

SENATE BILL NO. 168—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE JOINT INTERIM STANDING COMMITTEE ON HEALTH AND HUMAN SERVICES)

FEBRUARY 16, 2023

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to emergency preparedness. (BDR 36-335)

FISCAL NOTE: Effect on Local Government: No. 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 emergency management; authorizing the Division of Emergency Management in the Office of the Military to use money in the Emergency Assistance Account for the purpose of emergency management; requiring the Department of Employment, Training and Rehabilitation to conduct a study during the 2023-2024 legislative interim concerning the unemployment system in this State and the impact of a crisis on employment; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law creates the Division of Emergency Management in the Office of
2 the Military and grants the Division certain powers and duties concerning
3 emergencies and disasters. (NRS 414.040) Existing law further establishes the
4 Emergency Assistance Account in the State General Fund and requires the Division
5 to administer the Account. Existing law authorizes the use of money in the
6 Account: (1) to provide supplemental emergency assistance to the State or local
7 governments; (2) to pay the actual expenses incurred by the Division for
8 administration during an emergency or disaster; and (3) for any other purpose
9 authorized by the Legislature. (NRS 414.135) **Section 1** of this bill expands the
10 purposes for which money in the Account may be used by authorizing the Division
11 to use money in the Account to pay the actual expenses incurred by the Division for
12 the purpose of emergency management before, during or after an emergency or
13 disaster regardless of whether the Governor or the Legislature proclaims that an
14 emergency or disaster exists.
15 **Section 2** of this bill requires the Department of Employment, Training and
16 Rehabilitation to conduct a study during the 2023-2024 legislative interim



17 concerning the unemployment system in this State and the impact of a crisis on
18 employment. **Section 2** further requires the Department to submit a report of the
19 findings and recommendations of the study to the Joint Interim Standing
20 Committee on Commerce and Labor, the Joint Standing Interim Committee on
21 Health and Human Services and the Director of the Legislative Counsel Bureau for
22 transmittal to the 83rd Session of the Legislature on or before August 1, 2024.

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

1 **Section 1.** NRS 414.135 is hereby amended to read as follows:

2 414.135 1. There is hereby created in the State General Fund
3 the Emergency Assistance Account. Beginning with the fiscal year
4 that begins on July 1, 1999, the State Controller shall, at the end of
5 each fiscal year, transfer the interest earned during the previous
6 fiscal year on the money in the Disaster Relief Account created
7 pursuant to NRS 353.2735 to the Emergency Assistance Account in
8 an amount not to exceed \$500,000.

9 2. The Division of Emergency Management of the Office of
10 the Military shall administer the Emergency Assistance Account.
11 The Division may adopt regulations authorized by this section
12 before, on or after July 1, 1999.

13 3. Except as otherwise provided in paragraph ~~(c)~~ (d), all
14 expenditures from the Emergency Assistance Account must be
15 approved in advance by the Division. Except as otherwise provided
16 in subsection 4, all money in the Emergency Assistance Account
17 must be expended:

18 (a) To provide supplemental emergency assistance to this State
19 or to local governments in this State that are severely and adversely
20 affected by a natural, technological or man-made emergency or
21 disaster for which available resources of this State or the local
22 government are inadequate to provide a satisfactory remedy;

23 (b) To pay any actual expenses incurred by the Division for
24 administration during a natural, technological or man-made
25 emergency or disaster; ~~and~~

26 (c) *To pay any actual expenses incurred by the Division for the*
27 *purpose of emergency management before, during or after a*
28 *natural, technological or man-made emergency or disaster*
29 *regardless of whether the Governor or the Legislature proclaims*
30 *that an emergency or disaster exists; and*

31 (d) For any other purpose authorized by the Legislature.

32 4. Beginning with the fiscal year that begins on July 1, 1999, if
33 any balance remains in the Emergency Assistance Account at the
34 end of a fiscal year and the balance has not otherwise been
35 committed for expenditure, the Division may, with the approval of



1 the Interim Finance Committee, allocate all or any portion of the
2 remaining balance, not to exceed \$250,000, to this State or to a local
3 government to:

4 (a) Purchase equipment or supplies required for emergency
5 management;

6 (b) Provide training to personnel related to emergency
7 management; and

8 (c) Carry out the provisions of NRS 388.229 to 388.266,
9 inclusive.

10 5. Beginning with the fiscal year that begins on July 1, 1999,
11 the Division shall, at the end of each quarter of a fiscal year, submit
12 to the Interim Finance Committee a report of the expenditures made
13 from the Emergency Assistance Account for the previous quarter.

14 6. The Division shall adopt such regulations as are necessary to
15 administer the Emergency Assistance Account.

16 7. The Division may adopt regulations to provide for
17 reimbursement of expenditures made from the Emergency
18 Assistance Account. If the Division requires such reimbursement,
19 the Attorney General shall take such action as is necessary to
20 recover the amount of any unpaid reimbursement plus interest at a
21 rate determined pursuant to NRS 17.130, computed from the date on
22 which the money was removed from the Disaster Relief Account,
23 upon request by the Division.

24 **Sec. 2.** 1. During the 2023-2024 legislative interim, the
25 Department of Employment, Training and Rehabilitation shall
26 conduct a study concerning the unemployment system in this State
27 and the classifications of essential and nonessential businesses and
28 workers during a crisis. In conducting the study, the Department of
29 Employment, Training and Rehabilitation shall consult with state
30 agencies, including, without limitation, the Office of the Governor,
31 the Office of Economic Development, the Department of Business
32 and Industry and the Department of Health and Human Services,
33 local governments and other stakeholders.

34 2. The study must, without limitation:

35 (a) Examine alternative unemployment benefits, including,
36 without limitation, short-time work benefits such as the policy of
37 Germany known as Kurzarbeit;

38 (b) Evaluate the classification of businesses and workers as
39 essential or nonessential during a crisis, including, without
40 limitation, a pandemic or other public health emergency or a
41 hazardous work environment caused by poor air quality due to a
42 wildfire or excessive heat;

43 (c) Develop a standardized process for determining whether a
44 business or a worker is essential or nonessential; and



1 (d) Develop recommendations to modernize the unemployment
2 compensation system in this State, including, without limitation, by
3 requiring employers to provide certain information about employees
4 to the Department of Employment, Training and Rehabilitation to
5 allow workers to access certain benefits in a timely manner.

6 3. On or before August 1, 2024, the Department of
7 Employment, Training and Rehabilitation shall submit a report of
8 the findings and recommendations of the study to the Joint Interim
9 Standing Committee on Commerce and Labor, the Joint Interim
10 Standing Committee on Health and Human Services and the
11 Director of the Legislative Counsel Bureau for transmittal to the
12 83rd Session of the Legislature.

13 **Sec. 3.** This act becomes effective on July 1, 2023.

