

ASSEMBLY BILL NO. 441—ASSEMBLYMAN PERKINS

MARCH 17, 2003

Referred to Committee on Judiciary

SUMMARY—Enacts provisions relating to ensuring security of State of Nevada and its residents with respect to acts of terrorism and related emergencies. (BDR 19-1139)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State: Contains Appropriation not included in Executive Budget.

~

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

AN ACT relating to homeland security; creating the Nevada Commission on Homeland Security; setting forth the membership and duties of the Commission; providing certain exceptions to the open meeting law; requiring certain political subdivisions to adopt and maintain a response plan; establishing a plan for the continuation of state and local governmental operations; requiring certain utilities to conduct vulnerability assessments and to prepare emergency response plans; revising provisions relating to certain unlawful acts committed against utilities; providing for the confidentiality of certain documents, records and other information; imposing certain requirements for interoperability with respect to information and communication systems purchased by this state and local governments; requiring certain governmental entities to place automated external defibrillators in certain buildings and facilities; making various changes with respect to the authority of the Department of Motor Vehicles to accept and reject certain documents; increasing certain criminal penalties with respect to the fraudulent use of drivers' licenses and identification cards; making an appropriation; and providing other matters properly relating thereto.



* A B 4 4 1 R 1 *

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

- 1 **Section 1.** Title 19 of NRS is hereby amended by adding
2 thereto a new chapter to consist of the provisions set forth as
3 sections 2 to 27, inclusive, of this act.
- 4 **Sec. 2.** *The Legislature hereby finds and declares that:*
- 5 1. *The tragic events of September 11, 2001, have refocused*
6 *attention on the importance of domestic preparedness for acts of*
7 *terrorism and related emergencies.*
- 8 2. *The events of September 11, 2001, not only impacted our*
9 *homeland, but also the way of life for all Nevadans.*
- 10 3. *More than ever, the Nevada Legislature, representatives of*
11 *local government, law enforcement and other public safety*
12 *personnel, health care workers and technical service providers*
13 *must lead the charge in fighting against these destructive and*
14 *demoralizing acts of violence with strong and effective procedural*
15 *deterrents and enhanced criminal penalties.*
- 16 4. *While local efforts and plans to respond to acts of*
17 *terrorism and related emergencies are comprehensive, additional*
18 *statewide provisions are necessary to adequately prepare for acts*
19 *of cyber-terrorism, environmental catastrophes and other related*
20 *incidents.*
- 21 5. *As a result of the increased threat of terrorism, the*
22 *Legislature is compelled to address critical infrastructures,*
23 *governmental oversight and continuity, communications, and the*
24 *protection of important government documents and plans.*
- 25 6. *It is therefore within the public interest that the Legislature*
26 *enact provisions to:*
- 27 (a) *Protect sensitive state documents and computer systems*
28 *from cyber-terrorism;*
- 29 (b) *Secure the State's energy, telecommunications and water*
30 *infrastructures;*
- 31 (c) *Ensure the continuity of government in the event of a*
32 *terrorist attack;*
- 33 (d) *Develop policies providing for effective communication*
34 *and interoperability among federal, state and local law*
35 *enforcement and other first responders;*
- 36 (e) *Provide safeguards in the issuance of government*
37 *identification; and*
- 38 (f) *Create an effective and comprehensive state oversight*
39 *structure to coordinate these and other antiterrorism initiatives.*
- 40 **Sec. 3.** (Deleted by amendment.)
- 41 **Sec. 4.** *As used in this chapter, unless the context otherwise*
42 *requires, the words and terms defined in sections 5 to 11,*



* A B 4 4 1 R 1 *

1 *inclusive, of this act have the meanings ascribed to them in those*
2 *sections.*

3 **Sec. 5. 1.** *“Act of terrorism” means any act that involves*
4 *the use or attempted use of sabotage, coercion or violence which is*
5 *intended to:*

6 *(a) Cause great bodily harm or death to the general*
7 *population; or*

8 *(b) Cause substantial destruction, contamination or*
9 *impairment of:*

10 *(1) Any building or infrastructure, communications,*
11 *transportation, utilities or services; or*

12 *(2) Any natural resource or the environment.*

13 **2.** *As used in this section, “coercion” does not include an act*
14 *of civil disobedience.*

15 **Sec. 6.** *“Commission” means the Nevada Commission on*
16 *Homeland Security created by section 12 of this act.*

17 **Sec. 7.** *“Governmental utility” means:*

18 *1. Any utility that is owned, operated or controlled by this*
19 *state or an agency or instrumentality of this state, including,*
20 *without limitation, the Colorado River Commission of Nevada.*

21 *2. Any utility that is owned, operated or controlled by any*
22 *county, city, town, general improvement district, special district or*
23 *other local governmental entity under the authority of any general*
24 *law, special law or city charter or any cooperative, interlocal or*
25 *other agreement.*

26 **Sec. 8.** *“Information system” means any computer*
27 *equipment, computer software, procedures or technology used to*
28 *collect, process, distribute or store information.*

29 **Sec. 9.** *“Political subdivision” means a city or county of this*
30 *state.*

31 **Sec. 10.** *“Response agency” means an agency of this state or*
32 *of a political subdivision that provides services related to law*
33 *enforcement, firefighting, emergency medical care or public*
34 *safety, including, without limitation, the Nevada National Guard.*

35 **Sec. 10.3.** *“Restricted document” means any blueprint or*
36 *plan of a school, place of worship, airport, gaming establishment,*
37 *governmental building or any other building or facility which is*
38 *likely to be targeted for a terrorist attack.*

39 **Sec. 10.7.** *“System of communication” includes, without*
40 *limitation, any public safety radio system or telecommunication*
41 *system.*

42 **Sec. 11. 1.** *“Utility” means any public or private entity that:*

43 *(a) Provides water service, electric service or natural gas*
44 *service to 500 or more service locations; or*



- 1 ***(b) Operates any pipeline that is necessary to provide such***
2 ***service.***
- 3 ***2. The term includes, without limitation:***
- 4 ***(a) A governmental utility.***
- 5 ***(b) A public utility that is regulated by the Public Utilities***
6 ***Commission of Nevada pursuant to chapter 704 of NRS.***
- 7 ***(c) A rural electric cooperative established pursuant to chapter***
8 ***81 of NRS.***
- 9 ***(d) A cooperative association, nonprofit corporation, nonprofit***
10 ***association or provider of electric service which is declared to be a***
11 ***public utility pursuant to NRS 704.673 and which provides service***
12 ***only to its members.***
- 13 ***(e) A community water system that is subject to the***
14 ***requirements of 42 U.S.C. § 300i-2.***
- 15 ***Sec. 12. 1. The Nevada Commission on Homeland***
16 ***Security, consisting of a Chairman and at least 14 members, is***
17 ***hereby created.***
- 18 ***2. The Senate Majority Leader shall appoint two members of***
19 ***the Senate as voting members to the Commission.***
- 20 ***3. The Speaker of the Assembly shall appoint two members of***
21 ***the Assembly as voting members to the Commission.***
- 22 ***4. The Governor shall appoint to the Commission 10 voting***
23 ***members, at least one of whom represents the private sector. The***
24 ***Governor may appoint as many nonvoting members as he chooses.***
25 ***The members appointed by the Governor must possess expertise in***
26 ***one or more of the following areas:***
- 27 ***(a) Counterterrorism intelligence;***
- 28 ***(b) Military service;***
- 29 ***(c) Law enforcement;***
- 30 ***(d) Fire fighting;***
- 31 ***(e) Public health;***
- 32 ***(f) Hospital administration;***
- 33 ***(g) Emergency management;***
- 34 ***(h) Administration of critical infrastructure and vital public***
35 ***assets;***
- 36 ***(i) Information technology;***
- 37 ***(j) Transportation;***
- 38 ***(k) Agriculture; and***
- 39 ***(l) Business and industry.***
- 40 ***5. The Governor may not appoint as a voting member of the***
41 ***Commission any employee of the Executive Branch of State***
42 ***Government.***
- 43 ***6. The Governor or his designee is a nonvoting member of***
44 ***the Commission. The Governor or his designee shall serve as***
45 ***Chairman of the Commission.***



1 7. *The voting members of the Commission shall elect from*
2 *among their membership a Vice Chairman who serves in that*
3 *office for a term of 1 year.*

4 **Sec. 13.** *1. Except for the initial members:*
5 *(a) The term of office of each voting member of the*
6 *Commission who is a Legislator is 2 years and commences on*
7 *July 1 of the year of appointment.*

8 *(b) The term of office of each voting member of the*
9 *Commission who is not a Legislator is 3 years and commences on*
10 *July 1 of the year of appointment.*

11 2. *The voting members of the Commission shall continue in*
12 *office until their successors are appointed. Voting members of the*
13 *Commission are eligible for reappointment. Vacancies among*
14 *the voting membership of the Commission must be filled for the*
15 *remainder of the unexpired term in the same manner as the*
16 *original appointment.*

17 **Sec. 14.** *1. The Commission shall meet at the call of the*
18 *Chairman as frequently as required to perform its duties, but no*
19 *less than quarterly.*

20 2. *A majority of the voting members of the Commission*
21 *constitutes a quorum for the transaction of business, and a*
22 *majority of those voting members present at any meeting is*
23 *sufficient for any official action taken by the Commission.*

24 **Sec. 15.** *1. Each member of the Commission who is not a*
25 *public employee is entitled to receive compensation of not more*
26 *than \$80 per day, as fixed by the Commission, while engaged in*
27 *the business of the Commission.*

28 2. *A member of the Commission who is a public employee*
29 *may not receive any compensation for his services as a member of*
30 *the Commission. Any member of the Commission who is a public*
31 *employee must be granted administrative leave from his duties to*
32 *engage in the business of the Commission without loss of his*
33 *regular compensation. Such leave does not reduce the amount of*
34 *the member's other accrued leave.*

35 3. *Except during a regular or special session of the*
36 *Legislature, each legislative member of the Commission is entitled*
37 *to receive the compensation provided for a majority of the*
38 *members of the Legislature during the first 60 days of the*
39 *preceding regular session for each day or portion of a day during*
40 *which he attends a meeting of the Commission or is otherwise*
41 *engaged in the business of the Commission. The compensation*
42 *and expenses of the legislative members of the Commission must*
43 *be paid from the Legislative Fund.*

44 4. *In addition to any compensation received pursuant to this*
45 *section, while engaged in the business of the Commission, each*



1 *member and employee of the Commission is entitled to receive the*
2 *per diem allowance and travel expenses provided for state officers*
3 *and employees generally.*

4 **Sec. 16.** *1. Except as otherwise provided in subsections 2*
5 *and 3, the Commission shall comply with the provisions of chapter*
6 *241 of NRS and all meetings of the Commission must be*
7 *conducted in accordance with that chapter.*

8 *2. The Commission may hold a closed meeting to:*

9 *(a) Receive security briefings;*

10 *(b) Discuss procedures for responding to acts of terrorism and*
11 *related emergencies; or*

12 *(c) Discuss deficiencies in security with respect to public*
13 *services, public facilities and infrastructure,*
14 *if the Commission determines, upon a majority vote of its*
15 *members, that the public disclosure of such matters would be*
16 *likely to compromise, jeopardize or otherwise threaten the safety of*
17 *the public.*

18 *3. All information and materials received or prepared by the*
19 *Commission during a meeting closed pursuant to subsection 2 and*
20 *all minutes and audiovisual or electronic reproductions of such a*
21 *meeting are confidential, not subject to subpoena or discovery,*
22 *and not subject to inspection by the general public.*

23 **Sec. 17.** *The Commission shall, within the limits of available*
24 *money:*

25 *1. Make recommendations to the Governor, the Legislature,*
26 *agencies of this state, political subdivisions, businesses located*
27 *within this state and private persons who reside in this state with*
28 *respect to actions and measures that may be taken to protect*
29 *residents of this state and visitors to this state from potential acts*
30 *of terrorism and related emergencies.*

31 *2. Propose goals and programs that may be set and carried*
32 *out, respectively, to counteract or prevent potential acts of*
33 *terrorism and related emergencies before such acts of terrorism*
34 *and related emergencies can harm or otherwise threaten residents*
35 *of this state and visitors to this state.*

36 *3. With respect to buildings, facilities, geographic features*
37 *and infrastructure that must be protected from acts of terrorism*
38 *and related emergencies to ensure the safety of the residents of*
39 *this state and visitors to this state, including, without limitation,*
40 *airports, the Capitol Complex, dams, gaming establishments,*
41 *governmental buildings, highways, hotels, information technology*
42 *infrastructure, lakes, places of worship, power lines, public*
43 *buildings, public utilities, reservoirs, rivers and their tributaries,*
44 *and water facilities:*



1 (a) Identify and categorize such buildings, facilities,
2 geographic features and infrastructure according to their
3 susceptibility to and need for protection from acts of terrorism and
4 related emergencies; and

5 (b) Study and assess the security of such buildings, facilities,
6 geographic features and infrastructure from acts of terrorism and
7 related emergencies.

8 4. Examine the use, deployment and coordination of response
9 agencies within this state to ensure that those agencies are
10 adequately prepared to protect residents of this state and visitors to
11 this state from acts of terrorism and related emergencies.

12 5. Assess, examine and review the use of information systems
13 and systems of communication used by response agencies within
14 this state to determine the degree to which such systems are
15 compatible and interoperable. After conducting the assessment,
16 examination and review, the Commission shall establish a state
17 plan setting forth criteria and standards for the compatibility and
18 interoperability of those systems when used by response agencies
19 within this state.

20 6. Assess, examine and review the operation and efficacy of
21 telephone systems and related systems used to provide emergency
22 911 service.

23 7. To the extent practicable, cooperate and coordinate with
24 the Division of Emergency Management of the Department of
25 Public Safety to avoid duplication of effort in developing policies
26 and programs for preventing and responding to acts of terrorism
27 and related emergencies.

28 8. Perform any other acts related to their duties set forth in
29 subsections 1 to 7, inclusive, that the Commission determines are
30 necessary to protect or enhance:

- 31 (a) The safety and security of the State of Nevada;
32 (b) The safety of residents of the State of Nevada; and
33 (c) The safety of visitors to the State of Nevada.

34 **Sec. 18.** The Chairman of the Commission may, with the
35 approval of the Commission, appoint committees from its members
36 to assist in carrying out the duties of the Commission.

37 **Sec. 19.** The Governor shall provide such staff assistance to
38 the Commission as he deems appropriate and may designate a
39 state agency to provide such assistance.

40 **Sec. 20.** The Commission may apply for and receive gifts,
41 grants, contributions or other money from governmental and
42 private agencies, affiliated associations and other persons to carry
43 out the provisions of this chapter and to defray expenses incurred
44 by the Commission in the discharge of its duties.



1 **Sec. 21. 1.** *A document, record or other item of information*
2 *described in subsection 2 that is prepared and maintained for the*
3 *purpose of preventing or responding to an act of terrorism is*
4 *confidential, not subject to subpoena or discovery and not subject*
5 *to inspection by the general public if the Governor determines, by*
6 *executive order, that the disclosure or release of the document,*
7 *record or other item of information would thereby create a*
8 *substantial likelihood of compromising, jeopardizing or otherwise*
9 *threatening the public health, safety or welfare.*

10 **2.** *The types of documents, records or other items of*
11 *information subject to executive order pursuant to subsection 1*
12 *are as follows:*

13 **(a)** *Assessments, plans or records that evaluate or reveal the*
14 *susceptibility of fire stations, police stations and other law*
15 *enforcement stations to acts of terrorism or other related*
16 *emergencies.*

17 **(b)** *Drawings, maps, plans or records that reveal the critical*
18 *infrastructure of primary buildings, facilities and other structures*
19 *used for storing, transporting or transmitting water or electricity,*
20 *natural gas or other forms of energy.*

21 **(c)** *Documents, records or other items of information which*
22 *may reveal the details of a specific emergency response plan or*
23 *other tactical operations by a response agency and any training*
24 *relating to such emergency response plans or tactical operations.*

25 **(d)** *Handbooks, manuals or other forms of information*
26 *detailing procedures to be followed by response agencies in the*
27 *event of an act of terrorism or other related emergency.*

28 **(e)** *Documents, records or other items of information that*
29 *reveal information pertaining to specialized equipment used for*
30 *covert, emergency or tactical operations of a response agency,*
31 *other than records relating to expenditures for such equipment.*

32 **(f)** *Documents, records or other items of information that*
33 *reveal frequencies for radio transmissions used by response*
34 *agencies.*

35 **Sec. 22. 1.** *Unless made confidential by specific statute, a*
36 *restricted document may be inspected only by a person who*
37 *provides:*

38 **(a)** *His name;*

39 **(b)** *A copy of his driver's license or other photographic*
40 *identification that is issued by a governmental entity;*

41 **(c)** *The name of his employer, if any;*

42 **(d)** *His citizenship; and*

43 **(e)** *Except as otherwise provided in this paragraph, a statement*
44 *of the purpose for the inspection. A person is not required to*
45 *indicate the purpose for inspecting a restricted document if the*



1 *person is an employee of any fire-fighting or law enforcement*
2 *agency.*

3 *2. Except as otherwise provided in subsection 3, a public*
4 *officer or employee shall observe any person while the person*
5 *inspects a restricted document in a location and in a manner*
6 *which ensures that the person does not copy, duplicate or*
7 *reproduce the restricted document in any way.*

8 *3. A restricted document may be copied, duplicated or*
9 *reproduced:*

10 *(a) Upon the lawful order of a court of competent jurisdiction;*

11 *(b) As is reasonably necessary in the case of an act of*
12 *terrorism or other related emergency;*

13 *(c) To protect the rights and obligations of a governmental*
14 *entity or the public;*

15 *(d) Upon the request of a reporter or editorial employee who is*
16 *employed by or affiliated with a newspaper, press association or*
17 *commercially operated and federally licensed radio or television*
18 *station and who uses the restricted document in the course of such*
19 *employment or affiliation; or*

20 *(e) Upon the request of a registered architect, licensed*
21 *contractor or a designated employee of any such architect or*
22 *contractor who uses the restricted document in his professional*
23 *capacity.*

24 *4. A public officer or employee shall inform any person who*
25 *inspects a restricted document of the provisions of this section.*

26 **Sec. 23.** *1. A public officer or employee who is the*
27 *custodian of a restricted document shall establish a log to record:*

28 *(a) The information described in subsection 1 of section 22 of*
29 *this act when a person is allowed to inspect the document; and*

30 *(b) The date and time of the inspection.*

31 *2. The log is not a public record and may be inspected only*
32 *by:*

33 *(a) A representative of a law enforcement agency; or*

34 *(b) A reporter or editorial employee who is employed by or*
35 *affiliated with a newspaper, press association or commercially*
36 *operated and federally licensed radio or television station.*

37 **Sec. 24.** *Nothing in section 22 or 23 of this act shall be*
38 *deemed to prohibit a public officer or employee from contacting a*
39 *law enforcement agency to report a suspicious or unusual request*
40 *to inspect a restricted document.*

41 **Sec. 25.** *1. Each political subdivision shall adopt and*
42 *maintain a response plan. Each new or revised plan must be filed*
43 *within 10 days after adoption or revision with:*

44 *(a) The Division of Emergency Management of the*
45 *Department of Public Safety; and*



- 1 ***(b) Each response agency that provides services to the political***
2 ***subdivision.***
- 3 ***2. The response plan required by subsection 1 must include:***
- 4 ***(a) A drawing or map of the layout and boundaries of the***
5 ***political subdivision;***
- 6 ***(b) A drawing or description of the streets and highways***
7 ***within, and leading into and out of, the political subdivision,***
8 ***including any approved routes for evacuation;***
- 9 ***(c) The location and inventory of emergency response***
10 ***equipment and resources within the political subdivision;***
- 11 ***(d) The location of any unusually hazardous substances within***
12 ***the political subdivision;***
- 13 ***(e) A telephone number that may be used by residents of the***
14 ***political subdivision to receive information and to make reports***
15 ***with respect to an act of terrorism or related emergency;***
- 16 ***(f) The location of one or more emergency response command***
17 ***posts that are located within the political subdivision;***
- 18 ***(g) A depiction of the location of each police station, sheriff's***
19 ***office and fire station that is located within the political***
20 ***subdivision;***
- 21 ***(h) Plans for the continuity of the operations and services of***
22 ***the political subdivision, which plans must be consistent with the***
23 ***provisions of section 26 of this act; and***
- 24 ***(i) Any other information that the Commission may determine***
25 ***to be relevant.***
- 26 ***3. A plan filed pursuant to the requirements of this section,***
27 ***including any revisions adopted thereto, is confidential and must***
28 ***be securely maintained by the entities with whom it is filed***
29 ***pursuant to subsection 1. An officer, employee or other person to***
30 ***whom the plan is entrusted by the entity with whom it is filed shall***
31 ***not disclose the contents of such a plan except:***
- 32 ***(a) Upon the lawful order of a court of competent jurisdiction;***
33 ***or***
- 34 ***(b) As is reasonably necessary in the case of an act of***
35 ***terrorism or related emergency.***
- 36 ***Sec. 26. 1. In accordance with the provisions of Section 37***
37 ***of Article 4 of the Nevada Constitution, the Nevada Legislature***
38 ***hereby establishes a plan for continuation of state and local***
39 ***governmental operations. The provisions set forth in this section***
40 ***apply only in, and must be used in accordance with, the***
41 ***circumstances described in subsection 2.***
- 42 ***2. In the event that this state or a portion of this state is***
43 ***stricken by a catastrophic emergency of such magnitude that, in***
44 ***the opinion of the Governor or, in the absence of the Governor,***
45 ***the Lieutenant Governor, the existing provisions of the Nevada***



1 *Constitution and the statutes of this state relating to the filling of*
2 *vacancies in office are not able to provide for a sufficiently*
3 *expedient continuity of government and temporary succession of*
4 *power as a result of vacancies in office created by the catastrophic*
5 *emergency, the provisions of subsections 3 to 10, inclusive, apply.*

6 3. *If a vacancy occurs in the Office of Governor as a result of*
7 *a catastrophic emergency and none of the successors described in*
8 *NRS 223.080 are able or available to act as Governor, the*
9 *Legislature shall elect a person to serve as Governor.*

10 4. *If vacancies occur in more than 15 percent of the seats in*
11 *either house of the Legislature as a result of a catastrophic*
12 *emergency:*

13 (a) *The remaining Legislators available for duty constitute the*
14 *Legislature and have full power to act in separate or joint*
15 *assembly by majority vote of those present;*

16 (b) *Any requirements for a quorum applicable to the*
17 *Legislature must initially be suspended and must subsequently be*
18 *adjusted as vacant offices are filled pursuant to NRS 218.043; and*

19 (c) *If the affirmative vote of a specified proportion of members*
20 *of the Legislature is required for the approval of a legislative*
21 *measure, the same proportion of remaining members of the*
22 *Legislature is sufficient for approval of that measure.*

23 5. *If vacancies occur in more than 15 percent of the positions*
24 *held by justices on the Supreme Court as a result of a catastrophic*
25 *emergency, the vacancies must be filled by appointment of the*
26 *Governor.*

27 6. *If vacancies occur in more than 15 percent of the positions*
28 *held by the district judges in any one judicial district as a result of*
29 *a catastrophic emergency, the vacancies must be filled by*
30 *appointment of the Supreme Court.*

31 7. *If vacancies occur on a board of county commissioners as*
32 *a result of a catastrophic emergency:*

33 (a) *The remaining members of the board available for duty*
34 *constitute the board and have full power to act by majority vote of*
35 *those present; and*

36 (b) *Any requirements for a quorum applicable to the board*
37 *must initially be suspended and must subsequently be adjusted as*
38 *vacant offices are filled.*

39 *If a board of county commissioners is rendered entirely vacant as*
40 *a result of a catastrophic emergency, such other elected officers of*
41 *the county as may be available to serve on the board have full*
42 *authority to act in all matters as a board of county commissioners.*

43 8. *If vacancies occur on a city council as a result of a*
44 *catastrophic emergency:*



1 (a) *The remaining members of the council available for duty*
2 *constitute the council and have full power to act by majority vote*
3 *of those present; and*

4 (b) *Any requirements for a quorum applicable to the council*
5 *must initially be suspended and must subsequently be adjusted as*
6 *vacant offices are filled.*

7 *If a city council is rendered entirely vacant as a result of a*
8 *catastrophic emergency, such other elected officers of the city as*
9 *may be available to serve on the council have full authority to act*
10 *in all matters as a city council.*

11 9. *If, during or following a catastrophic emergency, a*
12 *majority of the members of a legislative body described in this*
13 *section determines that, for purposes of safety or to address related*
14 *concerns, the legislative body should meet at a location other than*
15 *the location at which the legislative body ordinarily meets, the*
16 *legislative body may arrange to meet at an alternate location.*

17 10. *After a catastrophic emergency has taken place, the*
18 *Governor or, in the absence of the Governor, the Lieutenant*
19 *Governor, shall:*

20 (a) *Determine and announce publicly when conditions have*
21 *normalized within this state or the portion thereof affected by the*
22 *catastrophic emergency.*

23 (b) *In cooperation with the Secretary of State, develop*
24 *procedures and a reasonable schedule for filling by regular*
25 *election the various offices filled temporarily pursuant to this*
26 *section.*

27 11. *As used in this section, "catastrophic emergency" means*
28 *an emergency resulting from disasters caused by enemy attack, in*
29 *accordance with Section 37 of Article 4 of the Nevada*
30 *Constitution.*

31 **Sec. 27. 1. Each utility shall:**

32 (a) *Conduct a vulnerability assessment in accordance with the*
33 *requirements of the federal and regional agencies that regulate*
34 *the utility; and*

35 (b) *Prepare and maintain an emergency response plan in*
36 *accordance with the requirements of the federal and regional*
37 *agencies that regulate the utility.*

38 2. *Each utility shall:*

39 (a) *As soon as practicable but not later than December 31,*
40 *2003, submit its vulnerability assessment and emergency response*
41 *plan to the Division of Emergency Management of the*
42 *Department of Public Safety; and*

43 (b) *At least once each year thereafter, review its vulnerability*
44 *assessment and emergency response plan and, as soon as*
45 *practicable after its review is completed but not later than*



1 *December 31 of each year, submit the results of its review and any*
2 *additions or modifications to its emergency response plan to the*
3 *Division of Emergency Management of the Department of Public*
4 *Safety.*

5 *3. Each vulnerability assessment and emergency response*
6 *plan of a utility and any other information concerning a utility*
7 *that is necessary to carry out the provisions of this section is*
8 *confidential and must be securely maintained by each person or*
9 *entity that has possession, custody or control of the information.*

10 *4. A person shall not disclose such information, except:*

11 *(a) Upon the lawful order of a court of competent jurisdiction;*

12 *(b) As is reasonably necessary to carry out the provisions of*
13 *this section or the operations of the utility, as determined by the*
14 *Division of Emergency Management of the Department of Public*
15 *Safety; or*

16 *(c) As is reasonably necessary in the case of an emergency*
17 *involving public health or safety, as determined by the Division of*
18 *Emergency Management of the Department of Public Safety.*

19 *5. If a person knowingly and unlawfully discloses such*
20 *information or assists, solicits or conspires with another person to*
21 *disclose such information, the person is guilty of:*

22 *(a) A gross misdemeanor; or*

23 *(b) A category C felony and shall be punished as provided in*
24 *NRS 193.130 if the person acted with the intent to:*

25 *(1) Commit, cause, aid, further or conceal, or attempt to*
26 *commit, cause, aid, further or conceal, any unlawful act involving*
27 *terrorism or sabotage; or*

28 *(2) Assist, solicit or conspire with another person to*
29 *commit, cause, aid, further or conceal any unlawful act involving*
30 *terrorism or sabotage.*

31 **Sec. 28.** NRS 205.465 is hereby amended to read as follows:

32 205.465 1. It is unlawful for a person to possess, sell or
33 transfer any document or personal identifying information for the
34 purpose of establishing a false status, occupation, membership,
35 license or identity for himself or any other person.

36 2. A person who:

37 (a) Sells or transfers any such document or personal identifying
38 information in violation of subsection 1; or

39 (b) Possesses any such document or personal identifying
40 information in violation of subsection 1 to commit any of the crimes
41 set forth in NRS 205.085 to 205.217, inclusive, 205.473 to 205.513,
42 inclusive, or 205.610 to 205.810, inclusive,

43 is guilty of a category C felony and shall be punished as provided in
44 NRS 193.130.



1 3. Except as otherwise provided in *this subsection and*
2 subsection 2, a person who possesses any such document or
3 personal identifying information in violation of subsection 1 is
4 guilty of a *category E felony and shall be punished as provided in*
5 *NRS 193.130. If a person possesses any such document or*
6 *personal identifying information in violation of subsection 1 for*
7 *the sole purpose of establishing false proof of age, including,*
8 *without limitation, establishing false proof of age to game,*
9 *purchase alcoholic beverages or purchase cigarettes or other*
10 *tobacco products, the person is guilty of a* misdemeanor.

11 4. Subsection 1 does not:

12 (a) Preclude the adoption by a city or county of an ordinance
13 prohibiting the possession of any such document or personal
14 identifying information; or

15 (b) Prohibit the possession or use of any such document or
16 personal identifying information by officers of local police, sheriff
17 and metropolitan police departments and by agents of the
18 Investigation Division of the Department of Public Safety while
19 engaged in undercover investigations related to the lawful discharge
20 of their duties.

21 5. As used in this section:

22 (a) "Document" includes, without limitation, a photocopy print,
23 photostat and other replica of a document.

24 (b) "Personal identifying information" means any information
25 designed, commonly used or capable of being used, alone or in
26 conjunction with any other information, to identify a person,
27 including, without limitation:

28 (1) The name, driver's license number, social security
29 number, savings account number, credit card number, debit card
30 number, date of birth, place of employment and maiden name of the
31 mother of a person; and

32 (2) The fingerprints, voiceprint, retina image and iris image
33 of a person.

34 **Sec. 29.** NRS 207.345 is hereby amended to read as follows:

35 207.345 ~~{Every person who impersonates}~~

36 **1. A person shall not:**

37 (a) *Impersonate* an officer or employee of a utility ~~{company or~~
38 ~~who}~~ *or*, without authority ~~{assumes}~~, *assume* any *characteristic,*
39 *such as a* uniform or insignia, *or any identification* by which ~~{such~~
40 ~~person}~~ *an officer or employee of a utility* is distinguished ~~{, and in~~
41 ~~such assumed character does}~~, *known or identified; and*

42 (b) *Use the impersonation or the assumed characteristic or*
43 *identity to commit or attempt to commit* any *unlawful act or any*
44 *act* ~~{purporting}~~ *in which the person purports* to represent the utility
45 ~~{company,}~~ *or an officer or employee of the utility.*



1 2. *A person who violates any provision of this section is guilty*
2 of ~~[a misdemeanor.]~~:

3 (a) *A gross misdemeanor; or*
4 (b) *A category C felony and shall be punished as provided in*
5 *NRS 193.130 if the person acted with the intent to:*

6 (1) *Commit, cause, aid, further or conceal, or attempt to*
7 *commit, cause, aid, further or conceal, any unlawful act involving*
8 *terrorism or sabotage; or*

9 (2) *Assist, solicit or conspire with another person to*
10 *commit, cause, aid, further or conceal any unlawful act involving*
11 *terrorism or sabotage.*

12 **Sec. 30.** Chapter 332 of NRS is hereby amended by adding
13 thereto a new section to read as follows:

14 1. *On and after July 1, 2004, a governing body or its*
15 *authorized representative shall not purchase an information*
16 *system or system of communication, or any component thereof, for*
17 *use by a response agency unless the system or component complies*
18 *with the plan established pursuant to subsection 5 of section 17 of*
19 *this act.*

20 2. *On and after July 1, 2004, any grant or other money*
21 *received by a local government from the Federal Government for*
22 *the purchase of an information system or system of*
23 *communication, or any component thereof, for use by a response*
24 *agency must not be used to purchase such a system or component*
25 *unless the system or component complies with the plan established*
26 *pursuant to subsection 5 of section 17 of this act.*

27 3. *As used in this section:*

28 (a) *“Information system” has the meaning ascribed to it in*
29 *section 8 of this act.*

30 (b) *“Response agency” has the meaning ascribed to it in*
31 *section 10 of this act.*

32 (c) *“System of communication” has the meaning ascribed to it*
33 *in section 10.7 of this act.*

34 **Sec. 31.** Chapter 333 of NRS is hereby amended by adding
35 thereto a new section to read as follows:

36 1. *On and after July 1, 2004, the Chief, the Purchasing*
37 *Division or a using agency shall not purchase an information*
38 *system or system of communication, or any component thereof, for*
39 *use by a response agency unless the system or component complies*
40 *with the plan established pursuant to subsection 5 of section 17 of*
41 *this act.*

42 2. *On and after July 1, 2004, any grant or other money*
43 *received by the Chief, the Purchasing Division or a using agency*
44 *from the Federal Government for the purchase of an information*
45 *system or system of communication, or any component thereof, for*



1 *use by a response agency must not be used to purchase such a*
2 *system or component unless the system or component complies*
3 *with the plan established pursuant to subsection 5 of section 17 of*
4 *this act.*

5 *3. As used in this section:*

6 *(a) "Information system" has the meaning ascribed to it in*
7 *section 8 of this act.*

8 *(b) "Response agency" has the meaning ascribed to it in*
9 *section 10 of this act.*

10 *(c) "System of communication" has the meaning ascribed to it*
11 *in section 10.7 of this act.*

12 **Sec. 32.** NRS 414.090 is hereby amended to read as follows:

13 414.090 1. Each political subdivision of this state ~~may~~ **shall**
14 establish a local organization for emergency management in
15 accordance with the state emergency management plan and program
16 for emergency management. Such a political subdivision may confer
17 or authorize the conferring upon members of the auxiliary police the
18 powers of police officers, subject to such restrictions as it imposes.
19 Each local organization for emergency management must have a
20 director who must be appointed by the executive officer or
21 governing body of the political subdivision, and who has direct
22 responsibility for the organization, administration and operation of
23 the local organization for emergency management , subject to the
24 direction and control of the executive officer or governing body.
25 Each local organization for emergency management shall perform
26 functions of emergency management within the territorial limits of
27 the political subdivision within which it is organized ~~and~~ and, in
28 addition, shall conduct such functions outside of such territorial
29 limits as may be required pursuant to the provisions of
30 NRS 414.100.

31 2. In carrying out the provisions of this chapter, each political
32 subdivision in which any emergency or disaster described in NRS
33 414.020 occurs may enter into contracts and incur obligations
34 necessary to combat such an emergency or disaster, protect the
35 health and safety of persons and property , and provide emergency
36 assistance to the victims of such an emergency or disaster. Each
37 political subdivision may exercise the powers vested under this
38 section in the light of the exigencies of the extreme emergency or
39 disaster without regard to time-consuming procedures and
40 formalities prescribed by law, except constitutional requirements,
41 pertaining to the performance of public work, entering into
42 contracts, the incurring of obligations, the employment of temporary
43 workers, the rental of equipment, the purchase of supplies and
44 materials, the levying of taxes, and the appropriation and
45 expenditure of public funds.



* A B 4 4 1 R 1 *

1 **Sec. 33.** Chapter 450B of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 **1. Not later than July 1, 2004, and thereafter:**

4 **(a) The board of trustees of a school district in a county whose**
5 **population is 100,000 or more shall ensure that at least one**
6 **automated external defibrillator is placed in a central location at**
7 **each high school within the district.**

8 **(b) The Airport Authority of Washoe County shall ensure that**
9 **at least three automated external defibrillators are placed in**
10 **central locations at the largest airport within the county.**

11 **(c) The board of county commissioners of each county whose**
12 **population is 400,000 or more shall ensure that at least seven**
13 **automated external defibrillators are placed in central locations at**
14 **the largest airport within the county.**

15 **(d) The Board of Regents of the University of Nevada shall**
16 **ensure that at least two automated external defibrillators are**
17 **placed in central locations at each of:**

18 **(1) The largest indoor sporting arena or events center**
19 **controlled by the University in a county whose population is**
20 **100,000 or more but less than 400,000; and**

21 **(2) The largest indoor sporting arena or events center**
22 **controlled by the University in a county whose population is**
23 **400,000 or more.**

24 **(e) The Health Division shall ensure that at least one**
25 **automated external defibrillator is placed in a central location at**
26 **each of the following state buildings:**

27 **(1) The Capitol Building in Carson City;**

28 **(2) The Kinkead Building in Carson City;**

29 **(3) The Legislative Building in Carson City; and**

30 **(4) The Grant Sawyer Building in Las Vegas.**

31 **(f) The board of county commissioners of each county whose**
32 **population is 100,000 or more shall:**

33 **(1) Identify five county buildings or offices in each of their**
34 **respective counties which are characterized by large amounts of**
35 **pedestrian traffic or which house one or more county agencies**
36 **that provide services to large numbers of persons; and**

37 **(2) Ensure that at least one automated external defibrillator**
38 **is placed in a central location at each county building or office**
39 **identified pursuant to subparagraph (1).**

40 **2. Each governmental entity that is required to ensure the**
41 **placement of one or more automated external defibrillators**
42 **pursuant to subsection 1:**

43 **(a) May accept gifts, grants and donations for use in**
44 **obtaining, inspecting and maintaining the defibrillators;**



1 (b) *Shall ensure that those defibrillators are inspected and*
2 *maintained on a regular basis; and*

3 (c) *Shall encourage the entity where the automated external*
4 *defibrillator is placed to require any employee who will use the*
5 *automated external defibrillator to successfully complete the*
6 *training requirements of a course in basic emergency care of a*
7 *person in cardiac arrest that includes training in the operation*
8 *and use of an automated external defibrillator and is conducted in*
9 *accordance with the standards of the American Heart Association,*
10 *the American National Red Cross or any other similar*
11 *organization.*

12 3. *As used in this section, "automated external defibrillator"*
13 *means a medical device that:*

14 (a) *Has been approved by the United States Food and Drug*
15 *Administration;*

16 (b) *Is capable of recognizing the presence or absence, in a*
17 *patient, of ventricular fibrillation and rapid ventricular*
18 *tachycardia;*

19 (c) *Is capable of determining, without intervention by the*
20 *operator of the device, whether defibrillation should be performed*
21 *on the patient;*

22 (d) *Upon determining that defibrillation should be performed,*
23 *automatically charges and requests delivery of an electrical*
24 *impulse to the patient's heart; and*

25 (e) *Upon action by the operator of the device, delivers to the*
26 *patient's heart an appropriate electrical impulse.*

27 **Sec. 34.** NRS 483.290 is hereby amended to read as follows:

28 483.290 1. Every application for an instruction permit or for
29 a driver's license must:

30 (a) Be made upon a form furnished by the Department.

31 (b) Be verified by the applicant before a person authorized to
32 administer oaths. Officers and employees of the Department may
33 administer those oaths without charge.

34 (c) Be accompanied by the required fee.

35 (d) State the full name, date of birth, sex and residence address
36 of the applicant and briefly describe the applicant.

37 (e) State whether the applicant has theretofore been licensed as a
38 driver, and, if so, when and by what state or country, and whether
39 any such license has ever been suspended or revoked, or whether an
40 application has ever been refused, and, if so, the date of and reason
41 for the suspension, revocation or refusal.

42 (f) Include such other information as the Department may
43 require to determine the competency and eligibility of the applicant.

44 2. ~~Every~~ *Except as otherwise provided in subsections 5, 6*
45 *and 7, every* applicant must furnish proof of his age by displaying:



1 (a) If the applicant was born in the United States, a birth
2 certificate issued by a state or the District of Columbia or other
3 proof of the date of birth of the applicant, including, but not limited
4 to, a driver's license issued by another state or the District of
5 Columbia, or a baptismal certificate and other proof that is
6 determined to be necessary and is acceptable to the Department; or

7 (b) If the applicant was born outside the United States, a
8 Certificate of Citizenship, Certificate of Naturalization, ~~Arrival-~~
9 ~~Departure Record, Alien Registration Receipt Card, United States~~
10 ~~Citizen Identification Card or Letter of Authorization~~ *Permanent*
11 *Resident Card or Temporary Resident Card* issued by the
12 ~~Immigration and Naturalization Service of the United States~~
13 ~~Department of Justice~~ *Bureau of Citizenship and Immigration*
14 *Services* or a *Consular* Report of Birth Abroad ~~of a United States~~
15 ~~Citizen Child~~ issued by the Department of State, a driver's license
16 issued by another state or the District of Columbia or other proof
17 acceptable to the Department other than a passport issued by a
18 foreign government.

19 3. At the time of applying for a driver's license, an applicant
20 may, if eligible, register to vote pursuant to NRS 293.524.

21 4. Every applicant who has been assigned a social security
22 number must furnish proof of his social security number by
23 displaying:

24 (a) An original card issued to the applicant by the Social
25 Security Administration bearing the social security number of the
26 applicant; or

27 (b) Other proof acceptable to the Department, including, but not
28 limited to, records of employment or federal income tax returns.

29 *5. The Department may refuse to accept a driver's license*
30 *issued by another state or the District of Columbia if the*
31 *Department determines that the other state or the District of*
32 *Columbia has less stringent standards than the State of Nevada*
33 *for the issuance of a driver's license.*

34 *6. With respect to any document described in paragraph (b)*
35 *of subsection 2, the Department may:*

36 (a) *If the document has expired, refuse to accept the document*
37 *or refuse to issue a driver's license to the person presenting the*
38 *document, or both; and*

39 (b) *If the document specifies a date by which the person*
40 *presenting the document must depart from the United States, issue*
41 *to the person presenting the document a driver's license that*
42 *expires on the date on which the person is required to depart from*
43 *the United States.*

44 *7. The Director shall adopt regulations setting forth criteria*
45 *pursuant to which the Department will issue or refuse to issue a*



1 *driver's license in accordance with this section to a person who is*
2 *a citizen of a foreign country. The criteria must be based upon the*
3 *purpose for which that person is present within the United States.*

4 **Sec. 35.** NRS 483.530 is hereby amended to read as follows:
5 483.530 ~~HH~~

6 *1. Except as otherwise provided in subsection 2, it is a*
7 *misdemeanor for any person:*

8 ~~HH~~ (a) To display or cause or permit to be displayed or have in
9 his possession any cancelled, revoked, suspended, fictitious,
10 fraudulently altered or fraudulently obtained driver's license;

11 ~~HH~~ (b) To alter, forge, substitute, counterfeit or use an
12 unvalidated driver's license;

13 ~~HH~~ (c) To lend his driver's license to any other person or
14 knowingly permit the use thereof by another;

15 ~~HH~~ (d) To display or represent as one's own any driver's license
16 not issued to him;

17 ~~HH~~ (e) To fail or refuse to surrender to the Department, a peace
18 officer or a court upon lawful demand any driver's license which
19 has been suspended, revoked or cancelled;

20 ~~HH~~ ~~To use a false or fictitious name in any application for a~~
21 ~~driver's license or knowingly to make a false statement or~~
22 ~~knowingly to conceal a material fact or otherwise commit a fraud in~~
23 ~~any such application;~~

24 ~~HH~~ (f) To permit any unlawful use of a driver's license issued to
25 him;

26 ~~HH~~ (g) To do any act forbidden, or fail to perform any act
27 required, by NRS 483.010 to 483.630, inclusive; or

28 ~~HH~~ (h) To photograph, photostat, duplicate ~~HH~~ or in any way
29 reproduce any driver's license or facsimile thereof in such a manner
30 that it could be mistaken for a valid license, or to display or have in
31 his possession any such photograph, photostat, duplicate,
32 reproduction or facsimile unless authorized by this chapter.

33 *2. Except as otherwise provided in this subsection, a person*
34 *who uses a false or fictitious name in any application for a*
35 *driver's license or identification card or who knowingly makes a*
36 *false statement or knowingly conceals a material fact or otherwise*
37 *commits a fraud in any such application is guilty of a category E*
38 *felony and shall be punished as provided in NRS 193.130. If the*
39 *false statement, knowing concealment of a material fact or other*
40 *commission of fraud described in this subsection relates solely to*
41 *the age of a person, including, without limitation, to establish false*
42 *proof of age to game, purchase alcoholic beverages or purchase*
43 *cigarettes or other tobacco products, the person is guilty of a*
44 *misdemeanor.*



1 **Sec. 36.** NRS 483.860 is hereby amended to read as follows:
2 483.860 1. ~~Every~~ *Except as otherwise provided in*
3 *subsection 3, every* applicant for an identification card must furnish
4 proof of his age by presenting a birth certificate issued by a state or
5 the District of Columbia or other proof of the applicant's date of
6 birth, including, but not limited to, a driver's license *or*
7 *identification card* issued by another state or the District of
8 Columbia, or a baptismal certificate and such other corroboration of
9 the matters stated in his application as are required of applicants for
10 a driver's license.

11 2. Every applicant who has been assigned a social security
12 number must furnish proof of his social security number by
13 displaying:

14 (a) An original card issued to the applicant by the Social
15 Security Administration bearing the applicant's social security
16 number; or

17 (b) Other proof acceptable to the Department, including, but not
18 limited to, records of employment or federal income tax returns.

19 3. *The Department may refuse to accept a driver's license or*
20 *identification card issued by another state or the District of*
21 *Columbia if the Department determines that the other state or the*
22 *District of Columbia has less stringent standards than the State of*
23 *Nevada for the issuance of a driver's license or identification card.*

24 4. *With respect to any document described in subsection 1,*
25 *the Department may, if the document has expired, refuse to accept*
26 *the document or refuse to issue an identification card to the*
27 *person presenting the document, or both.*

28 5. *The Director shall adopt regulations setting forth criteria*
29 *pursuant to which the Department will issue or refuse to issue an*
30 *identification card in accordance with this section to a person who*
31 *is a citizen of a foreign country. The criteria must be based upon*
32 *the purpose for which that person is present within the United*
33 *States.*

34 **Sec. 37.** NRS 486.081 is hereby amended to read as follows:

35 486.081 1. Every application for a motorcycle driver's
36 license must be made upon a form furnished by the Department and
37 must be verified by the applicant before a person authorized to
38 administer oaths. Officers and employees of the Department may
39 administer those oaths without charge.

40 2. Every application must:

41 (a) State the full name, date of birth, sex and residence address
42 of the applicant;

43 (b) Briefly describe the applicant;

44 (c) State whether the applicant has previously been licensed as a
45 driver, and, if so, when and by what state or country;



- 1 (d) State whether any such license has ever been suspended or
2 revoked, or whether an application has ever been refused, and, if so,
3 the date of and reason for such suspension, revocation or refusal;
4 and
- 5 (e) Give such other information as the Department requires to
6 determine the competency and eligibility of the applicant.
- 7 3. ~~Every~~ *Except as otherwise provided in subsections 4, 5*
8 *and 6, every* applicant shall furnish proof of his age by displaying:
- 9 (a) If he was born in the United States, a certified state-issued
10 birth certificate, baptismal certificate, driver's license issued by
11 another state or the District of Columbia or other proof acceptable to
12 the Department; or
- 13 (b) If he was born outside the United States, a:
14 (1) Certificate of Citizenship, Certificate of Naturalization,
15 ~~Arrival-Departure Record, Alien Registration Receipt Card, United~~
16 ~~States Citizen Identification Card or Letter of Authorization~~
17 *Permanent Resident Card or Temporary Resident Card* issued by
18 the ~~Immigration and Naturalization Service of the Department of~~
19 ~~Justice;~~ *Bureau of Citizenship and Immigration Services;*
- 20 (2) *Consular* Report of Birth Abroad ~~of a United States~~
21 ~~Citizen Child~~ issued by the Department of State;
- 22 (3) Driver's license issued by another state or the District of
23 Columbia; or
- 24 (4) Passport issued by the United States Government.
- 25 4. *The Department may refuse to accept a driver's license*
26 *issued by another state or the District of Columbia if the*
27 *Department determines that the other state or the District of*
28 *Columbia has less stringent standards than the State of Nevada*
29 *for the issuance of a driver's license.*
- 30 5. *With respect to any document described in paragraph (b)*
31 *of subsection 3, the Department may:*
- 32 (a) *If the document has expired, refuse to accept the document*
33 *or refuse to issue a driver's license to the person presenting the*
34 *document, or both; and*
- 35 (b) *If the document specifies a date by which the person*
36 *presenting the document must depart from the United States, issue*
37 *to the person presenting the document a driver's license that*
38 *expires on the date on which the person is required to depart from*
39 *the United States.*
- 40 6. *The Director shall adopt regulations setting forth criteria*
41 *pursuant to which the Department will issue or refuse to issue a*
42 *driver's license in accordance with this section to a person who is*
43 *a citizen of a foreign country. The criteria must be based upon the*
44 *purpose for which that person is present within the United States.*



1 **Sec. 38.** 1. There is hereby appropriated from the State
2 General Fund to the Health Division of the Department of Human
3 Resources for distribution to the governmental entities described in
4 section 33 of this act for the purchase of automated external
5 defibrillators:

6 For the Fiscal Year 2003-2004..... \$170,000
7 For the Fiscal Year 2004-2005..... \$15,000

8 2. A governmental entity described in section 33 of this act
9 may submit an application to the Health Division of the Department
10 of Human Resources for a grant of money from the appropriation
11 made by subsection 1 on a form provided by the Division. Such an
12 application must include a description of the:

13 (a) Amount of money expended by the governmental entity,
14 excluding gifts and grants, in the immediately preceding year for the
15 purchase of automated external defibrillators required to be placed
16 pursuant to section 33 of this act; and

17 (b) Financial needs of the governmental entity to inspect and
18 maintain the automated external defibrillators required to be placed
19 pursuant to section 33 of this act.

20 3. Upon receipt of such an application, the Health Division of
21 the Department of Human Resources shall review the application to
22 determine whether it is complete. The Health Division shall approve
23 an application if it is complete.

24 4. The Health Division of the Department of Human Resources
25 shall apportion the money available for each fiscal year among the
26 governmental entities whose applications have been approved.

27 5. A governmental entity that receives a grant of money
28 pursuant to subsection 4 shall use the money to purchase automated
29 external defibrillators to be placed in accordance with section 33 of
30 this act or as reimbursement for such defibrillators that were
31 purchased after July 1, 2003.

32 6. A governmental entity that receives a grant of money
33 pursuant to subsection 4 shall not use the money to supplant or
34 cause to be reduced any other source of funding available to the
35 governmental entity for the purchase of automated external
36 defibrillators.

37 7. As used in this section, "automated external defibrillator"
38 means a medical device that:

39 (a) Has been approved by the United States Food and Drug
40 Administration;

41 (b) Is capable of recognizing the presence or absence, in a
42 patient, of ventricular fibrillation and rapid ventricular tachycardia;

43 (c) Is capable of determining, without intervention by the
44 operator of the device, whether defibrillation should be performed
45 on the patient;



1 (d) Upon determining that defibrillation should be performed,
2 automatically charges and requests delivery of an electrical impulse
3 to the patient's heart; and

4 (e) Upon action by the operator of the device, delivers to the
5 patient's heart an appropriate electrical impulse.

6 8. Any remaining balance of the appropriation made by
7 subsection 1 for:

8 (a) The Fiscal Year 2003-2004 must be transferred and added to
9 the money appropriated for the Fiscal Year 2004-2005.

10 (b) The Fiscal Year 2004-2005, including any money added
11 thereto pursuant to paragraph (a), must not be committed for
12 expenditure after June 30, 2005, and reverts to the State General
13 Fund as soon as all payments of money committed have been made.

14 **Sec. 39.** As soon as practicable after July 1, 2003:

15 1. The Senate Majority Leader shall appoint two members of
16 the Senate to the Nevada Commission on Homeland Security
17 pursuant to subsection 2 of section 12 of this act to terms that expire
18 on June 30, 2005.

19 2. The Speaker of the Assembly shall appoint two members of
20 the Assembly to the Nevada Commission on Homeland Security
21 pursuant to subsection 3 of section 12 of this act to terms that expire
22 on June 30, 2005.

23 3. The Governor shall appoint 10 voting members to the
24 Nevada Commission on Homeland Security pursuant to subsection
25 4 of section 12 of this act to terms that expire on June 30, 2006.

26 **Sec. 40.** 1. This act becomes effective on July 1, 2003.

27 2. The provisions of sections 21 to 24, inclusive, of this act
28 expire by limitation on June 30, 2007.

