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PROPOSED AMENDMENT TO S.B. 229

Presented by Washoe County/NACO

New language is underlined and **bold**

Amend NRS 241.015 by adding a new definition as follows:

“Public body that is a governing board” means a body that meets the basic criteria set forth in NRS 241.015(3) and, in addition, makes final legislative or executive decisions.

Amend Sec. 2, paragraph 3, to read as follows:

3. **Minimum public notice for a public body is:**

- (a) Posting a copy of the notice at the principal office of the public body[,]
or, if there is no principal office, at the building in which the meeting
is to be held, and at not less than three other separate, prominent places
within the jurisdiction of the public body not later than 9 a.m. of the
third working day before the meeting; and
- (b) Mailing a copy of the notice to any person who has requested notice of
the meetings of the **public body** in the same manner in which notice is
required to be mailed to a member of the **public body**.

A request for notice pursuant to this paragraph lapses 6 months after it
is made[.] **and may be renewed by the requester in writing or by
electronic means.** The public body shall inform the requester of this fact
by enclosure with, [or] notation upon **or text included within** the first
notice sent. [The notice] **Notice requested pursuant to this paragraph**
must be delivered to the postal service used by the **public body or sent by
electronic means, as applicable,** not later than 9 a.m. of the third working
day before the meeting. **Nothing in this paragraph prevents a public
body from providing greater notice or the additional notice set forth
in paragraph 4 herein.**

Amend Sec. 2, by adding a new paragraph 4, to read as follows:

4. **Minimum public notice for public body that is a governing board is:**

- (a) **Posting a copy of the notice at the principal office of the public
body or, if there is no principal office, at the building in which the
meeting is to be held, and at not less than three other separate
prominent places within the jurisdiction of the public body not
later than 9 a.m. of the third working day before the meeting, and**
- (b) **Posting a copy of the notice on a public website on the Internet or
its successor, if any, not later than 9 a.m. of the third working day
before the meeting; and**

- (c) Sending a copy of the notice to any person who has requested notice of the meetings of the public body:
- (1) By mail in the same manner in which notice is required to be mailed to a member of the public body;
 - (2) By electronic means if receipt of such an electronic notice can be verified; or
 - (3) By the methods set forth in subparagraphs (1) and (2).

A request for notice pursuant to this paragraph lapses 6 months after it is made and may be renewed by the requester in writing or by electronic means. The public body shall inform the requester of this fact by enclosure with, notation upon or text included within the first notice sent. Notice requested pursuant to this paragraph must be delivered to the postal service used by the public body or sent by electronic means, as applicable, not later than 9 a.m. of the third working day before the meeting.

Amend Sec. 2, by adding a new paragraph 5, to read as follows:

5. Website notice as required by subsection 4 is supplemental to and is not a substitute for the minimum public notice required pursuant to paragraph 3 or 4. If a public body that is a governing board does not have or maintain a website or if, for any reason, a website is inoperable due to technical problems, a failure to provide notice on the website shall not be deemed to be a violation of the provisions of this chapter.

Amend Sec. 2, by renumbering paragraph 4 to 6.

Amend Sec. 2, by renumbering paragraph 5 to 7.

Amend Sec. 3, page 4, line 14, to read as follows:

If a public body that is a governing board, [P]posted on a public website on the Internet or its successor, if any,

Amend Sec. 3, page 4, line 16-17, to read as follows:

[Within 30] Upon adoption and approval by the public body. [working days after the adjournment of the meeting at which the minutes were taken.] The minutes shall be deemed to have

Amend Sec. 3, page 4, paragraph 4, lines 34-37, to read as follows:

Each public body may record on audiotape or any other means of sound reproduction each of its meetings, whether public or closed. A public body that is a governing board must record on audiotape, or by any other means of sound

reproduction, each of its meetings, whether public or closed. [If] An audio recording of a meeting [is so recorded:

Justification: The proposed amendment accomplishes essentially six things: (1) It defines the specific public bodies that are required to engage in website posting, website minutes posting and to use audio recording. (2) It makes the website noticing applicable only to public bodies that are governing boards; (3) It makes website notice supplemental to other required noticing, taking into account the fact that some rural public body governing boards do not have websites and/or that there could be technical difficulties with websites that do exist; (4) It only requires website posting of minutes for public body governing boards; (5) It requires minutes to be available and posted on a website, if applicable, upon adoption and approval by the public body; and (6) It mandates audio recordings only for public body governing boards.

This is just an amateur effort at bill drafting, but is intended to indicate the intent of the proposers.