

SENATE BILL NO. 347—SENATOR DONATE

MARCH 21, 2023

JOINT SPONSOR: ASSEMBLYMAN WATTS

Referred to Committee on Education

SUMMARY—Revises provisions relating to higher education. (BDR 34-119)

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 higher education; classifying and defining the missions of the institutions within the Nevada System of Higher Education; creating the Commission on Higher Education Funding; prescribing the membership and duties of the Commission; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Article 11 of the Nevada Constitution, which is known as the Education  
2 Article, requires the Nevada Legislature to provide for the establishment of a State  
3 University that is controlled by a Board of Regents whose duties are prescribed by  
4 law. (Nev. Const. Art. 11, § 4) Existing law provides that the universities, state  
5 colleges, community colleges, administrative services, research facilities and  
6 departments within the Public Service Division, administered under the direction of  
7 the Board of Regents of the University of Nevada, is collectively known as the  
8 Nevada System of Higher Education. (NRS 396.020) **Section 1** of this bill  
9 classifies each institution within the System as one of four types: (1) a doctoral  
10 university; (2) a master’s college; (3) a baccalaureate college; or (4) a baccalaureate  
11 and associate’s college. **Section 1** also defines the characteristics and mission of  
12 each type of institution. **Section 2** of this bill creates the Commission on Higher  
13 Education Funding during the 2023-2025 biennium and prescribes its membership.  
14 **Section 3** of this bill: (1) prescribes the duties of the Commission; (2) authorizes  
15 the Commission to request the drafting of not more than 2 legislative measures for  
16 the 83rd Session of the Legislature which relate to matters within the scope of the  
17 Commission; and (3) requires the Commission to report to the Governor, the



18 Chancellor of the System and the Legislature on its activities and any  
19 recommendations.

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

1     **Section 1.** Chapter 396 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3     1. *The doctoral university institutions of this State are the*  
4 *campuses of the University of Nevada, known as the University of*  
5 *Nevada, Reno, and the University of Nevada, Las Vegas.*

6     2. *The master's college institution of this State is Nevada*  
7 *State College.*

8     3. *The baccalaureate college institution of this State is Great*  
9 *Basin College.*

10    4. *The baccalaureate and associate's college institutions of*  
11 *this State are the College of Southern Nevada, Truckee Meadows*  
12 *Community College and Western Nevada College.*

13    5. *A baccalaureate and associate's college institution shall*  
14 *offer courses in academic subjects and nonacademic subjects as*  
15 *authorized by the president of the institution, in consultation with*  
16 *the Chancellor of the System. The academic courses must be of*  
17 *the same standard as those offered in the first 2 years of a degree*  
18 *program offered at a baccalaureate college institution, master's*  
19 *college institution or doctoral university institution.*

20    6. *A baccalaureate and associate's college institution may*  
21 *offer targeted 4-year degrees supporting local workforce needs as*  
22 *authorized by the president of the institution, in consultation with*  
23 *the Chancellor of the System.*

24    7. *Credits earned by a student at any institution described in*  
25 *subsections 1 to 4, inclusive, must be accepted by any other*  
26 *institution described in subsections 1 to 4, inclusive, for credit*  
27 *towards a baccalaureate degree.*

28    8. *As used in this section:*

29    (a) *"Baccalaureate and associate's college institution" means*  
30 *an institution where associate's degrees represent not less than 50*  
31 *percent of all degrees awarded each year. The term includes a*  
32 *community college.*

33    (b) *"Baccalaureate college institution" means an institution,*  
34 *other than a master's college institution or doctoral university*  
35 *institution, where baccalaureate or higher degrees represent not*  
36 *less than 50 percent of all degrees awarded each year.*

37    (c) *"Doctoral university institution" means an institution that*  
38 *has not less than \$5,000,000 in total research expenditures each*



1 *year and awards not less than 20 research or scholarship doctoral*  
2 *degrees each year.*

3 *(d) "Master's college institution" means an institution that*  
4 *awards not less than 50 master's degrees each year.*

5 **Sec. 2.** 1. The Commission on Higher Education Funding,  
6 consisting of 12 members, is hereby created.

7 2. The Commission consists of the following members:

8 (a) One member appointed by the Governor, who serves as  
9 Chair;

10 (b) Two members appointed by the Majority Leader of the  
11 Senate;

12 (c) Two members appointed by the Speaker of the Assembly;  
13 and

14 (d) Seven members representing public institutions of higher  
15 education in this State, as follows:

16 (1) Two members representing the doctoral university  
17 institutions defined in section 1 of this act, which must include one  
18 member appointed by the president of each such institution;

19 (2) One member representing the master's college institution  
20 defined in section 1 of this act, appointed by the president of such  
21 institution;

22 (3) One member representing the baccalaureate college  
23 institution defined in section 1 of this act, appointed by the president  
24 of such institution; and

25 (4) Three members representing the baccalaureate and  
26 associate's college institutions defined in section 1 of this act, which  
27 must include one member appointed by the president of each such  
28 institution.

29 3. Each member of the Commission appointed pursuant to  
30 paragraph (a), (b) or (c) of subsection 1 must:

31 (a) Be a resident of this State;

32 (b) Not have been, for a period of at least 2 years immediately  
33 preceding appointment to the Commission:

34 (1) Registered as a lobbyist pursuant to NRS 218H.200;

35 (2) An employee of this State; or

36 (3) An elected official in this State;

37 (c) Have relevant experience or demonstrated ability in:

38 (1) Higher education;

39 (2) Economics;

40 (3) Public finance; or

41 (4) A related discipline necessary to higher education  
42 funding;

43 (d) Have the education, experience and skills necessary to  
44 effectively execute the duties and responsibilities of a member of  
45 the Commission; and



1 (e) Be able to bring knowledge and professional judgment to the  
2 deliberations of the Commission.

3 4. Each member of the Commission serves until June 30, 2025.  
4 Each member may be removed by the appointing authority for good  
5 cause. A vacancy on the Commission must be filled in the same  
6 manner as the original appointment.

7 5. The Commission shall:

8 (a) Elect a Vice Chair from among its members at its first  
9 meeting. A vacancy in the office of Vice Chair must be filled by the  
10 Commission by election for the remainder of the term.

11 (b) Adopt such rules governing the conduct of the Commission  
12 as it deems necessary.

13 (c) Hold its first meeting on or before December 31, 2023, and  
14 hold such additional number of meetings as may be necessary to  
15 accomplish the tasks assigned to it in the time allotted.

16 6. A majority of the members of the Commission constitutes a  
17 quorum and a majority of those present must concur in any decision.

18 7. The Office of Finance shall assist the Commission in  
19 obtaining meeting rooms, data processing services, administrative  
20 and clerical assistance and any other professional consulting or staff  
21 services deemed necessary by the Commission to assist the  
22 Commission in its work.

23 8. While engaged in the business of the Commission, each  
24 member is entitled to receive the per diem allowance and travel  
25 expenses provided for state officers and employees generally.

26 **Sec. 3.** 1. The Commission on Higher Education Funding  
27 created by section 2 of this act shall:

28 (a) Evaluate models for higher education funding that are used  
29 in other states to support institutions similar to those defined in  
30 section 1 of this act;

31 (b) Conduct a cost analysis of the delivery of higher education  
32 services that support the missions of the institutions defined in  
33 section 1 of this act, which must include, without limitation:

34 (1) The scale of the service area of each institution;

35 (2) The size and compensation of the teaching and  
36 administrative faculty of each institution;

37 (3) The number of students at each institution, if any, who  
38 are:

39 (I) Residents of this State or who qualify for tuition as if  
40 they are residents of this State;

41 (II) First generation students;

42 (III) Eligible for or recipients of a federal Pell grant;

43 (IV) Eligible for or recipients of gift aid other than a  
44 federal Pell grant; or

45 (V) Recipients of a Nevada Promise Scholarship;



1 (4) The support services needed to ensure the educational  
2 success of students at each institution;

3 (5) The delivery of education services to support, for each  
4 institution, the workforce certification and curriculum for each  
5 degree offered by the institution as defined in section 1 of this act;  
6 and

7 (6) A determination of recommended funding for each  
8 institution based on the analysis conducted pursuant to  
9 subparagraphs 1 to 5, inclusive; and

10 (c) Develop mechanisms for the appropriation of state funding  
11 to implement the recommended funding for each institution as  
12 determined by the cost analysis described in paragraph (b).

13 2. The Commission may request the drafting of not more than  
14 2 legislative measures for the 83rd Session of the Legislature which  
15 relate to matters within the scope of the Commission. Each request  
16 must be submitted to the Legislative Counsel on or before  
17 December 31, 2024.

18 3. The Commission shall, on or before February 1, 2025,  
19 submit a report of the activities and any recommendations of the  
20 Commission to the Governor, the Chancellor of the Nevada System  
21 of Higher Education and the Director of the Legislative Counsel  
22 Bureau for transmittal to the Legislature.

23 4. As used in this section:

24 (a) "First generation student" means a student who has minimal  
25 prior exposure to or knowledge of experiences at an institution  
26 described in section 1 of this act. The term includes, without  
27 limitation, a student whose parents do not have any postsecondary  
28 education experience.

29 (b) "Gift aid" has the meaning ascribed to it in NRS 396.9615.

30 (c) "Nevada Promise Scholarship" has the meaning ascribed to  
31 it in NRS 396.9625.

32 **Sec. 4.** As soon as practicable on or before October 1, 2023:

33 1. The Governor shall appoint the member required to be  
34 appointed to the Commission pursuant to paragraph (a) of  
35 subsection 2 of section 2 of this act.

36 2. The Majority Leader of the Senate shall appoint the  
37 members required to be appointed to the Commission pursuant to  
38 paragraph (b) of subsection 2 of section 2 of this act.

39 3. The Speaker of the Assembly shall appoint the members  
40 required to be appointed to the Commission pursuant to paragraph  
41 (c) of subsection 2 of section 2 of this act.

42 4. The president of each institution of higher education in this  
43 State shall appoint the members required to be appointed to the  
44 Commission pursuant to paragraph (d) of subsection 2 of section 2  
45 of this act.



1 5. As used in this section, "Commission" means the  
2 Commission on Higher Education Funding created by section 2 of  
3 this act.

4 **Sec. 5.** 1. This section and section 4 of this act become  
5 effective upon passage and approval.

6 2. Section 1 of this act becomes effective:

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

10 (b) On July 1, 2024, for all other purposes.

11 3. Sections 2 and 3 of this act:

12 (a) Become effective upon passage and approval; and

13 (b) Expire by limitation on June 30, 2025.

