
SENATE BILL NO. 248—SENATORS TITUS, GOICOECHEA,
SEEVERS GANSERT; FLORES AND NEAL

MARCH 9, 2023

JOINT SPONSORS: ASSEMBLYMEN HAFEN AND DICKMAN

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to governmental financial administration. (BDR 31-631)

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 state finances; revising the maximum balance authorized in the Account to Stabilize the Operation of the State Government by basing the maximum amount on the appropriations for the biennium rather than the appropriations for the fiscal year; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law creates the Account to Stabilize the Operation of the State
2 Government and prohibits the balance in the Account from being more than 20
3 percent of the total of all appropriations from the State General Fund for the
4 operation of all departments, institutions and agencies of the State Government and
5 for the funding of schools and the regulation of gaming for the fiscal year in which
6 that revenue will be transferred to the Account. (NRS 353.288) This bill revises the
7 maximum balance authorized in the Account by basing the maximum amount
8 authorized on the appropriations for the biennium rather than the appropriations for
9 the fiscal year.

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

1 **Section 1.** NRS 353.288 is hereby amended to read as follows:
2 353.288 1. The Account to Stabilize the Operation of the
3 State Government is hereby created in the State General Fund.



1 Except as otherwise provided in subsections 3 and 4, each year after
2 the close of the previous fiscal year and before the issuance of the
3 State Controller's annual report, the State Controller shall transfer
4 from the State General Fund to the Account to Stabilize the
5 Operation of the State Government:

6 (a) Forty percent of the unrestricted balance of the State General
7 Fund, as of the close of the previous fiscal year, which remains after
8 subtracting an amount equal to 7 percent of all appropriations made
9 from the State General Fund during that previous fiscal year for the
10 operation of all departments, institutions and agencies of State
11 Government and for the funding of schools; and

12 (b) Commencing with the fiscal year that begins on July 1,
13 2017, 1 percent of the total anticipated revenue for the fiscal year in
14 which the transfer will be made, as projected by the Economic
15 Forum for that fiscal year pursuant to paragraph (e) of subsection 1
16 of NRS 353.228 and as adjusted by any legislation enacted by the
17 Legislature that affects state revenue for that fiscal year.

18 2. Money transferred pursuant to subsection 1 to the Account
19 to Stabilize the Operation of the State Government is a continuing
20 appropriation solely for the purpose of authorizing the expenditure
21 of the transferred money for the purposes set forth in this section.

22 3. The balance in the Account to Stabilize the Operation of the
23 State Government must not exceed 20 percent of the total of all
24 appropriations from the State General Fund for the operation of all
25 departments, institutions and agencies of the State Government and
26 for the funding of schools and authorized expenditures from the
27 State General Fund for the regulation of gaming for the ~~fiscal year~~
28 *biennium* in which that revenue will be transferred to the Account
29 to Stabilize the Operation of the State Government.

30 4. Except as otherwise provided in this subsection and NRS
31 353.2735, beginning with the fiscal year that begins on July 1, 2003,
32 the State Controller shall, at the end of each quarter of a fiscal year,
33 transfer from the State General Fund to the Disaster Relief Account
34 created pursuant to NRS 353.2735 an amount equal to not more than
35 10 percent of the aggregate balance in the Account to Stabilize the
36 Operation of the State Government during the previous quarter. The
37 State Controller shall not transfer more than \$500,000 for any
38 quarter pursuant to this subsection.

39 5. The Director of the Office of Finance in the Office of the
40 Governor may submit a request to the State Board of Examiners to
41 transfer money from the Account to Stabilize the Operation of the
42 State Government to the State General Fund:

43 (a) If the total actual revenue of the State falls short by 5 percent
44 or more of the total anticipated revenue for the biennium in which



1 the transfer will be made, as determined by the Legislature, or the
2 Interim Finance Committee if the Legislature is not in session; or

3 (b) If the Legislature, or the Interim Finance Committee if the
4 Legislature is not in session, and the Governor declare that a fiscal
5 emergency exists.

6 6. The State Board of Examiners shall consider a request made
7 pursuant to subsection 5 and shall, if it finds that a transfer should
8 be made, recommend the amount of the transfer to the Interim
9 Finance Committee for its independent evaluation and action. The
10 Interim Finance Committee is not bound to follow the
11 recommendation of the State Board of Examiners.

12 7. If the Interim Finance Committee finds that a transfer
13 recommended by the State Board of Examiners should and may
14 lawfully be made, the Committee shall by resolution establish the
15 amount and direct the State Controller to transfer that amount to
16 the State General Fund. The State Controller shall thereupon make
17 the transfer.

18 8. In addition to the manner of allocation authorized pursuant
19 to subsections 5, 6 and 7, the money in the Account to Stabilize the
20 Operation of the State Government may be allocated directly by the
21 Legislature to be used for any other purpose.

22 **Sec. 2.** This act becomes effective on July 1, 2023.

