

**Amendment No. 306**

Assembly Amendment to Assembly Bill No. 31	(BDR 19-602)
<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: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

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 section 1, page 2, by deleting lines 5 through 9 and inserting:

*“(a) The records contain the name, address, telephone number or other identifying information of a natural person; and*

*(b) The natural person whose name, address, telephone number or other identifying information is contained in”.*

Amend section 1, page 2, by deleting lines 21 through 24 and inserting:

*“2. The records described in subsection 1 must be disclosed by a local governmental entity only pursuant to:*

*(a) A subpoena or court order, lawfully issued, requiring the disclosure of such records;*

AM/MSM

Date: 4/22/2005

A.B. No. 31—Makes confidential certain records of local governmental entities relating to use of recreational facilities and participation in certain instructional and recreational activities and events.

*(b) An affidavit of an attorney setting forth that the disclosure of such records is relevant to an investigation in anticipation of litigation; or*

*(c) A request by a reporter or editorial employee for the disclosure of such records, if:*

*(1) The reporter or editorial employee is employed by or affiliated with a newspaper, press association or commercially operated, federally licensed radio or television station; and*

*(2) The records will be used for a journalistic purpose.”.*

Amend the title of the bill by deleting the seventh through ninth lines and inserting:

“the local governmental entity; requiring the disclosure of such information for certain purposes; and providing other matters”.

**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 makes records of a local governmental entity confidential if the records contain the address, telephone number or other personally identifying information of a natural person who provided the information to the local governmental entity to: (1) register or apply to use a recreational facility of the local governmental entity that is available by reservation; or (2) register or enroll himself or his child in instructional or recreational activities or events conducted, operated or sponsored by the local governmental entity. This bill, however, requires a local governmental entity to disclose such information pursuant to a lawfully issued subpoena or court order, pursuant to affidavits of attorneys relating to investigations in anticipation of litigation, and pursuant to requests from certain reporters and editorial employees for use for journalistic purposes.