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SENATE BILL NO. 66—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE DIVISION OF EMERGENCY MANAGEMENT  
OF THE DEPARTMENT OF PUBLIC SAFETY

PREFILED NOVEMBER 20, 2018

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Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to emergency management. (BDR 36-356)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
Effect on the State: Yes.

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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 safety; renaming the State Disaster Identification Team as the State Disaster Identification Coordination Committee; revising the membership and duties of the Committee; transferring the duty to adopt regulations governing the Committee from the Department of Public Safety to the Division of Emergency Management of the Department; requiring providers of health care to report to the Committee certain information regarding any person who comes or is brought in for treatment of an injury which appears to have been inflicted as a result of certain emergencies or disasters or an illness which appears to have been contracted during certain health events; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

1 Existing law establishes the State Disaster Identification Team within the  
2 Division of Emergency Management of the Department of Public Safety and  
3 requires the State Disaster Identification Team to provide technical assistance and  
4 personnel to local authorities to recover, identify and process deceased victims  
5 during the existence of a state of emergency or a declaration of disaster or upon the  
6 request of a city or county in Nevada. (NRS 414.270, 414.280) Existing law also  
7 requires the Chief of the Division of Emergency Management to assign persons  
8 with expertise in various fields to the State Disaster Identification Team to perform  
9 these duties. (NRS 414.270)



10 **Section 2** of this bill renames the State Disaster Identification Team as the State  
11 Disaster Identification Coordination Committee. **Section 2** also: (1) revises the  
12 membership of the Committee; (2) requires the Committee to meet at least  
13 monthly; and (3) provides that the Open Meeting Law does not apply to any  
14 meeting held by the Committee or any subcommittee thereof. **Section 3** of this bill  
15 requires the Committee to: (1) annually report certain information to the Chief of  
16 the Division, the Governor and the Legislature; and (2) perform certain other duties  
17 relating to planning for activation. **Section 4** of this bill transfers the duty to adopt  
18 regulations governing the Committee from the Department of Public Safety to the  
19 Division of Emergency Management. (NRS 414.300)

20 **Section 1** of this bill authorizes the Chief of the Division of Emergency  
21 Management to activate the Committee or a subcommittee thereof during the  
22 existence of a state of emergency or declaration of disaster or a public health  
23 emergency or upon the request of a city or county in Nevada for an emergency in  
24 the city or county. **Section 1** requires the Committee or a subcommittee thereof to  
25 perform specified duties to coordinate the sharing of information between state,  
26 local and tribal governmental agencies regarding persons who appear to have been  
27 injured or killed or contracted an illness as a result of the emergency or disaster in  
28 accordance with a confidential plan developed by the Committee. **Sections 5-13**  
29 **and 16** of this bill make conforming changes as a result of the change in the duties  
30 of the Committee from recovering, identifying and processing victims of an  
31 emergency or disaster itself to serving as a coordinator of information for agencies  
32 that are directly performing such recovery, identification and processing.

33 Providers of health care are required under existing law to report persons who  
34 come or are brought for treatment of burns and injuries from a knife or firearm in  
35 certain circumstances. (NRS 629.041, 629.045) **Section 14** of this bill similarly  
36 requires providers of health care to report treatment of any person who comes or is  
37 brought in for treatment of an injury which appears to have been inflicted as a result  
38 of a declared emergency or disaster or illness which appears to have been  
39 contracted during a public health emergency to the State Disaster Identification  
40 Coordination Committee. **Section 14** also grants a provider of health care and his or  
41 her agents and employees immunity from liability for any disclosures made in good  
42 faith.

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

1 **Section 1.** Chapter 414 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3 *1. The Chief may activate the State Disaster Identification*  
4 *Coordination Committee or any subcommittee thereof to*  
5 *coordinate the sharing of information among state, local and*  
6 *tribal governmental agencies regarding persons who appear to*  
7 *have been injured or killed or contracted an illness:*

8 *(a) During the existence of a state of emergency or declaration*  
9 *of disaster pursuant to NRS 414.070 or a public health emergency*  
10 *or other health event pursuant to NRS 439.970; or*

11 *(b) During an emergency in a political subdivision, upon the*  
12 *request of a political subdivision, if the Chief determines that the*  
13 *political subdivision requires the services of the Committee.*



1       2. *If activated pursuant to subsection 1, the State Disaster*  
2 *Identification Coordination Committee or subcommittee thereof*  
3 *shall:*

4       (a) *Determine which state, local or tribal governmental*  
5 *agencies have a legitimate need for the information received*  
6 *pursuant to section 14 of this act and distribute that information to*  
7 *those agencies.*

8       (b) *Determine the specific information a state, local or tribal*  
9 *governmental agency must share to assist other state, local or*  
10 *tribal governmental agencies to:*

11       (1) *Identify a person who appears to have been injured or*  
12 *killed or contracted an illness as a result of the emergency,*  
13 *disaster or other event;*

14       (2) *Notify members of the family of a person who appears*  
15 *to have been injured or killed or contracted an illness as a result*  
16 *of the emergency, disaster or other event; or*

17       (3) *Reunite a person who appears to have been injured or*  
18 *killed or contracted an illness as a result of the emergency,*  
19 *disaster or other event with members of his or her family.*

20       (c) *Establish a registry of persons who appear to have been*  
21 *injured or killed or contracted an illness as a result of the*  
22 *emergency, disaster or other event and make the registry available*  
23 *to state, local or tribal governmental agencies.*

24       (d) *Ensure compliance with the Health Insurance Portability*  
25 *and Accountability Act of 1996, Public Law 104-191, as amended,*  
26 *and any applicable regulations and any other federal or state law.*

27       **Sec. 2.** NRS 414.270 is hereby amended to read as follows:

28       414.270 *I. A State Disaster Identification ~~{Team}~~*  
29 *Coordination Committee* is hereby established within the Division  
30 of Emergency Management of the Department of Public Safety. The  
31 Chief ~~;~~

32 ~~— 1. Shall assign persons with expertise in various fields} shall~~  
33 *appoint* to the State Disaster Identification ~~{Team; and}~~  
34 *Coordination Committee:*

35       (a) *One or more representatives of a state or local organization*  
36 *for emergency management;*

37       (b) *One or more representatives of the office of a county*  
38 *coroner;*

39       (c) *One or more representatives of the Office of the Attorney*  
40 *General;*

41       (d) *One or more representatives of the Nevada Hospital*  
42 *Association or its successor organization;*

43       (e) *The Chief Medical Officer;*

44       (f) *An employee of the Department of Health and Human*  
45 *Services whose duties relate to ensuring compliance with the*



1 *Health Insurance Portability and Accountability Act of 1996,*  
2 *Public Law 104-191, as amended, and any applicable regulations;*  
3 *and*

4 (g) *A consumer of healthcare services.*

5 2. ~~May activate such persons to perform the duties of the State~~  
6 ~~Disaster Identification Team:~~

7 ~~—(a) During a state of emergency or declaration of disaster~~  
8 ~~proclaimed pursuant to NRS 414.070; or~~

9 ~~—(b) Upon the request of a political subdivision of this state if the~~  
10 ~~Chief determines that the political subdivision requires the services~~  
11 ~~of the State Disaster Identification Team.] *The State Disaster*~~  
12 *Identification Coordination Committee shall meet at least once a*  
13 *month.*

14 3. *The provisions of chapter 241 of NRS do not apply to any*  
15 *meeting held by the State Disaster Identification Coordination*  
16 *Committee or a subcommittee thereof.*

17 **Sec. 3.** NRS 414.280 is hereby amended to read as follows:

18 414.280 ~~[Upon activation, the]~~ *The* State Disaster  
19 *Identification [Team] Coordination Committee* shall:

20 1. ~~[Provide technical assistance and personnel to local~~  
21 ~~authorities to recover, identify and process deceased victims.] *Notify*~~  
22 *providers of health care, as defined in NRS 629.031, in writing of*  
23 *the requirements of section 14 of this act.*

24 2. ~~[Within 2 hours after activation, begin to identify and report~~  
25 ~~to the Chief the need for medical and health services to:~~

26 ~~—(a) Establish temporary facilities to be used as a morgue.~~

27 ~~—(b) Identify deceased victims by using, without limitation, latent~~  
28 ~~fingerprints and the forensic methods of dentistry, pathology and~~  
29 ~~anthropology.~~

30 ~~—(c) Process and dispose of the remains of deceased victims.]~~  
31 *Develop a plan for performing the duties prescribed in section 1 of*  
32 *this act during activation. Such a plan is confidential and must be*  
33 *securely maintained by each person who has possession, custody*  
34 *or control of the plan.*

35 3. *Annually review the plan developed pursuant to subsection*  
36 *2 and annually practice carrying out the plan.*

37 4. *On or before January 31 of each year, submit a report to*  
38 *the Chief, the Governor and the Director of the Legislative*  
39 *Counsel Bureau for transmittal to the next session of the*  
40 *Legislature, if the report is submitted in an even-numbered year,*  
41 *or the Legislative Commission, if the report is submitted in an odd-*  
42 *numbered year. The report must include, without limitation:*

43 (a) *A description of the activities of the State Disaster*  
44 *Identification Coordination Committee for the immediately*  
45 *preceding calendar year; and*



1 (b) *A summary of any policies or procedures adopted by the*  
2 *State Disaster Identification Coordination Committee for the*  
3 *immediately preceding calendar year.*

4 **Sec. 4.** NRS 414.300 is hereby amended to read as follows:  
5 414.300 The *Division of Emergency Management of the*  
6 Department of Public Safety shall adopt *such* regulations ~~[to] as are~~  
7 *necessary to* govern the State Disaster Identification ~~[Team. The~~  
8 ~~regulations must include, without limitation:~~

9 ~~1. Guidelines for the Chief to:~~

10 ~~(a) Assign persons to positions on the State Disaster~~  
11 ~~Identification Team; and~~

12 ~~(b) Determine which members of the State Disaster~~  
13 ~~Identification Team may be activated pursuant to NRS 414.270.~~

14 ~~2. Provisions governing the organization, administration and~~  
15 ~~operation of the State Disaster Identification Team.~~

16 ~~3. The compensation, if any, to be paid by the Department to a~~  
17 ~~member of the State Disaster Identification Team who is activated~~  
18 ~~pursuant to NRS 414.270.] *Coordination Committee.*~~

19 **Sec. 5.** NRS 179A.075 is hereby amended to read as follows:  
20 179A.075 1. The Central Repository for Nevada Records of  
21 Criminal History is hereby created within the Records,  
22 Communications and Compliance Division of the Department.

23 2. Each agency of criminal justice and any other agency  
24 dealing with crime shall:

25 (a) Collect and maintain records, reports and compilations of  
26 statistical data required by the Department; and

27 (b) Submit the information collected to the Central Repository:  
28 (1) In the manner approved by the Director of the  
29 Department; and

30 (2) In accordance with the policies, procedures and  
31 definitions of the Uniform Crime Reporting Program of the Federal  
32 Bureau of Investigation.

33 3. Each agency of criminal justice shall submit the information  
34 relating to records of criminal history that it creates, issues or  
35 collects, and any information in its possession relating to the DNA  
36 profile of a person from whom a biological specimen is obtained  
37 pursuant to NRS 176.09123 or 176.0913, to the Division. The  
38 information must be submitted to the Division:

39 (a) Through an electronic network;

40 (b) On a medium of magnetic storage; or

41 (c) In the manner prescribed by the Director of the Department,  
42 ↪ within 60 days after the date of the disposition of the case. If an  
43 agency has submitted a record regarding the arrest of a person who  
44 is later determined by the agency not to be the person who  
45 committed the particular crime, the agency shall, immediately upon



1 making that determination, so notify the Division. The Division  
2 shall delete all references in the Central Repository relating to that  
3 particular arrest.

4 4. Each state and local law enforcement agency shall submit  
5 Uniform Crime Reports to the Central Repository:

6 (a) In the manner prescribed by the Director of the Department;

7 (b) In accordance with the policies, procedures and definitions  
8 of the Uniform Crime Reporting Program of the Federal Bureau of  
9 Investigation; and

10 (c) Within the time prescribed by the Director of the  
11 Department.

12 5. The Division shall, in the manner prescribed by the Director  
13 of the Department:

14 (a) Collect, maintain and arrange all information submitted to it  
15 relating to:

16 (1) Records of criminal history; and

17 (2) The DNA profile of a person from whom a biological  
18 specimen is obtained pursuant to NRS 176.09123 or 176.0913.

19 (b) When practicable, use a record of the personal identifying  
20 information of a subject as the basis for any records maintained  
21 regarding him or her.

22 ~~(c) Upon request, provide the information that is contained in  
23 the Central Repository to the State Disaster Identification Team of  
24 the Division of Emergency Management of the Department.~~

25 ~~—(d)~~ Upon request, provide, in paper or electronic form, the  
26 information that is contained in the Central Repository to the  
27 Committee on Domestic Violence appointed pursuant to NRS  
28 228.470 when, pursuant to NRS 228.495, the Committee is  
29 reviewing the death of the victim of a crime that constitutes  
30 domestic violence pursuant to NRS 33.018.

31 6. The Division may:

32 (a) Disseminate any information which is contained in the  
33 Central Repository to any other agency of criminal justice;

34 (b) Enter into cooperative agreements with repositories of the  
35 United States and other states to facilitate exchanges of information  
36 that may be disseminated pursuant to paragraph (a); and

37 (c) Request of and receive from the Federal Bureau of  
38 Investigation information on the background and personal history of  
39 any person whose record of fingerprints or other biometric identifier  
40 the Central Repository submits to the Federal Bureau of  
41 Investigation and:

42 (1) Who has applied to any agency of the State of Nevada or  
43 any political subdivision thereof for a license which it has the power  
44 to grant or deny;



1 (2) With whom any agency of the State of Nevada or any  
2 political subdivision thereof intends to enter into a relationship of  
3 employment or a contract for personal services;

4 (3) Who has applied to any agency of the State of Nevada or  
5 any political subdivision thereof to attend an academy for training  
6 peace officers approved by the Peace Officers' Standards and  
7 Training Commission;

8 (4) For whom such information is required or authorized to  
9 be obtained pursuant to NRS 62B.270, 62G.223, 62G.353, 424.031,  
10 432A.170, 432B.198, 433B.183, 449.123 and 449.4329; or

11 (5) About whom any agency of the State of Nevada or any  
12 political subdivision thereof is authorized by law to have accurate  
13 personal information for the protection of the agency or the persons  
14 within its jurisdiction.

15 7. To request and receive information from the Federal Bureau  
16 of Investigation concerning a person pursuant to subsection 6, the  
17 Central Repository must receive:

18 (a) The person's complete set of fingerprints for the purposes of:

19 (1) Booking the person into a city or county jail or detention  
20 facility;

21 (2) Employment;

22 (3) Contractual services; or

23 (4) Services related to occupational licensing;

24 (b) One or more of the person's fingerprints for the purposes of  
25 mobile identification by an agency of criminal justice; or

26 (c) Any other biometric identifier of the person as it may require  
27 for the purposes of:

28 (1) Arrest; or

29 (2) Criminal investigation,

30 ↪ from the agency of criminal justice or agency of the State of  
31 Nevada or any political subdivision thereof and submit the received  
32 data to the Federal Bureau of Investigation for its report.

33 8. The Central Repository shall:

34 (a) Collect and maintain records, reports and compilations of  
35 statistical data submitted by any agency pursuant to subsection 2.

36 (b) Tabulate and analyze all records, reports and compilations of  
37 statistical data received pursuant to this section.

38 (c) Disseminate to federal agencies engaged in the collection of  
39 statistical data relating to crime information which is contained in  
40 the Central Repository.

41 (d) Investigate the criminal history of any person who:

42 (1) Has applied to the Superintendent of Public Instruction  
43 for the issuance or renewal of a license;

44 (2) Has applied to a county school district, charter school or  
45 private school for employment or to serve as a volunteer; or



1 (3) Is employed by or volunteers for a county school district,  
2 charter school or private school,

3 ↪ and immediately notify the superintendent of each county school  
4 district, the governing body of each charter school and the  
5 Superintendent of Public Instruction, or the administrator of each  
6 private school, as appropriate, if the investigation of the Central  
7 Repository indicates that the person has been convicted of a  
8 violation of NRS 200.508, 201.230, 453.3385, 453.339 or 453.3395,  
9 or convicted of a felony or any offense involving moral turpitude.

10 (e) Upon discovery, immediately notify the superintendent of  
11 each county school district, the governing body of each charter  
12 school or the administrator of each private school, as appropriate, by  
13 providing the superintendent, governing body or administrator with  
14 a list of all persons:

15 (1) Investigated pursuant to paragraph (d); or

16 (2) Employed by or volunteering for a county school district,  
17 charter school or private school whose fingerprints were sent  
18 previously to the Central Repository for investigation,

19 ↪ who the Central Repository's records indicate have been  
20 convicted of a violation of NRS 200.508, 201.230, 453.3385,  
21 453.339 or 453.3395, or convicted of a felony or any offense  
22 involving moral turpitude since the Central Repository's initial  
23 investigation. The superintendent of each county school district, the  
24 governing body of a charter school or the administrator of each  
25 private school, as applicable, shall determine whether further  
26 investigation or action by the district, charter school or private  
27 school, as applicable, is appropriate.

28 (f) Investigate the criminal history of each person who submits  
29 one or more fingerprints or other biometric identifier or has such  
30 data submitted pursuant to NRS 62B.270, 62G.223, 62G.353,  
31 424.031, 432A.170, 432B.198, 433B.183, 449.122, 449.123 or  
32 449.4329.

33 (g) On or before July 1 of each year, prepare and post on the  
34 Central Repository's Internet website an annual report containing  
35 the statistical data relating to crime received during the preceding  
36 calendar year. Additional reports may be posted to the Central  
37 Repository's Internet website throughout the year regarding specific  
38 areas of crime if they are approved by the Director of the  
39 Department.

40 (h) On or before July 1 of each year, prepare and post on the  
41 Central Repository's Internet website a report containing statistical  
42 data about domestic violence in this State.

43 (i) Identify and review the collection and processing of  
44 statistical data relating to criminal justice by any agency identified  
45 in subsection 2 and make recommendations for any necessary





1 changes in the manner of collecting and processing statistical data  
2 by any such agency.

3 (j) Adopt regulations governing biometric identifiers and the  
4 information and data derived from biometric identifiers, including,  
5 without limitation:

6 (1) Their collection, use, safeguarding, handling, retention,  
7 storage, dissemination and destruction; and

8 (2) The methods by which a person may request the removal  
9 of his or her biometric identifiers from the Central Repository and  
10 any other agency where his or her biometric identifiers have been  
11 stored.

12 9. The Central Repository may:

13 (a) In the manner prescribed by the Director of the Department,  
14 disseminate compilations of statistical data and publish statistical  
15 reports relating to crime.

16 (b) Charge a reasonable fee for any publication or special report  
17 it distributes relating to data collected pursuant to this section. The  
18 Central Repository may not collect such a fee from an agency of  
19 criminal justice ~~[ ] or~~ any other agency dealing with crime which is  
20 required to submit information pursuant to subsection 2 . ~~[or the~~  
21 ~~State Disaster Identification Team of the Division of Emergency~~  
22 ~~Management of the Department.]~~ All money collected pursuant to  
23 this paragraph must be used to pay for the cost of operating the  
24 Central Repository.

25 (c) In the manner prescribed by the Director of the Department,  
26 use electronic means to receive and disseminate information  
27 contained in the Central Repository that it is authorized to  
28 disseminate pursuant to the provisions of this chapter.

29 10. As used in this section:

30 (a) "Mobile identification" means the collection, storage,  
31 transmission, reception, search, access or processing of a biometric  
32 identifier using a handheld device.

33 (b) "Personal identifying information" means any information  
34 designed, commonly used or capable of being used, alone or in  
35 conjunction with any other information, to identify a person,  
36 including, without limitation:

37 (1) The name, driver's license number, social security  
38 number, date of birth and photograph or computer-generated image  
39 of a person; and

40 (2) A biometric identifier of a person.

41 (c) "Private school" has the meaning ascribed to it in  
42 NRS 394.103.



1       **Sec. 6.** NRS 179A.100 is hereby amended to read as follows:

2       179A.100 1. The following records of criminal history may  
3 be disseminated by an agency of criminal justice without any  
4 restriction pursuant to this chapter:

5       (a) Any which reflect records of conviction only; and

6       (b) Any which pertain to an incident for which a person is  
7 currently within the system of criminal justice, including parole or  
8 probation.

9       2. Without any restriction pursuant to this chapter, a record of  
10 criminal history or the absence of such a record may be:

11       (a) Disclosed among agencies which maintain a system for the  
12 mutual exchange of criminal records.

13       (b) Furnished by one agency to another to administer the system  
14 of criminal justice, including the furnishing of information by a  
15 police department to a district attorney.

16       (c) Reported to the Central Repository.

17       3. An agency of criminal justice shall disseminate to a  
18 prospective employer, upon request, records of criminal history  
19 concerning a prospective employee or volunteer which are the result  
20 of a name-based inquiry and which:

21       (a) Reflect convictions only; or

22       (b) Pertain to an incident for which the prospective employee or  
23 volunteer is currently within the system of criminal justice,  
24 including parole or probation.

25       4. Records of criminal history must be disseminated by an  
26 agency of criminal justice, upon request, to the following persons or  
27 governmental entities:

28       (a) The person who is the subject of the record of criminal  
29 history for the purposes of NRS 179A.150.

30       (b) The person who is the subject of the record of criminal  
31 history when the subject is a party in a judicial, administrative,  
32 licensing, disciplinary or other proceeding to which the information  
33 is relevant.

34       (c) The Nevada Gaming Control Board.

35       (d) The State Board of Nursing.

36       (e) The Private Investigator's Licensing Board to investigate an  
37 applicant for a license.

38       (f) A public administrator to carry out the duties as prescribed in  
39 chapter 253 of NRS.

40       (g) A public guardian to investigate a protected person or  
41 proposed protected person or persons who may have knowledge of  
42 assets belonging to a protected person or proposed protected person.

43       (h) Any agency of criminal justice of the United States or of  
44 another state or the District of Columbia.



1 (i) Any public utility subject to the jurisdiction of the Public  
2 Utilities Commission of Nevada when the information is necessary  
3 to conduct a security investigation of an employee or prospective  
4 employee or to protect the public health, safety or welfare.

5 (j) Persons and agencies authorized by statute, ordinance,  
6 executive order, court rule, court decision or court order as  
7 construed by appropriate state or local officers or agencies.

8 (k) Any person or governmental entity which has entered into a  
9 contract to provide services to an agency of criminal justice relating  
10 to the administration of criminal justice, if authorized by the  
11 contract, and if the contract also specifies that the information will  
12 be used only for stated purposes and that it will be otherwise  
13 confidential in accordance with state and federal law and regulation.

14 (l) Any reporter or editorial employee who is employed or  
15 affiliated with a newspaper, press association or commercially  
16 operated, federally licensed radio or television station who requests  
17 a record of a named person or aggregate information for statistical  
18 purposes, excluding any personal identifying information, in a  
19 professional capacity for communication to the public.

20 (m) Prospective employers if the person who is the subject of  
21 the information has given written consent to the release of that  
22 information by the agency which maintains it.

23 (n) For the express purpose of research, evaluative or statistical  
24 programs pursuant to an agreement with an agency of criminal  
25 justice.

26 (o) An agency which provides child welfare services, as defined  
27 in NRS 432B.030.

28 (p) The Division of Welfare and Supportive Services of the  
29 Department of Health and Human Services or its designated  
30 representative, as needed to ensure the safety of investigators and  
31 caseworkers.

32 (q) The Aging and Disability Services Division of the  
33 Department of Health and Human Services or its designated  
34 representative, as needed to ensure the safety of investigators and  
35 caseworkers.

36 (r) An agency of this or any other state or the Federal  
37 Government that is conducting activities pursuant to Part D of  
38 Subchapter IV of Chapter 7 of Title 42 of the Social Security Act,  
39 42 U.S.C. §§ 651 et seq.

40 (s) ~~{The State Disaster Identification Team of the Division of~~  
41 ~~Emergency Management of the Department.~~

42 ~~{(t)}~~ The Commissioner of Insurance.

43 ~~{(u)}~~ (t) The Board of Medical Examiners.

44 ~~{(v)}~~ (u) The State Board of Osteopathic Medicine.



1 ~~[(w)]~~ (v) The Board of Massage Therapy and its Executive  
2 Director.

3 ~~[(x)]~~ (w) The Board of Examiners for Social Workers.

4 ~~[(y)]~~ (x) The State Board of Cosmetology and its Executive  
5 Director.

6 ~~[(z)]~~ (y) The Committee on Domestic Violence appointed  
7 pursuant to NRS 228.470 when, pursuant to NRS 228.495, the  
8 Committee is reviewing the death of the victim of a crime that  
9 constitutes domestic violence pursuant to NRS 33.018.

10 ~~[(aa)]~~ (z) A county coroner or medical examiner, as needed to  
11 conduct an investigation of the death of a person.

12 5. Agencies of criminal justice in this State which receive  
13 information from sources outside this State concerning transactions  
14 involving criminal justice which occur outside Nevada shall treat the  
15 information as confidentially as is required by the provisions of this  
16 chapter.

17 **Sec. 7.** NRS 179A.140 is hereby amended to read as follows:

18 179A.140 1. Except as otherwise provided in this section, an  
19 agency of criminal justice may charge a reasonable fee for  
20 information relating to records of criminal history provided to any  
21 person or governmental entity.

22 2. An agency of criminal justice shall not charge a fee for  
23 providing such information to another agency of criminal justice if  
24 the information is provided for purposes of the administration of  
25 criminal justice . ~~[, or for providing such information to the State  
26 Disaster Identification Team of the Division of Emergency  
27 Management of the Department.]~~

28 3. The Central Repository shall not charge such a fee:

29 (a) For information relating to a person regarding whom the  
30 Central Repository provided a similar report within the immediately  
31 preceding 90 days in conjunction with the application by that person  
32 for professional licensure; or

33 (b) For information provided to any organization that meets the  
34 criteria established by regulation pursuant to paragraph (b) of  
35 subsection 5 of NRS 179A.310.

36 4. The Director may request an allocation from the  
37 Contingency Account pursuant to NRS 353.266, 353.268 and  
38 353.269 to cover the costs incurred by the Department to carry out  
39 the provisions of paragraph (b) of subsection 3.

40 5. All money received or collected by the Department pursuant  
41 to this section must be used to defray the cost of operating the  
42 Central Repository.

43 **Sec. 8.** NRS 239.010 is hereby amended to read as follows:

44 239.010 1. Except as otherwise provided in this section and  
45 NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.071, 49.095, 49.293,



1 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170,  
2 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152, 80.113,  
3 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200,  
4 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345,  
5 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880,  
6 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280,  
7 119A.653, 119B.370, 119B.382, 120A.690, 125.130, 125B.140,  
8 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130,  
9 127.140, 127.2817, 128.090, 130.312, 130.712, 136.050, 159.044,  
10 159A.044, 172.075, 172.245, 176.01249, 176.015, 176.0625,  
11 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691,  
12 179.495, 179A.070, 179A.165, 179D.160, 200.3771, 200.3772,  
13 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3925,  
14 209.419, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131,  
15 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625,  
16 218F.150, 218G.130, 218G.240, 218G.350, 228.270, 228.450,  
17 228.495, 228.570, 231.069, 231.1473, 233.190, 237.300, 239.0105,  
18 239.0113, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210,  
19 239C.230, 239C.250, 239C.270, 240.007, 241.020, 241.030,  
20 241.039, 242.105, 244.264, 244.335, 247.540, 247.550, 247.560,  
21 250.087, 250.130, 250.140, 250.150, 268.095, 268.490, 268.910,  
22 271A.105, 281.195, 281.805, 281A.350, 281A.680, 281A.685,  
23 281A.750, 281A.755, 281A.780, 284.4068, 286.110, 287.0438,  
24 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503,  
25 293.504, 293.558, 293.906, 293.908, 293.910, 293B.135, 293D.510,  
26 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379,  
27 338.1593, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205,  
28 353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247,  
29 360.255, 360.755, 361.044, 361.610, 365.138, 366.160, 368A.180,  
30 370.257, 370.327, 372A.080, 378.290, 378.300, 379.008, 379.1495,  
31 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259,  
32 388.501, 388.503, 388.513, 388.750, 388A.247, 388A.249, 391.035,  
33 391.120, 391.925, 392.029, 392.147, 392.264, 392.271, 392.315,  
34 392.317, 392.325, 392.327, 392.335, 392.850, 394.167, 394.1698,  
35 394.447, 394.460, 394.465, 396.3295, 396.405, 396.525, 396.535,  
36 396.9685, 398A.115, 408.3885, 408.3886, 408.3888, 408.5484,  
37 412.153, **414.280**, 416.070, 422.2749, 422.305, 422A.342,  
38 422A.350, 425.400, 427A.1236, 427A.872, 432.028, 432.205,  
39 432B.175, 432B.280, 432B.290, 432B.407, 432B.430, 432B.560,  
40 432B.5902, 433.534, 433A.360, 437.145, 439.840, 439B.420,  
41 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395,  
42 442.735, 445A.665, 445B.570, 449.209, 449.245, 449A.112,  
43 450.140, 453.164, 453.720, 453A.610, 453A.700, 458.055, 458.280,  
44 459.050, 459.3866, 459.555, 459.7056, 459.846, 463.120,  
45 463.15993, 463.240, 463.3403, 463.3407, 463.790, 467.1005,



1 480.365, 480.940, 481.063, 481.091, 481.093, 482.170, 482.5536,  
2 483.340, 483.363, 483.575, 483.659, 483.800, 484E.070, 485.316,  
3 501.344, 503.452, 522.040, 534A.031, 561.285, 571.160, 584.655,  
4 587.877, 598.0964, 598.098, 598A.110, 599B.090, 603.070,  
5 603A.210, 604A.710, 612.265, 616B.012, 616B.015, 616B.315,  
6 616B.350, 618.341, 618.425, 622.310, 623.131, 623A.137, 624.110,  
7 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230,  
8 628B.760, 629.047, 629.069, 630.133, 630.30665, 630.336,  
9 630A.555, 631.368, 632.121, 632.125, 632.405, 633.283, 633.301,  
10 633.524, 634.055, 634.214, 634A.185, 635.158, 636.107, 637.085,  
11 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075,  
12 640A.220, 640B.730, 640C.400, 640C.600, 640C.620, 640C.745,  
13 640C.760, 640D.190, 640E.340, 641.090, 641.325, 641A.191,  
14 641A.289, 641B.170, 641B.460, 641C.760, 641C.800, 642.524,  
15 643.189, 644A.870, 645.180, 645.625, 645A.050, 645A.082,  
16 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135,  
17 645E.300, 645E.375, 645G.510, 645H.320, 645H.330, 647.0945,  
18 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228, 654.110,  
19 656.105, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310,  
20 671.170, 673.450, 673.480, 675.380, 676A.340, 676A.370, 677.243,  
21 679B.122, 679B.152, 679B.159, 679B.190, 679B.285, 679B.690,  
22 680A.270, 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873,  
23 685A.077, 686A.289, 686B.170, 686C.306, 687A.110, 687A.115,  
24 687C.010, 688C.230, 688C.480, 688C.490, 689A.696, 692A.117,  
25 692C.190, 692C.3507, 692C.3536, 692C.3538, 692C.354,  
26 692C.420, 693A.480, 693A.615, 696B.550, 696C.120, 703.196,  
27 704B.320, 704B.325, 706.1725, 706A.230, 710.159, 711.600,  
28 sections 35, 38 and 41 of chapter 478, Statutes of Nevada 2011 and  
29 section 2 of chapter 391, Statutes of Nevada 2013 and unless  
30 otherwise declared by law to be confidential, all public books and  
31 public records of a governmental entity must be open at all times  
32 during office hours to inspection by any person, and may be fully  
33 copied or an abstract or memorandum may be prepared from those  
34 public books and public records. Any such copies, abstracts or  
35 memoranda may be used to supply the general public with copies,  
36 abstracts or memoranda of the records or may be used in any other  
37 way to the advantage of the governmental entity or of the general  
38 public. This section does not supersede or in any manner affect the  
39 federal laws governing copyrights or enlarge, diminish or affect in  
40 any other manner the rights of a person in any written book or  
41 record which is copyrighted pursuant to federal law.

42 2. A governmental entity may not reject a book or record  
43 which is copyrighted solely because it is copyrighted.

44 3. A governmental entity that has legal custody or control of a  
45 public book or record shall not deny a request made pursuant to



1 subsection 1 to inspect or copy or receive a copy of a public book or  
2 record on the basis that the requested public book or record contains  
3 information that is confidential if the governmental entity can  
4 redact, delete, conceal or separate the confidential information from  
5 the information included in the public book or record that is not  
6 otherwise confidential.

7 4. A person may request a copy of a public record in any  
8 medium in which the public record is readily available. An officer,  
9 employee or agent of a governmental entity who has legal custody  
10 or control of a public record:

11 (a) Shall not refuse to provide a copy of that public record in a  
12 readily available medium because the officer, employee or agent has  
13 already prepared or would prefer to provide the copy in a different  
14 medium.

15 (b) Except as otherwise provided in NRS 239.030, shall, upon  
16 request, prepare the copy of the public record and shall not require  
17 the person who has requested the copy to prepare the copy himself  
18 or herself.

19 **Sec. 9.** NRS 241.016 is hereby amended to read as follows:

20 241.016 1. The meetings of a public body that are quasi-  
21 judicial in nature are subject to the provisions of this chapter.

22 2. The following are exempt from the requirements of this  
23 chapter:

24 (a) The Legislature of the State of Nevada.

25 (b) Judicial proceedings, including, without limitation,  
26 proceedings before the Commission on Judicial Selection and,  
27 except as otherwise provided in NRS 1.4687, the Commission on  
28 Judicial Discipline.

29 (c) Meetings of the State Board of Parole Commissioners when  
30 acting to grant, deny, continue or revoke the parole of a prisoner or  
31 to establish or modify the terms of the parole of a prisoner.

32 3. Any provision of law, including, without limitation, NRS  
33 91.270, 219A.210, 228.495, 239C.140, 281A.350, 281A.690,  
34 281A.735, 281A.760, 284.3629, 286.150, 287.0415, 287.04345,  
35 287.338, 288.220, 289.387, 295.121, 360.247, 388.261, 388A.495,  
36 388C.150, 388G.710, 388G.730, 392.147, 392.467, 394.1699,  
37 396.3295, **414.270**, 433.534, 435.610, 463.110, 622.320, 622.340,  
38 630.311, 630.336, 631.3635, 639.050, 642.518, 642.557, 686B.170,  
39 696B.550, 703.196 and 706.1725, which:

40 (a) Provides that any meeting, hearing or other proceeding is not  
41 subject to the provisions of this chapter; or

42 (b) Otherwise authorizes or requires a closed meeting, hearing  
43 or proceeding,

44 ↪ prevails over the general provisions of this chapter.



1 4. The exceptions provided to this chapter, and electronic  
2 communication, must not be used to circumvent the spirit or letter of  
3 this chapter to deliberate or act, outside of an open and public  
4 meeting, upon a matter over which the public body has supervision,  
5 control, jurisdiction or advisory powers.

6 **Sec. 10.** NRS 289.270 is hereby amended to read as follows:

7 289.270 1. The following persons have the powers of a peace  
8 officer:

9 (a) The Director of the Department of Public Safety.

10 (b) The chiefs of the divisions of the Department of Public  
11 Safety.

12 (c) The deputy directors of the Department of Public Safety  
13 employed pursuant to NRS 480.120.

14 (d) The sworn personnel of the Department of Public Safety.

15 ~~[(e) Members of the State Disaster Identification Team of the  
16 Division of Emergency Management of the Department of Public  
17 Safety who are, pursuant to NRS 414.270, activated by the Chief of  
18 the Division to perform the duties of the State Disaster Identification  
19 Team have the powers of peace officers in carrying out those  
20 duties.]~~

21 2. Administrators and investigators of the Division of  
22 Compliance Enforcement of the Department of Motor Vehicles have  
23 the powers of a peace officer to enforce any law of the State of  
24 Nevada in carrying out their duties pursuant to NRS 481.048.

25 3. Officers and investigators of the Section for the Control of  
26 Emissions From Vehicles and the Enforcement of Matters Related  
27 to the Use of Special Fuel of the Department of Motor Vehicles,  
28 appointed pursuant to NRS 481.0481, have the powers of peace  
29 officers in carrying out their duties under that section.

30 **Sec. 11.** NRS 289.550 is hereby amended to read as follows:

31 289.550 1. Except as otherwise provided in subsection 2 and  
32 NRS 3.310, 4.353, 258.007 and 258.060, a person upon whom some  
33 or all of the powers of a peace officer are conferred pursuant to NRS  
34 289.150 to 289.360, inclusive, must be certified by the Commission  
35 within 1 year after the date on which the person commences  
36 employment as a peace officer unless the Commission, for good  
37 cause shown, grants in writing an extension of time, which must not  
38 exceed 6 months, by which the person must become certified. A  
39 person who fails to become certified within the required time shall  
40 not exercise any of the powers of a peace officer after the time for  
41 becoming certified has expired.

42 2. The following persons are not required to be certified by the  
43 Commission:

44 (a) The Chief Parole and Probation Officer;

45 (b) The Director of the Department of Corrections;





1 (c) The Director of the Department of Public Safety, the deputy  
2 directors of the Department ~~[.]~~ and the chiefs of the divisions of the  
3 Department other than the Investigation Division and the Nevada  
4 Highway Patrol ; ~~[, and the members of the State Disaster~~  
5 ~~Identification Team of the Division of Emergency Management of~~  
6 ~~the Department;]~~

7 (d) The Commissioner of Insurance and the chief deputy of the  
8 Commissioner of Insurance;

9 (e) Railroad police officers; and

10 (f) California correctional officers.

11 **Sec. 12.** NRS 289.800 is hereby amended to read as follows:

12 289.800 In addition to the compensation required by NRS  
13 281.121, a state agency that employs a person:

14 1. Upon whom some or all of the powers of a peace officer are  
15 conferred pursuant to:

16 (a) Subsection 1 of NRS 289.180 ~~[.]~~ or subsection 1 of NRS  
17 289.220 ; ~~for paragraph (e) of subsection 1 of NRS 289.270;]~~ or

18 (b) Paragraph (d) of subsection 1 of NRS 289.270 and who is  
19 employed by the Nevada Highway Patrol; and

20 2. Who is required to purchase and wear a uniform or other  
21 clothing, accessories or safety equipment while performing the  
22 person's duties for the State as a peace officer,

23 ↪ may, after first obtaining the written approval of the Director of  
24 the Office of Finance, reimburse that person for the cost to repair or  
25 replace the person's required uniform or other clothing, accessories  
26 or safety equipment if it is damaged or destroyed, by means other  
27 than ordinary wear and tear, while the person is performing the  
28 person's duties for the State as a peace officer.

29 **Sec. 13.** NRS 432.170 is hereby amended to read as follows:

30 432.170 1. The Attorney General shall:

31 (a) Establish a program to coordinate activities and information  
32 in this State concerning missing or exploited children; and

33 (b) Appoint a Director to administer the provisions of the  
34 program.

35 2. The Director is in the unclassified service of the State. To  
36 assist the Director in carrying out the provisions of NRS 432.150 to  
37 432.220, inclusive, the Attorney General may appoint such  
38 assistants or investigators as deemed necessary by the Attorney  
39 General.

40 3. The Director may:

41 (a) Assist any public or private school in establishing a program  
42 of information about missing or exploited children by providing,  
43 free of charge, materials, publications and instructional aids relating  
44 to:



1 (1) Offenses under federal and state law regarding missing or  
2 exploited children and the abuse or neglect of children.

3 (2) Governmental and private agencies and programs for  
4 locating and identifying missing or exploited children, preventing  
5 the abduction or disappearance of children and preventing the abuse  
6 or neglect of children.

7 (3) Methods of preventing the abduction or disappearance of  
8 children.

9 (4) Techniques for the investigation of cases involving  
10 missing or exploited children.

11 (5) Any other issue involving missing or exploited children.

12 (b) Develop and maintain a system of information concerning  
13 missing or exploited children, including information concerning  
14 public or private resources which may be available to such children  
15 and their families.

16 (c) Accept gifts or donations on behalf of the Clearinghouse  
17 which must be accounted for separately and used by the Director in  
18 carrying out the provisions of NRS 432.150 to 432.220, inclusive.

19 (d) Enter into agreements with regional and national  
20 organizations for assistance and exchange of information concerning  
21 missing or exploited children.

22 (e) Assist in the investigation of children who are reported  
23 missing in this State or who are reported abducted or taken from this  
24 State.

25 4. The Director may provide the materials, publications and  
26 instructional aids identified in paragraph (a) of subsection 3 to any  
27 other person or governmental agency for a reasonable fee not to  
28 exceed the cost of preparing the materials.

29 ~~{5. The Director shall, upon request, provide records regarding~~  
30 ~~a missing child to the State Disaster Identification Team of the~~  
31 ~~Division of Emergency Management of the Department of Public~~  
32 ~~Safety.}~~

33 **Sec. 14.** Chapter 629 of NRS is hereby amended by adding  
34 thereto a new section to read as follows:

35 *1. To the extent feasible, every provider of health care to*  
36 *whom any person comes or is brought for the treatment of an*  
37 *injury which appears to have been inflicted during the existence of*  
38 *a state of emergency or declaration of disaster pursuant to NRS*  
39 *414.070 or an illness which appears to have been contracted*  
40 *during a public health emergency or other health event pursuant*  
41 *to NRS 439.970 shall submit a written report electronically to the*  
42 *State Disaster Identification Coordination Committee on a form*  
43 *prescribed by the State Disaster Identification Coordination*  
44 *Committee.*



1     **2. The report required by subsection 1 must include, without**  
2 **limitation:**

3     **(a) The name, address, telephone number and electronic mail**  
4 **address of the person treated, if known;**

5     **(b) The location where the person was treated; and**

6     **(c) The character or extent of the injuries or illness of the**  
7 **person treated.**

8     **3. A provider of health care and his or her agents and**  
9 **employees are immune from any civil action for any disclosures**  
10 **made in good faith in accordance with the provisions of this**  
11 **section or any consequential damages.**

12     **Sec. 15.** The provisions of subsection 1 of NRS 218D.380 do  
13 not apply to any provision of this act which adds or revises a  
14 requirement to submit a report to the Legislature.

15     **Sec. 16.** NRS 414.290 is hereby repealed.

16     **Sec. 17.** This act becomes effective upon passage and  
17 approval.

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**TEXT OF REPEALED SECTION**

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**414.290 Access to certain records and information when**  
**carrying out duties.** In carrying out its duties pursuant to NRS  
414.280, the State Disaster Identification Team may have access to:

1. The information that is contained in the Central  
Repository for Nevada Records of Criminal History pursuant to  
NRS 179A.075.

2. The records of criminal history maintained by an agency of  
criminal justice pursuant to NRS 179A.100.

3. The records of missing children maintained by the Attorney  
General pursuant to NRS 432.170.

