

**PROPOSED REGULATION OF THE  
CENTRAL REPOSITORY FOR NEVADA  
RECORDS OF CRIMINAL HISTORY**

**LCB File No. R011-16**

February 24, 2016

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §1, NRS 179A.075, as amended by section 1 of Assembly Bill No. 224, chapter 175, Statutes of Nevada 2015, at page 841.

A REGULATION relating to records of criminal history; providing that records of criminal history include records of biometric identifiers; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law establishes the Central Repository for Nevada Records of Criminal History for the collection and maintenance of certain information relating to records of criminal history. Existing law authorizes the General Services Division of the Department of Public Safety to request of and receive from the Federal Bureau of Investigation the background and personal history of a person by submitting, depending upon the purpose of the request, a complete set of fingerprints, one or more fingerprints or other “biometric identifier,” which is defined as a fingerprint, palm print, scar, bodily mark, tattoo, voiceprint, facial image, retina image or iris image of a person, which was received by the Central Repository. Existing law further requires the Central Repository to adopt regulations governing biometric identifiers and the information and data derived therefrom. (NRS 179A.075, as amended by section 1 of Assembly Bill No. 224, chapter 175, Statutes of Nevada 2015, at page 841)

This regulation specifies that the term “record of criminal history” includes a record of a biometric identifier of a person, thereby making provisions concerning records of criminal history, including, without limitation, provisions concerning the collection, use, safeguarding, handling, retention, storage, dissemination and destruction thereof, applicable to records of biometric identifiers.

**Section 1.** Chapter 179A of NAC is hereby amended by adding thereto a new section to read as follows:

*“Record of criminal history” has the meaning ascribed to it in NRS 179A.070 and includes, without limitation, a record of a biometric identifier of a person. As used in this section, “biometric identifier” has the meaning ascribed to it in subsection 9 of NRS 179A.075, as amended by section 1 of Assembly Bill No. 224, chapter 175, Statutes of Nevada 2015, at page 841.*