ASSEMBLY BILL NO. 31–COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE CITY OF LAS VEGAS)

PREFILED FEBRUARY 4, 2005
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Referred to Committee on Government Affairs

SUMMARY—Makes confidential certain records of local governmental entities relating to use of recreational facilities and participation in certain instructional and recreational activities and events. (BDR 19-602)

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.

AN ACT relating to public records; making certain records of local governmental entities containing personally identifying information confidential if such information was provided to the local governmental entity in relation to the use of recreational facilities of the local governmental entity or participation in instructional or recreational activities of the local governmental entity; allowing the disclosure of such information if ordered by a court to protect public safety or prosecute a crime; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1　　Existing law requires certain books and records of a governmental entity to be
2　open for public inspection. (NRS 239.010) Books and records of a governmental
3　entity are not required to be open for public inspection if they are deemed by statute
4　to be confidential or if the governmental entity determines pursuant to a balancing
5　test that disclosure is not required. (_Donrey v. Bradshaw,_ 106 Nev. 630 (1990))
6　　This bill makes records of a local governmental entity confidential if the
7　records contain the address, telephone number, social security number or other
8　personally identifying information of a person who provided the information to the
9　local governmental entity to: (1) register or apply to use a recreational facility of
10　the local governmental entity that is available by reservation; or (2) register or
11　enroll himself or his child in instructional or recreational activities or events
12　conducted, operated or sponsored by the local governmental entity. This bill,

13 however, authorizes a local governmental entity to disclose such information if
14 ordered by a court to protect public safety or prosecute a crime.

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

1   **Section 1.**   Chapter 239 of NRS is hereby amended by adding
2 thereto a new section to read as follows:
3   *1.   Records of a local governmental entity are confidential and*
4 *not public books or records within the meaning of NRS 239.010 if:*
5   *(a)   The records contain the name, address, telephone number,*
6 *social security number or other identifying information of a*
7 *person; and*
8   *(b)   The person whose name, address, telephone number, social*
9 *security number or other identifying information is contained in*
10 *the records provided such information to the local governmental*
11 *entity for the purpose of:*
12   *(1)   Registering with or applying to the local governmental*
13 *entity for the use of any recreational facility or portion thereof*
14 *that the local governmental entity offers for use through the*
15 *acceptance of reservations; or*
16   *(2)   On his own behalf or on behalf of a minor child,*
17 *registering or enrolling with or applying to the local governmental*
18 *entity for participation in an instructional or recreational activity*
19 *or event conducted, operated or sponsored by the local*
20 *governmental entity.*
21   *2.   The records described in subsection 1 may be disclosed by*
22 *a local governmental entity only in response to an order issued by*
23 *a court upon a finding that the disclosure of such records is*
24 *necessary to protect the public safety or to prosecute a crime.*
25   *3.   As used in this section, unless the context otherwise*
26 *requires, "local governmental entity" has the meaning ascribed to*
27 *it in NRS 239.121.*

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