



**CLARK COUNTY**  
**2021 Legislative Session**  
**PROPOSED AMENDMENT**

April 8, 2021

Senate Bill 67 by the Senate Committee on Government Affairs  
Amendment submitted to the Senate Committee on Government Affairs

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**Bill Title:** AN ACT relating to public works; authorizing a public body to enter into a job order contract for the maintenance, repair, alteration, demolition, renovation, remediation or minor construction of a public work; prescribing the procedure for awarding a job order contract; making certain documents and other information submitted by a person seeking a job order contract confidential until a contract is awarded; prescribing responsibilities of a contractor who enters into a job order contract; revising provisions relating to the expedited process by which the State or a local government solicits bids and awards contracts for certain smaller public works projects or completes such projects itself; and providing other matters properly relating thereto.

**Intent:** The language below is proposed to completely replace SB67 as originally drafted.

Specifically, Clark County is proposing in this amendment to delete Sections 12-14 of the original bill in which the threshold for an agency to self-perform would have increased from \$100,000 to \$250,000. These sections have been removed.

The language remaining, reflected below, proposes a four-year pilot program in Southern Nevada to permit the following agencies to use job order contracting by only: Clark County and the Clark County Water Reclamation District, and the large Southern Nevada cities: City of Las Vegas, City of Henderson, City of North Las Vegas. This pilot program will sunset in four (4) years in a new section proposed to the bill.

This amendment is a result of conversations and feedback received from stakeholders statewide.

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EXHIBIT B Senate Committee on Government Affairs	
Date: 4-9-2021	Total pages: 12
Exhibit begins with: B1	thru: B12

**Text of Proposed Amendment:**

PROPOSED AMENDMENT by CLARK COUNTY

EXPLANATION: Matter in (1) **blue bold italics** is new language in the original bill; (2) variations of **green bold underlining** is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

**Section 1.** Chapter 338 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 9, inclusive, of this act.

Section 2: 1. A pilot project is hereby created in counties over 700,000 to permit job order contracting delivery method to be used by the agencies identified in subsection 2 for a period of four years from the effective date of this measure.

2. Job order contracting delivery method may only be used by:

(a) Counties over 700,000;

(b) Cities with populations over 100,000 also located in counties over 700,000; and

(c) The Clark County Water Reclamation District

3. Public bodies not specifically referenced in this section may not use job order contracting.

4. Any public body identified in subsection 2 using job order contracting must ensure compliance with NRS 338.01165.

**Sec. ~~2~~ 3.** 1. Except as otherwise provided in Section 2 of this Act, and in subsections 2 and 3, a public body may award a job order contract for the maintenance, repair, alteration, demolition, renovation remediation or minor construction of a public work. A job order contract must:

(a) Be for a fixed period;

(b) Provide for indefinite times of delivery and indefinite types and quantities of work; and

(c) Provide for the use of ~~work~~ job orders, which shall mean an agreed upon fixed price order issued by the public body to a contractor for the contractor's performance of a maintenance, repair, alteration, demolition, renovation, remediation or minor construction of a public work.

2. Except as otherwise provided in subsection 3, a public body may not award more than \$25,000,000 annually in job order contracts.

3. Except as otherwise provided in this subsection if the total amount of job order contracts awarded by a public body in any 1 year is less than the maximum amount of job order contracts allowed to be awarded for that year, the difference between those amounts ~~must~~ may be added to the total amount of job order contracts that a public body may award in the immediately following year.

4. If the job order contract proposed to be awarded by the public agency requires three or more specialty contractors the public body shall require that any job order contractor have a general contractor's license.

**Sec. ~~3~~ 4.** To qualify to enter into a job order contract with a public body, a contractor must:

1. Not have been found liable for breach of contract with respect to a previous project, other than a breach for legitimate cause, during the 5 years immediately preceding the date of the

advertisement for proposals pursuant to section 4 of this act;

2. Not have been disqualified from being awarded a contract pursuant to NRS 338.017, 338.13895, 338.1475 or 408.333;

3. Be licensed as a contractor pursuant to chapter 624 of NRS; and

4. ~~If the project is for a public work of the State, b~~ Be qualified to bid on a public work of the State ~~or local government~~ pursuant to NRS 338.1379.

~~Sec. 4~~ 5. 1. A public body or its authorized representative shall advertise for proposals for a job order contract in the manner set forth in paragraph (a) of subsection 1 of NRS 338.1385.

2. Each ~~advertisement~~ solicitation for proposals pursuant to subsection 1 must include, without limitation:

(a) A detailed description of the work that the public body expects a contractor to perform, which shall include construction tasks, and any technical specifications required by the public body;

(1) Construction task for purposes of this section shall mean an item of work for which a unit price is set forth in the contract specifications or for which a unit price is developed in accordance with a formula or method presented in the contract.

(b) A statement explaining why the public body elected to use a job order contract for the public work;

(c) A description of the qualifications which are required for a contractor, including, without limitation, any certification required;

(d) A description of the bonding requirements for a contractor;

(e) The minimum amount of work committed to the selected contractor under the contract;

(f) The proposed form of the job order contract, which must include, without limitation, the procedure by which a ~~work~~ job order will be ~~negotiated~~ issued;

(g) A statement ~~identifying each unit~~ defining the procedure for issuance of a job order under in the job order contract, including the requirement that job orders must list construction tasks to be performed, the pricing of each unit in the task, and the contractor's adjustment factor;

(h) A description of the method for pricing each unit identified pursuant to paragraph (g);

(i) A statement requiring the application of an adjustment factor to be applied to the unit prices of the tasks in the job order contract. Adjustment factor shall mean the job order contractor's competitively bid numerical adjustment applied to the unit prices included in the contract specifications, including any overhead and profit.

~~(j)~~ A description of the method for pricing a renewal or extension of the job order contract;

~~(j-k)~~ The date by which proposals must be submitted to the public body; and

~~(k-l)~~ A list of the selection criteria and relative weight of the selection criteria that will be used to rank proposals submitted by applicants pursuant to section 6 of this act.

3. A proposal must include, without limitation:

(a) The professional qualifications and experience of the applicant;

(b) Evidence of the ability of the applicant to obtain the necessary bonding for the work to be required by the public body;

(c) Evidence that the applicant has obtained or has the ability to obtain such insurance as may be required by law;

(d) A statement of whether the applicant has been:

(1) Found liable for breach of contract with respect to a previous project, other than a breach for legitimate cause, during the 5 years immediately preceding the date of the advertisement for proposals; and

(2) Disqualified from being awarded a contract pursuant to

NRS 338.017, 338.13895, 338.1475 or 408.333;

(e) Evidence that the applicant is licensed as a contractor pursuant to chapter 624 of NRS; and

(f) Evidence that the applicant is qualified to bid on a public work of the State pursuant to NRS 338.1379, if applicable.

4. The public body or its authorized representative shall make available to the public the name of each applicant who submits a proposal pursuant to this section.

~~Sec. 5-6.~~ Except as otherwise provided in subsection 4 of section ~~4-5~~ of this act, any document or other information submitted by an applicant to a public body in response to a request for proposals pursuant to section 4 of this act, including, without limitation, a proposal made pursuant to section 4 of this act, is confidential and may not be disclosed ~~until a contract is awarded~~ until a recommendation for award had been made to the public body.

~~Sec. 6-7.~~ 1. The public body or its authorized representative shall appoint a panel to rank the proposals submitted by applicants to the public body pursuant to section 4 of this act.

2. The panel appointed pursuant to subsection 1 shall rank the proposals by:

(a) Verifying that each applicant satisfies the requirements of section ~~3~~ 4 of this act; and

(b) Evaluating and assigning a score to each of the proposals based on the factors and relative weight assigned to each factor that the public body specified in the request for proposals.

(c) When ranking the applicants, the public agency shall assign a relative weight of 5 percent to the applicant's possession of a certificate of eligibility to receive a preference in bidding on public works if the applicant submits a signed affidavit that meets the requirements of subsection 1 of NRS 338.0117. If any federal statute or regulation precludes the granting of federal assistance or reduces the amount of that assistance for a particular public work because of the provisions of this subsection, those provisions of this subsection do not apply insofar as their application would preclude or reduce federal assistance for that work.

3. Upon ~~receipt~~ approval of the rankings of the applicants from the panel, the public body or its authorized representative shall award a job order contract to one or more of the applicants.

4. The initial term of a job order contract may not exceed 2 years. A public body may renew a job order contract for not more than ~~3 years~~ 1 year after the expiration of the initial term of the contract; however this period may be extend to allow for any outstanding job orders commenced prior to the expiration of the job order contract to be completed.

~~Sec. 7 8.~~ 1. A contractor who enters into a job order contract pursuant to section ~~6 7~~ of this act is responsible for:

(a) Contracting for the services of any necessary subcontractor, supplier or independent contractor necessary to complete a work order;

(b) Ensuring a subcontractor complies with the requirements prescribed in subsection 6 of NRS 338.070; and

(c) The performance of and payment to any subcontractor, supplier or independent contractor.

2. ~~Except as otherwise provided in this subsection,~~ a contractor who enters into a job order contract pursuant to section ~~6 7~~ of of this act may not perform more than 50 percent of the estimated cost of the work order himself or herself, or using his or her own employees, except that a contractor who is a

general engineering contractor, a general building contractor, or both, shall not perform specialty contracting in plumbing, electrical, refrigeration and air-conditioning or fire protection without a license for the specialty. A minimum of 50% of the work must be subcontracted.

~~A contractor or his or her own employees may perform more than 50 percent of the estimated cost of the work order if the contractor is able to demonstrate to the public body that the contractor or his or her employees have performed similar work recently.~~

**Sec. 8 9.** *1. Except as otherwise provided in section 7 of this act, before finalizing a job ~~in negotiating a work order under the for a job order contract,~~ a contractor must submit to the public body that awarded the job order contract a list of each subcontractor whom the contractor intends to engage for work on the ~~work~~ job order. A contractor shall notify the public body of any substitution made to the list as soon as practicable.*

~~2. The governing body of a public body must approve any work order for which the estimated cost exceeds \$1,000,000.~~

**Sec. ~~9 10.~~** ~~On or before the end of each contract year for a job order contract,~~ *1. On a quarterly basis, for each contract year for a job order contract a public body shall report to the governing body of the public body:*

*1. (a) A list of each ~~work~~ job order issued pursuant to a job order contract;*

*2. (b) The cost of each ~~work~~ job order;*

*3 (c). A list of each subcontractor hired to perform work for each ~~work~~ job order; and*

*4 (d). Any other information requested by the governing body.*

*2. The public body shall transmit copies of the quarterly reports in this subsection to the Legislature In even-numbered years, report be transmitted to the Legislative Commission; in odd-number years, to the Director of the Legislative Counsel Bureau for transmittal to the Legislature.*

**Sec. ~~10 11.~~** NRS 338.010 is hereby amended to read as follows:  
338.010 As used in this chapter:

1. “Authorized representative” means a person designated by a public body to be responsible for the development, solicitation, award or administration of contracts for public works pursuant to this chapter.

2. “Bona fide fringe benefit” means a benefit in the form of a contribution that is made not less frequently than monthly to an independent third party pursuant to a fund, plan or program:

(a) Which is established for the sole and exclusive benefit of a worker and his or her family and dependents; and

(b) For which none of the assets will revert to, or otherwise be credited to, any contributing employer or sponsor of the fund, plan or program.

↪ The term includes, without limitation, benefits for a worker that are determined pursuant to a collective bargaining agreement and included in the determination of the prevailing wage by the Labor Commissioner pursuant to NRS 338.030.

3 “Contract” means a written contract entered into between a contractor and a public body for the provision of labor, materials, equipment or supplies for a public work.



4. "Contractor" means:
  - (a) A person who is licensed pursuant to the provisions of chapter 624 of NRS.
  - (b) A design-build team.
5. "Day labor" means all cases where public bodies, their officers, agents or employees, hire, supervise and pay the wages thereof directly to a worker or workers employed by them on public works by the day and not under a contract in writing.
6. "Design-build contract" means a contract between a public body and a design-build team in which the design-build team agrees to design and construct a public work.
7. "Design-build team" means an entity that consists of:
  - (a) At least one person who is licensed as a general engineering contractor or a general building contractor pursuant to chapter 624 of NRS; and
  - (b) For a public work that consists of:
    - (1) A building and its site, at least one person who holds a certificate of registration to practice architecture pursuant to chapter 623 of NRS.
    - (2) Anything other than a building and its site, at least one person who holds a certificate of registration to practice architecture pursuant to chapter 623 of NRS or landscape architecture pursuant to chapter 623A of NRS or who is licensed as a professional engineer pursuant to chapter 625 of NRS.
8. "Design professional" means:
  - (a) A person who is licensed as a professional engineer pursuant to chapter 625 of NRS;
  - (b) A person who is licensed as a professional land surveyor pursuant to chapter 625 of NRS;
  - (c) A person who holds a certificate of registration to engage in the practice of architecture, interior design or residential design pursuant to chapter 623 of NRS;
  - (d) A person who holds a certificate of registration to engage in the practice of landscape architecture pursuant to chapter 623A of NRS; or
  - (e) A business entity that engages in the practice of professional engineering, land surveying, architecture or landscape architecture.
9. "Discrete project" means one or more public works which are undertaken on a single construction site for a single public body. The term does not include one or more public works that are undertaken on multiple construction sites regardless of whether the public body which sponsors or finances the public works bundles the public works together.
10. "Division" means the State Public Works Division of the Department of Administration.
11. "Eligible bidder" means a person who is:
  - (a) Found to be a responsible and responsive contractor by a local government or its authorized representative which requests bids for a public work in accordance with paragraph (b) of subsection 1 of NRS 338.1373; or
  - (b) Determined by a public body or its authorized representative which awarded a contract for a public work pursuant to NRS 338.1375 to 338.139, inclusive, to be qualified to bid on that contract pursuant to NRS 338.1379 or 338.1382.
12. "General contractor" means a person who is licensed to conduct business in one, or both, of the following branches of the contracting business:
  - (a) General engineering contracting, as described in subsection 2 of NRS 624.215.
  - (b) General building contracting, as described in subsection 3 of NRS 624.215.
13. "Governing body" means the board, council, commission

or other body in which the general legislative and fiscal powers of a local government are vested.

14. ***“Job order contract” means a contract entered into pursuant to section 6 of this act.***

15. “Local government” means every political subdivision or other entity which has the right to levy or receive money from ad valorem or other taxes or any mandatory assessments, and includes, without limitation, counties, cities, towns, boards, school districts and other districts organized pursuant to chapters 244A, 318, 318A, 379, 474, 538, 541, 543 and 555 of NRS, NRS 450.550 to 450.750, inclusive, and any agency or department of a county or city which prepares a budget separate from that of the parent political subdivision. The term includes a person who has been designated by the governing body of a local government to serve as its authorized representative.

~~15.~~ 16. “Offense” means:

(a) Failing to:

(1) Pay the prevailing wage required pursuant to this chapter;

(2) Pay the contributions for unemployment compensation required pursuant to chapter 612 of NRS;

(3) Provide and secure compensation for employees required pursuant to chapters 616A to 617, inclusive, of NRS; or

(4) Comply with subsection 5 or 6 of NRS 338.070.

(b) Discharging an obligation to pay wages in a manner that violates the provisions of NRS 338.035.

~~16.~~ 17. “Prime contractor” means a contractor who:

(a) Contracts to construct an entire project;

(b) Coordinates all work performed on the entire project;

(c) Uses his or her own workforce to perform all or a part of the public work; and

(d) Contracts for the services of any subcontractor or independent contractor or is responsible for payment to any contracted subcontractors or independent contractors.

↳ The term includes, without limitation, a general contractor or a specialty contractor who is authorized to bid on a project pursuant to 32 NRS 338.139 or 338.148.

~~17.~~ 18. “Public body” means the State, county, city, town, school district or any public agency of this State or its political subdivisions sponsoring or financing a public work.

~~18.~~ 19. “Public work” means any project for the new construction, repair or reconstruction of a project financed in whole or in part from public money for:

(a) Public buildings;

(b) Jails and prisons;

(c) Public roads;

(d) Public highways;

(e) Public streets and alleys;

(f) Public utilities;

(g) Publicly owned water mains and sewers;

(h) Public parks and playgrounds;

(i) Public convention facilities which are financed at least in part with public money; and

(j) All other publicly owned works and property.

~~19.~~ 20. “Specialty contractor” means a person who is licensed to conduct business as described in subsection 4 of NRS 624.215.

~~20.~~ 21. “Stand-alone underground utility project” means an underground utility project that is not integrated into a larger project, including, without limitation:

(a) An underground sewer line or an underground pipeline for the conveyance of water, including facilities appurtenant thereto; and

(b) A project for the construction or installation of a storm drain,

including facilities appurtenant thereto,

↳ that is not located at the site of a public work for the design and construction of which a public body is authorized to contract with a design-build team pursuant to subsection 2 of NRS 338.1711.

~~21.1~~ 22. "Subcontract" means a written contract entered into between:

(a) A contractor and a subcontractor or supplier; or

(b) A subcontractor and another subcontractor or supplier,

↳ for the provision of labor, materials, equipment or supplies for a construction project.

~~22.1~~ 23. "Subcontractor" means a person who:

(a) Is licensed pursuant to the provisions of chapter 624 of NRS or performs such work that the person is not required to be licensed pursuant to chapter 624 of NRS; and

(b) Contracts with a contractor, another subcontractor or supplier to provide labor, materials or services for a construction project.

~~23.1~~ 24. "Supplier" means a person who provides materials, equipment or supplies for a construction project.

~~24.1~~ 25. "Wages" means:

(a) The basic hourly rate of pay; and

(b) The amount of pension, health and welfare, vacation and holiday pay, the cost of apprenticeship training or other bona fide fringe benefits which are a benefit to the worker.

~~25.1~~ 26. *"Work-Job order" means an order issued for a definite scope of work to be performed pursuant to a job order contract.*

7. "Worker" means a skilled mechanic, skilled worker, semiskilled mechanic, semiskilled worker or unskilled worker in the service of a contractor or subcontractor under any appointment or contract of hire or apprenticeship, express or implied, oral or written, whether lawfully or unlawfully employed. The term does not include a design professional.

**Sec. ~~11.12~~ 12** NRS 338.1373 is hereby amended to read as follows:  
338.1373

1. A local government or its authorized representative shall award a contract for a public work pursuant to the provisions of NRS 338.1415 and:

(a) NRS 338.1377 to 338.139, inclusive;

(b) NRS 338.143 to 338.148, inclusive; ~~for~~

(c) NRS 338.1711 to 338.173, inclusive ~~for~~; *or*

*(d) Sections 2 to 9, inclusive, of this act.*

2. A public body shall not use a reverse auction when awarding a contract for a public work.

3. Except as otherwise provided in this subsection, subsection 4 and chapter 408 of NRS, the provisions of this chapter apply with respect to contracts for the construction, reconstruction, improvement and maintenance of highways that are awarded by the Department of Transportation pursuant to NRS 408.201 and 408.313 to 408.433, inclusive. The provisions of NRS 338.1375 to 17 338.1382, inclusive, 338.1386, 338.13862, 338.13864, 338.139, 338.142 and 338.1711 to 338.1727, inclusive, do not apply with respect to contracts for the construction, reconstruction, improvement and maintenance of highways that are awarded by the Department of Transportation pursuant to NRS 408.201 and 22 408.313 to 408.433, inclusive.

4. To the extent that a provision of this chapter precludes the granting of federal assistance or reduces the amount of such assistance with respect to a contract for the construction, reconstruction, improvement or maintenance of highways that is awarded by the Department of Transportation pursuant to NRS 408.201 and 408.313 to 408.433, inclusive, that provision of this chapter does not apply to the Department of Transportation or the



contract.

5. As used in this section:

(a) "Online bidding" means a process by which bidders submit bids for a contract on a secure website on the Internet or its successor, if any, which is established and maintained for that purpose.

(b) "Reverse auction" means a process by which a bidder may submit more than one bid if each subsequent response to online bidding is at a lower price.

~~Sec. 12. NRS 338.1386 is hereby amended to read as follows:  
338.1386 If the estimated cost of a public work is [\$100,000]  
\$250,000 or less, this State or a local government shall:~~

~~1. Award a contract for the completion of the public work to a properly licensed contractor in accordance with NRS 338.13862; or~~

~~2. Perform the public work itself in accordance with NRS 338.1364.~~

~~Sec. 13. NRS 338.13862 is hereby amended to read as follows:~~

~~338.13862 1. Before this State or a local government awards a contract for the completion of a public work in accordance with subsection 1 of NRS 338.1386, the State or the local government must:~~

~~(a) If the estimated cost of the public work is more than \$25,000 but not more than [\$100,000,] \$250,000, solicit bids from at least three properly licensed contractors; and~~

~~(b) If the estimated cost of the public work is \$25,000 or less, solicit a bid from at least one properly licensed contractor.~~

~~2. Any bids received in response to a solicitation for bids made pursuant to this section may be rejected if the State or the local government determines that:~~

~~(a) The quality of the services, materials, equipment or labor offered does not conform to the approved plan or specifications;~~

~~(b) The bidder is not responsive or responsible; or~~

~~(c) The public interest would be served by such a rejection.~~

~~3. At least once each quarter, the State and each local government shall prepare a report detailing, for each public work over \$25,000 for which a contract for its completion is awarded pursuant to paragraph (a) of subsection 1, if any:~~

~~(a) The name of the contractor to whom the contract was awarded;~~

~~(b) The amount of the contract awarded;~~

~~(c) A brief description of the public work; and~~

~~(d) The names of all contractors from whom bids were solicited.~~

~~4. A report prepared pursuant to subsection 3 is a public record and must be maintained on file at the administrative offices of the applicable public body.~~

~~5. The provisions of this section do not relieve this State from the duty to award the contract for the public work to a bidder who is:~~

~~(a) Qualified pursuant to the applicable provisions of NRS 35-338.1375 to 338.1382, inclusive; and~~

~~(b) The lowest responsive and responsible bidder, if bids are required to be solicited from more than one properly licensed contractor pursuant to subsection 1. For the purposes of this paragraph, the lowest responsive and responsible bidder must be determined in consideration of any applicable bidder's preference granted pursuant to NRS 338.13844.~~

~~Sec. 14. NRS 338.13864 is hereby amended to read as follows:~~

~~338.13864 1. If the State or a local government proposes to perform a public work itself in accordance with subsection 2 of NRS 338.1386, the public officer responsible for the management of~~

~~the public works of the State or the local government, as applicable, must, if the estimated cost of the public work is more than \$25,000 but not more than [\$100,000] \$250,000 and before work on the public work is commenced, prepare a signed attestation regarding the decision of the State or the local government to perform the public work itself.~~

~~2. An attestation prepared pursuant to subsection 1:~~

~~(a) Must set forth:~~

~~(1) The estimated cost of the public work;~~

~~(2) A general statement as to why the State or the local government has decided to perform the public work itself; and~~

~~(3) A general statement that the public work will adhere to the same quality and standards as would be required of a properly licensed contractor if the public work had been awarded to a properly licensed contractor; and~~

~~(b) Is a public record and must be maintained on file at the administrative offices of the applicable public body.~~

**Sec. 13** NRS 239.010 is hereby amended to read as follows:

239.010 1. Except as otherwise provided in this section and 21  
NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.071, 49.095, 49.293,  
22 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170,  
23 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152, 80.113,  
24 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200,  
25 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345,  
26 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880,  
27 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280,  
28 119A.653, 119A.677, 119B.370, 119B.382, 120A.690, 125.130,  
29 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057,  
30 127.130, 127.140, 127.2817, 128.090, 130.312, 130.712, 136.050,  
31 159.044, 159A.044, 172.075, 172.245, 176.01249, 176.015,  
32 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715,  
33 178.5691, 179.495, 179A.070, 179A.165, 179D.160, 200.3771,  
34 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392,  
35 209.3923, 209.3925, 209.419, 209.429, 209.521, 211A.140,  
36 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464,  
37 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240,  
38 218G.350, 226.300, 228.270, 228.450, 228.495, 228.570, 231.069,  
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391.120, 391.925, 392.029, 392.147,  
392.264, 392.271, 392.315, 392.317, 392.325, 392.327, 392.335,  
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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,  
432C.140, 432C.150, 433.534, 433A.360, 437.145, 437.207,  
439.4941, 439.840, 439.914, 439B.420, 439B.754, 439B.760,  
440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395,  
442.735, 442.774, 445A.665, 445B.570, 445B.7773, 447.345,  
449.209, 449.245, 449.4315, 449A.112, 450.140, 450B.188,  
453.164, 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050,  
459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993,  
463.240, 463.3403, 463.3407, 463.790, 467.1005, 480.535, 480.545,  
480.935, 480.940, 481.063, 481.091, 481.093, 482.170, 482.5536,  
483.340, 483.363, 483.575, 483.659, 483.800, 484A.469, 484E.070,  
485.316, 501.344, 503.452, 522.040, 534A.031, 561.285, 571.160,  
584.655, 587.877, 598.0964, 598.098, 598A.110, 599B.090,  
603.070, 603A.210, 604A.303, 604A.710, 612.265, 616B.012,  
616B.015, 616B.315, 616B.350, 618.341, 618.425, 622.238,  
622.310, 623.131, 623A.137, 624.110, 624.265, 624.327, 625.425,  
625A.185, 628.418, 628B.230, 628B.760, 629.047, 629.069,  
630.133, 630.2673, 630.30665, 630.336, 630A.555, 631.368,  
632.121, 632.125, 632.3415, 632.405, 633.283, 633.301, 633.4715,  
633.524, 634.055, 634.214, 634A.185, 635.158, 636.107, 637.085,  
637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075,  
640A.220, 640B.730, 640C.580, 640C.600, 640C.620, 640C.745,  
640C.760, 640D.190, 640E.340, 641.090, 641.221, 641.325,  
641A.191, 641A.262, 641A.289, 641B.170, 641B.282, 641B.460,  
641C.760, 641C.800, 642.524, 643.189, 644A.870, 645.180,  
645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220,  
645C.225, 645D.130, 645D.135, 645G.510, 645H.320, 645H.330,  
647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228,  
653.900, 654.110, 656.105, 657A.510, 661.115, 665.130, 665.133,  
669.275, 669.285, 669A.310, 671.170, 673.450, 673.480, 675.380,  
676A.340, 676A.370, 677.243, 678A.470, 678C.710, 678C.800,  
679B.122, 679B.124, 679B.152, 679B.159, 679B.190, 679B.285,  
679B.690, 680A.270, 681A.440, 681B.260, 681B.410, 681B.540,  
683A.0873, 685A.077, 686A.289, 686B.170, 686C.306, 687A.110,  
687A.115, 687C.010, 688C.230, 688C.480, 688C.490, 689A.696,  
692A.117, 692C.190, 692C.3507, 692C.3536, 692C.3538,  
692C.354, 692C.420, 693A.480, 693A.615, 696B.550, 696C.120,  
703.196, 704B.325, 706.1725, 706A.230, 710.159, 711.600, *and*  
*section 5 of this act*, sections 35, 38 and 41 of chapter 478, Statutes  
of Nevada 2011 and section 2 of chapter 391, Statutes of Nevada  
2013 and unless otherwise declared by law to be confidential, all  
public books and public records of a governmental entity must be  
open at all times during office hours to inspection by any person,  
and may be fully copied or an abstract or memorandum may be  
prepared from those public books and public records. Any such  
copies, abstracts or memoranda may be used to supply the general  
public with copies, abstracts or memoranda of the records or may be  
used in any other way to the advantage of the governmental entity or  
of the general public. This section does not supersede or in any  
manner affect the federal laws governing copyrights or enlarge,  
diminish or affect in any other manner the rights of a person in any  
written book or record which is copyrighted pursuant to federal law.

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

3. A governmental entity that has legal custody or control of a public book or record shall not deny a request made pursuant to subsection 1 to inspect or copy or receive a copy of a public book or record on the basis that the requested public book or record contains information that is confidential if the governmental entity can redact, delete, conceal or separate, including, without limitation, electronically, the confidential information from the information included in the public book or record that is not otherwise confidential.

4. If requested, a governmental entity shall provide a copy of a public record in an electronic format by means of an electronic medium. Nothing in this subsection requires a governmental entity to provide a copy of a public record in an electronic format or by means of an electronic medium if:

(a) The public record:

(1) Was not created or prepared in an electronic format; and

(2) Is not available in an electronic format; or

(b) Providing the public record in an electronic format or by means of an electronic medium would:

(1) Give access to proprietary software; or

(2) Require the production of information that is confidential and that cannot be redacted, deleted, concealed or separated from information that is not otherwise confidential.

5. An officer, employee or agent of a governmental entity who has legal custody or control of a public record:

(a) Shall not refuse to provide a copy of that public record in the medium that is requested because the officer, employee or agent has already prepared or would prefer to provide the copy in a different medium.

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

*NEW Section 14: This act becomes effective on October 1, 2021, and expires by limitation on October 1, 2025.*