

Budgetary BDR  
Claims and Expenses

7.155. Payment of compensation and expenses from county treasury or money appropriated to State Public Defender *[and the Department of Indigent Defense Services]*

1. The compensation and expenses of an attorney appointed to represent a defendant must be paid from the county treasury unless the proceedings are based upon a postconviction petition for habeas corpus, in which case the compensation and expenses must be paid from money appropriated to the Office of State Public Defender, but after the appropriation for such expenses is exhausted, money must be allocated to the Office of State Public Defender from the reserve for statutory contingency account for the payment of such compensation and expenses.

*[2. The compensation and expenses of an attorney appointed to represent a defendant pursuant to NRS 212.070 must be paid from money appropriated to the Department of Indigent Defense Services, but after the appropriation for such expenses is exhausted, money must be allocated to the Department of Indigent Defense Services from the reserve for statutory contingency account for the payment of such compensation and expenses.]*

*3. The amount a county may be required to pay for indigent defense services must not exceed the maximum amount determined using the formula established by the Board on Indigent Defense pursuant to NRS 180.320. All indigent defense services expenses which exceed a county's maximum contribution will be reimbursed from money appropriated to the Department of Indigent Defense Services, but after the appropriation for such expenses is exhausted, money must be allocated to the Department of Indigent Defense Services from the reserve for statutory contingency account for the payment of such compensation and expenses.]*

**NRS 212.070 Expenses of prosecuting *[and defending a]* prisoner and person acting in concert with prisoner who escapes or commits crime while incarcerated.**

1. The expenses and costs of prosecuting any person for escaping from, or breaking out of, the state prison, or attempting so to do, or for the commission of any crime while a prisoner therein, or any person acting in concert with such a prisoner, whether as a principal or accessory, are a charge against the State and must be paid from the Reserve for Statutory Contingency Account upon approval by the State Board of Examiners. *[The*

*compensation and expenses of an attorney appointed to represent a defendant are a charge against the State and must be paid from the money appropriated to the Department of Indigent Defense Services pursuant to NRS 7.155, but after the appropriation for such expenses is exhausted, money must be allocated to the Department of Indigent Defense Services from the reserve for statutory contingency account for the payment of such compensation and expenses.]*

2. The expenses and costs of prosecuting any person or persons for escaping from, or breaking out of, a jail, branch county jail or other local detention facility or attempting so to do, or for the commission of any crime while a prisoner therein, or any person acting in concert with such a prisoner, whether as a principal or accessory, are a charge against the county, city or other local government responsible for the operation of that facility.

**NRS 353.264 Reserve for Statutory Contingency Account. [Effective January 1, 2022.]**

1. The Reserve for Statutory Contingency Account is hereby created in the State General Fund.

2. The State Board of Examiners shall administer the Reserve for Statutory Contingency Account. The money in the Account must be expended only for:

(a) The payment of claims which are obligations of the State pursuant to NRS 41.03435, 41.0347, 62I.025, 176.485, 179.310, 212.040, 212.050, 212.070, 281.174, 282.290, 282.315, 293.253, 293.405, 298.710, 304.230, 353.120, 353.262, 412.154 and 475.235;

(b) The payment of claims which are obligations of the State pursuant to:

(1) Chapter 472 of NRS arising from operations of the Division of Forestry of the State Department of Conservation and Natural Resources directly involving the protection of life and property; and

(2) NRS 7.155, 34.750, 176A.640, 179.225, **[NRS 180.320, NRS 212.070]**, and 213.153,

È except that claims may be approved for the respective purposes listed in this paragraph only when the money otherwise appropriated for those purposes has been exhausted;

(c) The payment of claims which are obligations of the State pursuant to NRS 41.0349 and 41.037, but only to the extent that the money in the Fund for Insurance Premiums is insufficient to pay the claims;

(d) The payment of claims which are obligations of the State pursuant to NRS 41.950; and

(e) The payment of claims which are obligations of the State pursuant to NRS 535.030 arising from remedial actions taken by the State Engineer when the condition of a dam becomes dangerous to the safety of life or property.

3. The State Board of Examiners may authorize its Clerk or a person designated by the Clerk, under such circumstances as it deems appropriate, to approve, on behalf of the Board, the payment of claims from the Reserve for Statutory Contingency Account. For the purpose of exercising any authority granted to the Clerk of the State Board of Examiners or to the person designated by the Clerk pursuant to this subsection, any statutory reference to the State Board of Examiners relating to such a claim shall be deemed to refer to the Clerk of the Board or the person designated by the Clerk.