

## AGENDA ITEM 8A

**NRS 176.0129 Annual projections of persons imprisoned, on probation, on parole and in residential confinement.** The Office of Finance shall, on an annual basis, contract for the services of an independent contractor, in accordance with the provisions of [NRS 333.700](#), to:

1. Review sentences imposed in this State and the practices of the State Board of Parole Commissioners and project annually the number of persons who will be:

- (a) In a facility or institution of the Department of Corrections;
- (b) On probation;
- (c) On parole; and
- (d) Serving a term of residential confinement,

↳ during the 10 years immediately following the date of the projection; and

2. Review preliminary proposals and information provided by the Commission and project annually the number of persons who will be:

- (a) In a facility or institution of the Department of Corrections;
- (b) On probation;
- (c) On parole; and
- (d) Serving a term of residential confinement,

↳ during the 10 years immediately following the date of the projection, assuming the preliminary proposals were recommended by the Commission and enacted by the Legislature.

**NRS 176.01347 Development of formula to calculate costs avoided by enactment of chapter 633, Statutes of Nevada 2019; submission of statements and reports regarding costs avoided. [Effective July 1, 2020.]**

1. The Sentencing Commission shall develop a formula to calculate for each fiscal year the amount of costs avoided by this State because of the enactment of chapter 633, Statutes of Nevada 2019. The formula must include, without limitation, a comparison of:

(a) The annual projection of the number of persons who will be in a facility or institution of the Department of Corrections which was created by the Office of Finance pursuant to [NRS 176.0129](#) for calendar year 2018; and

(b) The actual number of persons who are in a facility or institution of the Department of Corrections during each year.

2. Not later than December 1 of each fiscal year, the Sentencing Commission shall use the formula developed pursuant to subsection 1 to calculate the costs avoided by this State for the immediately preceding fiscal year because of the enactment of chapter 633, Statutes of Nevada 2019, and submit a statement of the amount of the costs avoided to the Governor and the Director of the Legislative Counsel Bureau for transmittal to the Interim Finance Committee.

3. Not later than August 1 of each even-numbered year, the Sentencing Commission shall prepare a report containing the projected amount of costs avoided by this State for the next biennium because of the enactment of chapter 633, Statutes of Nevada 2019, and recommendations for the reinvestment of the amount of those costs to provide financial support to programs and services that address the behavioral health needs of persons involved in the criminal justice system in order to reduce recidivism. In preparing the report, the Commission shall prioritize providing financial support to:

(a) The Department of Corrections for programs for reentry of offenders and parolees into the community, programs for vocational training and employment of offenders, educational programs for offenders and transitional work programs for offenders;

(b) The Division for services for offenders reentering the community, the supervision of probationers and parolees and programs of treatment for probationers and parolees that are proven by scientific research to reduce recidivism;

(c) Any behavioral health field response grant program developed and implemented pursuant to [NRS 289.675](#);

(d) The Housing Division of the Department of Business and Industry to create or provide transitional housing for probationers and parolees and offenders reentering the community; and

(e) The Nevada Local Justice Reinvestment Coordinating Council created by [NRS 176.014](#) for the purpose of making grants to counties for programs and treatment that reduce recidivism of persons involved in the criminal justice system.

4. Not later than August 1 of each even-numbered year, the Sentencing Commission shall submit the report prepared pursuant to subsection 3 to the Governor and to the Director of the Legislative Counsel Bureau for transmittal to the next regular session of the Legislature.

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**NRS 176.0139 Annual projections of persons imprisoned, on probation, on parole and in residential confinement.** The Office of Finance shall provide the Sentencing Commission with any projections on persons imprisoned, on probation, on parole and serving a term of residential confinement required pursuant to [NRS 176.0129](#), as requested by the Sentencing Commission.

**NRS 353.205 Parts of proposed state budget; confidentiality; posting on websites.**

1. The proposed budget for the Executive Department of the State Government for each fiscal year must be set up in four parts:

(a) Part 1 must consist of a budgetary message by the Governor which includes:

(1) A general summary of the long-term performance goals of the Executive Department of the State Government for:

(I) Core governmental functions, including the education of pupils in kindergarten through grade 12, higher education, human services and public safety and health; and

(II) Other governmental services;

(2) An explanation of the means by which the proposed budget will provide adequate funding for those governmental functions and services such that ratable progress will be made toward achieving those long-term performance goals;

(3) An outline of any other important features of the financial plan of the Executive Department of the State Government for the next 2 fiscal years; and

(4) A general summary of the proposed budget setting forth the aggregate figures of the proposed budget in such a manner as to show the balanced relations between the total proposed expenditures and the total anticipated revenues, together with the other means of financing the proposed budget for the next 2 fiscal years, contrasted with the corresponding figures for the last completed fiscal year and fiscal year in progress. The general summary of the proposed budget must be supported by explanatory schedules or statements, classifying the expenditures contained therein by organizational units, objects and funds, and the income by organizational units, sources and funds. The organizational units may be subclassified by functions and by agencies, bureaus or commissions, or in any other manner determined by the Chief.

(b) Part 2 must embrace the detailed budgetary estimates both of expenditures and revenues as provided in [NRS 353.150](#) to [353.246](#), inclusive. The information must be presented in a manner which sets forth separately the cost of continuing each program at the same level of service as the current year and the cost, by budgetary issue, of any recommendations to enhance or reduce that level of service. Revenues must be summarized by type, and expenditures must be summarized by program or budgetary account and by category of expense. Part 2 must include:

(1) The identification of each long-term performance goal of the Executive Department of the State Government for:

(I) Core governmental functions, including the education of pupils in kindergarten through grade 12, higher education, human services, and public safety and health; and

(II) Other governmental services,

↳ and of each intermediate objective for the next 2 fiscal years toward achieving those goals.

(2) An explanation of the means by which the proposed budget will provide adequate funding for those governmental functions and services such that those intermediate objectives will be met and progress will be made toward achieving those long-term performance goals.

(3) A mission statement and measurement indicators for each department, institution and other agency of the Executive Department of the State Government, which articulate the intermediate objectives and long-term performance goals each such department, institution and other agency is tasked with achieving and the particular measurement indicators tracked for each such department, institution and other agency to determine whether the department, institution or other agency is successful in achieving its intermediate objectives and long-term performance goals, provided in sufficient detail to assist the Legislature in performing an analysis of the relative costs and benefits of program budgets and in determining priorities for expenditures. If available, information regarding such measurement indicators must be provided for each of the previous 4 fiscal years. If a new measurement indicator is being added, a rationale for that addition must be provided. If a measurement indicator is being modified, information must be provided regarding both the modified indicator and the indicator as it existed before modification. If a measurement indicator is being deleted, a rationale for that deletion and information regarding the deleted indicator must be provided.

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(4) Statements of the bonded indebtedness of the State Government, showing the requirements for redemption of debt, the debt authorized and unissued, and the condition of the sinking funds.

(5) Any statements relative to the financial plan which the Governor may deem desirable, or which may be required by the Legislature.

(c) Part 3 must set forth, for the Office of Economic Development and the Office of Energy, the results of the analyses conducted by those offices and reported to the Chief pursuant to [NRS 353.207](#) for the immediately preceding 2 fiscal years.

(d) Part 4 must include a recommendation to the Legislature for the drafting of a general appropriation bill authorizing, by departments, institutions and agencies, and by funds, all expenditures of the Executive Department of the State Government for the next 2 fiscal years, and may include recommendations to the Legislature for the drafting of such other bills as may be required to provide the income necessary to finance the proposed budget and to give legal sanction to the financial plan if adopted by the Legislature.

2. Except as otherwise provided in [NRS 353.211](#), as soon as each part of the proposed budget is prepared, a copy of the part must be transmitted to the Fiscal Analysis Division of the Legislative Counsel Bureau for confidential examination and retention.

3. Except for the information provided to the Fiscal Analysis Division of the Legislative Counsel Bureau pursuant to [NRS 353.211](#), parts 1 and 2 of the proposed budget are confidential until the Governor transmits the proposed budget to the Legislature pursuant to [NRS 353.230](#), regardless of whether those parts are in the possession of the Executive or Legislative Department of the State Government. Part 4 of the proposed budget is confidential until the bills which result from the proposed budget are introduced in the Legislature. As soon as practicable after the Governor transmits the proposed budget to the Legislature pursuant to [NRS 353.230](#), the information required to be included in the proposed budget pursuant to subparagraphs (1), (2) and (3) of paragraph (b) of subsection 1 must be posted on the Internet websites maintained by the Budget Division of the Office of Finance.

### **NRS 353.211 Provision of budgetary information to Fiscal Analysis Division of Legislative Counsel Bureau; information open for public inspection; public hearings on agency's requested budget.**

1. On or before October 15 of each even-numbered year, the Chief shall provide to the Fiscal Analysis Division of the Legislative Counsel Bureau:

(a) Computerized budget files containing the actual data regarding revenues and expenditures for the previous year;

(b) The work programs for the current year; and

(c) Each agency's requested budget for the next 2 fiscal years.

2. On or before December 31 of each even-numbered year, the Chief shall provide to the Fiscal Analysis Division:

(a) Each agency's adjusted base budget by program or budgetary account for the next 2 fiscal years; and

(b) An estimated range of the costs for:

(1) Continuing the operation of State Government; and

(2) Providing elementary, secondary and higher public education,

↳ at the current level of service.

3. The information provided to the Fiscal Analysis Division pursuant to subsections 1 and 2 is open for public inspection.

4. The Governor may authorize or direct an agency to hold public hearings on a budget submitted pursuant to paragraph (c) of subsection 1 at any time after the material is provided pursuant to subsection 1.

### **NRS 353.230 Review of estimates; preparation and submission of proposed budget; submission by Governor of separate document and recommendations; appearance of Governor before legislative committees.**

1. The Chief shall review the estimates, altering, revising, increasing or decreasing the items of the estimates as the Chief may deem necessary in view of the needs of the various departments, institutions and agencies in the Executive Department of the State Government and the total anticipated income of the State Government and of the various departments, institutions and agencies of the Executive Department during the next fiscal year. In performing the duties required by this subsection, the Chief shall use the projections and estimates prepared by the Economic Forum pursuant to [NRS 353.228](#).

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2. The Chief shall meet with a Fiscal Analyst of the Legislative Counsel Bureau or his or her designated representative and personnel of the various departments, institutions and agencies of the Executive Department to discuss:

- (a) The budgetary requests of each department, institution and agency; and
  - (b) The budgetary recommendations of the Budget Division for each department, institution and agency,
- ↳ for the next 2 fiscal years. The Chief shall allow the Fiscal Analyst of the Legislative Counsel Bureau or his or her designated representative full access to all materials connected with the review.

3. The Chief shall then prepare a final version of the proposed budget, in accordance with [NRS 353.150](#) to [353.246](#), inclusive, and shall deliver it to the Governor. The final version of the proposed budget must include the adjusted base budget for each department, institution and agency of the Executive Department, the costs for continuing each program at the current level of service and the costs, if any, for new programs, recommended enhancements of existing programs or reductions for the departments, institutions and agencies of the Executive Department for the next 2 fiscal years. All projections of revenue and any other information concerning future state revenue contained in the proposed budget must be based upon the projections and estimates prepared by the Economic Forum pursuant to [NRS 353.228](#).

4. The Governor shall, not later than 14 calendar days before the commencement of the regular legislative session, submit the proposed budget to the Director of the Legislative Counsel Bureau for transmittal to the Legislature. The Governor shall simultaneously submit, as a separate document:

- (a) An analysis of any new programs or enhancements of existing programs being recommended; and
  - (b) Any increase in or new revenues which are being recommended in the proposed budget.
- ↳ The document must specify the total cost by department, institution or agency of new programs or enhancements, but need not itemize the specific costs. All projections of revenue and any other information concerning future state revenue contained in the document must be based upon the projections and estimates prepared by the Economic Forum pursuant to [NRS 353.228](#).

5. On or before the 19th calendar day of the regular legislative session, the Governor shall submit to the Legislative Counsel recommendations for each legislative measure which will be necessary to carry out the final version of the proposed budget or to carry out the Governor's legislative agenda. These recommendations must contain sufficient detailed information to enable the Legislative Counsel to prepare the necessary legislative measures.

6. During the consideration of the general appropriation bill and any special appropriation bills and bills authorizing budgeted expenditures by the departments, institutions and agencies operating on money designated for specific purposes by the Constitution or otherwise, drafted at the request of the Legislature upon the recommendations submitted by the Governor with the proposed budget, the Governor or a representative of the Governor have the right to appear before and be heard by the appropriation committees of the Legislature in connection with the appropriation bill or bills, and to render any testimony, explanation or assistance required of him or her.