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ASSEMBLY BILL NO. 214—ASSEMBLYMEN MORTENSON,  
CHOWNING, BROWN, CHRISTENSEN, CLABORN, HETTRICK,  
LESLIE, MCCLEARY, OCEGUERA AND PIERCE

FEBRUARY 28, 2003

Referred to Committee on Government Affairs

SUMMARY—Establishes requirements concerning state and local government publications issued in electronic form. (BDR 33-1078)

FISCAL NOTE: Effect on Local Government: No.  
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.

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AN ACT relating to government publications; requiring the State Library and Archives Administrator to establish standards for state and local government publications issued in electronic form; requiring state and local governments that issue a publication in electronic form to transmit a copy of the publication to the State Publications Distribution Center within the State Library and Archives; requiring the Center to make such publications available for access on the Internet; and providing other matters properly relating thereto.

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

1     **Section 1.** Chapter 378 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3     *The State Library and Archives Administrator shall establish*  
4 *standards for state and local government publications issued in*  
5 *electronic form and for the transmission of such publications to*  
6 *the State Publications Distribution Center.*

7     **Sec. 2.** NRS 378.150 is hereby amended to read as follows:

8     378.150 It is the intent of the Legislature in enacting NRS  
9 378.150 to 378.210, inclusive, *and section 1 of this act* that:



1 1. All state and local government publications *issued in print*  
2 be distributed to designated depository libraries for use by all  
3 inhabitants of the State; ~~and~~

4 2. Designated depository libraries assume the responsibility for  
5 keeping such publications readily accessible for use and rendering  
6 assistance, without charge, to patrons using them ~~;~~;

7 *3. State and local governments be encouraged to issue state*  
8 *and local government publications in electronic form whenever*  
9 *possible; and*

10 *4. The State Library and Archives assumes the responsibility*  
11 *for making such publications available for access, without charge,*  
12 *on the Internet.*

13 **Sec. 3.** NRS 378.160 is hereby amended to read as follows:

14 378.160 As used in NRS 378.150 to 378.210, inclusive ~~;~~ ,  
15 *and section 1 of this act, unless the context otherwise requires:*

16 1. *“Electronic form” means any representation of text or*  
17 *graphics, or pictorial, audio or other information in a form that is*  
18 *accessible by a computer.*

19 2. *“Internet” has the meaning ascribed to it in*  
20 *NRS 453.3625.*

21 3. *“Print” means all forms of printing and duplicating other*  
22 *than by use of carbon paper.*

23 ~~;~~ 4. *“State agency” includes the Legislature, constitutional*  
24 *officers or any department, division, bureau, board, commission or*  
25 *agency of the State of Nevada.*

26 ~~;~~ 5. *“State publication” includes any document issued in*  
27 *print or electronic form by any state agency and which may legally*  
28 *be released for public distribution, but does not include:*

29 (a) Nevada Revised Statutes with annotations;

30 (b) Nevada Reports;

31 (c) Bound volumes of the Statutes of Nevada;

32 (d) Press items of the University and Community College  
33 System of Nevada which are not in the nature of public and other  
34 items for the University and Community College System of Nevada  
35 not designed for external distribution;

36 (e) Correspondence and intraoffice or interoffice  
37 communications which are not of vital interest to the public; or

38 (f) Publications from established agencies which are required by  
39 federal and state law to be distributed to depositories which  
40 duplicate those under NRS 378.200.

41 **Sec. 4.** NRS 378.180 is hereby amended to read as follows:

42 378.180 1. Every state agency ~~[shall, upon release, deposit 12~~  
43 ~~copies of each of its state publications which]~~ , *upon its release of a*  
44 *state publication, shall:*



1 (a) *If the publication is issued in print and* was not printed by  
2 the State Printing Division of the Department of Administration ,  
3 *deposit 12 copies of the publication* with the State Publications  
4 Distribution Center ~~{to meet the needs of the depository library~~  
5 ~~system and to provide interlibrary loan service to those libraries~~  
6 ~~without depository status.}~~ ; or

7 (b) *If the publication is issued in electronic form, transmit one*  
8 *copy of the publication to the Center.*

9 2. For each item printed by the State Printing Division of the  
10 Department of Administration, 12 additional copies must be printed  
11 by the Division, these to be collected by the State Publications  
12 Distribution Center and distributed to public libraries and libraries  
13 of the University and Community College System of Nevada within  
14 the State.

15 3. Every city, county and regional agency and every school  
16 district and special district ~~{shall, upon release.}~~ , *upon its release of*  
17 *a local government publication, shall:*

18 (a) *If the publication is issued in print,* deposit with the State  
19 Publications Distribution Center at least six copies of ~~{each of its~~  
20 ~~publications and a list of its publications for a calendar year.}~~ *the*  
21 *publication; or*

22 (b) *If the publication is issued in electronic form, transmit one*  
23 *copy of the publication to the Center.*

24 4. *Every city, county and regional agency and every school*  
25 *district and special district shall, upon its release of a local*  
26 *government publication, deposit with or transmit to the Center a*  
27 *list of all its local government publications issued during that*  
28 *calendar year.*

29 **Sec. 5.** NRS 378.200 is hereby amended to read as follows:  
30 378.200 1. After receipt of any state publications ~~{}~~ *issued in*  
31 *print,* the State Publications Distribution Center shall distribute  
32 copies of those publications as follows:

- 33 (a) One copy to the Legislative Counsel Bureau;
- 34 (b) Two copies to the Library of Congress; and
- 35 (c) Two copies to each depository library in this state.

36 2. The Center shall retain sufficient copies in the State Library  
37 and Archives for preservation and use by the public. The remaining  
38 copies must be used for distribution in accordance with any  
39 agreements entered into with other states for the exchange of state  
40 publications, and for lending to those libraries without depository  
41 status.

42 3. *After receipt of a state publication issued in electronic*  
43 *form, the Center shall make that publication available for access,*  
44 *without charge, on the Internet.*



1     **Sec. 6.** NRS 378.210 is hereby amended to read as follows:  
2     378.210 The State Publications Distribution Center shall  
3     ~~periodically~~ :

4     1. *Periodically* publish, and, upon request, distribute to all state  
5 agencies and contracting depository libraries a list of state  
6 publications ~~;~~ ; and

7     2. *Make the list of state publications available for access,*  
8 *without charge, on the Internet.*

9     **Sec. 7.** NRS 345.060 is hereby amended to read as follows:

10     345.060 1. As used in this section, unless the context  
11 otherwise requires:

12     (a) "State agency" includes the Legislature, constitutional  
13 officers or any department, division, bureau, board, commission or  
14 agency of the State of Nevada.

15     (b) "State publication" has the meaning ascribed *to it* in  
16 ~~subsection 3 of~~ NRS 378.160.

17     2. Except as *otherwise* provided in subsection 3, every state  
18 agency which periodically distributes any state publication shall , at  
19 least after every 12 issues or annually if published more frequently  
20 than once a month , notify the person receiving the publication that  
21 his name will be deleted from the mailing list unless he notifies the  
22 state agency within 30 days that he wants to remain on the mailing  
23 list.

24     3. This section does not apply if the person subscribes to and  
25 pays a fee for the state publication.

26     **Sec. 8.** 1. This section and section 1 of this act become  
27 effective upon passage and approval.

28     2. Sections 2 to 7, inclusive, of this act become effective on  
29 October 1, 2003.

