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SENATE BILL NO. 443—COMMITTEE ON GOVERNMENT AFFAIRS

MARCH 24, 2003

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Referred to Committee on Government Affairs

SUMMARY—Revises manner in which public books and other public records of governmental entities may be declared confidential. (BDR 19-790)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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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 public records; revising the manner in which public books and other public records of governmental entities may be declared confidential; 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.** NRS 239.010 is hereby amended to read as follows:  
2     239.010 1. All public books and *other* public records of a  
3 governmental entity, the contents of which are not otherwise  
4 declared by ~~[law]~~ *state statute* to be confidential, must be open at all  
5 times during office hours to inspection by any person, and may be  
6 fully copied or an abstract or memorandum may be prepared from  
7 those public books and *other* public records. Any such copies,  
8 abstracts or memoranda may be used to supply the general public  
9 with copies, abstracts or memoranda of the records or may be used  
10 in any other way to the advantage of the governmental entity or of  
11 the general public. This section does not supersede or in any manner  
12 affect the federal laws governing copyrights or enlarge, diminish or  
13 affect in any other manner the rights of a person in any written book  
14 or record which is copyrighted pursuant to federal law.  
15     2. A governmental entity may not reject a book or record  
16 which is copyrighted solely because it is copyrighted.



1 3. A person may request a copy of a public record in any  
2 medium in which the public record is readily available. An officer,  
3 employee or agent of a governmental entity who has custody of a  
4 public record shall not refuse to provide a copy of that public record  
5 in a readily available medium because he has already prepared or  
6 would prefer to provide the copy in a different medium.

7 **Sec. 2.** NRS 239.013 is hereby amended to read as follows:  
8 239.013 Any records of a public library or other library which  
9 contain the identity of a user and the books, documents, films,  
10 recordings or other property of the library which he used are  
11 confidential and not public books or *other public* records within the  
12 meaning of NRS 239.010. Such records may be disclosed only in  
13 response to an order issued by a court upon a finding that the  
14 disclosure of such records is necessary to protect the public safety or  
15 to prosecute a crime.

16 **Sec. 3.** Any administrative regulations adopted before  
17 October 1, 2003, which declare public books or other public records  
18 confidential pursuant to NRS 239.010 are hereby declared void. In  
19 preparing the supplements to the Nevada Administrative Code on or  
20 after October 1, 2003, the Legislative Counsel shall remove any  
21 such administrative regulations.

