

**REQUEST FOR CHANGES TO THE STATE ADMINISTRATIVE MANUAL (SAM)**

Agency Code:015

Department: Governor's Finance Office

Division (if applicable): Budget Division

Appointing authority:

Agency contact (name, phone and e-mail): Curtis Palmer - (775) 684-0222,

[palmerc@finance.nv.gov](mailto:palmerc@finance.nv.gov)

Budget Division Analyst (name, phone and e-mail):

Proposed BOE date: March 2023

Proposed effective date: March 2023

1. Reason/purpose for requested change:

NRS 353.335 Sec. 114 was revised in the 2023 Legislative Session to allow agencies to deposit gifts or grants without Interim Finance approval in non-executive budget accounts.

2. Explain how the recommended change(s) will benefit agencies or create consistencies or efficiencies, etc. (provide examples if applicable):

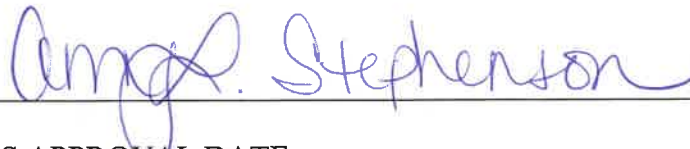
This request creates consistency between state policy and NRS.

3. Will recommended change have a fiscal impact (if yes, explain):

This request will allow agencies to deposit gifts or grants without Interim Finance approval in non-executive budget accounts.

4. Existing and recommended language in SAM (*blue bold italics* is new language being proposed and ~~red strikethrough~~ is deleted language being proposed). **(please provide requested change as an attachment):**

Appointing Authority: \_\_\_\_\_



BOARD OF EXAMINERS APPROVAL DATE: \_\_\_\_\_

*(for BOE use only)*

## Current Policy:

### 2526 Authority to Accept Gifts and Grants

1. [NRS 353.335](#) provides the authority for agencies to accept gifts and grants other than those that are already included in the legislatively approved budget. Agencies should follow the general guidelines listed below, and consult the statute and their assigned Executive Branch Budget Officer as necessary to determine how to proceed with any work programs. New governmental grants less than or equal to \$150,000 are able to be added to a budget account via work program without approval by the Interim Finance Committee (IFC), but those over \$150,000 require IFC approval.
2. Non-governmental gifts or grants less than or equal to \$20,000 may be added to a budget account via work program without IFC approval, but those over \$20,000 require IFC approval. However, if a work program requiring IFC approval is not necessary, agencies may still have to provide an action item for IFC's consideration.
3. When agencies receive a grant (typically a block grant) from the federal government that requires a public hearing, [NRS 353.337](#) allows agencies to submit the item to IFC in lieu of a public hearing in accordance with [NRS 241](#).

This section does not apply to:

1. The Nevada System of Higher Education; or
2. The Department of Health and Human Services while acting as the state health planning and development agency pursuant to paragraph (d) of subsection 2 of [NRS 439A.081](#) or for donations, gifts or grants to be disbursed pursuant to [NRS 433.395](#) or [NRS 435.490](#) ; or
3. Artifacts donated to the Department of Tourism and Cultural Affairs.

## Revised Policy:

### 2526 Authority to Accept Gifts and Grants

1. [NRS 353.335](#) provides the authority for agencies to accept gifts and grants other than those that are already included in the legislatively approved budget. Agencies should follow the general guidelines listed below, and consult the statute and their assigned Executive Branch Budget Officer as necessary to determine how to proceed with any work programs. New governmental grants less than or equal to ~~\$150,000~~ [\\$200,000](#) are able to be added to a budget account via work program without approval by the Interim Finance Committee (IFC), but those over ~~\$150,000~~ [\\$200,000](#) require IFC approval.
2. Non-governmental gifts or grants less than or equal to ~~\$20,000~~ [\\$200,000](#) may be added to a budget account via work program without IFC approval, but those over ~~\$20,000~~ [\\$200,000](#) require IFC approval. However, if a work program requiring IFC approval is not necessary, agencies may still have to provide an action item for IFC's consideration.
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3. *Legal services provided on a pro bono basis by an attorney or law firm engaged in private practice of law to the State of Nevada or any officer, agency or employee in the Executive Department of the State Government pursuant to a contract for legal services enter into by or at the request of the Attorney General in accordance with [NRS 228.112](#) to [228.1127](#), inclusive;*
- ~~3.~~ 4. Artifacts donated to the Department of Tourism and Cultural Affairs;
5. *The initial \$250,000 received by the Department of Wildlife pursuant to subsection 1 of [NRS 501.3585](#) as a gift, donation, bequest or devise, or combination thereof, for an unanticipated emergency event, as defined in [NRS 501.3585](#); or*
6. *A gift or grant that will be deposited in a budget account that consist of money which is not appropriated by or authorized for expenditure by the Legislature.*

## **Final Policy:**

### **2526 Authority to Accept Gifts and Grants**

1. [NRS 353.335](#) provides the authority for agencies to accept gifts and grants other than those that are already included in the legislatively approved budget. Agencies should follow the general guidelines listed below, and consult the statute and their assigned Executive Branch Budget Officer as necessary to determine how to proceed with any work programs. New governmental grants less than or equal to \$200,000 are able to be added to a budget account via work program without approval by the Interim Finance Committee (IFC), but those over \$200,000 require IFC approval.
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3. Legal services provided on a pro bono basis by an attorney or law firm engaged in private practice of law to the State of Nevada or any officer, agency or employee in the Executive Department of the State Government pursuant to a contract for legal services enter into by or at the request of the Attorney General in accordance with [NRS 228.112](#) to [228.1127](#), inclusive;
4. Artifacts donated to the Department of Tourism and Cultural Affairs;
5. The initial \$250,000 received by the Department of Wildlife pursuant to subsection 1 of [NRS 501.3585](#) as a gift, donation, bequest or devise, or combination thereof, for an unanticipated emergency event, as defined in [NRS 501.3585](#); or
6. A gift or grant that will be deposited in a budget account that consist of money which is not appropriated by or authorized for expenditure by the Legislature.