

**Dan Schwartz**  
State Treasurer



Grant Hewitt  
Chief of Staff

Tara Hagan  
Chief Deputy Treasurer

STATE OF NEVADA  
OFFICE OF THE STATE TREASURER

**NOTICE OF INTENT TO ACT UPON REGULATION & HEARING AGENDA**  
**Notice of Hearing for the Adoption of Regulations for the Nevada's Education Savings Account (ESA) program (SB 302)**

The Nevada State Treasurer, 101 N. Carson Street, Suite 4, Carson City, Nevada 89701 will hold a public hearing at:

**Monday, November 23, 2015 at 10:00 A.M.**

**Meeting via videoconference available at the following locations**

**Gaming Control Board  
Suite 100  
1919 College Pkwy  
Carson City, NV**

**Grant Sawyer State Office Building  
Suite 2600  
555 E. Washington Avenue  
Las Vegas, NV**

The purpose of the hearing is to receive comments from all interested person regarding the adoption of regulations that pertain the Chapter 385 of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of Nevada Revised Statute (NRS) 233B.0603.

1. The purpose of and need for the proposed regulations is to implement SB 302 (2015) as follows: to set forth rules for the requirements and procedures for applying to establish and establishing an education savings account; establish the Committee to Review Payments to determine whether certain expenditures of money from an education savings account are authorized; prescribe the procedure by which an agreement to establish an education savings account may be terminated; require the annual audit of certain education savings accounts; establish the requirements to become a participating entity; prescribing the procedure by which the State Treasurer may terminate the participation of an entity under certain circumstances; requiring certain participating entities to post a bond or provide certain documentation to the State Treasurer; and providing other matters properly relating thereto.
2. These proposed regulations have no adverse, immediate or long-term economic effects on business or the public.

**CARSON CITY OFFICE**  
State Treasurer  
101 N. Carson Street, Suite 4  
Carson City, Nevada 89701-4786  
(775) 684-5600 Telephone  
(775) 684-5623 Fax

**STATE TREASURER PROGRAMS**  
Millennium Scholarship Program  
Nevada Prepaid Tuition Program  
Unclaimed Property  
Upromise College Fund 529 Plan

**LAS VEGAS OFFICE**  
555 E. Washington Avenue, Suite 4600  
Las Vegas, Nevada 89101-1074  
(702) 486-2025 Telephone  
(702) 486-3246 Fax

3. The Treasurer's Office estimates that the regulation will have no or undeterminable economic effects on any of the parties to the events described in the regulations;
4. Statement of Methodology for Determining Small Business Impact: The Treasurer's Office reviewed the proposed regulations to determine whether they would have an effect on small business and determined they would have none by virtue of the fact that the proposed regulations govern participation of parents and children in the Educational Savings Account program and do not in any way burden or even affect small businesses;
5. The Treasurer's Office will not incur any significant costs to ensure enforcement of the proposed permanent regulations.
6. The proposed permanent regulations do not establish a fee, nor increase an existing fee.
7. The proposed permanent regulations are not required pursuant to federal law.
8. The proposed permanent regulations do not overlap or duplicate any other Nevada State Regulations (NRS)
9. All interested parties will have the opportunity to present ideas for suggested language at this meeting. The Treasurer's office encourages you to provide your suggestions in writing on or **before close of business at 5:00 pm on Monday, November 9** (two weeks prior to the meeting). The purpose of this request is to allow sufficient time to review the suggestions. However, all written and oral communications will be accepted at the time of the meeting.
10. A copy of this notice and the regulations to be adopted, amended and repealed will be on file at the Nevada State Library and Archives, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulations to be adopted, amended and repealed will be available at the Treasurer's Office at 101 North Carson Street, Suite 4, Carson City, Nevada and the Treasurer's Office at 555 East Washington Avenue, Las Vegas, Nevada, and in all counties in which an office of the agency is not maintained at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulations are also available on the State Treasurer's website at: <https://nevadatreasurer.gov/>, under the Education Savings Account. Pursuant to NRS 241.020, this notice has been posted on the website maintained by the Legislative Counsel Bureau at <https://www.leg.state.nv.us/App/Notice/A/>. Copies of this notice and the proposed regulations will also be mailed to members of the public upon request.
11. Per NRS 233B.064(2), upon adoption of any regulation, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for an against its adoption, and incorporate therein its reason for overruling the consideration urged against adoption.

**Adoption Hearing Agenda  
Monday, November 23, 2015  
10:00 A.M.**

1. Call to Order
2. Public Comment. Comments from the public are invited at this time prior to the commencement of possible action items. The Treasurer reserves the right to limit the amount of time that will be allowed for each individual to speak. The Treasurer is precluded from acting on items raised during Public Comment that are not on the agenda.
3. **For possible action:** Discussion and Adoption of Proposed Regulations
  - a. LCB File No. R061-15 RP: Establishes procedures and requirements for the Nevada Education Savings account program.
4. Public Comment. Comments from the public are invited at this time prior to the commencement of possible action items. The Treasurer reserves the right to limit the amount of time that will be allowed for each individual to speak. The Treasurer is precluded from acting on items raised during Public Comment that are not on the agenda.
5. Adjournment

A copy of all materials relating to the proposed regulations may be obtained at the workshop or by contacting the Treasurer's Office, 101 N. Carson Street, Suite 4, Carson City, Nevada 89701; 775.684.5600. In your request, please state you are requesting materials for the adoption hearing on October 20, 2015.

NOTE: We are pleased to make accommodations for members of the public who are disabled and wish to attend the meeting. Please notify Grant Hewitt in writing prior to the meeting should you need such accommodation:

Grant Hewitt, Chief of Staff  
State Treasurer's Office  
101 North Carson Street, Suite 4  
Carson City, NV 89701  
Via email: [ghewitt@nevadatreasurer.gov](mailto:ghewitt@nevadatreasurer.gov)

Action may not be taken on matters considered during public comment until specifically included on a future agenda as an action item.

**Notice of this meeting was posted at the following locations in Carson City, Nevada:**

State Capitol Building,, 101 North Carson Street  
Nevada Legislative Building, 401 South Carson Street  
Nevada State Library, 100 Stewart Street  
Blasdel Building, 209 East Musser Street

**Notice of this meeting was faxed for posting to the following location:**

Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada  
Fax for Capitol Police - (702) 486-2012

**Notice of this meeting was posted on the following website:**

[www.nevadatreasurer.gov](http://www.nevadatreasurer.gov)  
[www.notice.nv.gov](http://www.notice.nv.gov)

**Copies may also be obtained from any of the public libraries listed below:**

- Churchill County Library, 553 South Main Street, Fallon, Nevada
- Douglas County Library, 1625 Library Lane, Minden, Nevada
- Elko County Library, 720 Court Street, Elko, Nevada
- Esmeralda County Library, Corner of Crook and Fourth Street, Goldfield, Nevada
- Humboldt County Library, 85 East Fifth Street, Winnemucca, Nevada
- Lander County Library, 625 South Broad Street, Battle Mountain, Nevada
- Lincoln County Library, 63 Main Street, Pioche, Nevada
- Lyon County Library, 20 Nevin Way, Yerington, Nevada
- Mineral County Public Library, 110 First Street, Hawthorne, Nevada
- Pershing County Library, 1125 Central Avenue, Lovelock, Nevada
- Tonopah Public Library, 167 Central Street, Tonopah, Nevada
- Washoe County Library, 301 South Central Street, Reno, Nevada
- White Pine County Library, 950 Campton Street, Ely, Nevada