1,
11 the State Public Charter School Authority shall investigate the
12 complaint and respond to the complaining party in writing.

13 3. As used in this section:

14 (a) "Expulsion" has the meaning ascribed to it in NRS 392.4603.

15 (b) "Suspension" has the meaning ascribed to it in
16 NRS 392.4607.

17 **Sec. 26.** NRS 197.090 is hereby amended to read as follows:

18 197.090 **1.** Except under circumstances where a greater
19 penalty is provided in *subsection 2 or* NRS 200.481, any person
20 who, by means of any threat, force or violence, attempts to deter or
21 prevent any executive or administrative officer from performing any
22 duty imposed upon the officer by law, or who knowingly resists by
23 force or violence any executive or administrative officer in the
24 performance of the officer's duty, is guilty of a gross misdemeanor.

25 **2.** *Any person who, by means of any threat, force or violence,*
26 *attempts to deter or prevent the Inspector General or an employee*
27 *of the Office of the Inspector General of Education from*
28 *performing any duty imposed upon the Inspector General or the*
29 *Office by law, or who knowingly resists by force or violence*
30 *the Inspector General or an employee of the Office in the*
31 *performance of his or her duty, is guilty of a category E felony and*
32 *shall be punished as provided in NRS 193.130.*

33 **3.** *As used in this section:*

34 (a) *"Inspector General" means the Inspector General of*
35 *Education appointed pursuant to section 10 of this act.*

36 (b) *"Office of the Inspector General of Education" or "Office"*
37 *means the Office of the Inspector General of Education created by*
38 *section 10 of this act.*

39 **Sec. 27.** NRS 200.471 is hereby amended to read as follows:

40 200.471 **1.** As used in this section:

41 (a) "Assault" means:

42 (1) Unlawfully attempting to use physical force against
43 another person; or

44 (2) Intentionally placing another person in reasonable
45 apprehension of immediate bodily harm.



1 (b) "Fire-fighting agency" has the meaning ascribed to it in
2 NRS 239B.020.

3 (c) "Officer" means:

4 (1) A person who possesses some or all of the powers of a
5 peace officer;

6 (2) A person employed in a full-time salaried occupation of
7 fire fighting for the benefit or safety of the public;

8 (3) A member of a volunteer fire department;

9 (4) A jailer, guard or other correctional officer of a city or
10 county jail;

11 (5) *The Inspector General of Education appointed pursuant*
12 *to section 10 of this act or an employee of the Office of the*
13 *Inspector General of Education created by section 10 of this act;*

14 (6) A prosecuting attorney of an agency or political
15 subdivision of the United States or of this State;

16 ~~[(6)]~~ (7) A justice of the Supreme Court, judge of the Court
17 of Appeals, district judge, justice of the peace, municipal judge,
18 magistrate, court commissioner, master or referee, including a
19 person acting pro tempore in a capacity listed in this subparagraph;

20 ~~[(7)]~~ (8) An employee of this State or a political subdivision
21 of this State whose official duties require the employee to make
22 home visits;

23 ~~[(8)]~~ (9) A civilian employee or a volunteer of a law
24 enforcement agency whose official duties require the employee or
25 volunteer to:

26 (I) Interact with the public;

27 (II) Perform tasks related to law enforcement; and

28 (III) Wear identification, clothing or a uniform that
29 identifies the employee or volunteer as working or volunteering for
30 the law enforcement agency;

31 ~~[(9)]~~ (10) A civilian employee or a volunteer of a fire-
32 fighting agency whose official duties require the employee or
33 volunteer to:

34 (I) Interact with the public;

35 (II) Perform tasks related to fire fighting or fire
36 prevention; and

37 (III) Wear identification, clothing or a uniform that
38 identifies the employee or volunteer as working or volunteering for
39 the fire-fighting agency; or

40 ~~[(10)]~~ (11) A civilian employee or volunteer of this State or
41 a political subdivision of this State whose official duties require the
42 employee or volunteer to:

43 (I) Interact with the public;

44 (II) Perform tasks related to code enforcement; and



1 (III) Wear identification, clothing or a uniform that
2 identifies the employee or volunteer as working or volunteering for
3 this State or a political subdivision of this State.

4 (d) "Provider of health care" means a physician, a medical
5 student, a perfusionist or a physician assistant licensed pursuant to
6 chapter 630 of NRS, a practitioner of respiratory care, a
7 homeopathic physician, an advanced practitioner of homeopathy, a
8 homeopathic assistant, an osteopathic physician, a physician
9 assistant licensed pursuant to chapter 633 of NRS, a podiatric
10 physician, a podiatry hygienist, a physical therapist, a medical
11 laboratory technician, an optometrist, a chiropractic physician, a
12 chiropractic assistant, a doctor of Oriental medicine, a nurse, a
13 student nurse, a certified nursing assistant, a nursing assistant
14 trainee, a medication aide - certified, a dentist, a dental student, a
15 dental hygienist, a dental hygienist student, a pharmacist, a
16 pharmacy student, an intern pharmacist, an attendant on an
17 ambulance or air ambulance, a psychologist, a social worker, a
18 marriage and family therapist, a marriage and family therapist
19 intern, a clinical professional counselor, a clinical professional
20 counselor intern, a licensed dietitian, the holder of a license or a
21 limited license issued under the provisions of chapter 653 of NRS,
22 an emergency medical technician, an advanced emergency medical
23 technician and a paramedic.

24 (e) "School employee" means a licensed or unlicensed person
25 employed by a board of trustees of a school district pursuant to NRS
26 391.100 or 391.281.

27 (f) "Sporting event" has the meaning ascribed to it in
28 NRS 41.630.

29 (g) "Sports official" has the meaning ascribed to it in
30 NRS 41.630.

31 (h) "Taxicab" has the meaning ascribed to it in NRS 706.8816.

32 (i) "Taxicab driver" means a person who operates a taxicab.

33 (j) "Transit operator" means a person who operates a bus or
34 other vehicle as part of a public mass transportation system.

35 2. A person convicted of an assault shall be punished:

36 (a) If paragraph (c) or (d) does not apply to the circumstances of
37 the crime and the assault is not made with the use of a deadly
38 weapon or the present ability to use a deadly weapon, for a
39 misdemeanor.

40 (b) If the assault is made with the use of a deadly weapon or the
41 present ability to use a deadly weapon, for a category B felony by
42 imprisonment in the state prison for a minimum term of not less
43 than 1 year and a maximum term of not more than 6 years, or by a
44 fine of not more than \$5,000, or by both fine and imprisonment.



1 (c) If paragraph (d) does not apply to the circumstances of the
2 crime and if the assault is committed upon an officer, a provider of
3 health care, a school employee, a taxicab driver or a transit operator
4 who is performing his or her duty or upon a sports official based on
5 the performance of his or her duties at a sporting event and the
6 person charged knew or should have known that the victim was an
7 officer, a provider of health care, a school employee, a taxicab
8 driver, a transit operator or a sports official, for a gross
9 misdemeanor, unless the assault is made with the use of a deadly
10 weapon or the present ability to use a deadly weapon, then for a
11 category B felony by imprisonment in the state prison for a
12 minimum term of not less than 1 year and a maximum term of not
13 more than 6 years, or by a fine of not more than \$5,000, or by both
14 fine and imprisonment.

15 (d) If the assault is committed upon an officer, a provider of
16 health care, a school employee, a taxicab driver or a transit operator
17 who is performing his or her duty or upon a sports official based on
18 the performance of his or her duties at a sporting event by a
19 probationer, a prisoner who is in lawful custody or confinement or a
20 parolee, and the probationer, prisoner or parolee charged knew or
21 should have known that the victim was an officer, a provider of
22 health care, a school employee, a taxicab driver, a transit operator or
23 a sports official, for a category D felony as provided in NRS
24 193.130, unless the assault is made with the use of a deadly weapon
25 or the present ability to use a deadly weapon, then for a category B
26 felony by imprisonment in the state prison for a minimum term of
27 not less than 1 year and a maximum term of not more than 6 years,
28 or by a fine of not more than \$5,000, or by both fine and
29 imprisonment.

30 **Sec. 28.** NRS 200.481 is hereby amended to read as follows:

31 200.481 1. As used in this section:

32 (a) "Battery" means any willful and unlawful use of force or
33 violence upon the person of another.

34 (b) "Child" means a person less than 18 years of age.

35 (c) "Fire-fighting agency" has the meaning ascribed to it in
36 NRS 239B.020.

37 (d) "Officer" means:

38 (1) A person who possesses some or all of the powers of a
39 peace officer;

40 (2) A person employed in a full-time salaried occupation of
41 fire fighting for the benefit or safety of the public;

42 (3) A member of a volunteer fire department;

43 (4) A jailer, guard, matron or other correctional officer of a
44 city or county jail or detention facility;



1 (5) *The Inspector General of Education appointed pursuant*
2 *to section 10 of this act or an employee of the Office of the*
3 *Inspector General of Education created by section 10 of this act;*

4 (6) A prosecuting attorney of an agency or political
5 subdivision of the United States or of this State;

6 ~~{(6)}~~ (7) A justice of the Supreme Court, judge of the Court
7 of Appeals, district judge, justice of the peace, municipal judge,
8 magistrate, court commissioner, master or referee, including,
9 without limitation, a person acting pro tempore in a capacity listed
10 in this subparagraph;

11 ~~{(7)}~~ (8) An employee of this State or a political subdivision
12 of this State whose official duties require the employee to make
13 home visits;

14 ~~{(8)}~~ (9) A civilian employee or a volunteer of a law
15 enforcement agency whose official duties require the employee or
16 volunteer to:

17 (I) Interact with the public;

18 (II) Perform tasks related to law enforcement; and

19 (III) Wear identification, clothing or a uniform that
20 identifies the employee or volunteer as working or volunteering for
21 the law enforcement agency;

22 ~~{(9)}~~ (10) A civilian employee or a volunteer of a fire-
23 fighting agency whose official duties require the employee or
24 volunteer to:

25 (I) Interact with the public;

26 (II) Perform tasks related to fire fighting or fire
27 prevention; and

28 (III) Wear identification, clothing or a uniform that
29 identifies the employee or volunteer as working or volunteering for
30 the fire-fighting agency; or

31 ~~{(10)}~~ (11) A civilian employee or volunteer of this State or
32 a political subdivision of this State whose official duties require the
33 employee or volunteer to:

34 (I) Interact with the public;

35 (II) Perform tasks related to code enforcement; and

36 (III) Wear identification, clothing or a uniform that
37 identifies the employee or volunteer as working or volunteering for
38 this State or a political subdivision of this State.

39 (e) "Provider of health care" has the meaning ascribed to it in
40 NRS 200.471.

41 (f) "School employee" means a licensed or unlicensed person
42 employed by a board of trustees of a school district pursuant to NRS
43 391.100 or 391.281.

44 (g) "Sporting event" has the meaning ascribed to it in
45 NRS 41.630.



1 (h) "Sports official" has the meaning ascribed to it in
2 NRS 41.630.

3 (i) "Strangulation" means intentionally impeding the normal
4 breathing or circulation of the blood by applying pressure on the
5 throat or neck or by blocking the nose or mouth of another person in
6 a manner that creates a risk of death or substantial bodily harm.

7 (j) "Taxicab" has the meaning ascribed to it in NRS 706.8816.

8 (k) "Taxicab driver" means a person who operates a taxicab.

9 (l) "Transit operator" means a person who operates a bus or
10 other vehicle as part of a public mass transportation system.

11 2. Except as otherwise provided in NRS 200.485, a person
12 convicted of a battery, other than a battery committed by an adult
13 upon a child which constitutes child abuse, shall be punished:

14 (a) If the battery is not committed with a deadly weapon, and no
15 substantial bodily harm to the victim results, except under
16 circumstances where a greater penalty is provided in this section or
17 NRS 197.090, for a misdemeanor.

18 (b) If the battery is not committed with a deadly weapon, and
19 either substantial bodily harm to the victim results or the battery is
20 committed by strangulation, for a category C felony as provided in
21 NRS 193.130.

22 (c) If:

23 (1) The battery is committed upon an officer, provider of
24 health care, school employee, taxicab driver or transit operator who
25 was performing his or her duty or upon a sports official based on the
26 performance of his or her duties at a sporting event;

27 (2) The officer, provider of health care, school employee,
28 taxicab driver, transit operator or sports official suffers substantial
29 bodily harm or the battery is committed by strangulation; and

30 (3) The person charged knew or should have known that the
31 victim was an officer, provider of health care, school employee,
32 taxicab driver, transit operator or sports official,

33 ↪ for a category B felony by imprisonment in the state prison for a
34 minimum term of not less than 2 years and a maximum term of not
35 more than 10 years, or by a fine of not more than \$10,000, or by
36 both fine and imprisonment.

37 (d) If the battery is committed upon an officer, provider of
38 health care, school employee, taxicab driver or transit operator who
39 is performing his or her duty or upon a sports official based on the
40 performance of his or her duties at a sporting event and the person
41 charged knew or should have known that the victim was an officer,
42 provider of health care, school employee, taxicab driver, transit
43 operator or sports official, for a gross misdemeanor, except under
44 circumstances where a greater penalty is provided in this section.



1 (e) If the battery is committed with the use of a deadly weapon,
2 and:

3 (1) No substantial bodily harm to the victim results, for a
4 category B felony by imprisonment in the state prison for a
5 minimum term of not less than 2 years and a maximum term of not
6 more than 10 years, and may be further punished by a fine of not
7 more than \$10,000.

8 (2) Substantial bodily harm to the victim results or the
9 battery is committed by strangulation, for a category B felony by
10 imprisonment in the state prison for a minimum term of not less
11 than 2 years and a maximum term of not more than 15 years, and
12 may be further punished by a fine of not more than \$10,000.

13 (f) If the battery is committed by a probationer, a prisoner who
14 is in lawful custody or confinement or a parolee, without the use of
15 a deadly weapon, whether or not substantial bodily harm results and
16 whether or not the battery is committed by strangulation, for a
17 category B felony by imprisonment in the state prison for a
18 minimum term of not less than 1 year and a maximum term of not
19 more than 6 years.

20 (g) If the battery is committed by a probationer, a prisoner who
21 is in lawful custody or confinement or a parolee, with the use of a
22 deadly weapon, and:

23 (1) No substantial bodily harm to the victim results, for a
24 category B felony by imprisonment in the state prison for a
25 minimum term of not less than 2 years and a maximum term of not
26 more than 10 years.

27 (2) Substantial bodily harm to the victim results or the
28 battery is committed by strangulation, for a category B felony by
29 imprisonment in the state prison for a minimum term of not less
30 than 2 years and a maximum term of not more than 15 years.

31 **Sec. 29.** NRS 239.010 is hereby amended to read as follows:

32 239.010 1. Except as otherwise provided in this section and
33 NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.0397, 41.071, 49.095,
34 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030,
35 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152,
36 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413,
37 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345,
38 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270,
39 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280,
40 119A.280, 119A.653, 119A.677, 119B.370, 119B.382, 120A.640,
41 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730,
42 127.007, 127.057, 127.130, 127.140, 127.2817, 128.090, 130.312,
43 130.712, 136.050, 159.044, 159A.044, 172.075, 172.245, 176.015,
44 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715,
45 178.5691, 179.495, 179A.070, 179A.165, 179D.160, 200.3771,



1 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392,
2 209.3923, 209.3925, 209.419, 209.429, 209.521, 211A.140,
3 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464,
4 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240,
5 218G.350, 224.240, 226.300, 228.270, 228.450, 228.495, 228.570,
6 231.069, 231.1473, 232.1369, 233.190, 237.300, 239.0105,
7 239.0113, 239.014, 239B.026, 239B.030, 239B.040, 239B.050,
8 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 239C.420,
9 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335,
10 247.540, 247.550, 247.560, 250.087, 250.130, 250.140, 250.150,
11 268.095, 268.0978, 268.490, 268.910, 269.174, 271A.105, 281.195,
12 281.805, 281A.350, 281A.680, 281A.685, 281A.750, 281A.755,
13 281A.780, 284.4068, 284.4086, 286.110, 286.118, 287.0438,
14 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503,
15 293.504, 293.558, 293.5757, 293.870, 293.906, 293.908, 293.910,
16 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335,
17 338.070, 338.1379, 338.1593, 338.1725, 338.1727, 348.420,
18 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100,
19 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.2242,
20 361.610, 365.138, 366.160, 368A.180, 370.257, 370.327, 372A.080,
21 378.290, 378.300, 379.0075, 379.008, 379.1495, 385A.830,
22 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503,
23 388.513, 388.750, 388A.247, 388A.249, 391.033, 391.035,
24 391.0365, 391.120, 391.925, 392.029, 392.147, 392.264, 392.271,
25 392.315, 392.317, 392.325, 392.327, 392.335, 392.850, 393.045,
26 394.167, 394.16975, 394.1698, 394.447, 394.460, 394.465,
27 396.1415, 396.1425, 396.143, 396.159, 396.3295, 396.405, 396.525,
28 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888,
29 408.5484, 412.153, 414.280, 416.070, 422.2749, 422.305,
30 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.028,
31 432.205, 432B.175, 432B.280, 432B.290, 432B.4018, 432B.407,
32 432B.430, 432B.560, 432B.5902, 432C.140, 432C.150, 433.534,
33 433A.360, 439.4941, 439.4988, 439.840, 439.914, 439A.116,
34 439A.124, 439B.420, 439B.754, 439B.760, 439B.845, 440.170,
35 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735,
36 442.774, 445A.665, 445B.570, 445B.7773, 447.345, 449.209,
37 449.245, 449.4315, 449A.112, 450.140, 450B.188, 450B.805,
38 453.164, 453.720, 458.055, 458.280, 459.050, 459.3866, 459.555,
39 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403,
40 463.3407, 463.790, 467.1005, 480.535, 480.545, 480.935, 480.940,
41 481.063, 481.091, 481.093, 482.170, 482.368, 482.5536, 483.340,
42 483.363, 483.575, 483.659, 483.800, 484A.469, 484B.830,
43 484B.833, 484E.070, 485.316, 501.344, 503.452, 522.040,
44 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098,
45 598A.110, 598A.420, 599B.090, 603.070, 603A.210, 604A.303,



1 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350,
2 618.341, 618.425, 622.238, 622.310, 623.131, 623A.137, 624.110,
3 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230,
4 628B.760, 629.047, 629.069, 630.133, 630.2671, 630.2672,
5 630.2673, 630.30665, 630.336, 630A.327, 630A.555, 631.332,
6 631.368, 632.121, 632.125, 632.3415, 632.3423, 632.405, 633.283,
7 633.301, 633.4715, 633.4716, 633.4717, 633.524, 634.055,
8 634.1303, 634.214, 634A.169, 634A.185, 635.111, 635.158,
9 636.262, 636.342, 637.085, 637.145, 637B.192, 637B.288, 638.087,
10 638.089, 639.183, 639.2485, 639.570, 640.075, 640.152, 640A.185,
11 640A.220, 640B.405, 640B.730, 640C.580, 640C.600, 640C.620,
12 640C.745, 640C.760, 640D.135, 640D.190, 640E.225, 640E.340,
13 641.090, 641.221, 641.2215, 641.325, 641A.191, 641A.217,
14 641A.262, 641B.170, 641B.281, 641B.282, 641C.455, 641C.760,
15 641D.260, 641D.320, 642.524, 643.189, 644A.870, 645.180,
16 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220,
17 645C.225, 645D.130, 645D.135, 645G.510, 645H.320, 645H.330,
18 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.126,
19 652.228, 653.900, 654.110, 656.105, 657A.510, 661.115, 665.130,
20 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480,
21 675.380, 676A.340, 676A.370, 677.243, 678A.470, 678C.710,
22 678C.800, 679B.122, 679B.124, 679B.152, 679B.159, 679B.190,
23 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410,
24 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306,
25 687A.060, 687A.115, 687B.404, 687C.010, 688C.230, 688C.480,
26 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536,
27 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550,
28 696C.120, 703.196, 704B.325, 706.1725, 706A.230, 710.159,
29 711.600, *and sections 14 and 17 of this act*, sections 35, 38 and 41
30 of chapter 478, Statutes of Nevada 2011 and section 2 of chapter
31 391, Statutes of Nevada 2013 and unless otherwise declared by law
32 to be confidential, all public books and public records of a
33 governmental entity must be open at all times during office hours to
34 inspection by any person, and may be fully copied or an abstract or
35 memorandum may be prepared from those public books and public
36 records. Any such copies, abstracts or memoranda may be used to
37 supply the general public with copies, abstracts or memoranda of the
38 records or may be used in any other way to the advantage of the
39 governmental entity or of the general public. This section does not
40 supersede or in any manner affect the federal laws governing
41 copyrights or enlarge, diminish or affect in any other manner the
42 rights of a person in any written book or record which is
43 copyrighted pursuant to federal law.

44 2. A governmental entity may not reject a book or record
45 which is copyrighted solely because it is copyrighted.



1 3. A governmental entity that has legal custody or control of a
2 public book or record shall not deny a request made pursuant to
3 subsection 1 to inspect or copy or receive a copy of a public book or
4 record on the basis that the requested public book or record contains
5 information that is confidential if the governmental entity can
6 redact, delete, conceal or separate, including, without limitation,
7 electronically, the confidential information from the information
8 included in the public book or record that is not otherwise
9 confidential.

10 4. If requested, a governmental entity shall provide a copy of a
11 public record in an electronic format by means of an electronic
12 medium. Nothing in this subsection requires a governmental entity
13 to provide a copy of a public record in an electronic format or by
14 means of an electronic medium if:

15 (a) The public record:

16 (1) Was not created or prepared in an electronic format; and

17 (2) Is not available in an electronic format; or

18 (b) Providing the public record in an electronic format or by
19 means of an electronic medium would:

20 (1) Give access to proprietary software; or

21 (2) Require the production of information that is confidential
22 and that cannot be redacted, deleted, concealed or separated from
23 information that is not otherwise confidential.

24 5. An officer, employee or agent of a governmental entity who
25 has legal custody or control of a public record:

26 (a) Shall not refuse to provide a copy of that public record in the
27 medium that is requested because the officer, employee or agent has
28 already prepared or would prefer to provide the copy in a different
29 medium.

30 (b) Except as otherwise provided in NRS 239.030, shall, upon
31 request, prepare the copy of the public record and shall not require
32 the person who has requested the copy to prepare the copy himself
33 or herself.

34 **Sec. 30.** NRS 289.470 is hereby amended to read as follows:

35 289.470 "Category II peace officer" means:

36 1. The bailiffs of the district courts, justice courts and
37 municipal courts whose duties require them to carry weapons and
38 make arrests;

39 2. Subject to the provisions of NRS 258.070, constables and
40 their deputies;

41 3. Inspectors employed by the Nevada Transportation
42 Authority who exercise those powers of enforcement conferred by
43 chapters 706 and 712 of NRS;

44 4. Special investigators who are employed full-time by the
45 office of any district attorney or the Attorney General;



1 5. Investigators of arson for fire departments who are specially
2 designated by the appointing authority;

3 6. Investigators for the State Forester Firewarden who are
4 specially designated by the State Forester Firewarden and whose
5 primary duties are related to the investigation of arson;

6 7. Agents of the Nevada Gaming Control Board who exercise
7 the powers of enforcement specified in NRS 289.360, 463.140 or
8 463.1405, except those agents whose duties relate primarily to
9 auditing, accounting, the collection of taxes or license fees, or the
10 investigation of applicants for licenses;

11 8. Investigators and administrators of the Division of
12 Compliance Enforcement of the Department of Motor Vehicles who
13 perform the duties specified in subsection 2 of NRS 481.048;

14 9. Officers and investigators of the Section for the Control of
15 Emissions From Vehicles and the Enforcement of Matters Related
16 to the Use of Special Fuel of the Department of Motor Vehicles who
17 perform the duties specified in subsection 3 of NRS 481.0481;

18 10. Legislative police officers of the State of Nevada;

19 11. Parole counselors of the Division of Child and Family
20 Services of the Department of Health and Human Services;

21 12. Juvenile probation officers and deputy juvenile probation
22 officers employed by the various judicial districts in the State of
23 Nevada or by a department of juvenile justice services established
24 by ordinance pursuant to NRS 62G.210 whose official duties require
25 them to enforce court orders on juvenile offenders and make arrests;

26 13. Field investigators of the Taxicab Authority;

27 14. Security officers employed full-time by a city or county
28 whose official duties require them to carry weapons and make
29 arrests;

30 15. The chief of a department of alternative sentencing created
31 pursuant to NRS 211A.080 and the assistant alternative sentencing
32 officers employed by that department;

33 16. Agents of the Cannabis Compliance Board who exercise
34 the powers of enforcement specified in NRS 289.355;

35 17. Criminal investigators who are employed by the Secretary
36 of State; ~~and~~

37 18. The Inspector General of the Department of Corrections
38 and any person employed by the Department as a criminal
39 investigator ~~and~~; *and*

40 *19. The Inspector General of Education appointed pursuant*
41 *to section 10 of this act and any person employed as an*
42 *investigator by the Office of the Inspector General of Education*
43 *created by section 10 of this act.*



1 **Sec. 31.** NRS 353A.010 is hereby amended to read as follows:
2 353A.010 As used in this chapter, unless the context otherwise
3 requires:

4 1. “Agency” means every agency, department, division, board,
5 commission or similar body, or elected officer, of the Executive
6 Branch of the State.

7 2. “Committee” means the Executive Branch Audit Committee
8 created pursuant to NRS 353A.038.

9 3. “Director” means the Director of the Office of Finance.

10 4. *“Inspector General of Education” means the Inspector*
11 *General of Education appointed by the Governor pursuant to*
12 *section 10 of this act.*

13 5. “Internal accounting and administrative control” means a
14 method through which agencies can safeguard assets, check the
15 accuracy and reliability of their accounting information, promote
16 efficient operations and encourage adherence to prescribed
17 managerial policies.

18 **Sec. 32.** NRS 353A.025 is hereby amended to read as follows:
19 353A.025 1. The head of each agency shall periodically
20 review the agency’s system of internal accounting and
21 administrative control to determine whether it is in compliance with
22 the uniform system of internal accounting and administrative control
23 for agencies adopted pursuant to subsection 1 of NRS 353A.020.

24 2. On or before July 1 of each even-numbered year, the head of
25 each agency shall report to the Director whether the agency’s
26 system of internal accounting and administrative control is in
27 compliance with the uniform system adopted pursuant to subsection
28 1 of NRS 353A.020. The reports must be made available for
29 inspection by the members of the Legislature.

30 3. For the purposes of this section, “agency” does not include:

31 (a) A board created by the provisions of NRS 590.485 and
32 chapters 623 to 625A, inclusive, 628, 630 to 644A, inclusive, 648,
33 654 and 656 of NRS.

34 (b) The Nevada System of Higher Education.

35 (c) The Public Employees’ Retirement System.

36 (d) The Housing Division of the Department of Business and
37 Industry.

38 (e) The Colorado River Commission of Nevada.

39 4. The Director shall, on or before the first Monday in
40 February of each odd-numbered year, submit a report on the status
41 of internal accounting and administrative controls in agencies to the:

42 (a) Director of the Legislative Counsel Bureau for transmittal to
43 the:

44 (1) Senate Standing Committee on Finance; and

45 (2) Assembly Standing Committee on Ways and Means;



- 1 (b) Governor; ~~and~~
- 2 (c) *Inspector General of Education; and*
- 3 (d) Legislative Auditor.

4 5. The report submitted by the Director pursuant to subsection
5 4 must include, without limitation:

6 (a) The identification of each agency that has not complied with
7 the requirements of subsections 1 and 2;

8 (b) The identification of each agency that does not have an
9 effective method for reviewing its system of internal accounting and
10 administrative control; and

11 (c) The identification of each agency that has weaknesses in its
12 system of internal accounting and administrative control, and the
13 extent and types of such weaknesses.

14 **Sec. 33.** 1. On or before December 1, 2023, the Governor
15 shall appoint an Inspector General of Education pursuant to section
16 10 of this act.

17 2. The Administrator of the Division of Internal Audits of the
18 Office of Finance is the acting Inspector General of Education until
19 the Governor appoints the initial Inspector General of Education
20 pursuant to section 10 of this act.

21 **Sec. 34.** The provisions of subsection 1 of NRS 218D.380 do
22 not apply to any provisions of this act which adds or revises a
23 requirement to submit a report to the Legislature.

24 **Sec. 35.** 1. This section becomes effective upon passage and
25 approval.

26 2. Sections 1 to 34, inclusive, of this act become effective:

27 (a) Upon passage and approval for the purpose of adopting any
28 regulations and performing any other preparatory administrative
29 tasks that are necessary to carry out the provisions of this act; and

30 (b) On January 1, 2024, for all other purposes.

