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FIRST REPRINT

S.B. 66

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

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.

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 the provider concludes was inflicted as a result of certain emergencies or disasters or an illness which the provider concludes was 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)



* S B 6 6 R 1 *

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 the provider concludes was inflicted as
38 a result of a declared emergency or disaster or illness which the provider concludes
39 was 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.

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) *One or more representatives of a state or local public*
44 *health agency whose duties relate to emergency preparedness;*

45 (f) *The Chief Medical Officer;*



1 (g) *An employee of the Department of Health and Human*
2 *Services whose duties relate to ensuring compliance with the*
3 *Health Insurance Portability and Accountability Act of 1996,*
4 *Public Law 104-191, as amended, and any applicable regulations;*
5 *and*

6 (h) *A consumer of healthcare services.*

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

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

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

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

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

20 414.280 ~~Upon activation, the~~ *The* State Disaster
21 Identification ~~Team~~ *Coordination Committee* shall:

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

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

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

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

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

37 3. *Annually review the plan developed pursuant to subsection*
38 *2 and annually practice carrying out the plan.*

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



1 (a) *A description of the activities of the State Disaster*
2 *Identification Coordination Committee for the immediately*
3 *preceding calendar year; and*

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

7 **Sec. 4.** NRS 414.300 is hereby amended to read as follows:

8 414.300 The *Division of Emergency Management of the*
9 Department of Public Safety shall adopt *such* regulations ~~[to] as are~~
10 *necessary to* govern the State Disaster Identification ~~[Team. The~~
11 ~~regulations must include, without limitation:~~

12 ~~— 1. Guidelines for the Chief to:~~

13 ~~— (a) Assign persons to positions on the State Disaster~~
14 ~~Identification Team; and~~

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

17 ~~— 2. Provisions governing the organization, administration and~~
18 ~~operation of the State Disaster Identification Team.~~

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

22 **Sec. 5.** NRS 179A.075 is hereby amended to read as follows:

23 179A.075 1. The Central Repository for Nevada Records of
24 Criminal History is hereby created within the Records,
25 Communications and Compliance Division of the Department.

26 2. Each agency of criminal justice and any other agency
27 dealing with crime shall:

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

30 (b) Submit the information collected to the Central Repository:

31 (1) In the manner approved by the Director of the
32 Department; and

33 (2) In accordance with the policies, procedures and
34 definitions of the Uniform Crime Reporting Program of the Federal
35 Bureau of Investigation.

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

42 (a) Through an electronic network;

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

44 (c) In the manner prescribed by the Director of the Department,



1 ↪ within 60 days after the date of the disposition of the case. If an
2 agency has submitted a record regarding the arrest of a person who
3 is later determined by the agency not to be the person who
4 committed the particular crime, the agency shall, immediately upon
5 making that determination, so notify the Division. The Division
6 shall delete all references in the Central Repository relating to that
7 particular arrest.

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

- 10 (a) In the manner prescribed by the Director of the Department;
11 (b) In accordance with the policies, procedures and definitions
12 of the Uniform Crime Reporting Program of the Federal Bureau of
13 Investigation; and
14 (c) Within the time prescribed by the Director of the
15 Department.

16 5. The Division shall, in the manner prescribed by the Director
17 of the Department:

18 (a) Collect, maintain and arrange all information submitted to it
19 relating to:

- 20 (1) Records of criminal history; and
21 (2) The DNA profile of a person from whom a biological
22 specimen is obtained pursuant to NRS 176.09123 or 176.0913.

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

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

29 ~~—(d)~~ Upon request, provide, in paper or electronic form, the
30 information that is contained in the Central Repository to the
31 Committee on Domestic Violence appointed pursuant to NRS
32 228.470 when, pursuant to NRS 228.495, the Committee is
33 reviewing the death of the victim of a crime that constitutes
34 domestic violence pursuant to NRS 33.018.

35 6. The Division may:

- 36 (a) Disseminate any information which is contained in the
37 Central Repository to any other agency of criminal justice;
38 (b) Enter into cooperative agreements with repositories of the
39 United States and other states to facilitate exchanges of information
40 that may be disseminated pursuant to paragraph (a); and

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



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

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

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

11 (4) For whom such information is required or authorized to
12 be obtained pursuant to NRS 62B.270, 62G.223, 62G.353, 424.031,
13 432A.170, 432B.198, 433B.183, 449.123 and 449.4329; or

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

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

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

22 (1) Booking the person into a city or county jail or detention
23 facility;

24 (2) Employment;

25 (3) Contractual services; or

26 (4) Services related to occupational licensing;

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

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

31 (1) Arrest; or

32 (2) Criminal investigation,

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

36 8. The Central Repository shall:

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

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

41 (c) Disseminate to federal agencies engaged in the collection of
42 statistical data relating to crime information which is contained in
43 the Central Repository.

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



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

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

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

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

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

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

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

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

32 (f) Investigate the criminal history of each person who submits
33 one or more fingerprints or other biometric identifier or has such
34 data submitted pursuant to NRS 62B.270, 62G.223, 62G.353,
35 424.031, 432A.170, 432B.198, 433B.183, 449.122, 449.123 or
36 449.4329.

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



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

4 (i) Identify and review the collection and processing of
5 statistical data relating to criminal justice by any agency identified
6 in subsection 2 and make recommendations for any necessary
7 changes in the manner of collecting and processing statistical data
8 by any such agency.

9 (j) Adopt regulations governing biometric identifiers and the
10 information and data derived from biometric identifiers, including,
11 without limitation:

12 (1) Their collection, use, safeguarding, handling, retention,
13 storage, dissemination and destruction; and

14 (2) The methods by which a person may request the removal
15 of his or her biometric identifiers from the Central Repository and
16 any other agency where his or her biometric identifiers have been
17 stored.

18 9. The Central Repository may:

19 (a) In the manner prescribed by the Director of the Department,
20 disseminate compilations of statistical data and publish statistical
21 reports relating to crime.

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

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

35 10. As used in this section:

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

39 (b) "Personal identifying information" means any information
40 designed, commonly used or capable of being used, alone or in
41 conjunction with any other information, to identify a person,
42 including, without limitation:

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



1 (2) A biometric identifier of a person.

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

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

5 179A.100 1. The following records of criminal history may
6 be disseminated by an agency of criminal justice without any
7 restriction pursuant to this chapter:

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

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

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

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

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

19 (c) Reported to the Central Repository.

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

24 (a) Reflect convictions only; or

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

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

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

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

37 (c) The Nevada Gaming Control Board.

38 (d) The State Board of Nursing.

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

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

43 (g) A public guardian to investigate a protected person or
44 proposed protected person or persons who may have knowledge of
45 assets belonging to a protected person or proposed protected person.



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

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

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

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

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

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

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

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

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

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

38 (r) An agency of this or any other state or the Federal
39 Government that is conducting activities pursuant to Part D of
40 Subchapter IV of Chapter 7 of Title 42 of the Social Security Act,
41 42 U.S.C. §§ 651 et seq.

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

44 ~~—(t)}~~ The Commissioner of Insurance.

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



1 ~~{(v)}~~ (u) The State Board of Osteopathic Medicine.
2 ~~{(w)}~~ (v) The Board of Massage Therapy and its Executive
3 Director.

4 ~~{(x)}~~ (w) The Board of Examiners for Social Workers.

5 ~~{(y)}~~ (x) The State Board of Cosmetology and its Executive
6 Director.

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

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

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

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

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

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

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

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

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

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

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



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

239.010 1. Except as otherwise provided in this section and
NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.071, 49.095, 49.293,
62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170,
62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152, 80.113,
81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200,
87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345,
89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880,
118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280,
119A.653, 119B.370, 119B.382, 120A.690, 125.130, 125B.140,
126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130,
127.140, 127.2817, 128.090, 130.312, 130.712, 136.050, 159.044,
159A.044, 172.075, 172.245, 176.01249, 176.015, 176.0625,
176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691,
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30 704B.320, 704B.325, 706.1725, 706A.230, 710.159, 711.600,
31 sections 35, 38 and 41 of chapter 478, Statutes of Nevada 2011 and
32 section 2 of chapter 391, Statutes of Nevada 2013 and unless
33 otherwise declared by law to be confidential, all public books and
34 public records of a governmental entity must be open at all times
35 during office hours to inspection by any person, and may be fully
36 copied or an abstract or memorandum may be prepared from those
37 public books and public records. Any such copies, abstracts or
38 memoranda may be used to supply the general public with copies,
39 abstracts or memoranda of the records or may be used in any other
40 way to the advantage of the governmental entity or of the general
41 public. This section does not supersede or in any manner affect the
42 federal laws governing copyrights or enlarge, diminish or affect in
43 any other manner the rights of a person in any written book or
44 record which is copyrighted pursuant to federal law.



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

3 3. A governmental entity that has legal custody or control of a
4 public book or record shall not deny a request made pursuant to
5 subsection 1 to inspect or copy or receive a copy of a public book or
6 record on the basis that the requested public book or record contains
7 information that is confidential if the governmental entity can
8 redact, delete, conceal or separate the confidential information from
9 the information included in the public book or record that is not
10 otherwise confidential.

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

15 (a) Shall not refuse to provide a copy of that public record in a
16 readily available medium because the officer, employee or agent has
17 already prepared or would prefer to provide the copy in a different
18 medium.

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

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

24 241.016 1. The meetings of a public body that are quasi-
25 judicial in nature are subject to the provisions of this chapter.

26 2. The following are exempt from the requirements of this
27 chapter:

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

29 (b) Judicial proceedings, including, without limitation,
30 proceedings before the Commission on Judicial Selection and,
31 except as otherwise provided in NRS 1.4687, the Commission on
32 Judicial Discipline.

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

36 3. Any provision of law, including, without limitation, NRS
37 91.270, 219A.210, 228.495, 239C.140, 281A.350, 281A.690,
38 281A.735, 281A.760, 284.3629, 286.150, 287.0415, 287.04345,
39 287.338, 288.220, 289.387, 295.121, 360.247, 388.261, 388A.495,
40 388C.150, 388G.710, 388G.730, 392.147, 392.467, 394.1699,
41 396.3295, **414.270**, 433.534, 435.610, 463.110, 622.320, 622.340,
42 630.311, 630.336, 631.3635, 639.050, 642.518, 642.557, 686B.170,
43 696B.550, 703.196 and 706.1725, which:

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



1 (b) Otherwise authorizes or requires a closed meeting, hearing
2 or proceeding,

3 ↪ prevails over the general provisions of this chapter.

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

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

10 289.270 1. The following persons have the powers of a peace
11 officer:

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

13 (b) The chiefs of the divisions of the Department of Public
14 Safety.

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

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

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

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

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

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

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



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

- (a) The Chief Parole and Probation Officer;
- (b) The Director of the Department of Corrections;
- (c) The Director of the Department of Public Safety, the deputy directors of the Department ~~and~~ and the chiefs of the divisions of the Department other than the Investigation Division and the Nevada Highway Patrol ; ~~and the members of the State Disaster Identification Team of the Division of Emergency Management of the Department;~~
- (d) The Commissioner of Insurance and the chief deputy of the Commissioner of Insurance;
- (e) Railroad police officers; and
- (f) California correctional officers.

Sec. 12. NRS 289.800 is hereby amended to read as follows:
289.800 In addition to the compensation required by NRS 281.121, a state agency that employs a person:

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

- (a) Subsection 1 of NRS 289.180 ~~and~~ or subsection 1 of NRS 289.220 ; ~~for paragraph (e) of subsection 1 of NRS 289.270;~~ or
- (b) Paragraph (d) of subsection 1 of NRS 289.270 and who is employed by the Nevada Highway Patrol; and

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

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

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

432.170 1. The Attorney General shall:

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

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

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

3. The Director may:



1 (a) Assist any public or private school in establishing a program
2 of information about missing or exploited children by providing,
3 free of charge, materials, publications and instructional aids relating
4 to:

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

7 (2) Governmental and private agencies and programs for
8 locating and identifying missing or exploited children, preventing
9 the abduction or disappearance of children and preventing the abuse
10 or neglect of children.

11 (3) Methods of preventing the abduction or disappearance of
12 children.

13 (4) Techniques for the investigation of cases involving
14 missing or exploited children.

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

16 (b) Develop and maintain a system of information concerning
17 missing or exploited children, including information concerning
18 public or private resources which may be available to such children
19 and their families.

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

23 (d) Enter into agreements with regional and national
24 organizations for assistance and exchange of information concerning
25 missing or exploited children.

26 (e) Assist in the investigation of children who are reported
27 missing in this State or who are reported abducted or taken from this
28 State.

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

33 ~~{5. The Director shall, upon request, provide records regarding~~
34 ~~a missing child to the State Disaster Identification Team of the~~
35 ~~Division of Emergency Management of the Department of Public~~
36 ~~Safety.}~~

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

39 *1. To the extent feasible, every provider of health care to*
40 *whom any person comes or is brought for the treatment of an*
41 *injury which the provider concludes was inflicted during the*
42 *existence of a state of emergency or declaration of disaster*
43 *pursuant to NRS 414.070 or an illness which the provider*
44 *concludes was contracted during a public health emergency or*
45 *other health event pursuant to NRS 439.970 shall submit a written*



1 *report electronically to the State Disaster Identification*
2 *Coordination Committee on a form prescribed by the State*
3 *Disaster Identification Coordination Committee.*

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

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

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

9 (c) *The character or extent of the injuries or illness of the*
10 *person treated.*

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

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

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

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

TEXT OF REPEALED SECTION

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.

