

Amendment No. 641

Assembly Amendment to Assembly Bill No. 31 First Reprint (BDR 19-602)

Proposed by: Assemblyman Anderson

Amendment Box:

Resolves Conflicts with: N/A

Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will ADD an unfunded mandate not requested by the affected local government to AB31 R1 (§ 1).

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, line 31, by deleting “and”.

Amend section 1, page 2, by deleting lines 32 and 33 and inserting:

“(2) *The records will be used for a journalistic purpose; and*

(3) *The local governmental entity has removed from the records any personally identifying information concerning a natural person, unless the natural person whom the personally identifying information concerns, or the parent or legal guardian of that person, as applicable, has consented to the release of such information. If a request for the disclosure of records pursuant to this paragraph meets the requirements of subparagraphs (1) and (2) but consent to the release of personally identifying information has not been obtained pursuant to this*

AM

Date: 4/26/2005

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.



subparagraph, the local governmental entity shall remove the personally identifying information from the records and provide the records as requested.

3. Except as otherwise provided by specific statute or federal law, a natural person shall not provide, and a local governmental entity shall not require, the social security number of any natural person for the purposes described in subparagraphs (1) and (2) of paragraph (b) of subsection 1.

4. As used in this section, unless the context otherwise”.

Amend the bill as a whole by adding a new section designated sec. 2, following section 1, to read as follows:

“**Sec. 2.** The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.”.

Amend the title of the bill, eighth line, after “purposes;” by inserting:

“prohibiting a local governmental entity from requiring a social security number to be provided for certain purposes;”.

**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 the 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 certain 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. This bill also expressly prohibits a local governmental entity from requiring the social security number of a natural person from being included in any information submitted to the local governmental entity for certain purposes.