

Amendment No. 445

Assembly Amendment to Assembly Bill No. 142	(BDR 20-952)
<b>Proposed by:</b> Committee on Government Affairs	
<b>Amendment Box:</b>	
<b>Resolves Conflicts with:</b> N/A	
<b>Amends:</b> Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

Adoption of this amendment will MAINTAIN a 2/3s majority vote requirement for final passage of AB142 (§ 11).

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend the bill as a whole by deleting sections 6 and 7 and adding new sections designated sections 6 and 7, following sec. 5, to read as follows:

**“Sec. 6. 1. The following persons may request that personal information contained in the records of a county assessor be kept confidential:**

- (a) Any justice or judge in this State.
- (b) Any peace officer or retired peace officer.
- (c) The spouse or minor child of a person described in paragraph (a) or (b).
- (d) The surviving spouse or minor child of a person described in paragraph (a) or (b) who was killed in the performance of his duties.

**2. As used in this section, “peace officer” means:**

AM/MSM

Date: 4/22/2005

A.B. No. 142—Authorizes certain persons to have personal information contained in certain public records kept confidential in certain circumstances.



*(a) Any person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive; and*

*(b) Any person:*

*(1) Who resides in this State;*

*(2) Whose primary duties are to enforce the law; and*

*(3) Who is employed by a law enforcement agency of the Federal Government, including, without limitation, a ranger for the National Park Service and an agent employed by the Federal Bureau of Investigation, Secret Service, United States Department of Homeland Security or United States Department of the Treasury.*

**Sec. 7.** *If a person listed in section 6 of this act requests confidentiality, the confidential information of that person may only be disclosed as provided in section 8 or 10 of this act.”.*

Amend sec. 14, page 6, line 24, by deleting:

*“subsection 12, 13 or 14 of”.*

Amend sec. 16, pages 6 and 7, by deleting lines 43 through 45 on page 6 and line 1 on page 7, and inserting:

*“number of a person listed in section 6 of this act, and the person who makes the disclosure”.*

Amend sec. 17, page 7, line 18, by deleting:

*“subsection 12, 13 or 14 of”.*

**If this amendment is adopted, the Legislative  
Counsel's Digest will be changed to read as follows:**

**Legislative Counsel's Digest:**

Existing law requires certain books and records of a governmental entity to be open for public inspection. (NRS 239.010) Books and records of a governmental entity are not required to be open for public inspection if they are deemed by statute to be confidential or if the governmental entity determines pursuant to a balancing test that disclosure is not required. (*Donrey v. Bradshaw*, 106 Nev. 630 (1990))

This bill authorizes justices and judges in this State and active and retired peace officers, and the spouse and minor child or surviving spouse or minor child of those persons, to request that a county assessor keep confidential certain personal information about those persons. This bill provides that, after such a request is made, the county assessor must keep the personal information confidential, except that the county assessor may provide the information to other governmental entities in carrying out their functions and for use in connection with certain legal and administrative proceedings and for use in certain investigatory, statistical and marketing activities.

This bill also allows a county assessor to establish a program by which certain qualified persons may request a complete list of the assessor's roll, including such confidential personal information. The county assessor is authorized to charge a reasonable fee to cover the costs of the program.

This bill makes it a misdemeanor, except in limited circumstances when a greater penalty is provided, for a person to make a false representation to obtain that confidential personal information

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from a county assessor and to knowingly obtain or disclose such information for unauthorized purposes. This bill also authorizes a civil penalty of up to \$2,500 for committing such an act.

This bill further makes it a crime to disclose personal information concerning justices and judges in this State and active and retired peace officers, and the spouse and minor child or surviving spouse and minor child of those persons, if the information is obtained from the records of the county assessor, from a list of registered voters or from certain records of the Department of Motor Vehicles and if the person who makes the disclosure knows or reasonably should know that disclosure creates a substantial risk of bodily harm to the person about whom the information pertains. A person who makes such a disclosure is guilty of a misdemeanor, a gross misdemeanor or a category D felony, depending upon the extent of any resulting bodily harm to the person about whom the information pertains. This bill also authorizes a civil penalty of up to \$2,500 for committing such an act.

This bill also prohibits the Director of the Department of Motor Vehicles from disclosing such personal information for purposes related to journalism, unless the person about whom the information is requested specifically authorizes the disclosure in writing.