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SECOND 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; revising requirements relating to the regulations governing the Committee; 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) Existing law requires the Department of Public Safety  
10 to adopt regulations governing the State Disaster Identification Team and  
11 prescribes certain requirements for these regulations. (NRS 414.300)



12 **Section 2** of this bill renames the State Disaster Identification Team as the State  
13 Disaster Identification Coordination Committee. **Section 2** also: (1) revises the  
14 membership of the Committee; (2) requires the Committee to meet at least once  
15 each calendar quarter; and (3) provides that the Open Meeting Law does not apply  
16 to any meeting held by the Committee or any subcommittee thereof. **Section 3** of  
17 this bill requires the Committee to: (1) annually report certain information to the  
18 Chief of the Division, the Governor and the Legislature; and (2) perform certain  
19 other duties relating to planning for activation. **Section 4** of this bill removes the  
20 specific requirements prescribed for regulations governing the Committee.

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

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

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 Department of Public Safety shall adopt *such*  
9 regulations ~~[to]~~ *as are necessary to* govern the State Disaster  
10 Identification ~~[Team. The regulations must include, without~~  
11 ~~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~~ 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,  
179.495, 179A.070, 179A.165, 179D.160, 200.3771, 200.3772,  
200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3925,  
209.419, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131,  
217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625,  
218F.150, 218G.130, 218G.240, 218G.350, 228.270, 228.450,  
228.495, 228.570, 231.069, 231.1473, 233.190, 237.300, 239.0105,  
239.0113, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210,  
239C.230, 239C.250, 239C.270, 240.007, 241.020, 241.030,  
241.039, 242.105, 244.264, 244.335, 247.540, 247.550, 247.560,  
250.087, 250.130, 250.140, 250.150, 268.095, 268.490, 268.910,  
271A.105, 281.195, 281.805, 281A.350, 281A.680, 281A.685,  
281A.750, 281A.755, 281A.780, 284.4068, 286.110, 287.0438,  
289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503,  
293.504, 293.558, 293.906, 293.908, 293.910, 293B.135, 293D.510,  
331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379,  
338.1593, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205,  
353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247,  
360.255, 360.755, 361.044, 361.610, 365.138, 366.160, 368A.180,  
370.257, 370.327, 372A.080, 378.290, 378.300, 379.008, 379.1495,  
385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259,  
388.501, 388.503, 388.513, 388.750, 388A.247, 388A.249, 391.035,  
391.120, 391.925, 392.029, 392.147, 392.264, 392.271, 392.315,  
392.317, 392.325, 392.327, 392.335, 392.850, 394.167, 394.1698,  
394.447, 394.460, 394.465, 396.3295, 396.405, 396.525, 396.535,  
396.9685, 398A.115, 408.3885, 408.3886, 408.3888, 408.5484,  
412.153, **414.280**, 416.070, 422.2749, 422.305, 422A.342,  
422A.350, 425.400, 427A.1236, 427A.872, 432.028, 432.205,  
432B.175, 432B.280, 432B.290, 432B.407, 432B.430, 432B.560,  
432B.5902, 433.534, 433A.360, 437.145, 439.840, 439B.420,  
440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395,  
442.735, 445A.665, 445B.570, 449.209, 449.245, 449A.112,



1 450.140, 453.164, 453.720, 453A.610, 453A.700, 458.055, 458.280,  
2 459.050, 459.3866, 459.555, 459.7056, 459.846, 463.120,  
3 463.15993, 463.240, 463.3403, 463.3407, 463.790, 467.1005,  
4 480.365, 480.940, 481.063, 481.091, 481.093, 482.170, 482.5536,  
5 483.340, 483.363, 483.575, 483.659, 483.800, 484E.070, 485.316,  
6 501.344, 503.452, 522.040, 534A.031, 561.285, 571.160, 584.655,  
7 587.877, 598.0964, 598.098, 598A.110, 599B.090, 603.070,  
8 603A.210, 604A.710, 612.265, 616B.012, 616B.015, 616B.315,  
9 616B.350, 618.341, 618.425, 622.310, 623.131, 623A.137, 624.110,  
10 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230,  
11 628B.760, 629.047, 629.069, 630.133, 630.30665, 630.336,  
12 630A.555, 631.368, 632.121, 632.125, 632.405, 633.283, 633.301,  
13 633.524, 634.055, 634.214, 634A.185, 635.158, 636.107, 637.085,  
14 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075,  
15 640A.220, 640B.730, 640C.400, 640C.600, 640C.620, 640C.745,  
16 640C.760, 640D.190, 640E.340, 641.090, 641.325, 641A.191,  
17 641A.289, 641B.170, 641B.460, 641C.760, 641C.800, 642.524,  
18 643.189, 644A.870, 645.180, 645.625, 645A.050, 645A.082,  
19 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135,  
20 645E.300, 645E.375, 645G.510, 645H.320, 645H.330, 647.0945,  
21 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228, 654.110,  
22 656.105, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310,  
23 671.170, 673.450, 673.480, 675.380, 676A.340, 676A.370, 677.243,  
24 679B.122, 679B.152, 679B.159, 679B.190, 679B.285, 679B.690,  
25 680A.270, 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873,  
26 685A.077, 686A.289, 686B.170, 686C.306, 687A.110, 687A.115,  
27 687C.010, 688C.230, 688C.480, 688C.490, 689A.696, 692A.117,  
28 692C.190, 692C.3507, 692C.3536, 692C.3538, 692C.354,  
29 692C.420, 693A.480, 693A.615, 696B.550, 696C.120, 703.196,  
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.

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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.

