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ASSEMBLY BILL NO. 503—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE LEGISLATIVE COUNSEL)

MAY 11, 2023

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Referred to Committee on Commerce and Labor

SUMMARY—Revises various provisions relating to background checks. (BDR 1-900)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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AN ACT relating to background checks; revising provisions authorizing a person to petition certain professional or occupational licensing boards or public officers to review his or her criminal history and determine whether the person is able to obtain a particular license, permit, certificate, registration or qualification; prohibiting certain professional or occupational licensing boards, public officers and regulatory bodies from including information concerning the criminal history of a person in certain reports submitted to the Director of the Legislative Counsel Bureau and the Sunset Subcommittee of the Legislative Commission, as applicable; establishing requirements relating to investigations into the criminal backgrounds of volunteers of a charter school, university school for profoundly gifted pupils or school district who are likely to have unsupervised contact with pupils; removing provisions authorizing the disclosure of information relating to the criminal history of an applicant for a license as a teacher or another educational personnel position to the administrator of a private school; removing certain requirements imposed on the Department of Education regarding persons whose applications for a license are denied because of a conviction of a sexual offense involving a minor; revising provisions concerning applicants for employment with a school district who are required to submit fingerprints to the school district; removing provisions requiring an applicant for employment with or employee of a private school or volunteer to submit fingerprints to the administrator of the private school and accordingly repealing provisions concerning exceptions to such a requirement; requiring applicants for various licenses, certificates, registrations, permits or similar types of authorization to submit to the applicable regulatory body a complete set of fingerprints and written permission authorizing the applicable regulatory



body to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for its report on the criminal history of the applicant and for submission to the Federal Bureau of Investigation for its report on the criminal history of the applicant; removing the applicability of certain requirements to applicants for a license to practice any of the special branches of dental hygiene, dental therapy or dentistry; defining the term “dentistry”; revising provisions of the Psychology Interjurisdictional Compact concerning the disclosure of certain information relating to licensed psychologists; defining certain terms relating to reports on the criminal history of certain persons associated with medical laboratories, medical cannabis establishments and adult-use cannabis establishments; repealing certain provisions relating to regulatory bodies; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law authorizes a regulatory body to develop and implement a process  
2 by which a person with a criminal history is able to petition the regulatory body to  
3 review such criminal history and determine whether the person is disqualified from  
4 obtaining a license from the regulatory body because of such criminal history.  
5 Existing law also authorizes the regulatory body to request the criminal history  
6 record of a person who petitions the regulatory body for such a determination and  
7 requires the person to submit his or her criminal history record which includes  
8 reports from the Central Repository for Nevada Records of Criminal History  
9 (hereinafter “Central Repository”) and the Federal Bureau of Investigation  
10 (hereinafter “FBI”). (NRS 622.085) Existing law replicates these provisions for  
11 various professional or occupational licensing boards and public officers that issue  
12 licenses, permits, certificates, registrations or qualifications. (NRS 1.545,  
13 240A.275, 244.33504, 361.2212, 379.00785, 435.3395, 445B.7776, 449.03008,  
14 449.4316, 450B.169, 455C.125, 457.1825, 458.0258, 477.2233, 482.163, 487.006,  
15 489.298, 490.195, 502.375, 503.5831, 504.391, 505.013, 534.1405, 544.147,  
16 555.305, 557.225, 576.037, 581.1033, 582.035, 584.2165, 587.014, 599A.057,  
17 599B.127, 618.357, 622.085, 678B.630, 706.4626) **Section 89** of this bill repeals  
18 such provisions concerning a regulatory body and repeals certain other provisions  
19 that impose requirements on regulatory bodies in general. **Sections 1, 3-6, 14-18,**  
20 **21-23, 26-46, 86 and 87** of this bill provide that a person who petitions a particular  
21 professional or occupational licensing board or public officer to review the criminal  
22 history of the person and make a determination regarding the ability of the person  
23 to obtain a license, permit, certificate, registration or qualification is: (1) required to  
24 submit to the applicable board or public officer a complete set of fingerprints and  
25 written permission authorizing the board or public officer to forward the  
26 fingerprints to the Central Repository for its report on the criminal history of the  
27 person and for submission to the FBI for its report on the criminal history of  
28 the person; and (2) prohibited from receiving the reports from the Central  
29 Repository and the FBI.

30 Existing law requires certain professional or occupational licensing boards and  
31 public officers to whom a person submits a petition to review the criminal history  
32 of the person and make a determination regarding the ability of the person to obtain  
33 a license, permit, certificate, registration or qualification to submit to the Director  
34 of the Legislative Counsel Bureau, on a quarterly basis, a report that includes: (1)  
35 the number of such petitions submitted to the professional or occupational licensing  
36 board or public officer; (2) the number of determinations of disqualification made;  
37 (3) the reasons for such determinations; and (4) any other information requested by  
38 the Director or which the professional or occupational licensing board or public  
39 officer determines would be helpful. (NRS 1.545, 240A.275, 244.33504, 361.2212,



40 379.00785, 435.3395, 445B.7776, 449.03008, 449.4316, 450B.169, 455C.125,  
41 457.1825, 458.0258, 477.2233, 482.163, 487.006, 489.298, 490.195, 502.375,  
42 503.5831, 504.391, 505.013, 534.1405, 544.147, 555.305, 557.225, 576.037,  
43 581.1033, 582.035, 584.2165, 587.014, 599A.057, 599B.127, 618.357, 678B.630,  
44 706.4626) **Sections 1, 3-6, 14-18, 21-23, 26-46, 86 and 87** prohibit professional or  
45 occupational licensing boards and public officers from including in such a report  
46 any information concerning the criminal history of a person that is obtained from a  
47 report received from the Central Repository or the FBI. **Section 47** of this bill  
48 similarly prohibits a regulatory body from including any information concerning a  
49 person that is obtained from a report received from the Central Repository or the  
50 FBI in certain quarterly reports submitted to the Director of the Legislative Counsel  
51 Bureau.

52 Existing law requires the Sunset Subcommittee of the Legislative Commission  
53 to conduct a review of each professional or occupational licensing board and  
54 regulatory body in this State to determine whether the restrictions on the criminal  
55 history of an applicant for an occupational or professional license are appropriate.  
56 For the purposes of such a review, each professional or occupational licensing  
57 board and regulatory body subject to review is required to submit certain  
58 information to the Sunset Subcommittee. (NRS 232B.237) **Section 2** of this bill  
59 prohibits a professional or occupational licensing board or regulatory body from  
60 including any information concerning the criminal history of a person that is  
61 obtained from a report received from the Central Repository or the FBI as part of  
62 the information submitted to the Sunset Subcommittee.

63 Existing law establishes certain circumstances in which a volunteer who is  
64 likely to have unsupervised contact with pupils is not required to submit  
65 fingerprints to the governing body of a charter school, the governing body of a  
66 university school for profoundly gifted pupils or the board of trustees of a school  
67 district. (NRS 388A.516, 388C.205, 391.105) **Sections 7, 8 and 11** of this bill  
68 establish requirements relating to investigations into the criminal background of  
69 such volunteers that are conducted in such circumstances.

70 Existing law requires an applicant for a license as a teacher or another  
71 educational personnel position to submit to the Superintendent of Public Instruction  
72 a complete set of his or her fingerprints and written permission authorizing the  
73 Superintendent to forward the fingerprints to the Central Repository for its report  
74 on the criminal history of the applicant and for submission to the FBI for its report  
75 on the criminal history of the applicant. Existing law requires the Superintendent to  
76 forward the information obtained from an investigation of the applicant to the board  
77 of trustees of a school district, the governing body of a charter school or the  
78 university school for profoundly gifted pupils or the administrator of a private  
79 school where the applicant is employed or seeking employment. (NRS 391.033)  
80 **Section 9** of this bill removes such a requirement. Existing law also requires the  
81 Department of Education to: (1) maintain a list of the names of persons whose  
82 applications for a license are denied due to conviction of a sexual offense involving  
83 a minor; (2) update the list monthly; and (3) provide the list to the board of trustees  
84 of a school district or the governing body of a charter school upon request. (NRS  
85 391.033) **Section 9** removes such provisions.

86 Existing law authorizes the board of trustees of a school district to employ  
87 teacher aides and other auxiliary, nonprofessional personnel to assist licensed  
88 personnel in the instruction or supervision of children. (NRS 391.100) **Section 10**  
89 of this bill replaces the term "other auxiliary, nonprofessional personnel" with the  
90 term "paraprofessionals."

91 Existing law requires certain applicants for employment with and employees of  
92 a private school and volunteers at a private school who are likely to have  
93 unsupervised contact with pupils to submit to the administrator of the private  
94 school, before beginning employment and at least once every 5 years thereafter, a  
95 complete set of fingerprints of the applicant, employee or volunteer and written



96 permission authorizing the administrator to forward those fingerprints to the  
97 Central Repository for its report on the criminal history of the applicant, employee  
98 or volunteer and for submission to the FBI for its report on the criminal history of  
99 the applicant, employee or volunteer. (NRS 394.155) Existing law also provides  
100 exceptions to such a requirement in certain circumstances for volunteers at a private  
101 school who are likely to have unsupervised contact with pupils. (NRS 394.157)  
102 **Section 13** of this bill removes such provisions requiring the submission of  
103 fingerprints to the administrator of a private school, and **section 89** of this bill  
104 accordingly repeals the exceptions to such a requirement. **Section 12** of this bill  
105 makes a conforming change to remove a reference to the repealed section  
106 containing the exceptions to such a requirement.

107 **Sections 19 and 20** of this bill require an applicant for licensure to operate a  
108 crematory, or certain specific persons if the applicant is a partnership, corporation  
109 or other form of business organization, and an applicant for a certificate of  
110 authority to engage in the business of operating a cemetery, and certain other  
111 persons named in the application, to submit to the Nevada Funeral and Cemetery  
112 Services Board a complete set of fingerprints and written permission authorizing  
113 the Board to forward those fingerprints to the Central Repository for its report on  
114 the criminal history of the applicant or other person, as applicable, and for  
115 submission to the FBI for its report on the criminal history of the applicant or other  
116 person, as applicable.

117 Existing law requires the Nevada Gaming Commission to provide by regulation  
118 for the registration of club venue employees and associated matters and authorizes  
119 such regulations to require the registration of certain third-party contractors who  
120 provide services to club venues. (NRS 463.15999) Existing law also requires the  
121 Nevada Gaming Commission to adopt regulations which require certain persons  
122 who manufacture or distribute associated equipment for use in this State to register  
123 with the Nevada Gaming Control Board. (NRS 463.665) **Sections 24 and 25** of this  
124 bill require an applicant for registration as a club venue employee, a third-party  
125 contractor required to apply for registration and an applicant for registration to  
126 manufacture or distribute associated equipment in this State to submit to the Board  
127 a complete set of fingerprints and written permission authorizing the Board to  
128 forward those fingerprints to the Central Repository for its report on the criminal  
129 history of the applicant or third-party contractor, as applicable, and for submission  
130 to the FBI for its report on the criminal history of the applicant or third-party  
131 contractor, as applicable.

132 Existing law establishes the requirements for the application for and issuance of  
133 professional and occupational licenses, certificates, registrations, permits or similar  
134 types of authorization by various state agencies, boards and commissions. (Title 54  
135 of NRS) **Sections 48-50, 54-58, 61, 65-67 and 69-79** of this bill provide that an  
136 applicant for certain licenses, certificates, registrations, permits or similar types of  
137 authorization, in addition to satisfying any other requirements, is: (1) required to  
138 submit to the applicable regulatory body a complete set of fingerprints and written  
139 permission authorizing the body to forward those fingerprints to the Central  
140 Repository for its report on the criminal history of the applicant and for submission  
141 to the FBI for its report on the criminal history of the applicant; and (2) prohibited  
142 from receiving the reports from the Central Repository and the FBI. **Sections 59, 62**  
143 **and 63** of this bill make a conforming change to indicate the proper placement of  
144 **section 58** in the Nevada Revised Statutes, and **section 68** of this bill makes a  
145 conforming change to indicate the proper placement of **section 67** in the Nevada  
146 Revised Statutes.

147 Existing law requires every applicant for a license to practice dental hygiene,  
148 dental therapy or dentistry, or any of its special branches, to satisfy certain  
149 requirements as part of the application process. (NRS 631.220) **Section 53** of this  
150 bill removes the applicability of the requirements to such special branches. **Section**  
151 **51** of this bill defines the term "dentistry," and **section 52** of this bill makes a



152 conforming change to indicate the proper placement of **section 51** in the Nevada  
153 Revised Statutes.

154 Existing law enacts the Psychology Interjurisdictional Compact, which is  
155 designed, in general, to allow telepsychological practice across state lines and  
156 temporary in-person, face-to-face services into a state in which a psychologist is not  
157 licensed to practice psychology. The Compact requires the Psychology  
158 Interjurisdictional Compact Commission to provide for the development and  
159 maintenance of a Coordinated Licensure Information System (hereinafter  
160 "Coordinated Database") to which a compact state is required to submit certain  
161 information concerning licensees. The Compact also authorizes the Commission to  
162 convene in a closed, nonpublic meeting if the Commission must discuss certain  
163 information, including the disclosure of investigatory records compiled for law  
164 enforcement purposes. (NRS 641.227) **Section 60** of this bill: (1) prohibits a  
165 compact state from submitting to the Coordinated Database any information  
166 concerning the criminal history of a licensee that is included in a report from the  
167 Central Repository or the FBI; and (2) removes the ability of the Commission to  
168 discuss the disclosure of investigatory records compiled for law enforcement  
169 purposes.

170 Existing law prohibits, in general, a person from operating, conducting, issuing  
171 a report from or maintaining a medical laboratory without first obtaining a license  
172 to do so issued by the Division of Public and Behavioral Health of the Department  
173 of Health and Human Services and sets forth the application requirements for such  
174 a license. (NRS 652.080, 652.090) **Section 77** of this bill requires, as part of the  
175 application process, each applicant for a license and certain persons associated with  
176 a medical laboratory to submit a complete set of fingerprints and written permission  
177 authorizing the Division to forward those fingerprints to the Central Repository for  
178 its report on the criminal history of the applicant or other person, as applicable, and  
179 for submission to the FBI for its report on the criminal history of the applicant or  
180 other person, as applicable. **Sections 72-77** of this bill define certain terms relating  
181 to such an application process.

182 Existing law requires each applicant for a license to engage in the business of a  
183 medical cannabis establishment or an adult-use cannabis establishment and certain  
184 other persons associated with the proposed medical cannabis establishment or  
185 adult-use cannabis establishment to submit a complete set of the person's  
186 fingerprints and written permission authorizing the Cannabis Compliance Board to  
187 forward the fingerprints to the Central Repository for submission to the FBI for its  
188 report on the criminal history of the applicant or other person, as applicable. (NRS  
189 678B.210, 678B.250) **Sections 81-84** of this bill define certain terms for the  
190 purposes of such provisions. **Section 85** of this bill makes a conforming change to  
191 indicate the proper placement of **sections 81-84** in the Nevada Revised Statutes.

192 **Section 64** of this bill revises certain language concerning applicants for a  
193 license as a behavior analyst or assistant behavior analyst or registration as a  
194 registered behavior technician to reflect, consistent with the language used in this  
195 bill, that the written authorization of the applicant for his or her fingerprints to be  
196 forwarded to the Central Repository and to the FBI is for the purpose of obtaining a  
197 report of the criminal history of the applicant from the Central Repository and a  
198 report of the criminal history of the applicant from the FBI. **Section 88** of this bill  
199 requires the Legislative Counsel, when preparing the reprint and supplements to the  
200 Nevada Revised Statutes, to appropriately revise any references to a person  
201 providing written permission for his or her fingerprints to be forwarded to the  
202 Central Repository and the FBI in the same manner or in a manner that is otherwise  
203 consistent with the revisions made in this bill.



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

1       **Section 1.** NRS 1.545 is hereby amended to read as follows:

2       1.545 1. The Court Administrator shall develop and  
3       implement a process by which a person with a criminal history may  
4       *submit a* petition *to* the Court Administrator ~~to~~ *requesting that the*  
5       *Court Administrator* review the criminal history of the person to  
6       determine if the person's criminal history will disqualify the person  
7       from obtaining a certificate or registration as a court interpreter  
8       pursuant to NRS 1.510.

9       2. Not later than 90 days after a petition is submitted to the  
10      Court Administrator pursuant to subsection 1, the Court  
11      Administrator shall inform the person of the determination of the  
12      Court Administrator of whether the person's criminal history will  
13      disqualify the person from obtaining a certificate or registration ~~to~~  
14      *as a court interpreter.* The Court Administrator is not bound by his  
15      or her determination of disqualification or qualification and may  
16      rescind such a determination at any time.

17      3. The Court Administrator may provide instructions to a  
18      person who receives a determination of disqualification to remedy  
19      the determination of disqualification. A person may resubmit a  
20      petition pursuant to subsection 1 not earlier than 6 months after  
21      receiving instructions pursuant to this subsection if the person  
22      remedies the determination of disqualification.

23      4. A person with a criminal history may *submit a* petition *to*  
24      the Court Administrator at any time, including, without limitation,  
25      before obtaining any education or paying any fee required to obtain  
26      a certificate or registration ~~to~~ *as a court interpreter.*

27      5. A person may submit a new petition to the Court  
28      Administrator not earlier than 2 years after the final determination  
29      of the initial petition submitted to the Court Administrator.

30      6. The Court Administrator may impose a fee of up to \$50  
31      upon the person to fund the administrative costs in complying with  
32      the provisions of this section. The Court Administrator may waive  
33      such fees or allow such fees to be covered by funds from a  
34      scholarship or grant.

35      7. The Court Administrator may post on its Internet website:

36      (a) The requirements to obtain a certification or registration as a  
37      court interpreter; and

38      (b) A list of crimes, if any, that would disqualify a person from  
39      obtaining a certification or registration as a court interpreter from  
40      the Court Administrator.

41      8. ~~The Court Administrator may request the criminal history~~  
42      ~~record of a]~~ A person who petitions the Court Administrator for a



1 determination pursuant to subsection 1 : ~~[- To the extent consistent~~  
2 ~~with federal law, if the Court Administrator makes such a request of~~  
3 ~~a person, the Court Administrator shall require the person to submit~~  
4 ~~his or her criminal history record which includes a report from:]~~

5 (a) ~~[The]~~ *Shall submit to the Court Administrator a complete*  
6 *set of fingerprints and written permission authorizing the Court*  
7 *Administrator to forward those fingerprints to the Central*  
8 *Repository for Nevada Records of Criminal History ~~[-]~~ for its report*  
9 *on the criminal history of the person and for submission to the*  
10 *Federal Bureau of Investigation for its report on the criminal*  
11 *history of the person; and*

12 (b) ~~[The Federal Bureau of Investigation.]~~ *Is prohibited from*  
13 *receiving the reports obtained pursuant to paragraph (a).*

14 9. A person who petitions the Court Administrator for a  
15 determination pursuant to subsection 1 shall not submit false or  
16 misleading information to the Court Administrator.

17 10. The Court Administrator shall, on or before the 20th day of  
18 January, April, July and October, submit to the Director of the  
19 Legislative Counsel Bureau in an electronic format prescribed by  
20 the Director, a report that includes:

21 (a) The number of petitions submitted to the Court  
22 Administrator pursuant to subsection 1;

23 (b) The number of determinations of disqualification made by  
24 the Court Administrator pursuant to subsection 1; *and*

25 (c) *Except as otherwise provided in subsection 11:*

26 (1) The reasons for such determinations; and

27 ~~[(d)]~~ (2) Any other information that is requested by the Director  
28 or which the Court Administrator determines would be helpful.

29 11. *The Court Administrator shall not include in a report*  
30 *submitted to the Director pursuant to subsection 10 any*  
31 *information concerning the criminal history of a person that is*  
32 *obtained from a report received from the Central Repository for*  
33 *Nevada Records of Criminal History or the Federal Bureau of*  
34 *Investigation pursuant to subsection 8.*

35 12. The Director shall transmit a compilation of the  
36 information received pursuant to subsection 10 to the Legislative  
37 Commission quarterly, unless otherwise directed by the  
38 Commission.

39 **Sec. 2.** NRS 232B.237 is hereby amended to read as follows:

40 232B.237 1. The Sunset Subcommittee of the Legislative  
41 Commission shall conduct a review of each professional or  
42 occupational licensing board and regulatory body in this State to  
43 determine whether the restrictions on the criminal history of an  
44 applicant for an occupational or professional license are appropriate.



1 2. Each professional or occupational licensing board and  
2 regulatory body subject to review pursuant to subsection 1 must  
3 submit information to the Sunset Subcommittee on a form  
4 prescribed by the Sunset Subcommittee. ~~[The]~~ *Except as otherwise*  
5 *provided in subsection 3, the* information must include, without  
6 limitation:

7 (a) The number of petitions submitted to a professional or  
8 occupational licensing board and regulatory body pursuant to NRS  
9 1.545, 240A.275, 244.33504, 361.2212, 379.00785, ~~[433.616,]~~  
10 435.3395, 445B.7776, 449.03008, 449.4316, 450B.169, 455C.125,  
11 457.1825, 458.0258, 477.2233, 482.163, 487.006, 489.298, 490.195,  
12 502.375, 503.5831, 504.391, 505.013, 534.1405, 544.147, 555.305,  
13 557.225, 576.037, 581.1033, 582.035, 584.2165, 587.014,  
14 599A.057, 599B.127, 618.357, ~~[622.085, 687B.630]~~ **678B.630** and  
15 706.4626;

16 (b) The number of determinations of disqualification made by  
17 the professional or occupational licensing board and regulatory body  
18 pursuant to NRS 1.545, 240A.275, 244.33504, 361.2212,  
19 379.00785, ~~[433.616,]~~ 435.3395, 445B.7776, 449.03008, 449.4316,  
20 450B.169, 455C.125, 457.1825, 458.0258, 477.2233, 482.163,  
21 487.006, 489.298, 490.195, 502.375, 503.5831, 504.391, 505.013,  
22 534.1405, 544.147, 555.305, 557.225, 576.037, 581.1033, 582.035,  
23 584.2165, 587.014, 599A.057, 599B.127, 618.357, ~~[622.085,~~  
24 ~~687B.630]~~ **678B.630** and 706.4626; and

25 (c) The reasons for such determinations of disqualification.

26 3. *A professional or occupational licensing board or*  
27 *regulatory body shall not include in the information submitted to*  
28 *the Sunset Subcommittee pursuant to subsection 2 any*  
29 *information concerning the criminal history of a person that is*  
30 *obtained from a report received from the Central Repository for*  
31 *Nevada Records of Criminal History or the Federal Bureau of*  
32 *Investigation.*

33 4. As used in this section, “regulatory body” has the meaning  
34 ascribed to it in NRS 622.060.

35 **Sec. 3.** NRS 240A.275 is hereby amended to read as follows:

36 240A.275 1. The Secretary of State shall develop and  
37 implement a process by which a person with a criminal history may  
38 *submit a petition to* the Secretary of State ~~[to]~~ *requesting that the*  
39 *Secretary of State* review the criminal history of the person to  
40 determine if the person’s criminal history will disqualify the person  
41 from obtaining a registration *to engage in the business of a*  
42 *document preparation service* pursuant to NRS 240A.100.

43 2. Not later than 90 days after a petition is submitted to the  
44 Secretary of State pursuant to subsection 1, the Secretary of State  
45 shall inform the person of the determination of the Secretary of State





1 of whether the person's criminal history will disqualify the person  
2 from obtaining a registration ~~[ ]~~ *to engage in the business of a*  
3 *document preparation service*. The Secretary of State is not bound  
4 by his or her determination of disqualification or qualification and  
5 may rescind such a determination at any time.

6 3. The Secretary of State may provide instructions to a person  
7 who receives a determination of disqualification to remedy the  
8 determination of disqualification. A person may resubmit a petition  
9 pursuant to subsection 1 not earlier than 6 months after receiving  
10 instructions pursuant to this subsection if the person remedies the  
11 determination of disqualification.

12 4. A person with a criminal history may *submit a* petition *to*  
13 the Secretary of State at any time, including, without limitation,  
14 before obtaining any education or paying any fee required to obtain  
15 a registration *to engage in the business of a document preparation*  
16 *service* from the Secretary of State.

17 5. A person may submit a new petition to the Secretary of State  
18 not earlier than 2 years after the final determination of the initial  
19 petition submitted to the Secretary of State.

20 6. The Secretary of State may impose a fee of up to \$50 upon  
21 the person to fund the administrative costs in complying with the  
22 provisions of this section. The Secretary of State may waive such  
23 fees or allow such fees to be covered by funds from a scholarship or  
24 grant.

25 7. The Secretary of State may post on its Internet website:

26 (a) The requirements to obtain a registration ~~[pursuant to NRS~~  
27 ~~240A.100]~~ *to engage in the business of a document preparation*  
28 *service* from the Secretary of State; and

29 (b) A list of crimes, if any, that would disqualify a person from  
30 obtaining a registration *to engage in the business of a document*  
31 *preparation service* from the Secretary of State.

32 8. ~~[The Secretary of State may request the criminal history~~  
33 ~~record of a]~~ A person who petitions the Secretary of State for a  
34 determination pursuant to subsection 1 : ~~[. To the extent consistent~~  
35 ~~with federal law, if the Secretary of State makes such a request of a~~  
36 ~~person, the Secretary of State shall require the person to submit his~~  
37 ~~or her criminal history record which includes a report from:]~~

38 (a) ~~[The]~~ *Shall submit to the Secretary of State a complete set*  
39 *of fingerprints and written permission authorizing the Secretary of*  
40 *State to forward those fingerprints to the* Central Repository for  
41 Nevada Records of Criminal History ~~[ ]~~ *for its report on the*  
42 *criminal history of the person and for submission to the Federal*  
43 *Bureau of Investigation for its report on the criminal history of*  
44 *the person;* and



1 (b) ~~The Federal Bureau of Investigation.~~ *Is prohibited from*  
2 *receiving the reports obtained pursuant to paragraph (a).*

3 9. A person who petitions the Secretary of State for a  
4 determination pursuant to subsection 1 shall not submit false or  
5 misleading information to the Secretary of State.

6 10. The Secretary of State shall, on or before the 20th day of  
7 January, April, July and October, submit to the Director of the  
8 Legislative Counsel Bureau in an electronic format prescribed by  
9 the Director, a report that includes:

10 (a) The number of petitions submitted to the Secretary of State  
11 pursuant to subsection 1;

12 (b) The number of determinations of disqualification made by  
13 the Secretary of State pursuant to subsection 1; *and*

14 (c) *Except as otherwise provided in subsection 11:*

15 (1) The reasons for such determinations; and

16 ~~(d)~~ (2) Any other information that is requested by the Director  
17 or which the Secretary of State determines would be helpful.

18 11. *The Secretary of State shall not include in a report*  
19 *submitted to the Director pursuant to subsection 10 any*  
20 *information concerning the criminal history of a person that is*  
21 *obtained from a report received from the Central Repository for*  
22 *Nevada Records of Criminal History or the Federal Bureau of*  
23 *Investigation pursuant to subsection 8.*

24 12. The Director shall transmit a compilation of the  
25 information received pursuant to subsection 10 to the Legislative  
26 Commission quarterly, unless otherwise directed by the  
27 Commission.

28 **Sec. 4.** NRS 244.33504 is hereby amended to read as follows:

29 244.33504 1. ~~A~~ *The board of county commissioners or the*  
30 *county license board of a county shall develop and implement a*  
31 *process by which a person with a criminal history may submit a*  
32 *petition to the board of county commissioners or county license*  
33 *board ~~to~~ requesting that the board of county commissioners or*  
34 *county license board, as applicable, review the criminal history of*  
35 *the person to determine if the person's criminal history will*  
36 *disqualify the person from obtaining a license ~~to~~ from the board of*  
37 *county commissioners or county license board in accordance with*  
38 *the provisions of this chapter.*

39 2. Not later than 90 days after a petition is submitted to a board  
40 of county commissioners or county license board pursuant to  
41 subsection 1, ~~to~~ *the board of county commissioners or county*  
42 *license board shall inform the person of the determination of the*  
43 *board of county commissioners or county license board of whether*  
44 *the person's criminal history will disqualify the person from*  
45 *obtaining a license ~~to~~ from the board of county commissioners or*



1 **county license board.** The board of county commissioners or county  
2 license board is not bound by its determination of disqualification or  
3 qualification and may rescind such a determination at any time.

4 3. A board of county commissioners or county license board  
5 may provide instructions to a person who receives a determination  
6 of disqualification to remedy the determination of disqualification.  
7 A person may resubmit a petition pursuant to subsection 1 not  
8 earlier than 6 months after receiving instructions pursuant to this  
9 subsection if the person remedies the determination of  
10 disqualification.

11 4. A person with a criminal history may **submit a** petition ~~{the}~~  
12 **to a** board of county commissioners or county license board at any  
13 time, including, without limitation, before obtaining any education  
14 or paying any fee required to obtain a license from the board of  
15 county commissioners or county license board.

16 5. A person may submit a new petition to ~~{the}~~ **a** board of  
17 county commissioners or county license board not earlier than 2  
18 years after the final determination of the initial petition submitted to  
19 the board of county commissioners or county license board.

20 6. A board of county commissioners or county license board  
21 may impose a fee of up to \$50 upon the person to fund the  
22 administrative costs in complying with the provisions of this  
23 section. A board of county commissioners or county license board  
24 may waive such fees or allow such fees to be covered by funds from  
25 a scholarship or grant.

26 7. A board of county commissioners or county license board  
27 may post on its Internet website:

28 (a) The requirements to obtain a license from the board of  
29 county commissioners or county license board, as applicable; and

30 (b) A list of crimes, if any, that would disqualify a person from  
31 obtaining a license from ~~{a}~~ **the** board of county commissioners or  
32 county license board.

33 ~~{A board of county commissioners or county license board  
34 may request the criminal history record of a}~~ A person who petitions  
35 ~~{the}~~ **a** board of county commissioners or county license board for a  
36 determination pursuant to subsection 1 : ~~{. To the extent consistent  
37 with federal law, if the board of county commissioners or county  
38 license board makes such a request of a person, the board of county  
39 commissioners or county license board shall require the person to  
40 submit his or her criminal history record which includes a report  
41 from:}~~

42 (a) ~~{The}~~ **Shall submit to the board of county commissioners or**  
43 **county license board a complete set of fingerprints and written**  
44 **permission authorizing the board of county commissioners or**  
45 **county license board to forward those fingerprints to the** Central



1 Repository for Nevada Records of Criminal History ~~[H]~~ *for its report*  
2 *on the criminal history of the person and for submission to the*  
3 *Federal Bureau of Investigation for its report on the criminal*  
4 *history of the person;* and

5 (b) ~~[The Federal Bureau of Investigation.]~~ *Is prohibited from*  
6 *receiving the reports obtained pursuant to paragraph (a).*

7 9. A person who petitions ~~[the]~~ a board of county  
8 commissioners or county license board for a determination pursuant  
9 to subsection 1 shall not submit false or misleading information to  
10 the board of county commissioners or county license board.

11 10. A board of county commissioners or county license board  
12 shall, on or before the 20th day of January, April, July and October,  
13 submit to the Director of the Legislative Counsel Bureau in an  
14 electronic format prescribed by the Director, a report that includes:

15 (a) The number of petitions submitted to ~~[a]~~ *the* board of county  
16 commissioners or county license board pursuant to subsection 1;

17 (b) The number of determinations of disqualification made by  
18 ~~[a]~~ *the* board of county commissioners or county license board  
19 pursuant to subsection 1; *and*

20 (c) *Except as otherwise provided in subsection 11:*

21 (1) The reasons for such determinations; and

22 ~~[(d)]~~ (2) Any other information that is requested by the Director  
23 or which ~~[a]~~ *the* board of county commissioners or county license  
24 board determines would be helpful.

25 11. *A board of county commissioners or county license board*  
26 *shall not include in a report submitted to the Director pursuant to*  
27 *subsection 10 any information concerning the criminal history of*  
28 *a person that is obtained from a report received from the Central*  
29 *Repository for Nevada Records of Criminal History or the Federal*  
30 *Bureau of Investigation pursuant to subsection 8.*

31 12. The Director shall transmit a compilation of the  
32 information received pursuant to subsection 10 to the Legislative  
33 Commission quarterly, unless otherwise directed by the  
34 Commission.

35 **Sec. 5.** NRS 361.2212 is hereby amended to read as follows:

36 361.2212 1. The Department shall develop and implement a  
37 process by which a person with a criminal history may *submit a*  
38 *petition to* the Department ~~[to]~~ *requesting that the Department*  
39 *review the criminal history of the person to determine if the person's*  
40 *criminal history will disqualify the person from obtaining an*  
41 *appraiser's certificate pursuant to NRS 361.221.*

42 2. Not later than 90 days after a petition is submitted to the  
43 Department pursuant to subsection 1, the Department shall inform  
44 the person of the determination of the Department of whether the  
45 person's criminal history will disqualify the person from obtaining



1 ~~[a]~~ *an appraiser's* certificate. The Department is not bound by its  
2 determination of disqualification or qualification and may rescind  
3 such a determination at any time.

4 3. The Department may provide instructions to a person who  
5 receives a determination of disqualification to remedy the  
6 determination of disqualification. A person may resubmit a petition  
7 pursuant to subsection 1 not earlier than 6 months after receiving  
8 instructions pursuant to this subsection if the person remedies the  
9 determination of disqualification.

10 4. A person with a criminal history may *submit a* petition *to*  
11 the Department at any time, including, without limitation, before  
12 obtaining any education or paying any fee required to obtain ~~[a]~~ *an*  
13 *appraiser's* certificate from the Department.

14 5. A person may submit a new petition to the Department not  
15 earlier than 2 years after the final determination of the initial petition  
16 submitted to the Department.

17 6. The Department may impose a fee of up to \$50 upon the  
18 person to fund the administrative costs in complying with the  
19 provisions of this section. The Department may waive such fees or  
20 allow such fees to be covered by funds from a scholarship or grant.

21 7. The Department may post on its Internet website:

22 (a) The requirements to obtain an appraiser's certificate from the  
23 Department; and

24 (b) A list of crimes, if any, that would disqualify a person from  
25 obtaining ~~[a]~~ *an appraiser's* certificate from the Department.

26 8. ~~[The Department may request the criminal history record of~~  
27 ~~a] A~~ person who petitions the Department for a determination  
28 pursuant to subsection 1 : ~~[. To the extent consistent with federal~~  
29 ~~law, if the Department makes such a request of a person, the~~  
30 ~~Department shall require the person to submit his or her criminal~~  
31 ~~history record which includes a report from:]~~

32 (a) ~~[The]~~ *Shall submit to the Department a complete set of*  
33 *fingerprints and written permission authorizing the Department to*  
34 *forward those fingerprints to the* Central Repository for Nevada  
35 Records of Criminal History ~~[:]~~ *for its report on the criminal*  
36 *history of the person and for submission to the Federal Bureau of*  
37 *Investigation for its report on the criminal history of the person;*  
38 and

39 (b) ~~[The Federal Bureau of Investigation.]~~ *Is prohibited from*  
40 *receiving the reports obtained pursuant to paragraph (a).*

41 9. A person who petitions the Department for a determination  
42 pursuant to subsection 1 shall not submit false or misleading  
43 information to the Department.

44 10. The Department shall, on or before the 20th day of January,  
45 April, July and October, submit to the Director of the Legislative



1 Counsel Bureau in an electronic format prescribed by the Director, a  
2 report that includes:

3 (a) The number of petitions submitted to the Department  
4 pursuant to subsection 1;

5 (b) The number of determinations of disqualification made by  
6 the Department pursuant to subsection 1; *and*

7 (c) *Except as otherwise provided in subsection 11:*

8 (1) The reasons for such determinations; and

9 ~~[(d)]~~ (2) Any other information that is requested by the Director  
10 or which the Department determines would be helpful.

11 11. *The Department shall not include in a report submitted to*  
12 *the Director pursuant to subsection 10 any information*  
13 *concerning the criminal history of a person that is obtained from a*  
14 *report received from the Central Repository for Nevada Records of*  
15 *Criminal History or the Federal Bureau of Investigation pursuant*  
16 *to subsection 8.*

17 12. The Director shall transmit a compilation of the  
18 information received pursuant to subsection 10 to the Legislative  
19 Commission quarterly, unless otherwise directed by the  
20 Commission.

21 **Sec. 6.** NRS 379.00785 is hereby amended to read as follows:

22 379.00785 1. The State Library, Archives and Public Records  
23 Administrator shall develop and implement a process by which a  
24 person with a criminal history may *submit a* petition *to* the State  
25 Library, Archives and Public Records Administrator ~~[(a)]~~ *requesting*  
26 *that the State Library, Archives and Public Records Administrator*  
27 *review the criminal history of the person to determine if the person's*  
28 *criminal history will disqualify the person from obtaining a*  
29 *certification by the State Library, Archives and Public Records*  
30 *Administrator of the personnel of public libraries in this State*  
31 *pursuant to NRS 379.0073.*

32 2. Not later than 90 days after a petition is submitted to the  
33 State Library, Archives and Public Records Administrator pursuant  
34 to subsection 1, the State Library, Archives and Public Records  
35 Administrator shall inform the person of the determination of the  
36 State Library, Archives and Public Records Administrator of  
37 whether the person's criminal history will disqualify the person  
38 from obtaining a certification ~~[(b)]~~ *by the State Library, Archives and*  
39 *Public Records Administrator of the personnel of public libraries*  
40 *in this State.* The State Library, Archives and Public Records  
41 Administrator is not bound by his or her determination of  
42 disqualification or qualification and may rescind such a  
43 determination at any time.

44 3. The State Library, Archives and Public Records  
45 Administrator may provide instructions to a person who receives a



1 determination of disqualification to remedy the determination of  
2 disqualification. A person may resubmit a petition pursuant to  
3 subsection 1 not earlier than 6 months after receiving instructions  
4 pursuant to this subsection if the person remedies the determination  
5 of disqualification.

6 4. A person with a criminal history may *submit a petition to*  
7 *the State Library, Archives and Public Records Administrator at any*  
8 *time, including, without limitation, before obtaining any education*  
9 *or paying any fee required to obtain a certification [from] by the*  
10 *State Library, Archives and Public Records Administrator [ ] of the*  
11 *personnel of public libraries in this State.*

12 5. A person may submit a new petition to the State Library,  
13 Archives and Public Records Administrator not earlier than 2 years  
14 after the final determination of the initial petition submitted to the  
15 State Library, Archives and Public Records Administrator.

16 6. The State Library, Archives and Public Records  
17 Administrator may impose a fee of up to \$50 upon the person to  
18 fund the administrative costs in complying with the provisions of  
19 this section. The State Library, Archives and Public Records  
20 Administrator may waive such fees or allow such fees to be covered  
21 by funds from a scholarship or grant.

22 7. The State Library, Archives and Public Records  
23 Administrator may post on its Internet website:

24 (a) The requirements to obtain a certification [from] by the State  
25 Library, Archives and Public Records Administrator [ ] *of the*  
26 *personnel of public libraries in this State;* and

27 (b) A list of crimes, if any, that would disqualify a person from  
28 obtaining a certification [from] by the State Library, Archives and  
29 Public Records Administrator [ ] *of the personnel of public*  
30 *libraries in this State.*

31 ~~8. [The State Library, Archives and Public Records~~  
32 ~~Administrator may request the criminal history record of a] A~~  
33 ~~person who petitions the State Library, Archives and Public Records~~  
34 ~~Administrator for a determination pursuant to subsection 1 : [- To~~  
35 ~~the extent consistent with federal law, if the State Library, Archives~~  
36 ~~and Public Records Administrator makes such a request of a person,~~  
37 ~~the State Library, Archives and Public Records Administrator shall~~  
38 ~~require the person to submit his or her criminal history record which~~  
39 ~~includes a report from:]~~

40 (a) *[The] Shall submit to the State Library, Archives and*  
41 *Public Records Administrator a complete set of fingerprints*  
42 *and written permission authorizing the State Library, Archives*  
43 *and Public Records Administrator to forward those fingerprints to*  
44 *the Central Repository for Nevada Records of Criminal History [ ]*  
45 *for its report on the criminal history of the person and for*



1 *submission to the Federal Bureau of Investigation for its report on*  
2 *the criminal history of the person; and*

3 (b) ~~[(The Federal Bureau of Investigation.)]~~ *Is prohibited from*  
4 *receiving the reports obtained pursuant to paragraph (a).*

5 9. A person who petitions the State Library, Archives and  
6 Public Records Administrator for a determination pursuant to  
7 subsection 1 shall not submit false or misleading information to the  
8 State Library, Archives and Public Records Administrator.

9 10. The State Library, Archives and Public Records  
10 Administrator shall, on or before the 20th day of January, April,  
11 July and October, submit to the Director of the Legislative Counsel  
12 Bureau in an electronic format prescribed by the Director, a report  
13 that includes:

14 (a) The number of petitions submitted to the State Library,  
15 Archives and Public Records Administrator pursuant to  
16 subsection 1;

17 (b) The number of determinations of disqualification made by  
18 the State Library, Archives and Public Records Administrator  
19 pursuant to subsection 1; *and*

20 (c) *Except as otherwise provided in subsection 11:*

21 (1) The reasons for such determinations; and

22 ~~[(d)]~~ (2) Any other information that is requested by the Director  
23 or which the State Library, Archives and Public Records  
24 Administrator determines would be helpful.

25 11. *The State Library, Archives and Public Records*  
26 *Administrator shall not include in a report submitted to the*  
27 *Director pursuant to subsection 10 any information concerning*  
28 *the criminal history of a person that is obtained from a report*  
29 *received from the Central Repository for Nevada Records of*  
30 *Criminal History or the Federal Bureau of Investigation pursuant*  
31 *to subsection 8.*

32 12. The Director shall transmit a compilation of the  
33 information received pursuant to subsection 10 to the Legislative  
34 Commission quarterly, unless otherwise directed by the  
35 Commission.

36 **Sec. 7.** NRS 388A.516 is hereby amended to read as follows:

37 388A.516 1. A volunteer who is likely to have unsupervised  
38 contact with pupils is not required to submit fingerprints to the  
39 governing body of a charter school pursuant to NRS 388A.515 if the  
40 volunteer submits to the governing body a completed verification  
41 form prescribed by the Department, a statement from ~~[(an)]~~ *a public*  
42 *entity* described in this subsection that is acceptable to the governing  
43 body or other sufficient evidence, or the governing body otherwise  
44 determines, that:





1 (a) Not more than 6 months before the date on which the  
2 volunteer is required by NRS 388A.515 to submit his or her  
3 fingerprints, a federal, state or local governmental entity ~~for~~  
4 ~~nonprofit entity~~ determined the volunteer to be eligible to interact  
5 with pupils at school as a volunteer; ~~and~~

6 (b) It is the policy of the **public** entity to conduct an  
7 investigation into the criminal background of a volunteer who will  
8 interact with pupils at school and that investigation ~~is~~

9 ~~— (1) Includes the submission of fingerprints to the Federal~~  
10 ~~Bureau of Investigation; and~~

11 ~~— (2) Meets~~ *meets the requirements of paragraph (c) and* any  
12 other requirements prescribed by regulation of the State Board ~~is~~ ;  
13 *and*

14 (c) *For the purposes of the investigation conducted pursuant*  
15 *to paragraph (b):*

16 (1) *A statute of this State expressly requires a volunteer*  
17 *who will interact with pupils at school to submit a complete set of*  
18 *his or her fingerprints to the public entity and written permission*  
19 *authorizing the public entity to forward those fingerprints to the*  
20 *Central Repository for Nevada Records of Criminal History for its*  
21 *report on the criminal history of the volunteer and for submission*  
22 *to the Federal Bureau of Investigation for its report on the*  
23 *criminal history of the volunteer;*

24 (2) *The statute expressly requiring the volunteer to submit*  
25 *his or her fingerprints in accordance with subparagraph (1) has*  
26 *been reviewed and approved by the Federal Bureau of*  
27 *Investigation as satisfying the requirements of federal law; and*

28 (3) *The investigation was conducted pursuant to the statute*  
29 *described in subparagraphs (1) and (2).*

30 2. In addition to the exception described in subsection 1, a  
31 volunteer who is likely to have unsupervised contact with pupils is  
32 not required to submit fingerprints to the governing body of a  
33 charter school pursuant to NRS 388A.515 if the volunteer submits  
34 to the governing body a completed verification form prescribed by  
35 the Department, a statement from ~~an~~ **a public** entity described in  
36 this subsection that is acceptable to the governing body or other  
37 sufficient evidence, or the governing body otherwise determines  
38 that:

39 (a) The volunteer is employed by a federal, state or local  
40 governmental entity which has determined that the person is eligible  
41 to have unrestricted interaction with pupils as part of his or her  
42 official duties, which may include an unsupervised meeting with a  
43 pupil at a school; ~~and~~

44 (b) It is the policy of the **public** entity to conduct an  
45 investigation into the criminal background of an employee who will



1 have unrestricted interaction with pupils as part of his or her official  
2 duties and that investigation ~~[-~~

3 ~~— (1) Includes the submission of fingerprints to the Federal~~  
4 ~~Bureau of Investigation; and-~~

5 ~~— (2) Meets]~~ *meets the requirements of paragraph (c) and* any  
6 other requirements prescribed by regulation of the State Board ~~[-~~ ;  
7 *and*

8 *(c) For the purposes of the investigation conducted pursuant*  
9 *to paragraph (b):*

10 *(1) A statute of this State expressly requires an employee*  
11 *who will have unrestricted interaction with pupils as part of his or*  
12 *her official duties to submit a complete set of his or her*  
13 *fingerprints to the public entity and written permission authorizing*  
14 *the public entity to forward those fingerprints to the Central*  
15 *Repository for Nevada Records of Criminal History for its report*  
16 *on the criminal history of the employee and for submission to the*  
17 *Federal Bureau of Investigation for its report on the criminal*  
18 *history of the employee;*

19 *(2) The statute expressly requiring the employee to submit*  
20 *his or her fingerprints in accordance with subparagraph (1) has*  
21 *been reviewed and approved by the Federal Bureau of*  
22 *Investigation as satisfying the requirements of federal law; and*

23 *(3) The investigation was conducted pursuant to the statute*  
24 *described in subparagraphs (1) and (2).*

25 3. In addition to the exceptions described in subsections 1 and  
26 2, a volunteer who is likely to have unsupervised contact with pupils  
27 is not required to submit fingerprints to the governing body of a  
28 charter school pursuant to NRS 388A.515 if the volunteer submits  
29 to the governing body a completed form prescribed by the  
30 Department, a statement from ~~[an]~~ *a public* entity described in this  
31 subsection that is acceptable to the governing body or other  
32 sufficient evidence, or the governing body otherwise determines  
33 that:

34 (a) Not more than 6 months before the date on which the  
35 volunteer is required by NRS 388A.515 to submit his or her  
36 fingerprints, ~~[an]~~ *a public* entity included on the list of entities  
37 compiled by the Department pursuant to NRS 391.106 determined  
38 the volunteer to be eligible for employment or licensure or to serve  
39 as a volunteer; ~~[and]~~

40 (b) It is the policy of the *public* entity to conduct an  
41 investigation into the criminal background of an employee, licensee  
42 or volunteer, as applicable, and that investigation ~~[-~~

43 ~~— (1) Includes the submission of fingerprints to the Federal~~  
44 ~~Bureau of Investigation; and-~~



1 ~~— (2) Meets]~~ *meets the requirements of paragraph (c) and* any  
2 other requirements prescribed by regulation of the State Board ~~[ ]~~ ;  
3 *and*

4 *(c) For the purposes of the investigation conducted pursuant*  
5 *to paragraph (b):*

6 *(1) A statute of this State expressly requires an employee,*  
7 *licensee or volunteer, as applicable, to submit a complete set of his*  
8 *or her fingerprints to the public entity and written permission*  
9 *authorizing the public entity to forward those fingerprints to the*  
10 *Central Repository for Nevada Records of Criminal History for its*  
11 *report on the criminal history of the employee, licensee or*  
12 *volunteer, as applicable, and for submission to the Federal*  
13 *Bureau of Investigation for its report on the criminal history of*  
14 *the employee, licensee or volunteer, as applicable;*

15 *(2) The statute expressly requiring the employee, licensee*  
16 *or volunteer, as applicable, to submit his or her fingerprints in*  
17 *accordance with subparagraph (1) has been reviewed and*  
18 *approved by the Federal Bureau of Investigation as satisfying the*  
19 *requirements of federal law; and*

20 *(3) The investigation was conducted pursuant to the statute*  
21 *described in subparagraphs (1) and (2).*

22 4. In addition to the exceptions described in subsections 1, 2  
23 and 3, a volunteer who is likely to have unsupervised contact with  
24 pupils is not required to submit fingerprints to the governing body  
25 of a charter school pursuant to NRS 388A.515 if:

26 (a) The volunteer submits to the governing body a completed  
27 verification form prescribed by the Department, a statement from  
28 ~~[an]~~ *a public* entity described in this subsection that is acceptable to  
29 the governing body or other sufficient evidence, or the governing  
30 body otherwise determines, that:

31 (1) Not more than 6 months before the date on which the  
32 volunteer is required by NRS 388A.515 to submit his or her  
33 fingerprints, ~~[an]~~ *a public* entity that is not included on the list of  
34 entities compiled by the Department pursuant to NRS 391.106  
35 determined the volunteer to be eligible for employment or licensure  
36 or to serve as a volunteer; ~~[and]~~

37 (2) It is the policy of the *public* entity to conduct an  
38 investigation into the criminal background of an employee, licensee  
39 or volunteer, as applicable, and that investigation ~~[ ]~~:

40 ~~— (I) Includes the submission of fingerprints to the Federal~~  
41 ~~Bureau of Investigation; and~~

42 ~~— (II) Meets]~~ *meets the requirements of subparagraph (3)*  
43 *and* any other requirements prescribed by regulation of the State  
44 Board; *and*



1           (3) *For the purposes of the investigation conducted*  
2 *pursuant to subparagraph (2):*

3           (I) *A statute of this State expressly requires an*  
4 *employee, licensee or volunteer, as applicable, to submit a*  
5 *complete set of his or her fingerprints to the public entity and*  
6 *written permission authorizing the public entity to forward those*  
7 *fingerprints to the Central Repository for Nevada Records of*  
8 *Criminal History for its report on the criminal history of the*  
9 *employee, licensee or volunteer, as applicable, and for submission*  
10 *to the Federal Bureau of Investigation for its report on the*  
11 *criminal history of the employee, licensee or volunteer, as*  
12 *applicable;*

13           (II) *The statute expressly requiring the employee,*  
14 *licensee or volunteer, as applicable, to submit his or her*  
15 *fingerprints in accordance with sub-subparagraph (I) has been*  
16 *reviewed and approved by the Federal Bureau of Investigation as*  
17 *satisfying the requirements of federal law; and*

18           (III) *The investigation was conducted pursuant to the*  
19 *statute described in sub-subparagraphs (I) and (II);*

20           (b) The governing body determines that the investigation  
21 described in paragraph (a) is at least as stringent as an investigation  
22 into the criminal background of a volunteer conducted pursuant to  
23 NRS 388A.515; and

24           (c) The governing body accepts the investigation. A governing  
25 body may, in its discretion, accept or reject an investigation  
26 described in this subsection for any reason.

27           5. In addition to the exceptions described in subsections 1 to 4,  
28 inclusive, a volunteer who is likely to have unsupervised contact  
29 with pupils is not required to submit fingerprints to the governing  
30 body of a charter school pursuant to NRS 388A.515 if :

31           (a) *A statute of this State expressly requires the volunteer*  
32 ~~*[submits] to submit a complete set of his or her fingerprints to*~~  
33 ~~*another public entity [authorized to forward fingerprints to the*~~  
34 ~~*Central Repository for Nevada Records of Criminal History a*~~  
35 ~~*complete set of the volunteer's fingerprints]*~~ and written permission  
36 authorizing the *public* entity to forward the fingerprints to the  
37 Central Repository for its report on the criminal history of the  
38 volunteer and for submission to the Federal Bureau of Investigation  
39 for its report on the criminal history of the volunteer ~~[ ]~~;

40           (b) *The statute expressly requiring the volunteer to submit his*  
41 *or her fingerprints in accordance with paragraph (a) has been*  
42 *reviewed and approved by the Federal Bureau of Investigation as*  
43 *satisfying the requirements of federal law; and*

44           (c) *The volunteer submitted his or her fingerprints to the*  
45 *public entity in accordance with the statute not more than 6*



1 *months before the date on which the volunteer is required by NRS*  
2 *388A.515 to submit his or her fingerprints and written permission.*

3 **Sec. 8.** NRS 388C.205 is hereby amended to read as follows:

4 388C.205 1. A volunteer who is likely to have unsupervised  
5 contact with pupils is not required to submit fingerprints to the  
6 governing body of a university school for profoundly gifted pupils  
7 pursuant to NRS 388C.200 if the volunteer submits to the governing  
8 body a completed verification form prescribed by the Department, a  
9 statement from ~~an~~ *a public* entity described in this subsection that  
10 is acceptable to the governing body or other sufficient evidence, or  
11 the governing body otherwise determines, that:

12 (a) Not more than 6 months before the date on which the  
13 volunteer is required by NRS 388C.200 to submit his or her  
14 fingerprints, a federal, state or local governmental entity ~~for~~  
15 ~~nonprofit entity~~ determined the volunteer to be eligible to interact  
16 with pupils at school as a volunteer; ~~and~~

17 (b) It is the policy of the *public* entity to conduct an  
18 investigation into the criminal background of a volunteer who will  
19 interact with pupils at school and that investigation ~~is~~:

20 ~~— (1) Includes the submission of fingerprints to the Federal~~  
21 ~~Bureau of Investigation; and~~

22 ~~— (2) Meets~~ *meets the requirements of paragraph (c) and* any  
23 other requirements prescribed by regulation of the State Board ~~is~~ ;  
24 *and*

25 *(c) For the purposes of the investigation conducted pursuant*  
26 *to paragraph (b):*

27 *(1) A statute of this State expressly requires a volunteer*  
28 *who will interact with pupils at school to submit a complete set of*  
29 *his or her fingerprints to the public entity and written permission*  
30 *authorizing the public entity to forward those fingerprints to the*  
31 *Central Repository for Nevada Records of Criminal History for its*  
32 *report on the criminal history of the volunteer and for submission*  
33 *to the Federal Bureau of Investigation for its report on the*  
34 *criminal history of the volunteer;*

35 *(2) The statute expressly requiring the volunteer to submit*  
36 *his or her fingerprints in accordance with subparagraph (1) has*  
37 *been reviewed and approved by the Federal Bureau of*  
38 *Investigation as satisfying the requirements of federal law; and*

39 *(3) The investigation was conducted pursuant to the statute*  
40 *described in subparagraphs (1) and (2).*

41 2. In addition to the exception described in subsection 1, a  
42 volunteer who is likely to have unsupervised contact with pupils is  
43 not required to submit fingerprints to the governing body of a  
44 university school for profoundly gifted pupils pursuant to NRS  
45 388C.200 if the volunteer submits to the governing body a



1 completed verification form prescribed by the Department, a  
2 statement from ~~an~~ **a public** entity described in this subsection that  
3 is acceptable to the governing body or other sufficient evidence, or  
4 the governing body otherwise determines that:

5 (a) The volunteer is employed by a federal, state or local  
6 governmental entity which has determined that the person is eligible  
7 to have unrestricted interaction with pupils as part of his or her  
8 official duties, which may include an unsupervised meeting with a  
9 pupil at a school; ~~and~~

10 (b) It is the policy of the **public** entity to conduct an  
11 investigation into the criminal background of an employee who will  
12 have unrestricted interaction with pupils as part of his or her official  
13 duties and that investigation ~~is~~

14 ~~— (1) Includes the submission of fingerprints to the Federal~~  
15 ~~Bureau of Investigation; and~~

16 ~~— (2) Meets~~ **meets the requirements of paragraph (c) and** any  
17 other requirements prescribed by regulation of the State Board ~~is~~ ;  
18 **and**

19 **(c) For the purposes of the investigation conducted pursuant**  
20 **to paragraph (b):**

21 **(1) A statute of this State expressly requires an employee**  
22 **who will have unrestricted interaction with pupils as part of his or**  
23 **her official duties to submit a complete set of his or her**  
24 **fingerprints to the public entity and written permission authorizing**  
25 **the public entity to forward those fingerprints to the Central**  
26 **Repository for Nevada Records of Criminal History for its report**  
27 **on the criminal history of the employee and for submission to the**  
28 **Federal Bureau of Investigation for its report on the criminal**  
29 **history of the employee;**

30 **(2) The statute expressly requiring the employee to submit**  
31 **his or her fingerprints in accordance with subparagraph (1) has**  
32 **been reviewed and approved by the Federal Bureau of**  
33 **Investigation as satisfying the requirements of federal law; and**

34 **(3) The investigation was conducted pursuant to the statute**  
35 **described in subparagraphs (1) and (2).**

36 3. In addition to the exceptions described in subsections 1 and  
37 2, a volunteer who is likely to have unsupervised contact with pupils  
38 is not required to submit fingerprints to the governing body of a  
39 university school for profoundly gifted pupils pursuant to NRS  
40 388C.200 if the volunteer submits to the governing body a  
41 completed form prescribed by the Department, a statement from  
42 ~~an~~ **a public** entity described in this subsection that is acceptable to  
43 the governing body or other sufficient evidence, or the governing  
44 body otherwise determines that:



1 (a) Not more than 6 months before the date on which the  
2 volunteer is required by NRS 388C.200 to submit his or her  
3 fingerprints, ~~and~~ a public entity included on the list of entities  
4 compiled by the Department pursuant to NRS 391.106 determined  
5 the volunteer to be eligible for employment or licensure or to serve  
6 as a volunteer; ~~and~~

7 (b) It is the policy of the public entity to conduct an  
8 investigation into the criminal background of an employee, licensee  
9 or volunteer, as applicable, and that investigation ~~is~~

10 ~~— (1) Included the submission of fingerprints to the Federal~~  
11 ~~Bureau of Investigation; and~~

12 ~~— (2) Meets~~ meets the requirements of paragraph (c) and any  
13 other requirements prescribed by regulation of the State Board ~~is~~ ;  
14 and

15 (c) For the purposes of the investigation conducted pursuant  
16 to paragraph (b):

17 (1) A statute of this State expressly requires an employee,  
18 licensee or volunteer, as applicable, to submit a complete set of his  
19 or her fingerprints to the public entity and written permission  
20 authorizing the public entity to forward those fingerprints to the  
21 Central Repository for Nevada Records of Criminal History for its  
22 report on the criminal history of the employee, licensee or  
23 volunteer, as applicable, and for submission to the Federal  
24 Bureau of Investigation for its report on the criminal history of  
25 the employee, licensee or volunteer, as applicable;

26 (2) The statute expressly requiring the employee, licensee  
27 or volunteer, as applicable, to submit his or her fingerprints in  
28 accordance with subparagraph (1) has been reviewed and  
29 approved by the Federal Bureau of Investigation as satisfying the  
30 requirements of federal law; and

31 (3) The investigation was conducted pursuant to the statute  
32 described in subparagraphs (1) and (2).

33 4. In addition to the exceptions described in subsections 1, 2  
34 and 3, a volunteer who is likely to have unsupervised contact with  
35 pupils is not required to submit fingerprints to the governing body  
36 of a university school for profoundly gifted pupils pursuant to NRS  
37 388C.200 if:

38 (a) The volunteer submits to the governing body a completed  
39 verification form prescribed by the Department, a statement from  
40 ~~and~~ a public entity described in this subsection that is acceptable to  
41 the governing body or other sufficient evidence, or the governing  
42 body otherwise determines, that:

43 (1) Not more than 6 months before the date on which the  
44 volunteer is required by NRS 388C.200 to submit his or her  
45 fingerprints, ~~and~~ a public entity that is not included on the list of



1 entities compiled by the Department pursuant to NRS 391.106  
2 determined the volunteer to be eligible for employment or licensure  
3 or to serve as a volunteer; ~~and~~

4 (2) It is the policy of the *public* entity to conduct an  
5 investigation into the criminal background of an employee, licensee  
6 or volunteer, as applicable, and that investigation ~~is~~

7 ~~(I) Included the submission of fingerprints to the Federal~~  
8 ~~Bureau of Investigation; and~~

9 ~~(II) Meets~~ *meets the requirements of subparagraph (3)*  
10 *and* any other requirements prescribed by regulation of the State  
11 Board; *and*

12 (3) *For the purposes of the investigation conducted*  
13 *pursuant to subparagraph (2):*

14 (I) *A statute of this State expressly requires the*  
15 *employee, licensee or volunteer, as applicable, to submit a*  
16 *complete set of his or her fingerprints to the public entity and*  
17 *written permission authorizing the public entity to forward those*  
18 *fingerprints to the Central Repository for Nevada Records of*  
19 *Criminal History for its report on the criminal history of the*  
20 *employee, licensee or volunteer, as applicable, and for submission*  
21 *to the Federal Bureau of Investigation for its report on the*  
22 *criminal history of the employee, licensee or volunteer, as*  
23 *applicable;*

24 (II) *The statute expressly requiring the employee,*  
25 *licensee or volunteer, as applicable, to submit his or her*  
26 *fingerprints in accordance with sub-subparagraph (I) has been*  
27 *reviewed and approved by the Federal Bureau of Investigation as*  
28 *satisfying the requirements of federal law; and*

29 (III) *The investigation was conducted pursuant to the*  
30 *statute described in sub-subparagraphs (I) and (II);*

31 (b) The governing body determines that the investigation  
32 described in paragraph (a) is at least as stringent as an investigation  
33 into the criminal background of a volunteer conducted pursuant to  
34 NRS 388C.200; and

35 (c) The governing body accepts the investigation. A governing  
36 body may, in its discretion, accept or reject an investigation  
37 described in this subsection for any reason.

38 5. In addition to the exceptions described in subsections 1 to 4,  
39 inclusive, a volunteer who is likely to have unsupervised contact  
40 with pupils is not required to submit fingerprints to the governing  
41 body of a university school for profoundly gifted pupils pursuant to  
42 NRS 388C.200 if :

43 (a) *A statute of this State expressly requires* the volunteer  
44 ~~submits~~ *to submit a complete set of his or her fingerprints* to  
45 another *public* entity ~~authorized to forward fingerprints to the~~





1 ~~Central Repository for Nevada Records of Criminal History a~~  
2 ~~complete set of the volunteer's fingerprints]~~ and written permission  
3 authorizing the *public* entity to forward the fingerprints to the  
4 Central Repository for its report on the criminal history of the  
5 volunteer and for submission to the Federal Bureau of Investigation  
6 for its report on the criminal history of the volunteer ~~];~~;

7 *(b) The statute expressly requiring the volunteer to submit his*  
8 *or her fingerprints in accordance with paragraph (a) has been*  
9 *reviewed and approved by the Federal Bureau of Investigation as*  
10 *satisfying the requirements of federal law; and*

11 *(c) The volunteer submitted his or her fingerprints to the*  
12 *public entity in accordance with the statute not more than 6*  
13 *months before the date on which the volunteer is required by NRS*  
14 *388C.200 to submit his or her fingerprints.*

15 **Sec. 9.** NRS 391.033 is hereby amended to read as follows:

16 391.033 1. All licenses for teachers and other educational  
17 personnel are granted by the Superintendent of Public Instruction  
18 pursuant to regulations adopted by the Commission and as  
19 otherwise provided by law.

20 2. An application for the issuance of a license must include the  
21 social security number of the applicant.

22 3. Every applicant for a license must submit with his or her  
23 application:

24 (a) A complete set of his or her fingerprints and written  
25 permission authorizing the Superintendent to forward the  
26 fingerprints to the Central Repository for Nevada Records of  
27 Criminal History for its initial report on the criminal history of the  
28 applicant and for reports thereafter upon renewal of the license  
29 pursuant to subsection 8 of NRS 179A.075, and for submission to  
30 the Federal Bureau of Investigation for its report on the criminal  
31 history of the applicant; and

32 (b) Written authorization for the Superintendent to obtain any  
33 information concerning the applicant that may be available from the  
34 Statewide Central Registry and any equivalent registry maintained  
35 by a governmental entity in a jurisdiction in which the applicant has  
36 resided within the immediately preceding 5 years.

37 4. In conducting an investigation into the background of an  
38 applicant for a license, the Superintendent may cooperate with any  
39 appropriate law enforcement agency to obtain information relating  
40 to the criminal history of the applicant, including, without  
41 limitation, any record of warrants for the arrest of or applications for  
42 protective orders against the applicant.

43 5. The Superintendent may issue a provisional license pending  
44 receipt of the reports of the Federal Bureau of Investigation and the



1 Central Repository for Nevada Records of Criminal History if the  
2 Superintendent determines that the applicant is otherwise qualified.

3 6. Except as otherwise provided in subsection 8, a license must  
4 be issued to, or renewed for, as applicable, an applicant if:

5 (a) The Superintendent determines that the applicant is  
6 qualified;

7 (b) The information obtained by the Superintendent pursuant to  
8 subsections 3 and 4:

9 (1) Does not indicate that the applicant has been convicted of  
10 a felony or any offense involving moral turpitude or indicates that  
11 the applicant has been convicted of a felony or an offense involving  
12 moral turpitude but the Superintendent determines that the  
13 conviction is unrelated to the position within the county school  
14 district or charter school for which the applicant applied or for  
15 which he or she is currently employed, as applicable;

16 (2) Does not indicate that there has been a substantiated  
17 report of abuse or neglect of a child, as defined in NRS 432B.020,  
18 or a violation of NRS 201.540, 201.560, 392.4633 or 394.366 made  
19 against the applicant in any state; and

20 (3) Does not indicate that the applicant has a warrant for his  
21 or her arrest; and

22 (c) For initial licensure, the applicant submits the statement  
23 required pursuant to NRS 391.034.

24 7. If, pursuant to subparagraph (2) of paragraph (b) of  
25 subsection 6, the information indicates that a substantiated report  
26 has been made against the applicant in any state, the Superintendent  
27 shall:

28 (a) Suspend the application process;

29 (b) Notify the applicant of the substantiated report; and

30 (c) Provide the applicant an opportunity to rebut the  
31 substantiated report.

32 8. The Superintendent may deny an application for a license  
33 pursuant to this section if:

34 (a) A report on the criminal history of the applicant from the  
35 Federal Bureau of Investigation or the Central Repository for  
36 Nevada Records of Criminal History indicates that the applicant has  
37 been arrested for or charged with a sexual offense involving a minor  
38 or pupil, including, without limitation, any attempt, solicitation or  
39 conspiracy to commit such an offense; and

40 (b) The Superintendent provides to the applicant:

41 (1) Written notice of his or her intent to deny the application;  
42 and

43 (2) An opportunity for the applicant to have a hearing.

44 9. To request a hearing pursuant to subsection 8, an applicant  
45 must submit a written request to the Superintendent within 15 days



1 after receipt of the notice by the applicant. Such a hearing must be  
2 conducted in accordance with regulations adopted by the State  
3 Board. If no request for a hearing is filed within that time, the  
4 Superintendent may deny the license.

5 10. If the Superintendent denies an application for a license  
6 pursuant to this section, the Superintendent must, within 15 days  
7 after the date on which the application is denied, provide notice of  
8 the denial to the school district or charter school that employs the  
9 applicant if the applicant is employed by a school district or charter  
10 school. Such a notice must not state the reasons for denial.

11 11. ~~{The Department shall:~~

12 ~~— (a) Maintain a list of the names of persons whose applications~~  
13 ~~for a license are denied due to conviction of a sexual offense~~  
14 ~~involving a minor;~~

15 ~~— (b) Update the list maintained pursuant to paragraph (a)~~  
16 ~~monthly; and~~

17 ~~— (c) Provide this list to the board of trustees of a school district or~~  
18 ~~the governing body of a charter school upon request.~~

19 ~~— 12. The Superintendent shall forward all information obtained~~  
20 ~~from an investigation of an applicant pursuant to subsections 3 and 4~~  
21 ~~to the board of trustees of a school district, the governing body of a~~  
22 ~~charter school or university school for profoundly gifted pupils or~~  
23 ~~the administrator of a private school where the applicant is~~  
24 ~~employed or seeking employment. Except as otherwise provided in~~  
25 ~~this section, any information shared with the board of trustees of~~  
26 ~~a school district, the governing body of a charter school or~~  
27 ~~university school for profoundly gifted pupils or the administrator of~~  
28 ~~a private school is confidential and must not be disclosed to any~~  
29 ~~person other than the applicant. The board of trustees, governing~~  
30 ~~body or administrator, as applicable, may use a substantiated report~~  
31 ~~of the abuse or neglect of a child, as defined in NRS 392.281, or a~~  
32 ~~violation of NRS 201.540, 201.560, 392.4633 or 394.366 obtained~~  
33 ~~from the Statewide Central Registry or an equivalent registry~~  
34 ~~maintained by a governmental agency in another jurisdiction:~~

35 ~~— (a) In making determinations concerning assignments, requiring~~  
36 ~~retraining, imposing discipline, hiring or termination; and~~

37 ~~— (b) In any proceedings to which the report is relevant, including,~~  
38 ~~without limitation, an action for trespass or a restraining order.~~

39 ~~— 13.] The Superintendent [, the board of trustees of a school~~  
40 ~~district, the governing body of a charter school or university school~~  
41 ~~for profoundly gifted pupils or the administrator of a private school]~~  
42 ~~may not be held liable for damages resulting from any action of the~~  
43 ~~Superintendent [, board of trustees, governing body or administrator,~~  
44 ~~as applicable,] authorized by subsection 4 . ~~{or 12-~~~~



1 ~~—14.]~~ **12.** The Superintendent may enter into reciprocal  
2 agreements with appropriate officials of other countries concerning  
3 the licensing of teachers.

4 ~~[15.]~~ **13.** As used in this section, “sexual offense” has the  
5 meaning ascribed to it in NRS 179D.097.

6 **Sec. 10.** NRS 391.100 is hereby amended to read as follows:

7 391.100 1. The board of trustees of a school district may  
8 employ a superintendent of schools, teachers and all other necessary  
9 employees.

10 2. The board of trustees of a school district:

11 (a) May employ teacher aides and ~~{other—auxiliary,~~  
12 ~~nonprofessional—personnel}~~ **paraprofessionals** to assist licensed  
13 personnel in the instruction or supervision of children, either in the  
14 classroom or at any other place in the school or on the grounds  
15 thereof. A person who is employed as a paraprofessional by a school  
16 district to work in a program supported with Title I money must  
17 possess the requirements prescribed by the State Board pursuant to  
18 NRS 391.094.

19 (b) Shall establish policies governing the duties and  
20 performance of teacher aides.

21 **Sec. 11.** NRS 391.105 is hereby amended to read as follows:

22 391.105 1. A volunteer who is likely to have unsupervised  
23 contact with pupils is not required to submit fingerprints to the  
24 board of trustees of a school district pursuant to NRS 391.104 if the  
25 volunteer submits to the board of trustees a completed verification  
26 form prescribed by the Department, a statement from ~~{an}~~ **a public**  
27 entity described in this subsection that is acceptable to the board of  
28 trustees or other sufficient evidence, or the board of trustees  
29 otherwise determines, that:

30 (a) Not more than 6 months before the date on which the  
31 volunteer is required by NRS 391.104 to submit his or her  
32 fingerprints, a federal, state or local governmental entity ~~{or~~  
33 ~~nonprofit entity}~~ determined the volunteer to be eligible to interact  
34 with pupils at school as a volunteer; ~~{and}~~

35 (b) It is the policy of the **public** entity to conduct an  
36 investigation into the criminal background of a volunteer who will  
37 interact with pupils at school and that investigation ~~{:~~

38 ~~—(1) Includes the submission of fingerprints to the Federal~~  
39 ~~Bureau of Investigation; and~~

40 ~~—(2) Meets}~~ **meets the requirements of paragraph (c) and** any  
41 other requirements prescribed by regulation of the State Board ~~{;~~  
42 **and**

43 **(c) For the purposes of the investigation conducted pursuant**  
44 **to paragraph (b):**



1           (1) *A statute of this State expressly requires a volunteer*  
2 *who will interact with pupils at school to submit a complete set of*  
3 *his or her fingerprints to the public entity and written permission*  
4 *authorizing the public entity to forward those fingerprints to the*  
5 *Central Repository for Nevada Records of Criminal History for its*  
6 *report on the criminal history of the volunteer and for submission*  
7 *to the Federal Bureau of Investigation for its report on the*  
8 *criminal history of the volunteer;*

9           (2) *The statute expressly requiring the volunteer to submit*  
10 *his or her fingerprints in accordance with subparagraph (1) has*  
11 *been reviewed and approved by the Federal Bureau of*  
12 *Investigation as satisfying the requirements of federal law; and*

13           (3) *The investigation was conducted pursuant to the statute*  
14 *described in subparagraphs (1) and (2).*

15           2. In addition to the exception described in subsection 1, a  
16 volunteer who is likely to have unsupervised contact with pupils is  
17 not required to submit fingerprints to the board of trustees of a  
18 school district pursuant to NRS 391.104 if the volunteer submits to  
19 the board of trustees a completed verification form prescribed by the  
20 Department, a statement from ~~an~~ a public entity described in this  
21 subsection that is acceptable to the board of trustees or other  
22 sufficient evidence, or the board of trustees otherwise determines  
23 that:

24           (a) The volunteer is employed by a federal, state or local  
25 governmental entity which has determined that the person is eligible  
26 to have unrestricted interaction with pupils as part of his or her  
27 official duties, which may include an unsupervised meeting with a  
28 pupil at a school; ~~and~~

29           (b) It is the policy of the public entity to conduct an  
30 investigation into the criminal background of an employee who will  
31 have unrestricted interaction with pupils as part of his or her official  
32 duties and that investigation ~~is~~

33 ~~— (1) Includes the submission of fingerprints to the Federal~~  
34 ~~Bureau of Investigation; and~~

35 ~~— (2) Meets] meets the requirements of paragraph (c) and~~ any  
36 other requirements prescribed by regulation of the State Board ~~is~~ ;  
37 ~~and~~

38           (c) *For the purposes of the investigation conducted pursuant*  
39 *to paragraph (b):*

40           (1) *A statute of this State expressly requires an employee*  
41 *who will have unrestricted interaction with pupils as part of his or*  
42 *her official duties to submit a complete set of his or her*  
43 *fingerprints to the public entity and written permission authorizing*  
44 *the public entity to forward those fingerprints to the Central*  
45 *Repository for Nevada Records of Criminal History for its report*



1 *on the criminal history of the employee and for submission to the*  
2 *Federal Bureau of Investigation for its report on the criminal*  
3 *history of the employee;*

4 (2) *The statute expressly requiring the employee to submit*  
5 *his or her fingerprints in accordance with subparagraph (1) has*  
6 *been reviewed and approved by the Federal Bureau of*  
7 *Investigation as satisfying the requirements of federal law; and*

8 (3) *The investigation was conducted pursuant to the statute*  
9 *described in subparagraphs (1) and (2).*

10 3. In addition to the exceptions described in subsections 1 and  
11 2, a volunteer who is likely to have unsupervised contact with pupils  
12 is not required to submit fingerprints to the board of trustees of a  
13 school district pursuant to NRS 391.104 if the volunteer submits to  
14 the board of trustees a completed form prescribed by the  
15 Department, a statement from ~~an~~ a public entity described in this  
16 subsection that is acceptable to the board of trustees or other  
17 sufficient evidence, or the board of trustees otherwise determines  
18 that:

19 (a) Not more than 6 months before the date on which the  
20 volunteer is required by NRS 391.104 to submit his or her  
21 fingerprints, ~~an~~ a public entity included on the list of entities  
22 compiled by the Department pursuant to NRS 391.106 determined  
23 the volunteer to be eligible for employment or licensure or to serve  
24 as a volunteer; ~~and~~

25 (b) It is the policy of the public entity to conduct an  
26 investigation into the criminal background of an employee, licensee  
27 or volunteer, as applicable, and that investigation ~~is~~

28 ~~— (1) Included the submission of fingerprints to the Federal~~  
29 ~~Bureau of Investigation; and~~

30 ~~— (2) Meets] meets the requirements of paragraph (c) and~~ any  
31 other requirements prescribed by regulation of the State Board ~~is~~ ;  
32 and

33 (c) *For the purposes of the investigation conducted pursuant*  
34 *to paragraph (b):*

35 (1) *A statute of this State expressly requires an employee,*  
36 *licensee or volunteer, as applicable, to submit a complete set of his*  
37 *or her fingerprints to the public entity and written permission*  
38 *authorizing the public entity to forward those fingerprints to the*  
39 *Central Repository for Nevada Records of Criminal History for its*  
40 *report on the criminal history of the employee, licensee or*  
41 *volunteer, as applicable, and for submission to the Federal*  
42 *Bureau of Investigation for its report on the criminal history of*  
43 *the employee, licensee or volunteer, as applicable;*

44 (2) *The statute expressly requiring the employee, licensee*  
45 *or volunteer, as applicable, to submit his or her fingerprints in*



1 *accordance with subparagraph (1) has been reviewed and*  
2 *approved by the Federal Bureau of Investigation as satisfying the*  
3 *requirements of federal law; and*

4 *(3) The investigation was conducted pursuant to the statute*  
5 *described in subparagraphs (1) and (2).*

6 4. In addition to the exceptions described in subsections 1, 2  
7 and 3, a volunteer who is likely to have unsupervised contact with  
8 pupils is not required to submit fingerprints to the board of trustees  
9 of a school district pursuant to NRS 391.104 if:

10 (a) The volunteer submits to the board of trustees a completed  
11 verification form prescribed by the Department, a statement from  
12 ~~{an}~~ *a public* entity described in this subsection that is acceptable to  
13 the board of trustees or other sufficient evidence, or the board of  
14 trustees otherwise determines, that:

15 (1) Not more than 6 months before the date on which the  
16 volunteer is required by NRS 391.104 to submit his or her  
17 fingerprints, ~~{an}~~ *a public* entity that is not included on the list of  
18 entities compiled by the Department pursuant to NRS 391.106  
19 determined the volunteer to be eligible for employment or licensure  
20 or to serve as a volunteer; ~~{and}~~

21 (2) It is the policy of the *public* entity to conduct an  
22 investigation into the criminal background of an employee, licensee  
23 or volunteer, as applicable, and that investigation ~~{:~~

24 ~~———— (I) Included the submission of fingerprints to the Federal~~  
25 ~~Bureau of Investigation; and~~

26 ~~———— (II) Meets} meets the requirements of subparagraph (3)~~  
27 *and* any other requirements prescribed by regulation of the State  
28 Board; *and*

29 *(3) For the purposes of the investigation conducted*  
30 *pursuant to subparagraph (2):*

31 *(I) A statute of this State expressly requires an*  
32 *employee, licensee or volunteer, as applicable, to submit a*  
33 *complete set of his or her fingerprints to the public entity and*  
34 *written permission authorizing the public entity to forward those*  
35 *fingerprints to the Central Repository for Nevada Records of*  
36 *Criminal History for its report on the criminal history of the*  
37 *employee, licensee or volunteer, as applicable, and for submission*  
38 *to the Federal Bureau of Investigation for its report on the*  
39 *criminal history of the employee, licensee or volunteer, as*  
40 *applicable;*

41 *(II) The statute expressly requiring the employee,*  
42 *licensee or volunteer, as applicable, to submit his or her*  
43 *fingerprints in accordance with sub-subparagraph (I) has been*  
44 *reviewed and approved by the Federal Bureau of Investigation as*  
45 *satisfying the requirements of federal law; and*



1 *(III) The investigation was conducted pursuant to the*  
2 *statute described in sub-subparagraphs (I) and (II);*

3 (b) The board of trustees determines that the investigation  
4 described in paragraph (a) is at least as stringent as an investigation  
5 into the criminal background of a volunteer conducted pursuant to  
6 NRS 391.104; and

7 (c) The board of trustees accepts the investigation. The board of  
8 trustees of a school district may, in its discretion, accept or reject an  
9 investigation described in this subsection for any reason.

10 5. In addition to the exceptions described in subsections 1 to 4,  
11 inclusive, a volunteer who is likely to have unsupervised contact  
12 with pupils is not required to submit fingerprints to the board of  
13 trustees of a school district pursuant to NRS 391.104 if :

14 (a) *A statute of this State expressly requires* the volunteer  
15 ~~[submits] to submit a complete set of his or her fingerprints~~ to  
16 another *public* entity ~~[authorized to forward fingerprints to the~~  
17 ~~Central Repository for Nevada Records of Criminal History a~~  
18 ~~complete set of the volunteer's fingerprints]~~ and written permission  
19 authorizing the *public* entity to forward the fingerprints to the  
20 Central Repository for its report on the criminal history of the  
21 volunteer and for submission to the Federal Bureau of Investigation  
22 for its report on the criminal history of the volunteer ~~];~~ ;

23 (b) *The statute expressly requiring the volunteer to submit his*  
24 *or her fingerprints in accordance with paragraph (a) has been*  
25 *reviewed and approved by the Federal Bureau of Investigation as*  
26 *satisfying the requirements of federal law; and*

27 (c) *The volunteer submitted his or her fingerprints to the*  
28 *public entity in accordance with the statute not more than 6*  
29 *months before the date on which the volunteer is required by NRS*  
30 *391.104 to submit his or her fingerprints.*

31 **Sec. 12.** NRS 394.152 is hereby amended to read as follows:

32 394.152 As used in NRS 394.152 to ~~[394.157,]~~ *394.155,*  
33 inclusive, unless the context otherwise requires, the words and terms  
34 defined in NRS 394.153 and 394.154 have the meanings ascribed to  
35 them in those sections.

36 **Sec. 13.** NRS 394.155 is hereby amended to read as follows:

37 394.155 1. ~~[Except as otherwise provided in NRS 394.157,~~  
38 ~~each]~~ *Each* applicant for employment with or employee at a private  
39 school, except a licensed teacher or other person licensed by the  
40 Superintendent of Public Instruction, or volunteer at a private school  
41 who is likely to have unsupervised contact with pupils, must, before  
42 beginning his or her employment or service as a volunteer and at  
43 least once every 5 years thereafter, submit to the administrator of the  
44 private school ~~];~~ ;





1 ~~—(a) A complete set of the applicant's, employee's or volunteer's~~  
2 ~~fingerprints and written permission authorizing the administrator to~~  
3 ~~forward the fingerprints to the Central Repository for Nevada~~  
4 ~~Records of Criminal History for its report on the criminal history of~~  
5 ~~the applicant, employee or volunteer and for submission to the~~  
6 ~~Federal Bureau of Investigation for its report on the criminal history~~  
7 ~~of the applicant, employee or volunteer; and~~

8 ~~—(b) Written]~~ *written* authorization for the administrator to obtain  
9 any information concerning the applicant, employee or volunteer  
10 that may be available from the Statewide Central Registry for the  
11 Collection of Information Concerning the Abuse or Neglect of a  
12 Child established by NRS 432.100 and any equivalent registry  
13 maintained by a governmental entity in a jurisdiction in which the  
14 applicant, employee or volunteer has resided within the immediately  
15 preceding 5 years.

16 2. The administrator of the private school shall ~~;~~

17 ~~—(a) Submit the fingerprints of the applicant to the Central~~  
18 ~~Repository for submission to the Federal Bureau of Investigation~~  
19 ~~and to such other law enforcement agencies as the administrator~~  
20 ~~deems necessary; and~~

21 ~~—(b) Request]~~ *request* any information that may be available from  
22 the Statewide Central Registry for the Collection of Information  
23 Concerning the Abuse or Neglect of a Child established by NRS  
24 432.100 and any equivalent registry maintained by a governmental  
25 entity in a jurisdiction in which the applicant, employee or volunteer  
26 has resided within the immediately preceding 5 years.

27 3. ~~[In conducting an investigation into the criminal history of~~  
28 ~~an applicant, employee or volunteer, the administrator of a private~~  
29 ~~school may cooperate with any appropriate law enforcement agency to~~  
30 ~~obtain information relating to the criminal history of the~~  
31 ~~applicant, employee or volunteer, including, without limitation, any~~  
32 ~~record of warrants or applications for protective orders.~~

33 ~~—4.]~~ The administrator or governing body of a private school  
34 may use a substantiated report of the abuse or neglect of a child, as  
35 defined in NRS 392.281, or a violation of NRS 201.540, 201.560,  
36 392.4633 or 394.366 obtained from the Statewide Central Registry  
37 or an equivalent registry maintained by a governmental agency in  
38 another jurisdiction:

39 (a) In making determinations concerning assignments, requiring  
40 retraining, imposing discipline, hiring, accepting a volunteer or  
41 termination; and

42 (b) In any proceedings to which the report is relevant, including,  
43 without limitation, an action for trespass or a restraining order.



1 ~~[5.]~~ 4. The administrator or governing body of a private school  
2 may not be held liable for damages resulting from taking any action  
3 authorized by subsection 3. ~~[for 4 or NRS 394.157.]~~

4 **Sec. 14.** NRS 435.3395 is hereby amended to read as follows:

5 435.3395 1. The Division shall develop and implement a  
6 process by which a person with a criminal history may *submit a*  
7 petition *to* the Division ~~[to]~~ *requesting that the Division* review the  
8 criminal history of the person to determine if the person's criminal  
9 history will disqualify the person from obtaining a certificate *to*  
10 *provide jobs and day training services pursuant to NRS 435.172 or*  
11 *a certificate to provide supported living arrangement services*  
12 pursuant to ~~[this chapter.]~~ *NRS 435.331.*

13 2. Not later than 90 days after a petition is submitted to the  
14 Division pursuant to subsection 1, the Division shall inform the  
15 person of the determination of the Division of whether the person's  
16 criminal history will disqualify the person from obtaining a  
17 certificate ~~[.]~~ *to provide jobs and day training services or a*  
18 *certificate to provide supported living arrangement services.* The  
19 Division is not bound by its determination of disqualification or  
20 qualification and may rescind such a determination at any time.

21 3. The Division may provide instructions to a person who  
22 receives a determination of disqualification to remedy the  
23 determination of disqualification. A person may resubmit a petition  
24 pursuant to subsection 1 not earlier than 6 months after receiving  
25 instructions pursuant to this subsection if the person remedies the  
26 determination of disqualification.

27 4. A person with a criminal history may *submit a* petition *to*  
28 the Division at any time, including, without limitation, before  
29 obtaining any education or paying any fee required to obtain a  
30 certificate *to provide jobs and day training services or a certificate*  
31 *to provide supported living arrangement services* from the  
32 Division.

33 5. A person may submit a new petition to the Division not  
34 earlier than 2 years after the final determination of the initial petition  
35 submitted to the Division.

36 6. The Division may impose a fee of up to \$50 upon the person  
37 to fund the administrative costs in complying with the provisions of  
38 this section. The Division may waive such fees or allow such fees to  
39 be covered by funds from a scholarship or grant.

40 7. The Division may post on its Internet website:

41 (a) The requirements to obtain a certificate *to provide jobs and*  
42 *day training services or a certificate to provide supported living*  
43 *arrangement services* from the Division; and

44 (b) A list of crimes, if any, that would disqualify a person from  
45 obtaining a certificate *to provide jobs and day training services or a*



1 *certificate to provide supported living arrangement services* from  
2 the Division.

3 8. ~~[(The Division may request the criminal history record of a]~~  
4 A person who petitions the Division for a determination pursuant to  
5 subsection 1 : ~~[. To the extent consistent with federal law, if the~~  
6 ~~Division makes such a request of a person, the Division shall require~~  
7 ~~the person to submit his or her criminal history record which~~  
8 ~~includes a report from:]~~

9 (a) ~~[(The]~~ *Shall submit to the Division a complete set of*  
10 *fingerprints and written permission authorizing the Division to*  
11 *forward those fingerprints to the* Central Repository for Nevada  
12 Records of Criminal History ~~[(;]~~ *for its report on the criminal*  
13 *history of the person and for submission to the Federal Bureau of*  
14 *Investigation for its report on the criminal history of the person;*  
15 and

16 (b) ~~[(The Federal Bureau of Investigation.)]~~ *Is prohibited from*  
17 *receiving the reports obtained pursuant to paragraph (a).*

18 9. A person who petitions the Division for a determination  
19 pursuant to subsection 1 shall not submit false or misleading  
20 information to the Division.

21 10. The Division shall, on or before the 20th day of January,  
22 April, July and October, submit to the Director of the Legislative  
23 Counsel Bureau in an electronic format prescribed by the Director, a  
24 report that includes:

25 (a) The number of petitions submitted to the Division pursuant  
26 to subsection 1;

27 (b) The number of determinations of disqualification made by  
28 the Division pursuant to subsection 1; *and*

29 (c) *Except as otherwise provided in subsection 11:*

30 (1) The reasons for such determinations; and

31 ~~[(d)]~~ (2) Any other information that is requested by the Director  
32 or which the Division determines would be helpful.

33 11. *The Division shall not include in a report submitted to the*  
34 *Director pursuant to subsection 10 any information concerning*  
35 *the criminal history of a person that is obtained from a report*  
36 *received from the Central Repository for Nevada Records of*  
37 *Criminal History or the Federal Bureau of Investigation pursuant*  
38 *to subsection 8.*

39 12. The Director shall transmit a compilation of the  
40 information received pursuant to subsection 10 to the Legislative  
41 Commission quarterly, unless otherwise directed by the  
42 Commission.



1     **Sec. 15.** NRS 445B.7776 is hereby amended to read as  
2 follows:

3     445B.7776 1. The Department of Motor Vehicles shall  
4 develop and implement a process by which a person with a criminal  
5 history may *submit a petition to* the Department ~~to~~ *requesting that*  
6 *the Department* review the criminal history of the person to  
7 determine if the person's criminal history will disqualify the person  
8 from obtaining a qualification to inspect devices for the control of  
9 emissions for motor vehicles pursuant to NRS 445B.775.

10    2. Not later than 90 days after a petition is submitted to the  
11 Department of Motor Vehicles pursuant to subsection 1, the  
12 Department shall inform the person of the determination of  
13 the Department of whether the person's criminal history will  
14 disqualify the person from obtaining a qualification ~~to~~ *to inspect*  
15 *devices for the control of emissions for motor vehicles.* The  
16 Department is not bound by its determination of disqualification or  
17 qualification and may rescind such a determination at any time.

18    3. The Department of Motor Vehicles may provide instructions  
19 to a person who receives a determination of disqualification to  
20 remedy the determination of disqualification. A person may  
21 resubmit a petition pursuant to subsection 1 not earlier than 6  
22 months after receiving instructions pursuant to this subsection if the  
23 person remedies the determination of disqualification.

24    4. A person with a criminal history may *submit a petition to*  
25 the Department of Motor Vehicles at any time, including, without  
26 limitation, before obtaining any education or paying any fee  
27 required to obtain a qualification *to inspect devices for the control*  
28 *of emissions for motor vehicles* from the Department.

29    5. A person may submit a new petition to the Department of  
30 Motor Vehicles not earlier than 2 years after the final determination  
31 of the initial petition submitted to the Department.

32    6. The Department of Motor Vehicles may impose a fee of up  
33 to \$50 upon the person to fund the administrative costs in  
34 complying with the provisions of this section. The Department may  
35 waive such fees or allow such fees to be covered by funds from a  
36 scholarship or grant.

37    7. The Department of Motor Vehicles may post on its Internet  
38 website:

39     (a) The requirements to obtain a qualification *to inspect devices*  
40 *for the control of emissions for motor vehicles* from the  
41 Department; and

42     (b) A list of crimes, if any, that would disqualify a person from  
43 obtaining a qualification *to inspect devices for the control of*  
44 *emissions for motor vehicles* from the Department.



1 8. ~~The Department of Motor Vehicles may request the~~  
2 ~~criminal history record of a~~ A person who petitions the Department  
3 ~~of Motor Vehicles~~ for a determination pursuant to subsection 1 : ~~[-~~  
4 ~~To the extent consistent with federal law, if the Department makes~~  
5 ~~such a request of a person, the Department shall require the person~~  
6 ~~to submit his or her criminal history record which includes a report~~  
7 ~~from.]~~

8 (a) ~~The]~~ *Shall submit to the Department a complete set of*  
9 *fingerprints and written permission authorizing the Department to*  
10 *forward those fingerprints to the* Central Repository for Nevada  
11 *Records of Criminal History [-] for its report on the criminal*  
12 *history of the person and for submission to the Federal Bureau of*  
13 *Investigation for its report on the criminal history of the person;*  
14 and

15 (b) ~~The Federal Bureau of Investigation.]~~ *Is prohibited from*  
16 *receiving the reports obtained pursuant to paragraph (a).*

17 9. A person who petitions the Department of Motor Vehicles  
18 for a determination pursuant to subsection 1 shall not submit false or  
19 misleading information to the Department.

20 10. The Department of Motor Vehicles shall, on or before the  
21 20th day of January, April, July and October, submit to the Director  
22 of the Legislative Counsel Bureau in an electronic format prescribed  
23 by the Director, a report that includes:

24 (a) The number of petitions submitted to the Department  
25 pursuant to subsection 1;

26 (b) The number of determinations of disqualification made by  
27 the Department pursuant to subsection 1;

28 (c) *Except as otherwise provided in subsection 11:*

29 (1) The reasons for such determinations; and

30 ~~[(d)]~~ (2) Any other information that is requested by the Director  
31 or which the Department determines would be helpful.

32 11. *The Department of Motor Vehicles shall not include in a*  
33 *report submitted to the Director pursuant to subsection 10 any*  
34 *information concerning the criminal history of a person that is*  
35 *obtained from a report received from the Central Repository for*  
36 *Nevada Records of Criminal History or the Federal Bureau of*  
37 *Investigation pursuant to subsection 8.*

38 12. The Director shall transmit a compilation of the  
39 information received pursuant to subsection 10 to the Legislative  
40 Commission quarterly, unless otherwise directed by the  
41 Commission.

42 **Sec. 16.** NRS 449.03008 is hereby amended to read as  
43 follows:

44 449.03008 1. The Division shall develop and implement a  
45 process by which a person with a criminal history may *submit a*



1 petition *to* the Division ~~[to]~~ *requesting that the Division* review the  
2 criminal history of the person to determine if the person's criminal  
3 history will disqualify the person from obtaining a license *to operate*  
4 *or maintain in this State any medical facility or facility for the*  
5 *dependent* pursuant to NRS 449.029 to 449.2428, inclusive.

6 2. Not later than 90 days after a petition is submitted to the  
7 Division pursuant to subsection 1, the Division shall inform the  
8 person of the determination of the Division of whether the person's  
9 criminal history will disqualify the person from obtaining a license  
10 ~~[ ]~~ *to operate or maintain in this State any medical facility or*  
11 *facility for the dependent*. The Division is not bound by its  
12 determination of disqualification or qualification and may rescind  
13 such a determination at any time.

14 3. The Division may provide instructions to a person who  
15 receives a determination of disqualification to remedy the  
16 determination of disqualification. A person may resubmit a petition  
17 pursuant to subsection 1 not earlier than 6 months after receiving  
18 instructions pursuant to this subsection if the person remedies the  
19 determination of disqualification.

20 4. A person with a criminal history may *submit a* petition *to*  
21 the Division at any time, including, without limitation, before  
22 obtaining any education or paying any fee required to obtain a  
23 license *to operate or maintain in this State any medical facility or*  
24 *facility for the dependent* from the Division.

25 5. A person may submit a new petition to the Division not  
26 earlier than 2 years after the final determination of the initial petition  
27 submitted to the Division.

28 6. The Division may impose a fee of up to \$50 upon the person  
29 to fund the administrative costs in complying with the provisions of  
30 this section. The Division may waive such fees or allow such fees to  
31 be covered by funds from a scholarship or grant.

32 7. The Division may post on its Internet website:

33 (a) The requirements to obtain a license ~~[pursuant to NRS~~  
34 ~~449.029 to 449.2428, inclusive.]~~ *to operate or maintain in this*  
35 *State any medical facility or facility for the dependent* from the  
36 Division; and

37 (b) A list of crimes, if any, that would disqualify a person from  
38 obtaining a license *to operate or maintain in this State any medical*  
39 *facility or facility for the dependent* from the Division.

40 8. ~~[The Division may request the criminal history record of a]~~  
41 *A* person who petitions the Division for a determination pursuant to  
42 subsection 1 : ~~[- To the extent consistent with federal law, if the~~  
43 ~~Division makes such a request of a person, the Division shall require~~  
44 ~~the person to submit his or her criminal history record which~~  
45 ~~includes a report from:]~~



1 (a) ~~[(The)]~~ *Shall submit to the Division a complete set of*  
2 *fingerprints and written permission authorizing the Division to*  
3 *forward those fingerprints to the* Central Repository for Nevada  
4 *Records of Criminal History* ~~[( )]~~ *for its report on the criminal*  
5 *history of the person and for submission to the Federal Bureau of*  
6 *Investigation for its report on the criminal history of the person;*  
7 and

8 (b) ~~[(The Federal Bureau of Investigation.)]~~ *Is prohibited from*  
9 *receiving the reports obtained pursuant to paragraph (a).*

10 9. A person who petitions the Division for a determination  
11 pursuant to subsection 1 shall not submit false or misleading  
12 information to the Division.

13 10. The Division shall, on or before the 20th day of January,  
14 April, July and October, submit to the Director of the Legislative  
15 Counsel Bureau in an electronic format prescribed by the Director, a  
16 report that includes:

17 (a) The number of petitions submitted to the Division pursuant  
18 to subsection 1;

19 (b) The number of determinations of disqualification made by  
20 the Division pursuant to subsection 1; *and*

21 (c) *Except as otherwise provided in subsection 11:*

22 (1) The reasons for such determinations; and

23 ~~[(d)]~~ (2) Any other information that is requested by the Director  
24 or which the Division determines would be helpful.

25 11. *The Division shall not include in a report submitted to the*  
26 *Director pursuant to subsection 10 any information concerning*  
27 *the criminal history of a person that is obtained from a report*  
28 *received from the Central Repository for Nevada Records of*  
29 *Criminal History or the Federal Bureau of Investigation pursuant*  
30 *to subsection 8.*

31 12. The Director shall transmit a compilation of the  
32 information received pursuant to subsection 10 to the Legislative  
33 Commission quarterly, unless otherwise directed by the  
34 Commission.

35 **Sec. 17.** NRS 449.4316 is hereby amended to read as follows:

36 449.4316 1. The Division shall develop and implement a  
37 process by which a person with a criminal history may *submit a*  
38 *petition to* the Division ~~[(to)]~~ *requesting that the Division* review the  
39 criminal history of the person to determine if the person's criminal  
40 history will disqualify the person from obtaining a certificate to  
41 operate an intermediary service organization pursuant to  
42 NRS 449.431.

43 2. Not later than 90 days after a petition is submitted to the  
44 Division pursuant to subsection 1, the Division shall inform the  
45 person of the determination of the Division of whether the person's



1 criminal history will disqualify the person from obtaining a  
2 certificate ~~{}~~ *to operate an intermediary service organization*. The  
3 Division is not bound by its determination of disqualification or  
4 qualification and may rescind such a determination at any time.

5 3. The Division may provide instructions to a person who  
6 receives a determination of disqualification to remedy the  
7 determination of disqualification. A person may resubmit a petition  
8 pursuant to subsection 1 not earlier than 6 months after receiving  
9 instructions pursuant to this subsection if the person remedies the  
10 determination of disqualification.

11 4. A person with a criminal history may *submit a petition to*  
12 *the Division at any time, including, without limitation, before*  
13 *obtaining any education or paying any fee required to obtain a*  
14 *certificate to operate an intermediary service organization* from the  
15 Division.

16 5. A person may submit a new petition to the Division not  
17 earlier than 2 years after the final determination of the initial petition  
18 submitted to the Division.

19 6. The Division may impose a fee of up to \$50 upon the person  
20 to fund the administrative costs in complying with the provisions of  
21 this section. The Division may waive such fees or allow such fees to  
22 be covered by funds from a scholarship or grant.

23 7. The Division may post on its Internet website:

24 (a) The requirements to obtain a certificate *to operate an*  
25 *intermediary service organization* from the Division; and

26 (b) A list of crimes, if any, that would disqualify a person from  
27 obtaining a certificate *to operate an intermediary service*  
28 *organization* from the Division.

29 8. ~~{The Division may request the criminal history record of a}~~  
30 ~~A person who petitions the Division for a determination pursuant to~~  
31 ~~subsection 1 : {.~~ ~~To the extent consistent with federal law, if the~~  
32 ~~Division makes such a request of a person, the Division shall require~~  
33 ~~the person to submit his or her criminal history record which~~  
34 ~~includes a report from:}~~

35 (a) ~~{The}~~ *Shall submit to the Division a complete set of*  
36 *fingerprints and written permission authorizing the Division to*  
37 *forward those fingerprints to the Central Repository for Nevada*  
38 *Records of Criminal History {} for its report on the criminal*  
39 *history of the person and for submission to the Federal Bureau of*  
40 *Investigation for its report on the criminal history of the person;*  
41 and

42 (b) ~~{The Federal Bureau of Investigation.}~~ *Is prohibited from*  
43 *receiving the reports obtained pursuant to paragraph (a).*





1 9. A person who petitions the Division for a determination  
2 pursuant to subsection 1 shall not submit false or misleading  
3 information to the Division.

4 10. The Division shall, on or before the 20th day of January,  
5 April, July and October, submit to the Director of the Legislative  
6 Counsel Bureau in an electronic format prescribed by the Director, a  
7 report that includes:

8 (a) The number of petitions submitted to the Division pursuant  
9 to subsection 1;

10 (b) The number of determinations of disqualification made by  
11 the Division pursuant to subsection 1; *and*

12 (c) *Except as otherwise provided in subsection 11:*

13 (1) The reasons for such determinations; and

14 ~~(d)~~ (2) Any other information that is requested by the Director  
15 or which the Division determines would be helpful.

16 11. *The Division shall not include in a report submitted to the*  
17 *Director pursuant to subsection 10 any information concerning*  
18 *the criminal history of a person that is obtained from a report*  
19 *received from the Central Repository for Nevada Records of*  
20 *Criminal History or the Federal Bureau of Investigation pursuant*  
21 *to subsection 8.*

22 12. The Director shall transmit a compilation of the  
23 information received pursuant to subsection 10 to the Legislative  
24 Commission quarterly, unless otherwise directed by the  
25 Commission.

26 **Sec. 18.** NRS 450B.169 is hereby amended to read as follows:

27 450B.169 1. The health authority shall develop and  
28 implement a process by which a person with a criminal history may  
29 *submit a petition to* the health authority ~~to~~ *requesting that the*  
30 *health authority* review the criminal history of the person to  
31 determine if the person's criminal history will disqualify the person  
32 from obtaining a license as an attendant or firefighter ~~for a~~  
33 ~~certificate~~ pursuant to NRS 450B.160.

34 2. Not later than 90 days after a petition is submitted to the  
35 health authority pursuant to subsection 1, the health authority shall  
36 inform the person of the determination of the health authority of  
37 whether the person's criminal history will disqualify the person  
38 from obtaining a license ~~for certificate.~~ *as an attendant or*  
39 *firefighter.* The health authority is not bound by his or her  
40 determination of disqualification or qualification and may rescind  
41 such a determination at any time.

42 3. The health authority may provide instructions to a person  
43 who receives a determination of disqualification to remedy the  
44 determination of disqualification. A person may resubmit a petition  
45 pursuant to subsection 1 not earlier than 6 months after receiving



1 instructions pursuant to this subsection if the person remedies the  
2 determination of disqualification.

3 4. A person with a criminal history may *submit a petition to*  
4 the health authority at any time, including, without limitation, before  
5 obtaining any education or paying any fee required to obtain a  
6 license ~~for certificate~~ *as an attendant or firefighter* from the health  
7 authority.

8 5. A person may submit a new petition to the health authority  
9 not earlier than 2 years after the final determination of the initial  
10 petition submitted to the health authority.

11 6. The health authority may impose a fee of up to \$50 upon the  
12 person to fund the administrative costs in complying with the  
13 provisions of this section. The health authority may waive such fees  
14 or allow such fees to be covered by funds from a scholarship or  
15 grant.

16 7. The health authority may post on its Internet website:

17 (a) The requirements to obtain a license ~~for certificate~~ *as an*  
18 *attendant or firefighter* from the health authority; and

19 (b) A list of crimes, if any, that would disqualify a person from  
20 obtaining a license ~~for certificate~~ *as an attendant or firefighter*  
21 from the health authority.

22 8. ~~The health authority may request the criminal history record~~  
23 ~~of a] A person who petitions the health authority for a determination~~  
24 ~~pursuant to subsection 1 : [ . To the extent consistent with federal~~  
25 ~~law, if the health authority makes such a request of a person, the~~  
26 ~~health authority shall require the person to submit his or her criminal~~  
27 ~~history record which includes a report from:]~~

28 (a) ~~The~~ *Shall submit to the health authority a complete set of*  
29 *fingerprints and written permission authorizing the health*  
30 *authority to forward those fingerprints to the* Central Repository  
31 *for Nevada Records of Criminal History [;] for its report on the*  
32 *criminal history of the person and for submission to the Federal*  
33 *Bureau of Investigation for its report on the criminal history of*  
34 *the person;* and

35 (b) ~~The Federal Bureau of Investigation.] Is prohibited from~~  
36 *receiving the reports obtained pursuant to paragraph (a).*

37 9. A person who petitions the health authority for a  
38 determination pursuant to subsection 1 shall not submit false or  
39 misleading information to the health authority.

40 10. The health authority shall, on or before the 20th day of  
41 January, April, July and October, submit to the Director of the  
42 Legislative Counsel Bureau in an electronic format prescribed by  
43 the Director, a report that includes:

44 (a) The number of petitions submitted to the health authority  
45 pursuant to subsection 1;



1 (b) The number of determinations of disqualification made by  
2 the health authority pursuant to subsection 1; *and*

3 (c) *Except as otherwise provided in subsection 11:*

4 (1) The reasons for such determinations; and

5 ~~[(d)]~~ (2) Any other information that is requested by the Director  
6 or which the health authority determines would be helpful.

7 11. *The health authority shall not include in a report*  
8 *submitted to the Director pursuant to subsection 10 any*  
9 *information concerning the criminal history of a person that is*  
10 *obtained from a report received from the Central Repository for*  
11 *Nevada Records of Criminal History or the Federal Bureau of*  
12 *Investigation pursuant to subsection 8.*

13 12. The Director shall transmit a compilation of the  
14 information received pursuant to subsection 10 to the Legislative  
15 Commission quarterly, unless otherwise directed by the  
16 Commission.

17 **Sec. 19.** NRS 451.635 is hereby amended to read as follows:

18 451.635 1. No person may cremate human remains except in  
19 a crematory whose operator is licensed by the Nevada Funeral and  
20 Cemetery Services Board.

21 2. The licensed operator of a crematory shall ensure that all  
22 persons physically operating the crematory equipment have  
23 completed a crematory certification program approved by the Board  
24 and maintain proof of completion of the program at the site where  
25 the crematory equipment operated by the person is located. Such  
26 proof of completion must be made available to the Board upon  
27 request or as part of any inspection or investigation conducted by  
28 the Board.

29 3. Except as otherwise provided in subsection 4, if a crematory  
30 is proposed to be located in an incorporated city whose population is  
31 60,000 or more or in an unincorporated town that is contiguous to  
32 such an incorporated city, the Board shall not issue a license to the  
33 applicant unless the proposed location of all structures associated  
34 with the crematory are:

35 (a) In an area which is zoned for mixed, commercial or  
36 industrial use; and

37 (b) At least 1,500 feet from the boundary line of any parcel  
38 zoned for residential use.

39 4. If a crematory proposes to cremate human remains only  
40 through alkaline hydrolysis, the Board may issue a license to the  
41 applicant regardless of the location if the board of county  
42 commissioners of the county or the governing body of the city or  
43 town, as applicable, in which the crematory is proposed to be  
44 located provides written notice to the Board consenting to the  
45 proposed location of the crematory.



1 5. The Board shall prescribe and furnish forms for application  
2 for licensing. An application must be in writing and contain:

3 (a) The name and address of the applicant and the location or  
4 proposed location of the crematory;

5 (b) A description of the structure and equipment to be used in  
6 operating the crematory; and

7 (c) Any further information that the Board may reasonably  
8 require.

9 6. An application must be signed by the applicant personally,  
10 by one of the partners if the applicant is a partnership, or by an  
11 authorized officer if the applicant is a corporation or other form of  
12 business organization.

13 7. *In addition to the requirements set forth in subsections 5*  
14 *and 6, an applicant for a license as an operator of a crematory,*  
15 *each partner, if the applicant is a partnership, or each officer and*  
16 *director, as applicable, if the applicant is a corporation or other*  
17 *form of business organization:*

18 (a) *Shall submit to the Board a complete set of fingerprints*  
19 *and written permission authorizing the Board to forward those*  
20 *fingerprints to the Central Repository for Nevada Records of*  
21 *Criminal History for its report on the criminal history of the*  
22 *applicant, partner, officer or director, as applicable, and for*  
23 *submission to the Federal Bureau of Investigation for its report on*  
24 *the criminal history of the applicant, partner, officer or director,*  
25 *as applicable; and*

26 (b) *Is prohibited from receiving the reports obtained pursuant*  
27 *to paragraph (a).*

28 8. The Board shall examine the structure and equipment and, if  
29 applicable, the location and shall issue the license if:

30 (a) It appears that the proposed operation will meet the  
31 requirements of NRS 451.600 to 451.715, inclusive; and

32 (b) The applicant has paid all fees related to the application.

33 ~~8.1~~ 9. If the ownership of a crematory is to be changed, the  
34 proposed operator shall apply for licensing at least 30 days before  
35 the change.

36 10. *As used in this section:*

37 (a) *“Director” means a member of the board of directors of a*  
38 *corporation or other form of business organization.*

39 (b) *“Officer” means a natural person who:*

40 (1) *Holds the title of, or is designated by a corporation or*  
41 *other form of business organization as, an officer of the*  
42 *corporation or other form of business organization, including,*  
43 *without limitation, a president, vice president, secretary, treasurer,*  
44 *manager, chief executive officer, chief operating officer, chief*  
45 *financial officer or anyone in charge of a principal business unit*



1 *or function of the corporation or other form of business*  
2 *organization; and*

3 *(2) May or may not be an owner of the corporation or other*  
4 *form of business organization.*

5 *(c) "Partner" has the meaning ascribed to it in NRS 87A.065.*

6 **Sec. 20.** NRS 452.310 is hereby amended to read as follows:

7 452.310 1. No person may engage in the business of  
8 operating a cemetery in this state without first obtaining a certificate  
9 of authority from the Board.

10 2. Applications for a certificate of authority to operate a  
11 cemetery must be filed with the Board. Each application must be  
12 accompanied by:

13 (a) A filing fee of \$1,000 and any other fees related to the  
14 application. No part of the fees is refundable.

15 (b) A copy, certified by the proper officials, of the:

16 (1) Articles of incorporation, if any.

17 (2) Bylaws of the corporation, if any.

18 (3) Application to the city or county planning commission  
19 for a use permit or the rezoning for the proposed cemetery.

20 (4) Land use or zoning permit.

21 (5) Declaration of dedication of land to cemetery purposes.

22 (6) Deed, contract of purchase or other document which  
23 provides the applicant with merchantable title to the land dedicated.

24 (7) Endowment care trust fund agreement executed by the  
25 proper officers of the cemetery authority.

26 (c) A statement, executed by the proper officers of the applicant  
27 **↔** *or natural persons in charge of operating the cemetery, as*  
28 *applicable*, setting forth:

29 (1) If the applicant is a corporation, the names and addresses  
30 of the board of directors and officers.

31 (2) If the applicant is not a corporation, the names and  
32 addresses of the natural persons in charge **↔** *of operating the*  
33 *cemetery.*

34 (3) The names and addresses of the trustees of the  
35 endowment care fund.

36 (4) The name and address of the person in charge of sales.

37 **↳** The statement must contain a description of the general character,  
38 experience and fitness to engage in the cemetery business for each  
39 person named.

40 (d) A complete, detailed and audited financial statement  
41 showing assets, liabilities and reserve.

42 (e) An itemized statement of all estimated receipts and  
43 expenditures for the succeeding 2-year period or such other period  
44 as may be required by the Board.



1 (f) A map of the proposed cemetery in such detail and size as  
2 may be required by the Board.

3 (g) A statement of the proposed plan of operation in such detail  
4 as may be required by the Board.

5 (h) A statement of the amount deposited in the endowment care  
6 fund and the type of investment made of such amount.

7 (i) A statement from the depository showing the deposit in the  
8 endowment care fund of the amount required by NRS 452.120 and  
9 452.130.

10 (j) Such other information as may be required by written notice  
11 from the Board.

12 3. Upon request, the Board shall provide to the Administrator a  
13 copy of the following information contained in an application for a  
14 certificate of authority filed with the Board pursuant to this section:

15 (a) The endowment care trust fund agreement;

16 (b) The names and addresses of the trustees of the endowment  
17 care fund; and

18 (c) The statements described in paragraphs (h) and (i) of  
19 subsection 2.

20 **4. *In addition to the requirements set forth in this section, an***  
21 ***applicant and each person named in the application pursuant to***  
22 ***paragraph (c) of subsection 2:***

23 ***(a) Shall submit to the Board a complete set of fingerprints***  
24 ***and written permission authorizing the Board to forward those***  
25 ***fingerprints to the Central Repository for Nevada Records of***  
26 ***Criminal History for its report on the criminal history of the***  
27 ***applicant or person named in the application, as applicable, and***  
28 ***for submission to the Federal Bureau of Investigation for its***  
29 ***report on the criminal history of the applicant or person named in***  
30 ***the application; and***

31 ***(b) Is prohibited from receiving the reports obtained pursuant***  
32 ***to paragraph (a).***

33 **5. As used in paragraph (c) of subsection 2, "officer" means**  
34 **a natural person who:**

35 ***(a) Holds the title of, or is designated by a corporation as, an***  
36 ***officer of the corporation, including, without limitation, a***  
37 ***president, vice president, secretary, treasurer, manager, chief***  
38 ***executive officer, chief operating officer, chief financial officer or***  
39 ***anyone in charge of a principal business unit or function of the***  
40 ***corporation; and***

41 ***(b) May or may not be an owner of the corporation.***

42 **Sec. 21.** NRS 455C.125 is hereby amended to read as follows:

43 455C.125 1. The Division shall develop and implement a  
44 process by which a person with a criminal history may ***submit a***  
45 ***petition to the Division ~~to~~ requesting that the Division*** review the



1 criminal history of the person to determine if the person's criminal  
2 history will disqualify the person from obtaining a certificate as a  
3 boiler inspector or elevator mechanic pursuant to NRS 455C.110.

4 2. Not later than 90 days after a petition is submitted to the  
5 Division pursuant to subsection 1, the Division shall inform the  
6 person of the determination of the Division of whether the person's  
7 criminal history will disqualify the person from obtaining a  
8 certificate ~~if~~ *as a boiler inspector or elevator mechanic*. The  
9 Division is not bound by its determination of disqualification or  
10 qualification and may rescind such a determination at any time.

11 3. The Division may provide instructions to a person who  
12 receives a determination of disqualification to remedy the  
13 determination of disqualification. A person may resubmit a petition  
14 pursuant to subsection 1 not earlier than 6 months after receiving  
15 instructions pursuant to this subsection if the person remedies the  
16 determination of disqualification.

17 4. A person with a criminal history may *submit a petition to*  
18 the Division at any time, including, without limitation, before  
19 obtaining any education or paying any fee required to obtain a  
20 certificate *as a boiler inspector or elevator mechanic* from the  
21 Division.

22 5. A person may submit a new petition to the Division not  
23 earlier than 2 years after the final determination of the initial petition  
24 submitted to the Division.

25 6. The Division may impose a fee of up to \$50 upon the person  
26 to fund the administrative costs in complying with the provisions of  
27 this section. The Division may waive such fees or allow such fees to  
28 be covered by funds from a scholarship or grant.

29 7. The Division may post on its Internet website:

30 (a) The requirements to obtain a certificate *as a boiler inspector*  
31 *or elevator mechanic* from the Division; and

32 (b) A list of crimes, if any, that would disqualify a person from  
33 obtaining a certificate *as a boiler inspector or elevator mechanic*  
34 from the Division.

35 8. ~~The Division may request the criminal history record of a~~  
36 *A person who petitions the Division for a determination pursuant to*  
37 *subsection 1 :* ~~To the extent consistent with federal law, if the~~  
38 ~~Division makes such a request of a person, the Division shall require~~  
39 ~~the person to submit his or her criminal history record which~~  
40 ~~includes a report from:]~~

41 (a) ~~The~~ *Shall submit to the Division a complete set of*  
42 *fingerprints and written permission authorizing the Division to*  
43 *forward those fingerprints to the* Central Repository for Nevada  
44 *Records of Criminal History* ~~if~~ *for its report on the criminal*  
45 *history of the person and for submission to the Federal Bureau of*



1 *Investigation for its report on the criminal history of the person;*  
2 and

3 (b) ~~[(The Federal Bureau of Investigation.)]~~ *Is prohibited from*  
4 *receiving the reports obtained pursuant to paragraph (a).*

5 9. A person who petitions the Division for a determination  
6 pursuant to subsection 1 shall not submit false or misleading  
7 information to the Division.

8 10. The Division shall, on or before the 20th day of January,  
9 April, July and October, submit to the Director of the Legislative  
10 Counsel Bureau in an electronic format prescribed by the Director, a  
11 report that includes:

12 (a) The number of petitions submitted to the Division pursuant  
13 to subsection 1;

14 (b) The number of determinations of disqualification made by  
15 the Division pursuant to subsection 1; *and*

16 (c) *Except as otherwise provided in subsection 11:*

17 (1) The reasons for such determinations; and

18 ~~[(d)]~~ (2) Any other information that is requested by the Director  
19 or which the Division determines would be helpful.

20 11. *The Division shall not include in a report submitted to the*  
21 *Director pursuant to subsection 10 any information concerning*  
22 *the criminal history of a person that is obtained from a report*  
23 *received from the Central Repository for Nevada Records of*  
24 *Criminal History or the Federal Bureau of Investigation pursuant*  
25 *to subsection 8.*

26 12. The Director shall transmit a compilation of the  
27 information received pursuant to subsection 10 to the Legislative  
28 Commission quarterly, unless otherwise directed by the  
29 Commission.

30 **Sec. 22.** NRS 457.1825 is hereby amended to read as follows:

31 457.1825 1. The Division shall develop and implement a  
32 process by which a person with a criminal history may *submit a*  
33 *petition to the Division* ~~[(to)]~~ *requesting that the Division* review the  
34 criminal history of the person to determine if the person's criminal  
35 history will disqualify the person from obtaining a certificate of  
36 authorization to operate a radiation machine for mammography  
37 pursuant to NRS 457.183.

38 2. Not later than 90 days after a petition is submitted to the  
39 Division pursuant to subsection 1, the Division shall inform the  
40 person of the determination of the Division of whether the person's  
41 criminal history will disqualify the person from obtaining a  
42 certificate ~~[(of)]~~ *of authorization to operate a radiation machine for*  
43 *mammography.* The Division is not bound by its determination of  
44 disqualification or qualification and may rescind such a  
45 determination at any time.





1 3. The Division may provide instructions to a person who  
2 receives a determination of disqualification to remedy the  
3 determination of disqualification. A person may resubmit a petition  
4 pursuant to subsection 1 not earlier than 6 months after receiving  
5 instructions pursuant to this subsection if the person remedies the  
6 determination of disqualification.

7 4. A person with a criminal history may *submit a petition to*  
8 *the Division at any time, including, without limitation, before*  
9 *obtaining any education or paying any fee required to obtain a*  
10 *certificate of authorization to operate a radiation machine for*  
11 *mammography* from the Division.

12 5. A person may submit a new petition to the Division not  
13 earlier than 2 years after the final determination of the initial petition  
14 submitted to the Division.

15 6. The Division may impose a fee of up to \$50 upon the person  
16 to fund the administrative costs in complying with the provisions of  
17 this section. The Division may waive such fees or allow such fees to  
18 be covered by funds from a scholarship or grant.

19 7. The Division may post on its Internet website:

20 (a) The requirements to obtain a certificate *of authorization to*  
21 *operate a radiation machine for mammography* from the Division;  
22 and

23 (b) A list of crimes, if any, that would disqualify a person from  
24 obtaining a certificate *of authorization to operate a radiation*  
25 *machine for mammography* from the Division.

26 8. ~~The Division may request the criminal history record of a~~  
27 ~~A person who petitions the Division for a determination pursuant to~~  
28 ~~subsection 1 : [- To the extent consistent with federal law, if the~~  
29 ~~Division makes such a request of a person, the Division shall require~~  
30 ~~the person to submit his or her criminal history record which~~  
31 ~~includes a report from:]~~

32 (a) ~~The]~~ *Shall submit to the Division a complete set of*  
33 *fingerprints and written permission authorizing the Division to*  
34 *forward those fingerprints to the Central Repository for Nevada*  
35 *Records of Criminal History [;] for its report on the criminal*  
36 *history of the person and for submission to the Federal Bureau of*  
37 *Investigation for its report on the criminal history of the person;*  
38 and

39 (b) ~~The Federal Bureau of Investigation.]~~ *Is prohibited from*  
40 *receiving the reports obtained pursuant to paragraph (a).*

41 9. A person who petitions the Division for a determination  
42 pursuant to subsection 1 shall not submit false or misleading  
43 information to the Division.

44 10. The Division shall, on or before the 20th day of January,  
45 April, July and October, submit to the Director of the Legislative



1 Counsel Bureau in an electronic format prescribed by the Director, a  
2 report that includes:

3 (a) The number of petitions submitted to the Division pursuant  
4 to subsection 1;

5 (b) The number of determinations of disqualification made by  
6 the Division pursuant to subsection 1; *and*

7 (c) *Except as otherwise provided in subsection 11:*

8 (1) The reasons for such determinations; and

9 ~~(d)~~ (2) Any other information that is requested by the Director  
10 or which the Division determines would be helpful.

11 11. *The Division shall not include in a report submitted to the*  
12 *Director pursuant to subsection 10 any information concerning*  
13 *the criminal history of a person that is obtained from a report*  
14 *received from the Central Repository for Nevada Records of*  
15 *Criminal History or the Federal Bureau of Investigation pursuant*  
16 *to subsection 8.*

17 12. The Director shall transmit a compilation of the  
18 information received pursuant to subsection 10 to the Legislative  
19 Commission quarterly, unless otherwise directed by the  
20 Commission.

21 **Sec. 23.** NRS 458.0258 is hereby amended to read as follows:

22 458.0258 1. The Division shall develop and implement a  
23 process by which a person with a criminal history may *submit a*  
24 *petition to* the Division ~~to~~ *requesting that the Division* review the  
25 criminal history of the person to determine if the person's criminal  
26 history will disqualify the person from obtaining a certificate as a  
27 detoxification technician pursuant to NRS 458.025.

28 2. Not later than 90 days after a petition is submitted to the  
29 Division pursuant to subsection 1, the Division shall inform the  
30 person of the determination of the Division of whether the person's  
31 criminal history will disqualify the person from obtaining a  
32 certificate ~~to~~ *as a detoxification technician.* The Division is not  
33 bound by its determination of disqualification or qualification and  
34 may rescind such a determination at any time.

35 3. The Division may provide instructions to a person who  
36 receives a determination of disqualification to remedy the  
37 determination of disqualification. A person may resubmit a petition  
38 pursuant to subsection 1 not earlier than 6 months after receiving  
39 instructions pursuant to this subsection if the person remedies the  
40 determination of disqualification.

41 4. A person with a criminal history may *submit a* petition *to*  
42 *the Division at any time, including, without limitation, before*  
43 *obtaining any education or paying any fee required to obtain a*  
44 *certificate as a detoxification technician* from the Division.



1 5. A person may submit a new petition to the Division not  
2 earlier than 2 years after the final determination of the initial petition  
3 submitted to the Division.

4 6. The Division may impose a fee of up to \$50 upon the person  
5 to fund the administrative costs in complying with the provisions of  
6 this section. The Division may waive such fees or allow such fees to  
7 be covered by funds from a scholarship or grant.

8 7. The Division may post on its Internet website:

9 (a) The requirements to obtain a certification *as a detoxification*  
10 *technician* from the Division; and

11 (b) A list of crimes, if any, that would disqualify a person from  
12 obtaining a certification *as a detoxification technician* from the  
13 Division.

14 8. ~~The Division may request the criminal history record of a~~  
15 *A person who petitions the Division for a determination pursuant to*  
16 *subsection 1 : [- To the extent consistent with federal law, if the*  
17 *Division makes such a request of a person, the Division shall require*  
18 *the person to submit his or her criminal history record which*  
19 *includes a report from:]*

20 (a) ~~The~~ *Shall submit to the Division a complete set of*  
21 *fingerprints and written permission authorizing the Division to*  
22 *forward those fingerprints to the Central Repository for Nevada*  
23 *Records of Criminal History [-] for its report on the criminal*  
24 *history of the person and for submission to the Federal Bureau of*  
25 *Investigation for its report on the criminal history of the person;*  
26 *and*

27 (b) ~~The Federal Bureau of Investigation.~~ *Is prohibited from*  
28 *receiving the reports obtained pursuant to paragraph (a).*

29 9. A person who petitions the Division for a determination  
30 pursuant to subsection 1 shall not submit false or misleading  
31 information to the Division.

32 10. The Division shall, on or before the 20th day of January,  
33 April, July and October, submit to the Director of the Legislative  
34 Counsel Bureau in an electronic format prescribed by the Director, a  
35 report that includes:

36 (a) The number of petitions submitted to the Division pursuant  
37 to subsection 1;

38 (b) The number of determinations of disqualification made by  
39 the Division pursuant to subsection 1; *and*

40 (c) *Except as otherwise provided in subsection 11:*

41 (1) The reasons for such determinations; and

42 ~~(d)~~ (2) Any other information that is requested by the Director  
43 or which the Division determines would be helpful.

44 11. *The Division shall not include in a report submitted to the*  
45 *Director pursuant to subsection 10 any information concerning*



1 *the criminal history of a person that is obtained from a report*  
2 *received from the Central Repository for Nevada Records of*  
3 *Criminal History or the Federal Bureau of Investigation pursuant*  
4 *to subsection 8.*

5 **12.** The Director shall transmit a compilation of the  
6 information received pursuant to subsection 10 to the Legislative  
7 Commission quarterly, unless otherwise directed by the  
8 Commission.

9 **Sec. 24.** NRS 463.15999 is hereby amended to read as  
10 follows:

11 463.15999 1. The Commission shall, with the advice and  
12 assistance of the Board, provide by regulation for the registration of  
13 club venue employees and matters associated therewith. Such  
14 regulations may include, without limitation, the following:

15 (a) Requiring a club venue employee to register with the Board  
16 in the same manner as a gaming employee.

17 (b) Establishing the fees associated with registration pursuant to  
18 paragraph (a), which may not exceed the fees for registration as a  
19 gaming employee.

20 (c) Requiring a club venue operator to have a written agreement  
21 with:

22 (1) Any third-party contractor who provides hosting or VIP  
23 services to the club venue; and

24 (2) Any other third-party contractor who provides services to  
25 the club venue on the premises of a licensed gaming establishment  
26 and who the Commission determines must comply with the  
27 provisions of this paragraph because such compliance is necessary  
28 to promote the public policy set forth in NRS 463.0129.

29 (d) Requiring the registration of certain third-party contractors  
30 in the manner established for independent agents, including the  
31 authority to require the application of such persons for a  
32 determination of suitability pursuant to paragraph (b) of subsection  
33 2 of NRS 463.167.

34 (e) Establishing the fees associated with registration pursuant to  
35 paragraph (d), which may not exceed the fees for registration as an  
36 independent agent.

37 2. *In addition to any requirements provided by regulation*  
38 *pursuant to this section, an applicant for registration as a club*  
39 *venue employee pursuant to paragraph (a) of subsection 1 and a*  
40 *third-party contractor required to apply for registration pursuant*  
41 *to paragraph (d) of subsection 1:*

42 (a) *Shall submit to the Board a complete set of fingerprints*  
43 *and written permission authorizing the Board to forward those*  
44 *fingerprints to the Central Repository for Nevada Records of*  
45 *Criminal History for its report on the criminal history of the*



1 *applicant or third-party contractor, as applicable, and for*  
2 *submission to the Federal Bureau of Investigation for its report on*  
3 *the criminal history of the applicant or third-party contractor, as*  
4 *applicable; and*

5 *(b) Is prohibited from receiving the reports obtained pursuant*  
6 *to paragraph (a).*

7 **3.** Except as otherwise provided by specific statute or by the  
8 regulations adopted pursuant to this section, a club venue employee  
9 shall be deemed to be a gaming employee for the purposes of all  
10 provisions of this chapter and the regulations adopted pursuant  
11 thereto that apply to a gaming employee.

12 **Sec. 25.** NRS 463.665 is hereby amended to read as follows:

13 463.665 1. The Commission shall, with the advice and  
14 assistance of the Board, adopt regulations prescribing:

15 (a) The manner and method for the approval of associated  
16 equipment by the Board; and

17 (b) The method and form of any application required by  
18 paragraph (a).

19 2. Except as otherwise provided in subsection 3, the  
20 regulations adopted pursuant to subsection 1 must:

21 (a) Require persons who manufacture or distribute associated  
22 equipment for use in this State to be registered with the Board if  
23 such associated equipment:

24 (1) Is directly used in gaming;

25 (2) Has the ability to add or subtract cash, cash equivalents  
26 or wagering credits to a game, gaming device or cashless wagering  
27 system;

28 (3) Interfaces with and affects the operation of a game,  
29 gaming device, cashless wagering system or other associated  
30 equipment;

31 (4) Is used directly or indirectly in the reporting of gross  
32 revenue; or

33 (5) Is otherwise determined by the Board to create a risk to  
34 the integrity of gaming and protection of the public if not regulated;

35 (b) Require persons who have a significant involvement in the  
36 manufacturing or distribution of associated equipment, as  
37 determined by the Commission, to register with the Board;

38 (c) Establish the degree of review an applicant for registration  
39 pursuant to this section must undergo, which level may be different  
40 for different forms of associated equipment; and

41 (d) Establish fees for the application and renewal of the  
42 registration required pursuant to this section.

43 3. This section does not apply to:

44 (a) A licensee; or



1 (b) An affiliate of a licensee or an independent contractor as  
2 defined by NRS 463.01715.

3 4. *In addition to the requirements set forth in this section, an*  
4 *applicant for registration pursuant to this section:*

5 (a) *Shall submit to the Board a complete set of fingerprints*  
6 *and written permission authorizing the Board to forward those*  
7 *fingerprints to the Central Repository for Nevada Records of*  
8 *Criminal History for its report on the criminal history of the*  
9 *applicant and for submission to the Federal Bureau of*  
10 *Investigation for its report on the criminal history of the applicant;*  
11 *and*

12 (b) *Is prohibited from receiving the reports obtained pursuant*  
13 *to paragraph (a).*

14 5. In addition to requiring a manufacturer or distributor of  
15 associated equipment to be registered as set forth in subsection 2 a  
16 manufacturer or distributor of associated equipment who sells,  
17 transfers or offers the associated equipment for use or play in  
18 Nevada may be required by the Board to file an application for a  
19 finding of suitability to be a manufacturer or distributor of  
20 associated equipment.

21 ~~5.1~~ 6. If an application for a finding of suitability is not  
22 submitted to the Board within 30 days after demand by the Board, it  
23 may pursue any remedy or combination of remedies provided in this  
24 chapter.

25 ~~6.1~~ 7. Any person who manufactures or distributes associated  
26 equipment who has complied with all applicable regulations adopted  
27 by the Commission before October 1, 2015, shall be deemed to be  
28 registered pursuant to this section.

29 **Sec. 26.** NRS 477.2233 is hereby amended to read as follows:

30 477.2233 1. The State Fire Marshal shall develop and  
31 implement a process by which a person with a criminal history may  
32 *submit a petition to* the State Fire Marshal ~~to~~ *requesting that the*  
33 *State Fire Marshal* review the criminal history of the person to  
34 determine if the person's criminal history will disqualify the person  
35 from obtaining a certificate of registration as a fire performer or  
36 apprentice fire performer pursuant to NRS 477.223.

37 2. Not later than 90 days after a petition is submitted to the  
38 State Fire Marshal pursuant to subsection 1, the State Fire Marshal  
39 shall inform the person of the determination of the State Fire  
40 Marshal of whether the person's criminal history will disqualify the  
41 person from obtaining a certificate of registration ~~to~~ *as a fire*  
42 *performer or apprentice fire performer.* The State Fire Marshal is  
43 not bound by his or her determination of disqualification or  
44 qualification and may rescind such a determination at any time.



1 3. The State Fire Marshal may provide instructions to a person  
2 who receives a determination of disqualification to remedy the  
3 determination of disqualification. A person may resubmit a petition  
4 pursuant to subsection 1 not earlier than 6 months after receiving  
5 instructions pursuant to this subsection if the person remedies the  
6 determination of disqualification.

7 4. A person with a criminal history may *submit a petition to*  
8 *the State Fire Marshal at any time, including, without limitation,*  
9 *before obtaining any education or paying any fee required to obtain*  
10 *a certificate as a fire performer or apprentice fire performer* from  
11 *the State Fire Marshal.*

12 5. A person may submit a new petition to the State Fire  
13 Marshal not earlier than 2 years after the final determination of the  
14 initial petition submitted to the State Fire Marshal.

15 6. The State Fire Marshal may impose a fee of up to \$50 upon  
16 the person to fund the administrative costs in complying with the  
17 provisions of this section. The State Fire Marshal may waive such  
18 fees or allow such fees to be covered by funds from a scholarship or  
19 grant.

20 7. The State Fire Marshal may post on its Internet website:

21 (a) The requirements to obtain a certificate *as a fire performer*  
22 *or apprentice fire performer* from the State Fire Marshal; and

23 (b) A list of crimes, if any, that would disqualify a person from  
24 obtaining a certificate *as a fire performer or apprentice fire*  
25 *performer* from the State Fire Marshal.

26 8. ~~The State Fire Marshal may request the criminal history~~  
27 ~~record of a] A person who petitions the State Fire Marshal for a~~  
28 ~~determination pursuant to subsection 1 : [- To the extent consistent~~  
29 ~~with federal law, if the State Fire Marshal makes such a request of a~~  
30 ~~person, the State Fire Marshal shall require the person to submit his~~  
31 ~~or her criminal history record which includes a report from:]~~

32 (a) ~~The] Shall submit to the State Fire Marshal a complete set~~  
33 ~~of fingerprints and written permission authorizing the State Fire~~  
34 ~~Marshal to forward those fingerprints to the~~ Central Repository for  
35 Nevada Records of Criminal History ~~[-] for its report on the~~  
36 ~~criminal history of the person and for submission to the Federal~~  
37 ~~Bureau of Investigation for its report on the criminal history of~~  
38 ~~the person; and~~

39 (b) ~~The Federal Bureau of Investigation.] Is prohibited from~~  
40 ~~receiving the reports obtained pursuant to paragraph (a).~~

41 9. A person who petitions the State Fire Marshal for a  
42 determination pursuant to subsection 1 shall not submit false or  
43 misleading information to the State Fire Marshal.

44 10. The State Fire Marshal shall, on or before the 20th day of  
45 January, April, July and October, submit to the Director of the



1 Legislative Counsel Bureau in an electronic format prescribed by  
2 the Director, a report that includes:

3 (a) The number of petitions submitted to the State Fire Marshal  
4 pursuant to subsection 1;

5 (b) The number of determinations of disqualification made by  
6 the State Fire Marshal pursuant to subsection 1; *and*

7 (c) *Except as otherwise provided in subsection 11:*

8 (1) The reasons for such determinations; and

9 ~~(d)~~ (2) Any other information that is requested by the Director  
10 or which the State Fire Marshal determines would be helpful.

11 11. *The State Fire Marshal shall not include in a report*  
12 *submitted to the Director pursuant to subsection 10 any*  
13 *information concerning the criminal history of a person that is*  
14 *obtained from a report received from the Central Repository for*  
15 *Nevada Records of Criminal History or the Federal Bureau of*  
16 *Investigation pursuant to subsection 8.*

17 12. The Director shall transmit a compilation of the  
18 information received pursuant to subsection 10 to the Legislative  
19 Commission quarterly, unless otherwise directed by the  
20 Commission.

21 **Sec. 27.** NRS 482.163 is hereby amended to read as follows:

22 482.163 1. The Department shall develop and implement a  
23 process by which a person with a criminal history may *submit a*  
24 petition *to* the Department ~~to~~ *requesting that the Department*  
25 *review the criminal history of the person to determine if the person's*  
26 *criminal history will disqualify the person from obtaining a license*  
27 *pursuant to this chapter.*

28 2. Not later than 90 days after a petition is submitted to the  
29 Department pursuant to subsection 1, the Department shall inform  
30 the person of the determination of the Department of whether the  
31 person's criminal history will disqualify the person from obtaining a  
32 license. The Department is not bound by its determination of  
33 disqualification or qualification and may rescind such a  
34 determination at any time.

35 3. The Department may provide instructions to a person who  
36 receives a determination of disqualification to remedy the  
37 determination of disqualification. A person may resubmit a petition  
38 pursuant to subsection 1 not earlier than 6 months after receiving  
39 instructions pursuant to this subsection if the person remedies the  
40 determination of disqualification.

41 4. A person with a criminal history may *submit a* petition *to*  
42 the Department at any time, including, without limitation, before  
43 obtaining any education or paying any fee required to obtain a  
44 license from the Department.





1 5. A person may submit a new petition to the Department not  
2 earlier than 2 years after the final determination of the initial petition  
3 submitted to the Department.

4 6. The Department may impose a fee of up to \$50 upon the  
5 person to fund the administrative costs in complying with the  
6 provisions of this section. The Department may waive such fees or  
7 allow such fees to be covered by funds from a scholarship or grant.

8 7. The Department may post on its Internet website:

9 (a) The requirements to obtain a license from the Department;  
10 and

11 (b) A list of crimes, if any, that would disqualify a person from  
12 obtaining a license from the Department.

13 8. ~~【The Department may request the criminal history record of~~  
14 ~~a】~~ A person who petitions the Department for a determination  
15 pursuant to subsection 1 : ~~【. To the extent consistent with federal~~  
16 ~~law, if the Department makes such a request of a person, the~~  
17 ~~Department shall require the person to submit his or her criminal~~  
18 ~~history record which includes a report from:】~~

19 (a) ~~【The】~~ *Shall submit to the Department a complete set of*  
20 *fingerprints and written permission authorizing the Department to*  
21 *forward those fingerprints to the* Central Repository for Nevada  
22 *Records of Criminal History* ~~【:】~~ *for its report on the criminal*  
23 *history of the person and for submission to the Federal Bureau of*  
24 *Investigation for its report on the criminal history of the person;*  
25 and

26 (b) ~~【The Federal Bureau of Investigation.】~~ *Is prohibited from*  
27 *receiving the reports obtained pursuant to paragraph (a).*

28 9. A person who petitions the Department for a determination  
29 pursuant to subsection 1 shall not submit false or misleading  
30 information to the Department.

31 10. The Department shall, on or before the 20th day of January,  
32 April, July and October, submit to the Director of the Legislative  
33 Counsel Bureau in an electronic format prescribed by the Director, a  
34 report that includes:

35 (a) The number of petitions submitted to the Department  
36 pursuant to subsection 1;

37 (b) The number of determinations of disqualification made by  
38 the Department pursuant to subsection 1; *and*

39 (c) *Except as otherwise provided in subsection 11:*

40 (1) The reasons for such determinations; and

41 ~~【(d)】~~ (2) Any other information that is requested by the Director  
42 or which the Department determines would be helpful.

43 11. *The Department shall not include in a report submitted to*  
44 *the Director pursuant to subsection 10 any information*  
45 *concerning the criminal history of a person that is obtained from a*



1 *report received from the Central Repository for Nevada Records of*  
2 *Criminal History or the Federal Bureau of Investigation pursuant*  
3 *to subsection 8.*

4 **12.** The Director shall transmit a compilation of the  
5 information received pursuant to subsection 10 to the Legislative  
6 Commission quarterly, unless otherwise directed by the  
7 Commission.

8 **13.** *As used in this section, "license" means a:*

9 *(a) License to renew certificates of registration pursuant to*  
10 *NRS 482.281;*

11 *(b) License as a vehicle transporter pursuant to*  
12 *NRS 482.3163;*

13 *(c) Manufacturer's, distributor's, dealer's or rebuilder's*  
14 *license pursuant to NRS 482.325;*

15 *(d) License to broker pursuant to NRS 482.333;*

16 *(e) License to engage in the activity of a salesperson of*  
17 *vehicles, trailers or semitrailers pursuant to NRS 482.362; or*

18 *(f) License to engage in the leasing of vehicles as a long-term*  
19 *or short-term lessor pursuant to NRS 482.363.*

20 **Sec. 28.** NRS 487.006 is hereby amended to read as follows:

21 487.006 1. The Department shall develop and implement a  
22 process by which a person with a criminal history may *submit a*  
23 *petition to* the Department ~~{to}~~ *requesting that the Department*  
24 *review the criminal history of the person to determine if the person's*  
25 *criminal history will disqualify the person from obtaining a license*  
26 *pursuant to this chapter.*

27 2. Not later than 90 days after a petition is submitted to the  
28 Department pursuant to subsection 1, the Department shall inform  
29 the person of the determination of the Department of whether the  
30 person's criminal history will disqualify the person from obtaining a  
31 license. The Department is not bound by its determination of  
32 disqualification or qualification and may rescind such a  
33 determination at any time.

34 3. The Department may provide instructions to a person who  
35 receives a determination of disqualification to remedy the  
36 determination of disqualification. A person may resubmit a petition  
37 pursuant to subsection 1 not earlier than 6 months after receiving  
38 instructions pursuant to this subsection if the person remedies the  
39 determination of disqualification.

40 4. A person with a criminal history may *submit a* petition *to*  
41 *the Department at any time, including, without limitation, before*  
42 *obtaining any education or paying any fee required to obtain a*  
43 *license from the Department.*



1 5. A person may submit a new petition to the Department not  
2 earlier than 2 years after the final determination of the initial petition  
3 submitted to the Department.

4 6. The Department may impose a fee of up to \$50 upon the  
5 person to fund the administrative costs in complying with the  
6 provisions of this section. The Department may waive such fees or  
7 allow such fees to be covered by funds from a scholarship or grant.

8 7. The Department may post on its Internet website:

9 (a) The requirements to obtain a license from the Department;  
10 and

11 (b) A list of crimes, if any, that would disqualify a person from  
12 obtaining a license from the Department.

13 8. ~~8. The Department may request the criminal history record of~~  
14 ~~a] A person who petitions the Department for a determination~~  
15 ~~pursuant to subsection 1 : [- To the extent consistent with federal~~  
16 ~~law, if the Department makes such a request of a person, the~~  
17 ~~Department shall require the person to submit his or her criminal~~  
18 ~~history record which includes a report from:]~~

19 (a) ~~[The]~~ *Shall submit to the Department a complete set of*  
20 *fingerprints and written permission authorizing the Department to*  
21 *forward those fingerprints to the* Central Repository for Nevada  
22 *Records of Criminal History [:] for its report on the criminal*  
23 *history of the person and for submission to the Federal Bureau of*  
24 *Investigation for its report on the criminal history of the person;*  
25 and

26 (b) ~~[The Federal Bureau of Investigation.]~~ *Is prohibited from*  
27 *receiving the reports obtained pursuant to paragraph (a).*

28 9. A person who petitions the Department for a determination  
29 pursuant to subsection 1 shall not submit false or misleading  
30 information to the Department.

31 10. The Department shall, on or before the 20th day of January,  
32 April, July and October, submit to the Director of the Legislative  
33 Counsel Bureau in an electronic format prescribed by the Director, a  
34 report that includes:

35 (a) The number of petitions submitted to the Department  
36 pursuant to subsection 1;

37 (b) The number of determinations of disqualification made by  
38 the Department pursuant to subsection 1; *and*

39 (c) *Except as otherwise provided in subsection 11:*

40 (1) The reasons for such determinations; and

41 ~~[(d)]~~ (2) Any other information that is requested by the Director  
42 or which the Department determines would be helpful.

43 11. *The Department shall not include in a report submitted to*  
44 *the Director pursuant to subsection 10 any information*  
45 *concerning the criminal history of a person that is obtained from a*



1 *report received from the Central Repository for Nevada Records of*  
2 *Criminal History or the Federal Bureau of Investigation pursuant*  
3 *to subsection 8.*

4 **12.** The Director shall transmit a compilation of the  
5 information received pursuant to subsection 10 to the Legislative  
6 Commission quarterly, unless otherwise directed by the  
7 Commission.

8 **13.** *As used in this section, "license" means a license:*

9 *(a) As an automobile wrecker pursuant to NRS 487.050;*

10 *(b) To operate a salvage pool pursuant to NRS 487.410;*

11 *(c) To issue identifying cards pursuant to NRS 487.492; or*

12 *(d) To operate a body shop pursuant to NRS 487.610.*

13 **Sec. 29.** NRS 489.298 is hereby amended to read as follows:

14 489.298 1. The Division shall develop and implement a  
15 process by which a person with a criminal history may *submit a*  
16 *petition to* the Division to review the criminal history of the person  
17 to determine if the person's criminal history will disqualify the  
18 person from obtaining a license pursuant to this chapter.

19 2. Not later than 90 days after a petition is submitted to the  
20 Division pursuant to subsection 1, the Division shall inform the  
21 person of the determination of the Division of whether the person's  
22 criminal history will disqualify the person from obtaining a license.  
23 The Division is not bound by its determination of disqualification or  
24 qualification and may rescind such a determination at any time.

25 3. The Division may provide instructions to a person who  
26 receives a determination of disqualification to remedy the  
27 determination of disqualification. A person may resubmit a petition  
28 pursuant to subsection 1 not earlier than 6 months after receiving  
29 instructions pursuant to this subsection if the person remedies the  
30 determination of disqualification.

31 4. A person with a criminal history may *submit a* petition *to*  
32 the Division at any time, including, without limitation, before  
33 obtaining any education or paying any fee required to obtain a  
34 license from the Division.

35 5. A person may submit a new petition to the Division not  
36 earlier than 2 years after the final determination of the initial petition  
37 submitted to the Division.

38 6. The Division may impose a fee of up to \$50 upon the person  
39 to fund the administrative costs in complying with the provisions of  
40 this section. The Division may waive such fees or allow such fees to  
41 be covered by funds from a scholarship or grant.

42 7. The Division may post on its Internet website:

43 (a) The requirements to obtain a license from the Division; and

44 (b) A list of crimes, if any, that would disqualify a person from  
45 obtaining a license from the Division.



1 8. ~~[The Division may request the criminal history record of a]~~  
2 **A** person who petitions the Division for a determination pursuant to  
3 subsection 1 : ~~[- To the extent consistent with federal law, if the~~  
4 ~~Division makes such a request of a person, the Division shall require~~  
5 ~~the person to submit his or her criminal history record which~~  
6 ~~includes a report from:]~~

7 (a) ~~[The]~~ **Shall submit to the Division a complete set of**  
8 **fingerprints and written permission authorizing the Division to**  
9 **forward those fingerprints to the** Central Repository for Nevada  
10 **Records of Criminal History [:] for its report on the criminal**  
11 **history of the person and for submission to the Federal Bureau of**  
12 **Investigation for its report on the criminal history of the person;**  
13 and

14 (b) ~~[The Federal Bureau of Investigation.]~~ **Is prohibited from**  
15 **receiving the reports obtained pursuant to paragraph (a).**

16 9. A person who petitions the Division for a determination  
17 pursuant to subsection 1 shall not submit false or misleading  
18 information to the Division.

19 10. The Division shall, on or before the 20th day of January,  
20 April, July and October, submit to the Director of the Legislative  
21 Counsel Bureau in an electronic format prescribed by the Director, a  
22 report that includes:

23 (a) The number of petitions submitted to the Division pursuant  
24 to subsection 1;

25 (b) The number of determinations of disqualification made by  
26 the Division pursuant to subsection 1; **and**

27 (c) **Except as otherwise provided in subsection 11:**

28 (1) The reasons for such determinations; and

29 ~~[(d)]~~ (2) Any other information that is requested by the Director  
30 or which the Division determines would be helpful.

31 11. **The Division shall not include in a report submitted to the**  
32 **Director pursuant to subsection 10 any information concerning**  
33 **the criminal history of a person that is obtained from a report**  
34 **received from the Central Repository for Nevada Records of**  
35 **Criminal History or the Federal Bureau of Investigation pursuant**  
36 **to subsection 8.**

37 12. The Director shall transmit a compilation of the  
38 information received pursuant to subsection 10 to the Legislative  
39 Commission quarterly, unless otherwise directed by the  
40 Commission.

41 13. **As used in this section, "license" means a:**

42 (a) **Limited dealer's license pursuant to NRS 489.281;**

43 (b) **License for a manufacturing plant pursuant to**  
44 **NRS 489.301;**



1 (c) License to operate a branch office of a dealer, distributor,  
2 manufacturer, general serviceperson or specialty serviceperson  
3 pursuant to NRS 489.305;

4 (d) License to engage in the business of a dealer, distributor,  
5 manufacturer, general serviceperson or specialty serviceperson  
6 pursuant to NRS 489.311 or 489.343;

7 (e) Limited lien resale license pursuant to NRS 489.336; or

8 (f) License for a salesperson or responsible managing  
9 employee pursuant to NRS 489.341.

10 **Sec. 30.** NRS 490.195 is hereby amended to read as follows:

11 490.195 1. The Department shall develop and implement a  
12 process by which a person with a criminal history may *submit a*  
13 petition *to* the Department ~~to~~ *requesting that the Department*  
14 review the criminal history of the person to determine if the person's  
15 criminal history will disqualify the person from obtaining a license  
16 *or a temporary permit as a new off-highway vehicle dealer, used*  
17 *off-highway vehicle dealer, long-term or short-term lessor or*  
18 *manufacturer in this State* pursuant to NRS 490.200 . ~~for a~~  
19 ~~temporary permit.~~

20 2. Not later than 90 days after a petition is submitted to the  
21 Department pursuant to subsection 1, the Department shall inform  
22 the person of the determination of the Department of whether the  
23 person's criminal history will disqualify the person from obtaining a  
24 license or temporary permit ~~for~~ *as a new off-highway vehicle dealer,*  
25 *used off-highway vehicle dealer, long-term or short-term lessor or*  
26 *manufacturer.* The Department is not bound by its determination of  
27 disqualification or qualification and may rescind such a  
28 determination at any time.

29 3. The Department may provide instructions to a person who  
30 receives a determination of disqualification to remedy the  
31 determination of disqualification. A person may resubmit a petition  
32 pursuant to subsection 1 not earlier than 6 months after receiving  
33 instructions pursuant to this subsection if the person remedies the  
34 determination of disqualification.

35 4. A person with a criminal history may *submit a* petition *to*  
36 the Department at any time, including, without limitation, before  
37 obtaining any education or paying any fee required to obtain a  
38 license or temporary permit *as a new off-highway vehicle dealer,*  
39 *used off-highway vehicle dealer, long-term or short-term lessor or*  
40 *manufacturer* from the Department.

41 5. A person may submit a new petition to the Department not  
42 earlier than 2 years after the final determination of the initial petition  
43 submitted to the Department.

44 6. The Department may impose a fee of up to \$50 upon the  
45 person to fund the administrative costs in complying with the



1 provisions of this section. The Department may waive such fees or  
2 allow such fees to be covered by funds from a scholarship or grant.

3 7. The Department may post on its Internet website:

4 (a) The requirements to obtain a license or temporary permit *as*  
5 *a new off-highway vehicle dealer, used off-highway vehicle dealer,*  
6 *long-term or short-term lessor or manufacturer* from the  
7 Department; and

8 (b) A list of crimes, if any, that would disqualify a person from  
9 obtaining a license or temporary permit *as a new off-highway*  
10 *vehicle dealer, used off-highway vehicle dealer, long-term or*  
11 *short-term lessor or manufacturer* from the Department.

12 8. ~~[The Department may request the criminal history record of~~  
13 ~~a] A person who petitions the Department for a determination~~  
14 ~~pursuant to subsection 1 : [To the extent consistent with federal~~  
15 ~~law, if the Department makes such a request of a person, the~~  
16 ~~Department shall require the person to submit his or her criminal~~  
17 ~~history record which includes a report from:]~~

18 (a) ~~[The] Shall submit to the Department a complete set of~~  
19 ~~fingerprints and written permission authorizing the Department to~~  
20 ~~forward those fingerprints to the Central Repository for Nevada~~  
21 ~~Records of Criminal History [;] for its report on the criminal~~  
22 ~~history of the person and for submission to the Federal Bureau of~~  
23 ~~Investigation for its report on the criminal history of the person;~~  
24 and

25 (b) ~~[The Federal Bureau of Investigation.] Is prohibited from~~  
26 ~~receiving the reports obtained pursuant to paragraph (a).~~

27 9. A person who petitions the Department for a determination  
28 pursuant to subsection 1 shall not submit false or misleading  
29 information to the Department.

30 10. The Department shall, on or before the 20th day of January,  
31 April, July and October, submit to the Director of the Legislative  
32 Counsel Bureau in an electronic format prescribed by the Director, a  
33 report that includes:

34 (a) The number of petitions submitted to the Department  
35 pursuant to subsection 1;

36 (b) The number of determinations of disqualification made by  
37 the Department pursuant to subsection 1; *and*

38 (c) *Except as otherwise provided in subsection 11:*

39 (1) The reasons for such determinations; and

40 ~~[(d)]~~ (2) Any other information that is requested by the Director  
41 or which the Department determines would be helpful.

42 11. *The Department shall not include in a report submitted to*  
43 *the Director pursuant to subsection 10 any information*  
44 *concerning the criminal history of a person that is obtained from a*  
45 *report received from the Central Repository for Nevada Records of*



1 ***Criminal History or the Federal Bureau of Investigation pursuant***  
2 ***to subsection 8.***

3 **12.** The Director shall transmit a compilation of the  
4 information received pursuant to subsection 10 to the Legislative  
5 Commission quarterly, unless otherwise directed by the  
6 Commission.

7 **Sec. 31.** NRS 502.375 is hereby amended to read as follows:

8 502.375 1. The Department shall develop and implement a  
9 process by which a person with a criminal history may ***submit a***  
10 ***petition to*** the Department ~~to~~ ***requesting that the Department***  
11 ***review the criminal history of the person to determine if the person's***  
12 ***criminal history will disqualify the person from obtaining a license***  
13 ***to practice taxidermy pursuant to NRS 502.370.***

14 2. Not later than 90 days after a petition is submitted to the  
15 Department pursuant to subsection 1, the Department shall inform  
16 the person of the determination of the Department of whether the  
17 person's criminal history will disqualify the person from obtaining a  
18 license ~~to practice taxidermy.~~ ***to practice taxidermy.*** The Department is not bound by its  
19 determination of disqualification or qualification and may rescind  
20 such a determination at any time.

21 3. The Department may provide instructions to a person who  
22 receives a determination of disqualification to remedy the  
23 determination of disqualification. A person may resubmit a petition  
24 pursuant to subsection 1 not earlier than 6 months after receiving  
25 instructions pursuant to this subsection if the person remedies the  
26 determination of disqualification.

27 4. A person with a criminal history may ***submit a*** petition ***to***  
28 the Department at any time, including, without limitation, before  
29 obtaining any education or paying any fee required to obtain a  
30 license ***to practice taxidermy*** from the Department.

31 5. A person may submit a new petition to the Department not  
32 earlier than 2 years after the final determination of the initial petition  
33 submitted to the Department.

34 6. The Department may impose a fee of up to \$50 upon the  
35 person to fund the administrative costs in complying with the  
36 provisions of this section. The Department may waive such fees or  
37 allow such fees to be covered by funds from a scholarship or grant.

38 7. The Department may post on its Internet website:

39 (a) The requirements to obtain a license ***to practice taxidermy***  
40 from the Department; and

41 (b) A list of crimes, if any, that would disqualify a person from  
42 obtaining a license ***to practice taxidermy*** from the Department.

43 8. ~~The Department may request the criminal history record of~~  
44 ***a*** person who petitions the Department for a determination  
45 pursuant to subsection 1 : ~~To the extent consistent with federal~~





1 ~~law, if the Department makes such a request of a person, the~~  
2 ~~Department shall require the person to submit his or her criminal~~  
3 ~~history record which includes a report from:]~~

4 (a) ~~[The]~~ *Shall submit to the Department a complete set of*  
5 *fingerprints and written permission authorizing the Department to*  
6 *forward those fingerprints to the* Central Repository for Nevada  
7 *Records of Criminal History* ~~[:]~~ *for its report on the criminal*  
8 *history of the person and for submission to the Federal Bureau of*  
9 *Investigation for its report on the criminal history of the person;*  
10 and

11 (b) ~~[The Federal Bureau of Investigation.]~~ *Is prohibited from*  
12 *receiving the reports obtained pursuant to paragraph (a).*

13 9. A person who petitions the Department for a determination  
14 pursuant to subsection 1 shall not submit false or misleading  
15 information to the Department.

16 10. The Department shall, on or before the 20th day of January,  
17 April, July and October, submit to the Director of the Legislative  
18 Counsel Bureau in an electronic format prescribed by the Director, a  
19 report that includes:

20 (a) The number of petitions submitted to the Department  
21 pursuant to subsection 1;

22 (b) The number of determinations of disqualification made by  
23 the Department pursuant to subsection 1; *and*

24 (c) *Except as otherwise provided in subsection 11:*

25 (1) The reasons for such determinations; and

26 ~~[(d)]~~ (2) Any other information that is requested by the Director  
27 or which the Department determines would be helpful.

28 11. *The Department shall not include in a report submitted to*  
29 *the Director pursuant to subsection 10 any information*  
30 *concerning the criminal history of a person that is obtained from a*  
31 *report received from the Central Repository for Nevada Records of*  
32 *Criminal History or the Federal Bureau of Investigation pursuant*  
33 *to subsection 8.*

34 12. The Director shall transmit a compilation of the  
35 information received pursuant to subsection 10 to the Legislative  
36 Commission quarterly, unless otherwise directed by the  
37 Commission.

38 **Sec. 32.** NRS 503.5831 is hereby amended to read as follows:

39 503.5831 1. The Department shall develop and implement a  
40 process by which a person with a criminal history may *submit a*  
41 *petition to* the Department ~~[to]~~ *requesting that the Department*  
42 *review the criminal history of the person to determine if the person's*  
43 *criminal history will disqualify the person from obtaining a falconry*  
44 *license pursuant to NRS 503.583.*



1 2. Not later than 90 days after a petition is submitted to the  
2 Department pursuant to subsection 1, the Department shall inform  
3 the person of the determination of the Department of whether the  
4 person's criminal history will disqualify the person from obtaining a  
5 falconry license. The Department is not bound by its determination  
6 of disqualification or qualification and may rescind such a  
7 determination at any time.

8 3. The Department may provide instructions to a person who  
9 receives a determination of disqualification to remedy the  
10 determination of disqualification. A person may resubmit a petition  
11 pursuant to subsection 1 not earlier than 6 months after receiving  
12 instructions pursuant to this subsection if the person remedies the  
13 determination of disqualification.

14 4. A person with a criminal history may *submit a petition to*  
15 *the Department at any time, including, without limitation, before*  
16 *obtaining any education or paying any fee required to obtain a*  
17 *falconry license from the Department.*

18 5. A person may submit a new petition to the Department not  
19 earlier than 2 years after the final determination of the initial petition  
20 submitted to the Department.

21 6. The Department may impose a fee of up to \$50 upon the  
22 person to fund the administrative costs in complying with the  
23 provisions of this section. The Department may waive such fees or  
24 allow such fees to be covered by funds from a scholarship or grant.

25 7. The Department may post on its Internet website:

26 (a) The requirements to obtain a falconry license from the  
27 Department; and

28 (b) A list of crimes, if any, that would disqualify a person from  
29 obtaining a falconry license from the Department.

30 8. ~~{The Department may request the criminal history record of~~  
31 ~~a} A person who petitions the Department for a determination~~  
32 ~~pursuant to subsection 1 : {.~~ ~~To the extent consistent with federal~~  
33 ~~law, if the Department makes such a request of a person, the~~  
34 ~~Department shall require the person to submit his or her criminal~~  
35 ~~history record which includes a report from:}~~

36 (a) *{The} Shall submit to the Department a complete set of*  
37 *fingerprints and written permission authorizing the Department to*  
38 *forward those fingerprints to the Central Repository for Nevada*  
39 *Records of Criminal History {}* *for its report on the criminal*  
40 *history of the person and for submission to the Federal Bureau of*  
41 *Investigation for its report on the criminal history of the person;*  
42 and

43 (b) ~~{The Federal Bureau of Investigation.}~~ *Is prohibited from*  
44 *receiving the reports obtained pursuant to paragraph (a).*



1 9. A person who petitions the Department for a determination  
2 pursuant to subsection 1 shall not submit false or misleading  
3 information to the Department.

4 10. The Department shall, on or before the 20th day of January,  
5 April, July and October, submit to the Director of the Legislative  
6 Counsel Bureau in an electronic format prescribed by the Director, a  
7 report that includes:

8 (a) The number of petitions submitted to the Department  
9 pursuant to subsection 1;

10 (b) The number of determinations of disqualification made by  
11 the Department pursuant to subsection 1; *and*

12 (c) *Except as otherwise provided in subsection 11:*

13 (1) The reasons for such determinations; and

14 ~~(d)~~ (2) Any other information that is requested by the Director  
15 or which the Department determines would be helpful.

16 11. *The Department shall not include in a report submitted to*  
17 *the Director pursuant to subsection 10 any information*  
18 *concerning the criminal history of a person that is obtained from a*  
19 *report received from the Central Repository for Nevada Records of*  
20 *Criminal History or the Federal Bureau of Investigation pursuant*  
21 *to subsection 8.*

22 12. The Director shall transmit a compilation of the  
23 information received pursuant to subsection 10 to the Legislative  
24 Commission quarterly, unless otherwise directed by the  
25 Commission.

26 **Sec. 33.** NRS 504.391 is hereby amended to read as follows:

27 504.391 1. The Department shall develop and implement a  
28 process by which a person with a criminal history may *submit a*  
29 *petition to* the Department ~~[to]~~ *requesting that the Department*  
30 *review the criminal history of the person to determine if the person's*  
31 *criminal history will disqualify the person from obtaining a master*  
32 *guide license or subguide license pursuant to NRS 504.390.*

33 2. Not later than 90 days after a petition is submitted to the  
34 Department pursuant to subsection 1, the Department shall inform  
35 the person of the determination of the Department of whether the  
36 person's criminal history will disqualify the person from obtaining a  
37 *master guide license or subguide* license. The Department is not  
38 bound by its determination of disqualification or qualification and  
39 may rescind such a determination at any time.

40 3. The Department may provide instructions to a person who  
41 receives a determination of disqualification to remedy the  
42 determination of disqualification. A person may resubmit a petition  
43 pursuant to subsection 1 not earlier than 6 months after receiving  
44 instructions pursuant to this subsection if the person remedies the  
45 determination of disqualification.



1 4. A person with a criminal history may *submit a* petition *to*  
2 the Department at any time, including, without limitation, before  
3 obtaining any education or paying any fee required to obtain a  
4 *master guide license or subguide* license from the Department.

5 5. A person may submit a new petition to the Department not  
6 earlier than 2 years after the final determination of the initial petition  
7 submitted to the Department.

8 6. The Department may impose a fee of up to \$50 upon the  
9 person to fund the administrative costs in complying with the  
10 provisions of this section. The Department may waive such fees or  
11 allow such fees to be covered by funds from a scholarship or grant.

12 7. The Department may post on its Internet website:

13 (a) The requirements to obtain a *master guide license or*  
14 *subguide* license from the Department; and

15 (b) A list of crimes, if any, that would disqualify a person from  
16 obtaining a *master guide license or subguide* license from the  
17 Department.

18 8. ~~The Department may request the criminal history record of~~  
19 ~~a] A person who petitions the Department for a determination~~  
20 ~~pursuant to subsection 1 : [ . To the extent consistent with federal~~  
21 ~~law, if the Department makes such a request of a person, the~~  
22 ~~Department shall require the person to submit his or her criminal~~  
23 ~~history record which includes a report from:]~~

24 (a) ~~The] Shall submit to the Department a complete set of~~  
25 ~~fingerprints and written permission authorizing the Department to~~  
26 ~~forward those fingerprints to the~~ Central Repository for Nevada  
27 Records of Criminal History ~~] for its report on the criminal~~  
28 ~~history of the person and for submission to the Federal Bureau of~~  
29 ~~Investigation for its report on the criminal history of the person;~~  
30 and

31 (b) ~~The Federal Bureau of Investigation.] Is prohibited from~~  
32 ~~receiving the reports obtained pursuant to paragraph (a).~~

33 9. A person who petitions the Department for a determination  
34 pursuant to subsection 1 shall not submit false or misleading  
35 information to the Department.

36 10. The Department shall, on or before the 20th day of January,  
37 April, July and October, submit to the Director of the Legislative  
38 Counsel Bureau in an electronic format prescribed by the Director, a  
39 report that includes:

40 (a) The number of petitions submitted to the Department  
41 pursuant to subsection 1;

42 (b) The number of determinations of disqualification made by  
43 the Department pursuant to subsection 1; *and*

44 (c) *Except as otherwise provided in subsection 11:*

45 (1) The reasons for such determinations; and



1 ~~[(4)]~~ (2) Any other information that is requested by the Director  
2 or which the Department determines would be helpful.

3 11. *The Department shall not include in a report submitted to*  
4 *the Director pursuant to subsection 10 any information*  
5 *concerning the criminal history of a person that is obtained from a*  
6 *report received from the Central Repository for Nevada Records of*  
7 *Criminal History or the Federal Bureau of Investigation pursuant*  
8 *to subsection 8.*

9 12. The Director shall transmit a compilation of the  
10 information received pursuant to subsection 10 to the Legislative  
11 Commission quarterly, unless otherwise directed by the  
12 Commission.

13 **Sec. 34.** NRS 505.013 is hereby amended to read as follows:

14 505.013 1. The Department shall develop and implement a  
15 process by which a person with a criminal history may *submit a*  
16 *petition to* the Department ~~[(to)]~~ *requesting that the Department*  
17 *review the criminal history of the person to determine if the person's*  
18 *criminal history will disqualify the person from obtaining a fur*  
19 *dealer's license pursuant to NRS 502.240.*

20 2. Not later than 90 days after a petition is submitted to the  
21 Department pursuant to subsection 1, the Department shall inform  
22 the person of the determination of the Department of whether the  
23 person's criminal history will disqualify the person from obtaining a  
24 *fur dealer's* license. The Department is not bound by its  
25 determination of disqualification or qualification and may rescind  
26 such a determination at any time.

27 3. The Department may provide instructions to a person who  
28 receives a determination of disqualification to remedy the  
29 determination of disqualification. A person may resubmit a petition  
30 pursuant to subsection 1 not earlier than 6 months after receiving  
31 instructions pursuant to this subsection if the person remedies the  
32 determination of disqualification.

33 4. A person with a criminal history may *submit a* petition *to*  
34 *the Department at any time, including, without limitation, before*  
35 *obtaining any education or paying any fee required to obtain a* *fur*  
36 *dealer's* license from the Department.

37 5. A person may submit a new petition to the Department not  
38 earlier than 2 years after the final determination of the initial petition  
39 submitted to the Department.

40 6. The Department may impose a fee of up to \$50 upon the  
41 person to fund the administrative costs in complying with the  
42 provisions of this section. The Department may waive such fees or  
43 allow such fees to be covered by funds from a scholarship or grant.

44 7. The Department may post on its Internet website:



1 (a) The requirements to obtain a *fur dealer's* license from the  
2 Department; and

3 (b) A list of crimes, if any, that would disqualify a person from  
4 obtaining a *fur dealer's* license from the Department.

5 8. ~~The Department may request the criminal history record of~~  
6 ~~a] A person who petitions the Department for a determination~~  
7 ~~pursuant to subsection 1 : [- To the extent consistent with federal~~  
8 ~~law, if the Department makes such a request of a person, the~~  
9 ~~Department shall require the person to submit his or her criminal~~  
10 ~~history record which includes a report from:]~~

11 (a) ~~The] Shall submit to the Department a complete set of~~  
12 ~~fingerprints and written permission authorizing the Department to~~  
13 ~~forward those fingerprints to the Central Repository for Nevada~~  
14 ~~Records of Criminal History [:] for its report on the criminal~~  
15 ~~history of the person and for submission to the Federal Bureau of~~  
16 ~~Investigation for its report on the criminal history of the person;~~  
17 and

18 (b) ~~The Federal Bureau of Investigation.] Is prohibited from~~  
19 ~~receiving the reports obtained pursuant to paragraph (a).~~

20 9. A person who petitions the Department for a determination  
21 pursuant to subsection 1 shall not submit false or misleading  
22 information to the Department.

23 10. The Department shall, on or before the 20th day of January,  
24 April, July and October, submit to the Director of the Legislative  
25 Counsel Bureau in an electronic format prescribed by the Director, a  
26 report that includes:

27 (a) The number of petitions submitted to the Department  
28 pursuant to subsection 1;

29 (b) The number of determinations of disqualification made by  
30 the Department pursuant to subsection 1; and

31 (c) *Except as otherwise provided in subsection 11:*

32 (1) The reasons for such determinations; and

33 ~~(d)] (2) Any other information that is requested by the Director~~  
34 ~~or which the Department determines would be helpful.~~

35 11. *The Department shall not include in a report submitted to*  
36 *the Director pursuant to subsection 10 any information*  
37 *concerning the criminal history of a person that is obtained from a*  
38 *report received from the Central Repository for Nevada Records of*  
39 *Criminal History or the Federal Bureau of Investigation pursuant*  
40 *to subsection 8.*

41 12. The Director shall transmit a compilation of the  
42 information received pursuant to subsection 10 to the Legislative  
43 Commission quarterly, unless otherwise directed by the  
44 Commission.



1       **Sec. 35.** NRS 534.1405 is hereby amended to read as follows:  
2       534.1405 1. The State Engineer *appointed pursuant to NRS*  
3 *532.020* shall develop and implement a process by which a person  
4 with a criminal history may *submit a* petition *to* the State Engineer  
5 ~~to~~ *requesting that the State Engineer* review the criminal history  
6 of the person to determine if the person's criminal history will  
7 disqualify the person from obtaining a license to drill pursuant to  
8 NRS 534.140.

9       2. Not later than 90 days after a petition is submitted to the  
10 State Engineer pursuant to subsection 1, the State Engineer shall  
11 inform the person of the determination of the State Engineer of  
12 whether the person's criminal history will disqualify the person  
13 from obtaining a license ~~to~~ *to drill*. The State Engineer is not bound  
14 by his or her determination of disqualification or qualification and  
15 may rescind such a determination at any time.

16       3. The State Engineer may provide instructions to a person  
17 who receives a determination of disqualification to remedy the  
18 determination of disqualification. A person may resubmit a petition  
19 pursuant to subsection 1 not earlier than 6 months after receiving  
20 instructions pursuant to this subsection if the person remedies the  
21 determination of disqualification.

22       4. A person with a criminal history may *submit a* petition *to*  
23 the State Engineer at any time, including, without limitation, before  
24 obtaining any education or paying any fee required to obtain a  
25 license *to drill* from the State Engineer.

26       5. A person may submit a new petition to the State Engineer  
27 not earlier than 2 years after the final determination of the initial  
28 petition submitted to the State Engineer.

29       6. The State Engineer may impose a fee of up to \$50 upon the  
30 person to fund the administrative costs in complying with the  
31 provisions of this section. The State Engineer may waive such fees  
32 or allow such fees to be covered by funds from a scholarship or  
33 grant.

34       7. The State Engineer may post on its Internet website:

35       (a) The requirements to obtain a license *to drill* from the State  
36 Engineer; and

37       (b) A list of crimes, if any, that would disqualify a person from  
38 obtaining a license *to drill* from the State Engineer.

39       8. ~~The State Engineer may request the criminal history record~~  
40 ~~of a] A person who petitions the State Engineer for a determination~~  
41 ~~pursuant to subsection 1 : [- To the extent consistent with federal~~  
42 ~~law, if the State Engineer makes such a request of a person, the State~~  
43 ~~Engineer shall require the person to submit his or her criminal~~  
44 ~~history record which includes a report from:]~~



1 (a) ~~[(The)]~~ *Shall submit to the State Engineer a complete set of*  
2 *fingerprints and written permission authorizing the State*  
3 *Engineer to forward those fingerprints to the* Central Repository  
4 *for Nevada Records of Criminal History* ~~[(;)]~~ *for its report on the*  
5 *criminal history of the person and for submission to the Federal*  
6 *Bureau of Investigation for its report on the criminal history of*  
7 *the person; and*

8 (b) ~~[(The Federal Bureau of Investigation.)]~~ *Is prohibited from*  
9 *receiving the reports obtained pursuant to paragraph (a).*

10 9. A person who petitions the State Engineer for a  
11 determination pursuant to subsection 1 shall not submit false or  
12 misleading information to the State Engineer.

13 10. The State Engineer shall, on or before the 20th day of  
14 January, April, July and October, submit to the Director of the  
15 Legislative Counsel Bureau in an electronic format prescribed by  
16 the Director, a report that includes:

17 (a) The number of petitions submitted to the State Engineer  
18 pursuant to subsection 1;

19 (b) The number of determinations of disqualification made by  
20 the State Engineer pursuant to subsection 1; *and*

21 (c) *Except as otherwise provided in subsection 11:*

22 (1) The reasons for such determinations; and

23 ~~[(d)]~~ (2) Any other information that is requested by the Director  
24 or which the State Engineer determines would be helpful.

25 11. *The State Engineer shall not include in a report*  
26 *submitted to the Director pursuant to subsection 10 any*  
27 *information concerning the criminal history of a person that is*  
28 *obtained from a report received from the Central Repository for*  
29 *Nevada Records of Criminal History or the Federal Bureau of*  
30 *Investigation pursuant to subsection 8.*

31 12. The Director shall transmit a compilation of the  
32 information received pursuant to subsection 10 to the Legislative  
33 Commission quarterly, unless otherwise directed by the  
34 Commission.

35 **Sec. 36.** NRS 544.147 is hereby amended to read as follows:

36 544.147 1. The Director shall develop and implement a  
37 process by which a person with a criminal history may *submit a*  
38 *petition to* the Director ~~[(to)]~~ *requesting that the Director* review the  
39 criminal history of the person to determine if the person's criminal  
40 history will disqualify the person from obtaining a license and a  
41 permit *to engage in activities for weather modification and control*  
42 pursuant to NRS 544.120.

43 2. Not later than 90 days after a petition is submitted to the  
44 Director pursuant to subsection 1, the Director shall inform the  
45 person of the determination of the Director of whether the person's





1 criminal history will disqualify the person from obtaining a license  
2 and a permit ~~[ ]~~ *to engage in activities for weather modification*  
3 *and control*. The Director is not bound by his or her determination  
4 of disqualification or qualification and may rescind such a  
5 determination at any time.

6 3. The Director may provide instructions to a person who  
7 receives a determination of disqualification to remedy the  
8 determination of disqualification. A person may resubmit a petition  
9 pursuant to subsection 1 not earlier than 6 months after receiving  
10 instructions pursuant to this subsection if the person remedies the  
11 determination of disqualification.

12 4. A person with a criminal history may *submit a* petition *to*  
13 the Director at any time, including, without limitation, before  
14 obtaining any education or paying any fee required to obtain a  
15 license and a permit *to engage in activities for weather*  
16 *modification and control* from the Director.

17 5. A person may submit a new petition to the Director not  
18 earlier than 2 years after the final determination of the initial petition  
19 submitted to the Director.

20 6. The Director may impose a fee of up to \$50 upon the person  
21 to fund the administrative costs in complying with the provisions of  
22 this section. The Director may waive such fees or allow such fees to  
23 be covered by funds from a scholarship or grant.

24 7. The Director may post on its Internet website:

25 (a) The requirements to obtain a license and a permit *to engage*  
26 *in activities for weather modification and control* from the  
27 Director; and

28 (b) A list of crimes, if any, that would disqualify a person from  
29 obtaining a license and a permit *to engage in activities for weather*  
30 *modification and control* from the Director.

31 8. ~~[The Director may request the criminal history record of a]~~  
32 ~~A person who petitions the Director for a determination pursuant to~~  
33 ~~subsection 1 : [ . To the extent consistent with federal law, if the~~  
34 ~~Director makes such a request of a person, the Director shall require~~  
35 ~~the person to submit his or her criminal history record which~~  
36 ~~includes a report from:]~~

37 (a) ~~[The]~~ *Shall submit to the Director a complete set of*  
38 *fingerprints and written permission authorizing the Director to*  
39 *forward those fingerprints to the* Central Repository for Nevada  
40 Records of Criminal History ~~[ ]~~ *for its report on the criminal*  
41 *history of the person and for submission to the Federal Bureau of*  
42 *Investigation for its report on the criminal history of the person;*  
43 and

44 (b) ~~[The Federal Bureau of Investigation.]~~ *Is prohibited from*  
45 *receiving the reports obtained pursuant to paragraph (a).*



1 9. A person who petitions the Director for a determination  
2 pursuant to subsection 1 shall not submit false or misleading  
3 information to the Director.

4 10. The Director of the State Department of Conservation and  
5 Natural Resources shall, on or before the 20th day of January, April,  
6 July and October, submit to the Director of the Legislative Counsel  
7 Bureau in an electronic format prescribed by the Director of the  
8 Legislative Counsel Bureau, a report that includes:

9 (a) The number of petitions submitted to the Director of the  
10 State Department of Conservation and Natural Resources pursuant  
11 to subsection 1;

12 (b) The number of determinations of disqualification made by  
13 the Director of the State Department of Conservation and Natural  
14 Resources pursuant to subsection 1; *and*

15 (c) *Except as otherwise provided in subsection 11:*

16 (1) The reasons for such determinations; and

17 ~~[(d)]~~ (2) Any other information that is requested by the Director  
18 of the Legislative Counsel Bureau or which the Director of the State  
19 Department of Conservation and Natural Resources determines  
20 would be helpful.

21 11. *The Director of the State Department of Conservation*  
22 *and Natural Resources shall not include in a report submitted to*  
23 *the Director of the Legislative Counsel Bureau pursuant to*  
24 *subsection 10 any information concerning the criminal history of*  
25 *a person that is obtained from a report received from the Central*  
26 *Repository for Nevada Records of Criminal History or the Federal*  
27 *Bureau of Investigation pursuant to subsection 8.*

28 12. The Director of the Legislative Counsel Bureau shall  
29 transmit a compilation of the information received pursuant to  
30 subsection 10 to the Legislative Commission quarterly, unless  
31 otherwise directed by the Commission.

32 **Sec. 37.** NRS 555.305 is hereby amended to read as follows:

33 555.305 1. The Director shall develop and implement a  
34 process by which a person with a criminal history may *submit a*  
35 *petition to* the Director ~~[(t)]~~ *requesting that the Director* review the  
36 criminal history of the person to determine if the person's criminal  
37 history will disqualify the person from obtaining a business license  
38 or license as an applicator pursuant to NRS 555.290.

39 2. Not later than 90 days after a petition is submitted to the  
40 Director pursuant to subsection 1, the Director shall inform the  
41 person of the determination of the Director of whether the person's  
42 criminal history will disqualify the person from obtaining a *business*  
43 *license* ~~[(r)]~~ *or license as an applicator.* The Director is not bound by  
44 his or her determination of disqualification or qualification and may  
45 rescind such a determination at any time.



1 3. The Director may provide instructions to a person who  
2 receives a determination of disqualification to remedy the  
3 determination of disqualification. A person may resubmit a petition  
4 pursuant to subsection 1 not earlier than 6 months after receiving  
5 instructions pursuant to this subsection if the person remedies the  
6 determination of disqualification.

7 4. A person with a criminal history may *submit a petition to*  
8 the Director at any time, including, without limitation, before  
9 obtaining any education or paying any fee required to obtain a  
10 *business license or license as an applicator* from the Director.

11 5. A person may submit a new petition to the Director not  
12 earlier than 2 years after the final determination of the initial petition  
13 submitted to the Director.

14 6. The Director may impose a fee of up to \$50 upon the person  
15 to fund the administrative costs in complying with the provisions of  
16 this section. The Director may waive such fees or allow such fees to  
17 be covered by funds from a scholarship or grant.

18 7. The Director may post on the Internet website of the  
19 Department:

20 (a) The requirements to obtain a *business license or license as*  
21 *an applicator* from the Director; and

22 (b) A list of crimes, if any, that would disqualify a person from  
23 obtaining a *business license or license as an applicator* from the  
24 Director.

25 8. ~~[The Director may request the criminal history record of a]~~  
26 ~~A person who petitions the Director for a determination pursuant to~~  
27 ~~subsection 1 : [- To the extent consistent with federal law, if the~~  
28 ~~Director makes such a request of a person, the Director shall require~~  
29 ~~the person to submit his or her criminal history record which~~  
30 ~~includes a report from:]~~

31 (a) ~~[The]~~ *Shall submit to the Director a complete set of*  
32 *fingerprints and written permission authorizing the Director to*  
33 *forward those fingerprints to the Central Repository for Nevada*  
34 *Records of Criminal History [:] for its report on the criminal*  
35 *history of the person and for submission to the Federal Bureau of*  
36 *Investigation for its report on the criminal history of the person;*  
37 and

38 (b) ~~[The Federal Bureau of Investigation.]~~ *Is prohibited from*  
39 *receiving the reports obtained pursuant to paragraph (a).*

40 9. A person who petitions the Director for a determination  
41 pursuant to subsection 1 shall not submit false or misleading  
42 information to the Director.

43 10. The Director of the State Department of Agriculture shall,  
44 on or before the 20th day of January, April, July and October,



1 submit to the Director of the Legislative Counsel Bureau in an  
2 electronic format prescribed by the Director, a report that includes:

3 (a) The number of petitions submitted to the Director of the  
4 State Department of Agriculture pursuant to subsection 1;

5 (b) The number of determinations of disqualification made by  
6 the Director of the State Department of Agriculture pursuant to  
7 subsection 1; *and*

8 (c) *Except as otherwise provided in subsection 11:*

9 (1) The reasons for such determinations; and

10 ~~[(d)]~~ (2) Any other information that is requested by the Director  
11 of the Legislative Counsel Bureau or which the Director of the State  
12 Department of Agriculture determines would be helpful.

13 11. *The Director of the State Department of Agriculture shall*  
14 *not include in a report submitted to the Director of the Legislative*  
15 *Counsel Bureau pursuant to subsection 10 any information*  
16 *concerning the criminal history of a person that is obtained from a*  
17 *report received from the Central Repository for Nevada Records of*  
18 *Criminal History or the Federal Bureau of Investigation pursuant*  
19 *to subsection 8.*

20 12. The Director of the Legislative Counsel Bureau shall  
21 transmit a compilation of the information received pursuant to  
22 subsection 10 to the Legislative Commission quarterly, unless  
23 otherwise directed by the Commission.

24 **Sec. 38.** NRS 557.225 is hereby amended to read as follows:

25 557.225 1. The Department shall develop and implement a  
26 process by which a person with a criminal history may *submit a*  
27 *petition to* the Department ~~to~~ *requesting that the Department*  
28 *review the criminal history of the person to determine if the person's*  
29 *criminal history will disqualify the person from registering as a*  
30 *grower, handler or producer pursuant to NRS 557.200.*

31 2. Not later than 90 days after a petition is submitted to the  
32 Department pursuant to subsection 1, the Department shall inform  
33 the person of the determination of the Department of whether the  
34 person's criminal history will disqualify the person from  
35 ~~registration~~ *registering as a grower, handler or producer.* The  
36 Department is not bound by its determination of disqualification or  
37 qualification and may rescind such a determination at any time.

38 3. The Department may provide instructions to a person who  
39 receives a determination of disqualification to remedy the  
40 determination of disqualification. A person may resubmit a petition  
41 pursuant to subsection 1 not earlier than 6 months after receiving  
42 instructions pursuant to this subsection if the person remedies the  
43 determination of disqualification.

44 4. A person with a criminal history may *submit a* petition *to*  
45 the Department at any time, including, without limitation, before



1 obtaining any education or paying any fee required to obtain a  
2 registration *as a grower, handler or producer* from the Department.

3 5. A person may submit a new petition to the Department not  
4 earlier than 2 years after the final determination of the initial petition  
5 submitted to the Department.

6 6. The Department may impose a fee of up to \$50 upon the  
7 person to fund the administrative costs in complying with the  
8 provisions of this section. The Department may waive such fees or  
9 allow such fees to be covered by funds from a scholarship or grant.

10 7. The Department may post on its Internet website:

11 (a) The requirements to register *as a grower, handler or*  
12 *producer* with the Department; and

13 (b) A list of crimes, if any, that would disqualify a person from  
14 obtaining a registration *as a grower, handler or producer* from the  
15 Department.

16 8. ~~{The Department may request the criminal history record of~~  
17 ~~a} A person who petitions the Department for a determination~~  
18 ~~pursuant to subsection 1 : { To the extent consistent with federal~~  
19 ~~law, if the Department makes such a request of a person, the~~  
20 ~~Department shall require the person to submit his or her criminal~~  
21 ~~history record which includes a report from:}~~

22 (a) ~~{The}~~ *Shall submit to the Department a complete set of*  
23 *fingerprints and written permission authorizing the Department to*  
24 *forward those fingerprints to the* Central Repository for Nevada  
25 Records of Criminal History ~~{}~~ *for its report on the criminal*  
26 *history of the person and for submission to the Federal Bureau of*  
27 *Investigation for its report on the criminal history of the person;*  
28 and

29 (b) ~~{The Federal Bureau of Investigation.}~~ *Is prohibited from*  
30 *receiving the reports obtained pursuant to paragraph (a).*

31 9. A person who petitions the Department for a determination  
32 pursuant to subsection 1 shall not submit false or misleading  
33 information to the Department.

34 10. The Department shall, on or before the 20th day of January,  
35 April, July and October, submit to the Director of the Legislative  
36 Counsel Bureau in an electronic format prescribed by the Director, a  
37 report that includes:

38 (a) The number of petitions submitted to the Department  
39 pursuant to subsection 1;

40 (b) The number of determinations of disqualification made by  
41 the Department pursuant to subsection 1; *and*

42 (c) *Except as otherwise provided in subsection 11:*

43 (1) The reasons for such determinations; and

44 ~~{(d)}~~ (2) Any other information that is requested by the Director  
45 or which the Department determines would be helpful.



1 11. *The Department shall not include in a report submitted to*  
2 *the Director pursuant to subsection 10 any information*  
3 *concerning the criminal history of a person that is obtained from a*  
4 *report received from the Central Repository for Nevada Records of*  
5 *Criminal History or the Federal Bureau of Investigation pursuant*  
6 *to subsection 8.*

7 12. The Director shall transmit a compilation of the  
8 information received pursuant to subsection 10 to the Legislative  
9 Commission quarterly, unless otherwise directed by the  
10 Commission.

11 **Sec. 39.** NRS 576.037 is hereby amended to read as follows:

12 576.037 1. The Department shall develop and implement a  
13 process by which a person with a criminal history may *submit a*  
14 *petition to the Department ~~to~~ requesting that the Department*  
15 *review the criminal history of the person to determine if the person's*  
16 *criminal history will disqualify the person from obtaining a license*  
17 *as a broker, dealer, commission merchant or agent pursuant to*  
18 *NRS 576.030.*

19 2. Not later than 90 days after a petition is submitted to the  
20 Department pursuant to subsection 1, the Department shall inform  
21 the person of the determination of the Department of whether the  
22 person's criminal history will disqualify the person from obtaining a  
23 license *~~to~~ as a broker, dealer, commission merchant or agent.* The  
24 Department is not bound by its determination of disqualification or  
25 qualification and may rescind such a determination at any time.

26 3. The Department may provide instructions to a person who  
27 receives a determination of disqualification to remedy the  
28 determination of disqualification. A person may resubmit a petition  
29 pursuant to subsection 1 not earlier than 6 months after receiving  
30 instructions pursuant to this subsection if the person remedies the  
31 determination of disqualification.

32 4. A person with a criminal history may *submit a* petition *to*  
33 *the Department at any time, including, without limitation, before*  
34 *obtaining any education or paying any fee required to obtain a*  
35 *license as a broker, dealer, commission merchant or agent* from  
36 the Department.

37 5. A person may submit a new petition to the Department not  
38 earlier than 2 years after the final determination of the initial petition  
39 submitted to the Department.

40 6. The Department may impose a fee of up to \$50 upon the  
41 person to fund the administrative costs in complying with the  
42 provisions of this section. The Department may waive such fees or  
43 allow such fees to be covered by funds from a scholarship or grant.

44 7. The Department may post on its Internet website:



1 (a) The requirements to obtain a license *as a broker, dealer,*  
2 *commission merchant or agent* from the Department; and

3 (b) A list of crimes, if any, that would disqualify a person from  
4 obtaining a license *as a broker, dealer, commission merchant or*  
5 *agent* from the Department.

6 8. ~~¶ The Department may request the criminal history record of~~  
7 ~~a] A~~ person who petitions the Department for a determination  
8 pursuant to subsection 1 : ~~[- To the extent consistent with federal~~  
9 ~~law, if the Department makes such a request of a person, the~~  
10 ~~Department shall require the person to submit his or her criminal~~  
11 ~~history record which includes a report from:]~~

12 (a) ~~¶ The]~~ *Shall submit to the Department a complete set of*  
13 *fingerprints and written permission authorizing the Department to*  
14 *forward those fingerprints to the* Central Repository for Nevada  
15 Records of Criminal History ~~¶]~~ *for its report on the criminal*  
16 *history of the person and for submission to the Federal Bureau of*  
17 *Investigation for its report on the criminal history of the person;*  
18 and

19 (b) ~~¶ The Federal Bureau of Investigation.]~~ *Is prohibited from*  
20 *receiving the reports obtained pursuant to paragraph (a).*

21 9. A person who petitions the Department for a determination  
22 pursuant to subsection 1 shall not submit false or misleading  
23 information to the Department.

24 10. The Department shall, on or before the 20th day of January,  
25 April, July and October, submit to the Director of the Legislative  
26 Counsel Bureau in an electronic format prescribed by the Director, a  
27 report that includes:

28 (a) The number of petitions submitted to the Department  
29 pursuant to subsection 1;

30 (b) The number of determinations of disqualification made by  
31 the Department pursuant to subsection 1; *and*

32 (c) *Except as otherwise provided in subsection 11:*

33 (1) The reasons for such determinations; and

34 ~~¶(d)]~~ (2) Any other information that is requested by the Director  
35 or which the Department determines would be helpful.

36 11. *The Department shall not include in a report submitted to*  
37 *the Director pursuant to subsection 10 any information*  
38 *concerning the criminal history of a person that is obtained from a*  
39 *report received from the Central Repository for Nevada Records of*  
40 *Criminal History or the Federal Bureau of Investigation pursuant*  
41 *to subsection 8.*

42 12. The Director shall transmit a compilation of the  
43 information received pursuant to subsection 10 to the Legislative  
44 Commission quarterly, unless otherwise directed by the  
45 Commission.



1       **Sec. 40.** NRS 581.1033 is hereby amended to read as follows:

2       581.1033 1. The State Sealer of Measurement Standards shall  
3 develop and implement a process by which a person with a criminal  
4 history may *submit a petition to* the State Sealer of Measurement  
5 Standards ~~to~~ *requesting that the State Sealer of Measurement*  
6 *Standards* review the criminal history of the person to determine if  
7 the person's criminal history will disqualify the person from  
8 obtaining a certificate of registration *to make any repair or*  
9 *adjustment to a weighing or measuring device* pursuant to  
10 NRS 581.103.

11       2. Not later than 90 days after a petition is submitted to the  
12 State Sealer of Measurement Standards pursuant to subsection 1, the  
13 State Sealer of Measurement Standards shall inform the person of  
14 the determination of the State Sealer of Measurement Standards of  
15 whether the person's criminal history will disqualify the person  
16 from obtaining a certificate of registration ~~to~~ *to make any repair or*  
17 *adjustment to a weighing or measuring device.* The State Sealer of  
18 Measurement Standards is not bound by his or her determination of  
19 disqualification or qualification and may rescind such a  
20 determination at any time.

21       3. The State Sealer of Measurement Standards may provide  
22 instructions to a person who receives a determination of  
23 disqualification to remedy the determination of disqualification. A  
24 person may resubmit a petition pursuant to subsection 1 not earlier  
25 than 6 months after receiving instructions pursuant to this  
26 subsection if the person remedies the determination of  
27 disqualification.

28       4. A person with a criminal history may *submit a petition to*  
29 *the State Sealer of Measurement Standards* at any time, including,  
30 without limitation, before obtaining any education or paying any fee  
31 required to obtain a certificate of registration *to make any repair or*  
32 *adjustment to a weighing or measuring device* from the State  
33 Sealer of Measurement Standards.

34       5. A person may submit a new petition to the State Sealer of  
35 Measurement Standards not earlier than 2 years after the final  
36 determination of the initial petition submitted to the State Sealer of  
37 Measurement Standards.

38       6. The State Sealer of Measurement Standards may impose a  
39 fee of up to \$50 upon the person to fund the administrative costs in  
40 complying with the provisions of this section. The State Sealer of  
41 Measurement Standards may waive such fees or allow such fees to  
42 be covered by funds from a scholarship or grant.

43       7. The State Sealer of Measurement Standards may post on its  
44 Internet website:





1 (a) The requirements to obtain a certificate of registration *to*  
2 *make any repair or adjustment to a weighing or measuring device*  
3 from the State Sealer of Measurement Standards; and

4 (b) A list of crimes, if any, that would disqualify a person from  
5 obtaining a certificate of registration *to make any repair or*  
6 *adjustment to a weighing or measuring device* from the State  
7 Sealer of Measurement Standards.

8 8. ~~The State Sealer of Measurement Standards may request the~~  
9 ~~criminal history record of a~~ A person who petitions the State Sealer  
10 of Measurement Standards for a determination pursuant to  
11 subsection 1 : ~~[- To the extent consistent with federal law, if the~~  
12 ~~State Sealer of Measurement Standards makes such a request of a~~  
13 ~~person, the State Sealer of Measurement Standards shall require the~~  
14 ~~person to submit his or her criminal history record which includes a~~  
15 ~~report from:]~~

16 (a) ~~The~~ *Shall submit to the State Sealer of Measurement*  
17 *Standards a complete set of fingerprints and written permission*  
18 *authorizing the State Sealer of Measurement Standards to forward*  
19 *those fingerprints to the* Central Repository for Nevada Records of  
20 Criminal History ~~[-]~~ *for its report on the criminal history of the*  
21 *person and for submission to the Federal Bureau of Investigation*  
22 *for its report on the criminal history of the person; and*

23 (b) ~~The Federal Bureau of Investigation.]~~ *Is prohibited from*  
24 *receiving the reports obtained pursuant to paragraph (a).*

25 9. A person who petitions the State Sealer of Measurement  
26 Standards for a determination pursuant to subsection 1 shall not  
27 submit false or misleading information to the State Sealer of  
28 Measurement Standards.

29 10. The State Sealer of Measurement Standards shall, on or  
30 before the 20th day of January, April, July and October, submit to  
31 the Director of the Legislative Counsel Bureau in an electronic  
32 format prescribed by the Director, a report that includes:

33 (a) The number of petitions submitted to the State Sealer of  
34 Measurement Standards pursuant to subsection 1;

35 (b) The number of determinations of disqualification made by  
36 the State Sealer of Measurement Standards pursuant to subsection 1;  
37 *and*

38 (c) *Except as otherwise provided in subsection 11:*

39 (1) The reasons for such determinations; and

40 ~~[(d)]~~ (2) Any other information that is requested by the Director  
41 or which the State Sealer of Measurement Standards determines  
42 would be helpful.

43 11. *The State Sealer of Measurement Standards shall not*  
44 *include in a report submitted to the Director pursuant to*  
45 *subsection 10 any information concerning the criminal history of*



1 *a person that is obtained from a report received from the Central*  
2 *Repository for Nevada Records of Criminal History or the Federal*  
3 *Bureau of Investigation pursuant to subsection 8.*

4 **12.** The Director shall transmit a compilation of the  
5 information received pursuant to subsection 10 to the Legislative  
6 Commission quarterly, unless otherwise directed by the  
7 Commission.

8 **Sec. 41.** NRS 582.035 is hereby amended to read as follows:

9 582.035 1. The State Sealer of Measurement Standards shall  
10 develop and implement a process by which a person with a criminal  
11 history may *submit a petition to* the State Sealer of Measurement  
12 Standards ~~to~~ *requesting that the State Sealer of Measurement*  
13 *Standards* review the criminal history of the person to determine if  
14 the person's criminal history will disqualify the person from  
15 obtaining a license as a public weighmaster pursuant to  
16 NRS 582.028.

17 2. Not later than 90 days after a petition is submitted to the  
18 State Sealer of Measurement Standards pursuant to subsection 1, the  
19 State Sealer of Measurement Standards shall inform the person of  
20 the determination of the State Sealer of Measurement Standards of  
21 whether the person's criminal history will disqualify the person  
22 from obtaining a license ~~to~~ *as a public weighmaster.* The State  
23 Sealer of Measurement Standards is not bound by his or her  
24 determination of disqualification or qualification and may rescind  
25 such a determination at any time.

26 3. The State Sealer of Measurement Standards may provide  
27 instructions to a person who receives a determination of  
28 disqualification to remedy the determination of disqualification. A  
29 person may resubmit a petition pursuant to subsection 1 not earlier  
30 than 6 months after receiving instructions pursuant to this  
31 subsection if the person remedies the determination of  
32 disqualification.

33 4. A person with a criminal history may *submit a petition to*  
34 *the State Sealer of Measurement Standards at any time, including,*  
35 *without limitation, before obtaining any education or paying any fee*  
36 *required to obtain a license as a public weighmaster* from the State  
37 Sealer of Measurement Standards.

38 5. A person may submit a new petition to the State Sealer of  
39 Measurement Standards not earlier than 2 years after the final  
40 determination of the initial petition submitted to the State Sealer of  
41 Measurement Standards.

42 6. The State Sealer of Measurement Standards may impose a  
43 fee of up to \$50 upon the person to fund the administrative costs in  
44 complying with the provisions of this section. The State Sealer of



1 Measurement Standards may waive such fees or allow such fees to  
2 be covered by funds from a scholarship or grant.

3 7. The State Sealer of Measurement Standards may post on its  
4 Internet website:

5 (a) The requirements to obtain a license *as a public*  
6 *weighmaster* from the State Sealer of Measurement Standards; and

7 (b) A list of crimes, if any, that would disqualify a person from  
8 obtaining a license *as a public weighmaster* from the State Sealer of  
9 Measurement Standards.

10 8. ~~[(The State Sealer of Measurement Standards may request the~~  
11 ~~criminal history record of a]~~ A person who petitions the State Sealer  
12 of Measurement Standards for a determination pursuant to  
13 subsection 1 : ~~[- To the extent consistent with federal law, if the~~  
14 ~~State Sealer of Measurement Standards makes such a request of a~~  
15 ~~person, the State Sealer of Measurement Standards shall require the~~  
16 ~~person to submit his or her criminal history record which includes a~~  
17 ~~report from:]~~

18 (a) ~~[(The]~~ *Shall submit to the State Sealer of Measurement*  
19 *Standards a complete set of fingerprints and written permission*  
20 *authorizing the State Sealer of Measurement Standards to forward*  
21 *those fingerprints to the* Central Repository for Nevada Records of  
22 Criminal History ~~[-]~~ *for its report on the criminal history of the*  
23 *person and for submission to the Federal Bureau of Investigation*  
24 *for its report on the criminal history of the person;* and

25 (b) ~~[(The Federal Bureau of Investigation.)]~~ *Is prohibited from*  
26 *receiving the reports obtained pursuant to paragraph (a).*

27 9. A person who petitions the State Sealer of Measurement  
28 Standards for a determination pursuant to subsection 1 shall not  
29 submit false or misleading information to the State Sealer of  
30 Measurement Standards.

31 10. The State Sealer of Measurement Standards shall, on or  
32 before the 20th day of January, April, July and October, submit to  
33 the Director of the Legislative Counsel Bureau in an electronic  
34 format prescribed by the Director, a report that includes:

35 (a) The number of petitions submitted to the State Sealer of  
36 Measurement Standards pursuant to subsection 1;

37 (b) The number of determinations of disqualification made by  
38 the State Sealer of Measurement Standards pursuant to subsection 1;

39 *and*

40 (c) *Except as otherwise provided in subsection 11:*

41 (1) The reasons for such determinations; and

42 ~~[(d)]~~ (2) Any other information that is requested by the Director  
43 or which the State Sealer of Measurement Standards determines  
44 would be helpful.



1 11. *The State Sealer of Measurement Standards shall not*  
2 *include in a report submitted to the Director pursuant to*  
3 *subsection 10 any information concerning the criminal history of*  
4 *a person that is obtained from a report received from the Central*  
5 *Repository for Nevada Records of Criminal History or the Federal*  
6 *Bureau of Investigation pursuant to subsection 8.*

7 12. The Director shall transmit a compilation of the  
8 information received pursuant to subsection 10 to the Legislative  
9 Commission quarterly, unless otherwise directed by the  
10 Commission.

11 **Sec. 42.** NRS 584.2165 is hereby amended to read as follows:

12 584.2165 1. The Director shall develop and implement a  
13 process by which a person with a criminal history may *submit a*  
14 *petition to* the Director ~~to~~ *requesting that the Director* review the  
15 criminal history of the person to determine if the person's criminal  
16 history will disqualify the person from obtaining a milk tester's  
17 license pursuant to NRS 584.215.

18 2. Not later than 90 days after a petition is submitted to the  
19 Director pursuant to subsection 1, the Director shall inform the  
20 person of the determination of the Director of whether the person's  
21 criminal history will disqualify the person from obtaining a *milk*  
22 *tester's* license. The Director is not bound by his or her  
23 determination of disqualification or qualification and may rescind  
24 such a determination at any time.

25 3. The Director may provide instructions to a person who  
26 receives a determination of disqualification to remedy the  
27 determination of disqualification. A person may resubmit a petition  
28 pursuant to subsection 1 not earlier than 6 months after receiving  
29 instructions pursuant to this subsection if the person remedies the  
30 determination of disqualification.

31 4. A person with a criminal history may *submit a* petition *to*  
32 *the Director* at any time, including, without limitation, before  
33 obtaining any education or paying any fee required to obtain a *milk*  
34 *tester's* license from the Director.

35 5. A person may submit a new petition to the Director not  
36 earlier than 2 years after the final determination of the initial petition  
37 submitted to the Director.

38 6. The Director may impose a fee of up to \$50 upon the person  
39 to fund the administrative costs in complying with the provisions of  
40 this section. The Director may waive such fees or allow such fees to  
41 be covered by funds from a scholarship or grant.

42 7. The Director may post on its Internet website:

43 (a) The requirements to obtain a *milk tester's* license from the  
44 Director; and



1 (b) A list of crimes, if any, that would disqualify a person from  
2 obtaining a *milk tester's* license from the Director.

3 8. ~~[(The Director may request the criminal history record of a]~~  
4 ~~A person who petitions the Director for a determination pursuant to~~  
5 ~~subsection 1 : [.~~ ~~To the extent consistent with federal law, if the~~  
6 ~~Director makes such a request of a person, the Director shall require~~  
7 ~~the person to submit his or her criminal history record which~~  
8 ~~includes a report from:]~~

9 (a) ~~[(The]~~ *Shall submit to the Director a complete set of*  
10 *fingerprints and written permission authorizing the Director to*  
11 *forward those fingerprints to the* Central Repository for Nevada  
12 Records of Criminal History ~~[(;]~~ *for its report on the criminal*  
13 *history of the person and for submission to the Federal Bureau of*  
14 *Investigation for its report on the criminal history of the person;*  
15 and

16 (b) ~~[(The Federal Bureau of Investigation.)]~~ *Is prohibited from*  
17 *receiving the reports obtained pursuant to paragraph (a).*

18 9. A person who petitions the Director for a determination  
19 pursuant to subsection 1 shall not submit false or misleading  
20 information to the Director.

21 10. The Director of the State Department of Agriculture shall,  
22 on or before the 20th day of January, April, July and October,  
23 submit to the Director of the Legislative Counsel Bureau in an  
24 electronic format prescribed by the Director, a report that includes:

25 (a) The number of petitions submitted to the Director of the  
26 State Department of Agriculture pursuant to subsection 1;

27 (b) The number of determinations of disqualification made by  
28 the Director of the State Department of Agriculture pursuant to  
29 subsection 1; *and*

30 (c) *Except as otherwise provided in subsection 11:*

31 (1) The reasons for such determinations; and

32 ~~[(d)]~~ (2) Any other information that is requested by the Director  
33 of the Legislative Counsel Bureau or which the Director of the State  
34 Department of Agriculture determines would be helpful.

35 11. *The Director of the State Department of Agriculture shall*  
36 *not include in a report submitted to the Director of the Legislative*  
37 *Counsel Bureau pursuant to subsection 10 any information*  
38 *concerning the criminal history of a person that is obtained from a*  
39 *report received from the Central Repository for Nevada Records of*  
40 *Criminal History or the Federal Bureau of Investigation pursuant*  
41 *to subsection 8.*

42 12. The Director of the Legislative Counsel Bureau shall  
43 transmit a compilation of the information received pursuant to  
44 subsection 10 to the Legislative Commission quarterly, unless  
45 otherwise directed by the Commission.



1       **Sec. 43.** NRS 587.014 is hereby amended to read as follows:

2       587.014 1. The Director shall develop and implement a  
3 process by which a person with a criminal history may *submit a*  
4 petition *to* the Director ~~{to}~~ *requesting that the Director* review the  
5 criminal history of the person to determine if the person's criminal  
6 history will disqualify the person from obtaining a license or  
7 registration pursuant to this chapter.

8       2. Not later than 90 days after a petition is submitted to the  
9 Director pursuant to subsection 1, the Director shall inform the  
10 person of the determination of the Director of whether the person's  
11 criminal history will disqualify the person from obtaining a license  
12 or registration. The Director is not bound by his or her  
13 determination of disqualification or qualification and may rescind  
14 such a determination at any time.

15       3. The Director may provide instructions to a person who  
16 receives a determination of disqualification to remedy the  
17 determination of disqualification. A person may resubmit a petition  
18 pursuant to subsection 1 not earlier than 6 months after receiving  
19 instructions pursuant to this subsection if the person remedies the  
20 determination of disqualification.

21       4. A person with a criminal history may *submit a* petition *to*  
22 the Director at any time, including, without limitation, before  
23 obtaining any education or paying any fee required to obtain a  
24 license or registration from the Director.

25       5. A person may submit a new petition to the Director not  
26 earlier than 2 years after the final determination of the initial petition  
27 submitted to the Director.

28       6. The Director may impose a fee of up to \$50 upon the person  
29 to fund the administrative costs in complying with the provisions of  
30 this section. The Director may waive such fees or allow such fees to  
31 be covered by funds from a scholarship or grant.

32       7. The Director may post on its Internet website:

33       (a) The requirements to obtain a license or registration from the  
34 Director; and

35       (b) A list of crimes, if any, that would disqualify a person from  
36 obtaining a license or registration from the Director.

37       8. ~~{The Director may request the criminal history record of a}~~  
38 *A* person who petitions the Director for a determination pursuant to  
39 subsection 1 : ~~{. To the extent consistent with federal law, if the~~  
40 ~~Director makes such a request of a person, the Director shall require~~  
41 ~~the person to submit his or her criminal history record which~~  
42 ~~includes a report from:}~~

43       (a) ~~{The}~~ *Shall submit to the Director a complete set of*  
44 *fingerprints and written permission authorizing the Director to*  
45 *forward those fingerprints to the* Central Repository for Nevada



1 Records of Criminal History ~~(H)~~ *for its report on the criminal*  
2 *history of the person and for submission to the Federal Bureau of*  
3 *Investigation for its report on the criminal history of the person;*  
4 and

5 (b) ~~[The Federal Bureau of Investigation.]~~ *Is prohibited from*  
6 *receiving the reports obtained pursuant to paragraph (a).*

7 9. A person who petitions the Director for a determination  
8 pursuant to subsection 1 shall not submit false or misleading  
9 information to the Director.

10 10. The Director of the State Department of Agriculture shall,  
11 on or before the 20th day of January, April, July and October,  
12 submit to the Director of the Legislative Counsel Bureau in an  
13 electronic format prescribed by the Director of the Legislative  
14 Counsel Bureau, a report that includes:

15 (a) The number of petitions submitted to the Director of the  
16 State Department of Agriculture pursuant to subsection 1;

17 (b) The number of determinations of disqualification made by  
18 the Director of the State Department of Agriculture pursuant to  
19 subsection 1; *and*

20 (c) *Except as otherwise provided in subsection 11:*

21 (1) The reasons for such determinations; and

22 ~~(d)~~ (2) Any other information that is requested by the Director  
23 of the Legislative Counsel Bureau or which the Director of the State  
24 Department of Agriculture determines would be helpful.

25 11. *The Director of the State Department of Agriculture shall*  
26 *not include in a report submitted to the Director of the Legislative*  
27 *Counsel Bureau pursuant to subsection 10 any information*  
28 *concerning the criminal history of a person that is obtained from a*  
29 *report received from the Central Repository for Nevada Records of*  
30 *Criminal History or the Federal Bureau of Investigation pursuant*  
31 *to subsection 8.*

32 12. The Director of the Legislative Counsel Bureau shall  
33 transmit a compilation of the information received pursuant to  
34 subsection 10 to the Legislative Commission quarterly, unless  
35 otherwise directed by the Commission.

36 13. *As used in this section:*

37 (a) *“License” means a license to:*

38 (1) *Inspect or classify agricultural products pursuant to*  
39 *NRS 587.380; or*

40 (2) *Manufacture, distribute or be a guarantor of*  
41 *commercial feed pursuant to NRS 587.869.*

42 (b) *“Registration” means a registration:*

43 (1) *To produce acidified foods pursuant to NRS 587.696; or*

44 (2) *As a producer and handler of organic agricultural*  
45 *products pursuant to NRS 587.830.*



1       **Sec. 44.** NRS 599A.057 is hereby amended to read as follows:

2       599A.057 1. The board of county commissioners of any  
3 county and the governing body of an incorporated city shall develop  
4 and implement a process by which a person with a criminal history  
5 may *submit a petition to* the board of county commissioners ~~{of any~~  
6 ~~county and}~~ *or* the governing body ~~{of an incorporated city to}~~  
7 *requesting that the board of county commissioners or the*  
8 *governing body, as applicable,* review the criminal history of the  
9 person to determine if the person's criminal history will disqualify  
10 the person from obtaining a license *to engage in any practice*  
11 *connected with the solicitation of customers for land sales*  
12 pursuant to NRS 599A.050.

13       2. Not later than 90 days after a petition is submitted to the  
14 board of county commissioners of ~~{any} a county {and} or~~ the  
15 governing body of an incorporated city pursuant to subsection 1,  
16 the board of county commissioners ~~{of any county and} or~~ the  
17 governing body ~~{of an incorporated city}~~ , *as applicable,* shall  
18 inform the person of the determination of the board of county  
19 commissioners ~~{of any county and} or~~ the governing body ~~{of an~~  
20 ~~incorporated city}~~ of whether the person's criminal history will  
21 disqualify the person from obtaining a license ~~{}~~ *to engage in any*  
22 *practice connected with the solicitation of customers for land*  
23 *sales.* The board of county commissioners of any county and the  
24 governing body of an incorporated city is not bound by its  
25 determination of disqualification or qualification and may rescind  
26 such a determination at any time.

27       3. The board of county commissioners of any county and the  
28 governing body of an incorporated city may provide instructions to  
29 a person who receives a determination of disqualification to remedy  
30 the determination of disqualification. A person may resubmit a  
31 petition pursuant to subsection 1 not earlier than 6 months after  
32 receiving instructions pursuant to this subsection if the person  
33 remedies the determination of disqualification.

34       4. A person with a criminal history may *submit a petition to*  
35 the board of county commissioners of any county and the governing  
36 body of an incorporated city at any time, including, without  
37 limitation, before obtaining any education or paying any fee  
38 required to obtain a license *to engage in any practice connected*  
39 *with the solicitation of customers for land sales* from the board of  
40 county commissioners of any county and the governing body of an  
41 incorporated city.

42       5. A person may submit a new petition to the board of county  
43 commissioners of any county and the governing body of an  
44 incorporated city not earlier than 2 years after the final  
45 determination of the initial petition submitted to the board of county





1 commissioners of any county and the governing body of an  
2 incorporated city.

3 6. The board of county commissioners of any county and the  
4 governing body of an incorporated city may impose a fee of up to  
5 \$50 upon the person to fund the administrative costs in complying  
6 with the provisions of this section. The board of county  
7 commissioners of any county and the governing body of an  
8 incorporated city may waive such fees or allow such fees to be  
9 covered by funds from a scholarship or grant.

10 7. The board of county commissioners of any county and the  
11 governing body of an incorporated city may post on its Internet  
12 website:

13 (a) The requirements to obtain a license *to engage in any*  
14 *practice connected with the solicitation of customers for land sales*  
15 from the board of county commissioners or the governing body, as  
16 applicable; and

17 (b) A list of crimes, if any, that would disqualify a person from  
18 obtaining a license *to engage in any practice connected with the*  
19 *solicitation of customers for land sales* from the board of county  
20 commissioners of any county and the governing body of an  
21 incorporated city, as applicable.

22 8. ~~The board of county commissioners of any county and the~~  
23 ~~governing body of an incorporated city may request the criminal~~  
24 ~~history record of a] A person who petitions the board of county~~  
25 ~~commissioners or the governing body, as applicable, for a~~  
26 ~~determination pursuant to subsection 1 : [- To the extent consistent~~  
27 ~~with federal law, if the board of county commissioners or governing~~  
28 ~~body, as applicable, makes such a request of a person, the board of~~  
29 ~~county commissioners or governing body, as applicable, shall~~  
30 ~~require the person to submit his or her criminal history record which~~  
31 ~~includes a report from:]~~

32 (a) ~~The] Shall submit to the board of county commissioners or~~  
33 ~~the governing body, as applicable, a complete set of fingerprints~~  
34 ~~and written permission authorizing the board of county~~  
35 ~~commissioners or the governing body, as applicable, to forward~~  
36 ~~those fingerprints to the Central Repository for Nevada Records of~~  
37 ~~Criminal History [-] for its report on the criminal history of the~~  
38 ~~person and for submission to the Federal Bureau of Investigation~~  
39 ~~for its report on the criminal history of the person; and~~

40 (b) ~~The Federal Bureau of Investigation.] Is prohibited from~~  
41 ~~receiving the reports obtained pursuant to paragraph (a).~~

42 9. A person who petitions the board of county commissioners  
43 of any county and the governing body of an incorporated city for a  
44 determination pursuant to subsection 1 shall not submit false or



1 misleading information to the board of county commissioners or  
2 governing body, as applicable.

3 10. The board of county commissioners of any county and the  
4 governing body of an incorporated city shall, on or before the 20th  
5 day of January, April, July and October, submit to the Director of  
6 the Legislative Counsel Bureau in an electronic format prescribed  
7 by the Director, a report that includes:

8 (a) The number of petitions submitted to the board of county  
9 commissioners of any county and the governing body of an  
10 incorporated city pursuant to subsection 1;

11 (b) The number of determinations of disqualification made by  
12 the board of county commissioners of any county and the governing  
13 body of an incorporated city pursuant to subsection 1; *and*

14 (c) *Except as otherwise provided in subsection 11:*

15 (1) The reasons for such determinations; and

16 ~~(d)~~ (2) Any other information that is requested by the Director  
17 or which the board of county commissioners of any county and the  
18 governing body of an incorporated city determines would be  
19 helpful.

20 11. *The board of county commissioners of any county and the*  
21 *governing body of an incorporated city shall not include in a*  
22 *report submitted to the Director pursuant to subsection 10 any*  
23 *information concerning the criminal history of a person that is*  
24 *obtained from a report received from the Central Repository for*  
25 *Nevada Records of Criminal History or the Federal Bureau of*  
26 *Investigation pursuant to subsection 8.*

27 12. The Director shall transmit a compilation of the  
28 information received pursuant to subsection 10 to the Legislative  
29 Commission quarterly, unless otherwise directed by the  
30 Commission.

31 **Sec. 45.** NRS 599B.127 is hereby amended to read as follows:

32 599B.127 1. The Unit shall develop and implement a process  
33 by which a person with a criminal history may *submit a* petition *to*  
34 the Unit ~~to~~ *requesting that the Unit* review the criminal history of  
35 the person to determine if the person's criminal history will  
36 disqualify the person from obtaining a registration *to do business as*  
37 *a seller or salesperson in this State* pursuant to NRS 599B.080.

38 2. Not later than 90 days after a petition is submitted to the  
39 Unit pursuant to subsection 1, the Unit shall inform the person of  
40 the determination of the Unit of whether the person's criminal  
41 history will disqualify the person from obtaining a registration ~~to~~ *to*  
42 *do business as a seller or salesperson in this State.* The Unit is not  
43 bound by its determination of disqualification or qualification and  
44 may rescind such a determination at any time.



1 3. The Unit may provide instructions to a person who receives  
2 a determination of disqualification to remedy the determination of  
3 disqualification. A person may resubmit a petition pursuant to  
4 subsection 1 not earlier than 6 months after receiving instructions  
5 pursuant to this subsection if the person remedies the determination  
6 of disqualification.

7 4. A person with a criminal history may *submit a petition to*  
8 *the Unit at any time, including, without limitation, before obtaining*  
9 *any education or paying any fee required to obtain a registration to*  
10 *do business as a seller or salesperson in this State* from the Unit.

11 5. A person may submit a new petition to the Unit not earlier  
12 than 2 years after the final determination of the initial petition  
13 submitted to the Unit.

14 6. The Unit may impose a fee of up to \$50 upon the person to  
15 fund the administrative costs in complying with the provisions of  
16 this section. The Unit may waive such fees or allow such fees to be  
17 covered by funds from a scholarship or grant.

18 7. The Unit may post on its Internet website:

19 (a) The requirements to obtain a registration *to do business as a*  
20 *seller or salesperson in this State* from the Unit; and

21 (b) A list of crimes, if any, that would disqualify a person from  
22 obtaining a registration *to do business as a seller or salesperson in*  
23 *this State* from the Unit.

24 8. ~~The Unit may request the criminal history record of a~~ A  
25 person who petitions the Unit for a determination pursuant to  
26 subsection 1 : ~~To the extent consistent with federal law, if the Unit~~  
27 ~~makes such a request of a person, the Unit shall require the person~~  
28 ~~to submit his or her criminal history record which includes a report~~  
29 ~~from:]~~

30 (a) ~~The]~~ *Shall submit to the Unit a complete set of fingerprints*  
31 *and written permission authorizing the Unit to forward those*  
32 *fingerprints to the* Central Repository for Nevada Records of  
33 Criminal History ~~]~~ *for its report on the criminal history of the*  
34 *person and for submission to the Federal Bureau of Investigation*  
35 *for its report on the criminal history of the person; and*

36 (b) ~~The Federal Bureau of Investigation.]~~ *Is prohibited from*  
37 *receiving the reports obtained pursuant to paragraph (a).*

38 9. A person who petitions the Unit for a determination pursuant  
39 to subsection 1 shall not submit false or misleading information to  
40 the Unit.

41 10. The Unit shall, on or before the 20th day of January, April,  
42 July and October, submit to the Director of the Legislative Counsel  
43 Bureau in an electronic format prescribed by the Director, a report  
44 that includes:



1 (a) The number of petitions submitted to the Unit pursuant to  
2 subsection 1;

3 (b) The number of determinations of disqualification made by  
4 the Unit pursuant to subsection 1; *and*

5 (c) *Except as otherwise provided in subsection 11:*

6 (1) The reasons for such determinations; and

7 ~~[(d)]~~ (2) Any other information that is requested by the Director  
8 or which the Unit determines would be helpful.

9 11. *The Unit shall not include in a report submitted to the*  
10 *Director pursuant to subsection 10 any information concerning*  
11 *the criminal history of a person that is obtained from a report*  
12 *received from the Central Repository for Nevada Records of*  
13 *Criminal History or the Federal Bureau of Investigation pursuant*  
14 *to subsection 8.*

15 12. The Director shall transmit a compilation of the  
16 information received pursuant to subsection 10 to the Legislative  
17 Commission quarterly, unless otherwise directed by the  
18 Commission.

19 **Sec. 46.** NRS 618.357 is hereby amended to read as follows:

20 618.357 1. The Division shall develop and implement a  
21 process by which a person with a criminal history may *submit a*  
22 *petition to* the Division ~~to~~ *requesting that the Division* review the  
23 criminal history of the person to determine if the person's criminal  
24 history will disqualify the person from obtaining a license or  
25 certification pursuant to this chapter.

26 2. Not later than 90 days after a petition is submitted to the  
27 Division pursuant to subsection 1, the Division shall inform the  
28 person of the determination of the Division of whether the person's  
29 criminal history will disqualify the person from obtaining a license  
30 or certification. The Division is not bound by its determination of  
31 disqualification or qualification and may rescind such a  
32 determination at any time.

33 3. The Division may provide instructions to a person who  
34 receives a determination of disqualification to remedy the  
35 determination of disqualification. A person may resubmit a petition  
36 pursuant to subsection 1 not earlier than 6 months after receiving  
37 instructions pursuant to this subsection if the person remedies the  
38 determination of disqualification.

39 4. A person with a criminal history may *submit a* petition *to*  
40 *the Division at any time, including, without limitation, before*  
41 *obtaining any education or paying any fee required to obtain a*  
42 *license or certification from the Division.*

43 5. A person may submit a new petition to the Division not  
44 earlier than 2 years after the final determination of the initial petition  
45 submitted to the Division.



1 6. The Division may impose a fee of up to \$50 upon the person  
2 to fund the administrative costs in complying with the provisions of  
3 this section. The Division may waive such fees or allow such fees to  
4 be covered by funds from a scholarship or grant.

5 7. The Division may post on its Internet website:

6 (a) The requirements to obtain a license or certification from the  
7 Division; and

8 (b) A list of crimes, if any, that would disqualify a person from  
9 obtaining a license or certification from the Division.

10 8. ~~The Division may request the criminal history record of a~~  
11 **A person who petitions the Division for a determination pursuant to**  
12 **subsection 1 : [ To the extent consistent with federal law, if the**  
13 **Division makes such a request of a person, the Division shall require**  
14 **the person to submit his or her criminal history record which**  
15 **includes a report from:]**

16 (a) ~~The~~ **Shall submit to the Division a complete set of**  
17 **fingerprints and written permission authorizing the Division to**  
18 **forward those fingerprints to the Central Repository for Nevada**  
19 **Records of Criminal History [ ] for its report on the criminal**  
20 **history of the person and for submission to the Federal Bureau of**  
21 **Investigation for its report on the criminal history of the person;**  
22 **and**

23 (b) ~~The Federal Bureau of Investigation.~~ **Is prohibited from**  
24 **receiving the reports obtained pursuant to paragraph (a).**

25 9. A person who petitions the Division for a determination  
26 pursuant to subsection 1 shall not submit false or misleading  
27 information to the Division.

28 10. The Division shall, on or before the 20th day of January,  
29 April, July and October, submit to the Director of the Legislative  
30 Counsel Bureau in an electronic format prescribed by the Director, a  
31 report that includes:

32 (a) The number of petitions submitted to the Division pursuant  
33 to subsection 1;

34 (b) The number of determinations of disqualification made by  
35 the Division pursuant to subsection 1; **and**

36 (c) **Except as otherwise provided in subsection 11:**

37 (1) The reasons for such determinations; and

38 ~~(d)~~ (2) Any other information that is requested by the Director  
39 or which the Division determines would be helpful.

40 11. **The Division shall not include in a report submitted to the**  
41 **Director pursuant to subsection 10 any information concerning**  
42 **the criminal history of a person that is obtained from a report**  
43 **received from the Central Repository for Nevada Records of**  
44 **Criminal History or the Federal Bureau of Investigation pursuant**  
45 **to subsection 8.**



1 **12.** The Director shall transmit a compilation of the  
2 information received pursuant to subsection 10 to the Legislative  
3 Commission quarterly, unless otherwise directed by the  
4 Commission.

5 **13.** *As used in this section:*

6 (a) *“Certification” means a certification as a:*

7 (1) *Crane operator pursuant to NRS 618.880; or*

8 (2) *Trainer, production manager, supervisor or other*  
9 *person designated by an employer to provide annual training and*  
10 *testing programs for employees pursuant to NRS 618.890.*

11 (b) *“License” means a license in an occupation pursuant to*  
12 *NRS 618.795.*

13 **Sec. 47.** NRS 622.100 is hereby amended to read as follows:

14 622.100 1. Each regulatory body shall, on or before the 20th  
15 day of January, April, July and October, submit to the Director of  
16 the Legislative Counsel Bureau in an electronic format prescribed  
17 by the Director:

18 (a) A summary of each disciplinary action taken by the  
19 regulatory body during the immediately preceding calendar quarter  
20 against any licensee of the regulatory body; and

21 (b) ~~[A]~~ *Except as otherwise provided in subsection 4, a* report  
22 that includes:

23 (1) For the immediately preceding calendar quarter:

24 (I) The number of licenses issued by the regulatory body;

25 (II) The total number of applications for licensure  
26 received by the regulatory body;

27 (III) The number of applications rejected by the  
28 regulatory body as incomplete;

29 (IV) The average number of days between the date of  
30 rejection of an application as incomplete and the resubmission by  
31 the applicant of a complete application;

32 (V) A list of each reason given by the regulatory body for  
33 the denial of an application and the number of applications denied  
34 by the regulatory body for each such reason; *and*

35 (VI) The number of applications reviewed on an  
36 individual basis by the regulatory body or the executive head of the  
37 regulatory body;

38 ~~[(VII) The number of petitions submitted to the regulatory~~  
39 ~~body pursuant to NRS 622.085;~~

40 ~~— (VIII) The number of determinations of disqualification~~  
41 ~~made by the regulatory body pursuant to NRS 622.085; and~~

42 ~~— (IX) The reasons for such determinations;]~~ and

43 (2) Any other information that is requested by the Director or  
44 which the regulatory body determines would be helpful to the



1 Legislature in evaluating whether the continued existence of the  
2 regulatory body is necessary.

3 2. The Director shall:

4 (a) Provide any information received pursuant to subsection 1 to  
5 a member of the public upon request;

6 (b) Cause a notice of the availability of such information to be  
7 posted on the public website of the Nevada Legislature on the  
8 Internet; and

9 (c) Transmit a compilation of the information received pursuant  
10 to subsection 1 to the Legislative Commission quarterly, unless  
11 otherwise directed by the Commission.

12 3. The Director, on or before the first day of each regular  
13 session of the Legislature and at such other times as directed, shall  
14 compile the reports received pursuant to paragraph (b) of subsection  
15 1 and distribute copies of the compilation to the Senate Standing  
16 Committee on Commerce and Labor and the Assembly Standing  
17 Committee on Commerce and Labor, each of which shall review the  
18 compilation to determine whether the continued existence of each  
19 regulatory body is necessary.

20 *4. A regulatory body shall not include in a report submitted to*  
21 *the Director pursuant to paragraph (b) of subsection 1 any*  
22 *information concerning the criminal history of a person that is*  
23 *obtained from a report received from the Central Repository for*  
24 *Nevada Records of Criminal History or the Federal Bureau of*  
25 *Investigation.*

26 **Sec. 48.** Chapter 623 of NRS is hereby amended by adding  
27 thereto a new section to read as follows:

28 *In addition to any other requirements set forth in this chapter,*  
29 *an applicant for a certificate of registration to engage in the*  
30 *practice of architecture or residential design, a certificate of*  
31 *registration to practice as a registered interior designer or a*  
32 *temporary certificate of registration to practice architecture that is*  
33 *issued pursuant to this chapter:*

34 *1. Shall submit to the Board a complete set of fingerprints*  
35 *and written permission authorizing the Board to forward those*  
36 *fingerprints to the Central Repository for Nevada Records of*  
37 *Criminal History for its report on the criminal history of the*  
38 *applicant and for submission to the Federal Bureau of*  
39 *Investigation for its report on the criminal history of the applicant;*  
40 *and*

41 *2. Is prohibited from receiving the reports obtained pursuant*  
42 *to subsection 1.*



1       **Sec. 49.** Chapter 623A of NRS is hereby amended by adding  
2       thereto a new section to read as follows:

3       *In addition to any other requirements set forth in this chapter,*  
4       *an applicant for a certificate of registration to practice landscape*  
5       *architecture or a certificate to practice as a landscape architect*  
6       *intern that is issued pursuant to this chapter:*

7       1. *Shall submit to the Board a complete set of fingerprints*  
8       *and written permission authorizing the Board to forward those*  
9       *fingerprints to the Central Repository for Nevada Records of*  
10       *Criminal History for its report on the criminal history of the*  
11       *applicant and for submission to the Federal Bureau of*  
12       *Investigation for its report on the criminal history of the applicant;*  
13       *and*

14       2. *Is prohibited from receiving the reports obtained pursuant*  
15       *to subsection 1.*

16       **Sec. 50.** NRS 625.390 is hereby amended to read as follows:

17       625.390 1. An applicant for licensure as a professional  
18       engineer or professional land surveyor or for certification as an  
19       engineer intern or land surveyor intern must:

20       (a) Complete a form furnished and prescribed by the Board;

21       (b) Answer all questions on the form under oath;

22       (c) Provide a detailed summary of his or her technical training  
23       and education;

24       (d) *Submit to the Board a complete set of fingerprints and*  
25       *written permission authorizing the Board to forward those*  
26       *fingerprints to the Central Repository for Nevada Records of*  
27       *Criminal History for its report on the criminal history of the*  
28       *applicant and for submission to the Federal Bureau of*  
29       *Investigation for its report on the criminal history of the applicant;*

30       (e) Pay the fee established by the Board; and

31       ~~(e)~~ (f) Submit all information required to complete an  
32       application for licensure or certification.

33       ↪ *An applicant is prohibited from receiving the reports obtained*  
34       *pursuant to paragraph (d).*

35       2. Unless the requirement is waived by the Board, an applicant  
36       for licensure must provide the names of not less than four references  
37       who have knowledge of the background, character and technical  
38       competence of the applicant. None of the persons named as  
39       references may be members of the Board. If the applicant is:

40       (a) Applying for licensure as a professional engineer, the  
41       persons named as references must be professional engineers  
42       licensed in this State or any other state, three of whom must be  
43       licensed in the same discipline of engineering for which the  
44       applicant is applying for licensure.





1 (b) Applying for licensure as a professional land surveyor, the  
2 persons named as references must be professional land surveyors  
3 licensed in this State or any other state.

4 3. The Board shall, by regulation, establish the fee for licensure  
5 as a professional engineer and professional land surveyor in an  
6 amount not to exceed \$200. The fee is nonrefundable and must  
7 accompany the application.

8 4. The Board shall charge and collect from each applicant for  
9 certification as an engineer intern or land surveyor intern a fee fixed  
10 by the Board of not more than \$100, which includes the cost of  
11 examination and the issuance of a certificate.

12 5. A nonresident applying for licensure as a professional  
13 engineer or professional land surveyor is subject to the same fees as  
14 a resident.

15 6. The Board shall require the biennial renewal of each license  
16 of a professional engineer or professional land surveyor and collect  
17 a fee for renewal of not more than \$100, prescribed by regulation of  
18 the Board, except that the Board may prescribe shorter periods and  
19 prorated fees in setting up a system of staggered renewals.

20 7. An applicant for the renewal of a license must submit with  
21 the fee for renewal all information required to complete the renewal.

22 8. In addition to the fee for renewal, the Board shall require a  
23 holder of an expired license to pay, as a condition of renewal, a  
24 penalty in an amount established by regulation of the Board.

25 **Sec. 51.** Chapter 631 of NRS is hereby amended by adding  
26 thereto a new section to read as follows:

27 *“Dentistry” means the evaluation, diagnosis, prevention and*  
28 *treatment of diseases, disorders and conditions of the oral cavity,*  
29 *the maxillofacial area and the adjacent and associated structures*  
30 *and their impact on the human body, which care is provided by a*  
31 *dentist within the scope of his or her education, training and*  
32 *experience in accordance with the ethics of the profession and*  
33 *applicable law.*

34 **Sec. 52.** NRS 631.005 is hereby amended to read as follows:

35 631.005 As used in this chapter, unless the context otherwise  
36 requires, the words and terms defined in NRS 631.015 to 631.105,  
37 inclusive, *and section 51 of this act* have the meanings ascribed to  
38 them in those sections.

39 **Sec. 53.** NRS 631.220 is hereby amended to read as follows:

40 631.220 1. Every applicant for a license to practice dental  
41 hygiene, dental therapy or dentistry [~~, or any of its special branches,~~]  
42 must:

43 (a) File an application with the Board.



1 (b) Accompany the application with a recent photograph of the  
2 applicant together with the required fee and such other  
3 documentation as the Board may require by regulation.

4 (c) Submit with the application a complete set of fingerprints  
5 and written permission authorizing the Board to forward the  
6 fingerprints to the Central Repository for Nevada Records of  
7 Criminal History for submission to the Federal Bureau of  
8 Investigation for its report.

9 (d) If the applicant is required to take an examination pursuant  
10 to NRS 631.240, 631.300 or 631.3121, submit with the application  
11 proof satisfactory that the applicant passed the examination.

12 2. An application must include all information required to  
13 complete the application.

14 3. The Secretary-Treasurer may, in accordance with regulations  
15 adopted by the Board and if the Secretary-Treasurer determines that  
16 an application is:

17 (a) Sufficient, advise the Executive Director of the sufficiency  
18 of the application. Upon the advice of the Secretary-Treasurer, the  
19 Executive Director may issue a license to the applicant without  
20 further review by the Board.

21 (b) Insufficient, reject the application by sending written notice  
22 of the rejection to the applicant.

23 **Sec. 54.** Chapter 636 of NRS is hereby amended by adding  
24 thereto a new section to read as follows:

25 *In addition to any other requirements set forth in this chapter,*  
26 *an applicant for a license to practice optometry or a license by*  
27 *endorsement to practice optometry:*

28 *1. Shall submit to the Board a complete set of fingerprints*  
29 *and written permission authorizing the Board to forward those*  
30 *fingerprints to the Central Repository for Nevada Records of*  
31 *Criminal History for its report on the criminal history of the*  
32 *applicant and for submission to the Federal Bureau of*  
33 *Investigation for its report on the criminal history of the applicant;*  
34 *and*

35 *2. Is prohibited from receiving the reports obtained pursuant*  
36 *to subsection 1.*

37 **Sec. 55.** Chapter 637 of NRS is hereby amended by adding  
38 thereto a new section to read as follows:

39 *In addition to any other requirements set forth in this chapter,*  
40 *an applicant for a license as a dispensing optician or an*  
41 *apprentice dispensing optician, a limited license as a dispensing*  
42 *optician or a special license as a dispensing optician issued*  
43 *pursuant to this chapter:*

44 *1. Shall submit to the Board a complete set of fingerprints*  
45 *and written permission authorizing the Board to forward those*



1 *fingerprints to the Central Repository for Nevada Records of*  
2 *Criminal History for its report on the criminal history of the*  
3 *applicant and for submission to the Federal Bureau of*  
4 *Investigation for its report on the criminal history of the applicant;*  
5 *and*

6 *2. Is prohibited from receiving the reports obtained pursuant*  
7 *to subsection 1.*

8 **Sec. 56.** Chapter 637B of NRS is hereby amended by adding  
9 thereto a new section to read as follows:

10 *In addition to any other requirements set forth in this chapter,*  
11 *an applicant for a license to engage in the practice of audiology,*  
12 *speech-language pathology or fitting and dispensing hearing aids,*  
13 *an apprentice license, a temporary, provisional or limited license*  
14 *or a license by endorsement that is issued pursuant to this chapter:*

15 *1. Shall submit to the Board a complete set of fingerprints*  
16 *and written permission authorizing the Board to forward those*  
17 *fingerprints to the Central Repository for Nevada Records of*  
18 *Criminal History for its report on the criminal history of the*  
19 *applicant and for submission to the Federal Bureau of*  
20 *Investigation for its report on the criminal history of the applicant;*  
21 *and*

22 *2. Is prohibited from receiving the reports obtained pursuant*  
23 *to subsection 1.*

24 **Sec. 57.** Chapter 638 of NRS is hereby amended by adding  
25 thereto a new section to read as follows:

26 *In addition to any other requirements set forth in this chapter,*  
27 *an applicant for a license to practice veterinary medicine or a*  
28 *license as a euthanasia technician or veterinary technician that is*  
29 *issued pursuant to this chapter:*

30 *1. Shall submit to the Board a complete set of fingerprints*  
31 *and written permission authorizing the Board to forward those*  
32 *fingerprints to the Central Repository for Nevada Records of*  
33 *Criminal History for its report on the criminal history of the*  
34 *applicant and for submission to the Federal Bureau of*  
35 *Investigation for its report on the criminal history of the applicant;*  
36 *and*

37 *2. Is prohibited from receiving the reports obtained pursuant*  
38 *to subsection 1.*

39 **Sec. 58.** Chapter 640A of NRS is hereby amended by adding  
40 thereto a new section to read as follows:

41 *In addition to any other requirements set forth in this chapter,*  
42 *an applicant for a license as an occupational therapist or*  
43 *occupational therapy assistant, a license by endorsement as an*  
44 *occupational therapist or a temporary license as an occupational*



1 *therapist or occupational therapy assistant that is issued pursuant*  
2 *to this chapter:*

3 1. *Shall submit to the Board a complete set of fingerprints*  
4 *and written permission authorizing the Board to forward those*  
5 *fingerprints to the Central Repository for Nevada Records of*  
6 *Criminal History for its report on the criminal history of the*  
7 *applicant and for submission to the Federal Bureau of*  
8 *Investigation for its report on the criminal history of the applicant;*  
9 *and*

10 2. *Is prohibited from receiving the reports obtained pursuant*  
11 *to subsection 1.*

12 **Sec. 59.** NRS 641.029 is hereby amended to read as follows:

13 641.029 The provisions of this chapter do not apply to:

14 1. A physician who is licensed to practice in this State;  
15 2. A person who is licensed to practice dentistry in this State;  
16 3. A person who is licensed as a marriage and family therapist  
17 or marriage and family therapist intern pursuant to chapter 641A of  
18 NRS;

19 4. A person who is licensed as a clinical professional counselor  
20 or clinical professional counselor intern pursuant to chapter 641A of  
21 NRS;

22 5. A person who is licensed to engage in social work pursuant  
23 to chapter 641B of NRS;

24 6. A person who is licensed as an occupational therapist or  
25 occupational therapy assistant pursuant to NRS 640A.010 to  
26 640A.230, inclusive ~~§~~, *and section 58 of this act;*

27 7. A person who is licensed as a clinical alcohol and drug  
28 counselor, licensed or certified as an alcohol and drug counselor or  
29 certified as an alcohol and drug counselor intern, a clinical alcohol  
30 and drug counselor intern, a problem gambling counselor or a  
31 problem gambling counselor intern, pursuant to chapter 641C of  
32 NRS;

33 8. A person who provides or supervises the provision of peer  
34 recovery support services in accordance with the provisions of NRS  
35 433.622 to 433.641, inclusive;

36 9. A person who is licensed as a behavior analyst or an  
37 assistant behavior analyst or registered as a registered behavior  
38 technician pursuant to chapter 641D of NRS, while engaged in the  
39 practice of applied behavior analysis as defined in NRS 641D.080;  
40 or

41 10. Any member of the clergy,  
42 ↪ if such a person does not commit an act described in NRS  
43 641.440 or represent himself or herself as a psychologist.



1 **Sec. 60.** NRS 641.227 is hereby amended to read as follows:  
2 641.227 The Psychology Interjurisdictional Compact, set forth  
3 in this section, is hereby enacted into law and entered into with all  
4 other jurisdictions substantially as follows:

5  
6 **ARTICLE I.**

7  
8 **PURPOSE**

9  
10 WHEREAS, States license psychologists in order to protect the  
11 public through verification of education, training and experience and  
12 ensure accountability for professional practice; and

13 WHEREAS, This Compact is intended to regulate the day-to-day  
14 practice of telepsychology, including the provision of psychological  
15 services using telecommunication technologies, by psychologists  
16 across state boundaries in the performance of their psychological  
17 practice as assigned by an appropriate authority; and

18 WHEREAS, This Compact is intended to regulate the temporary  
19 in-person face-to-face practice of psychology by psychologists  
20 across state boundaries for 30 days within a calendar year in the  
21 performance of their psychological practice as assigned by an  
22 appropriate authority; and

23 WHEREAS, This Compact is intended to authorize state  
24 psychology regulatory authorities to afford legal recognition, in a  
25 manner consistent with the terms of the Compact, to psychologists  
26 licensed in another state; and

27 WHEREAS, This Compact recognizes that states have a vested  
28 interest in protecting the public's health and safety through the  
29 licensing and regulation of psychologists and that such state  
30 regulation will best protect the public health and safety; and

31 WHEREAS, This Compact does not apply when a psychologist is  
32 licensed in both the home and receiving jurisdiction; and

33 WHEREAS, This Compact does not apply to permanent in-  
34 person, face-to-face practice, but it does allow for the authorization  
35 of temporary psychological practice.

36 Consistent with these principles, this Compact is designed to  
37 achieve the following purposes and objectives:

38 1. Increase public access to professional psychological services  
39 by allowing for telepsychological practice across state lines, as well  
40 as temporary in-person, face-to-face services, into a state which the  
41 psychologist is not licensed to practice psychology;

42 2. Enhance the states' ability to protect the public's health and  
43 safety, especially client/patient safety;

44 3. Encourage the cooperation of the compact states in the areas  
45 of psychology licensure and regulation;



1 4. Facilitate the exchange of information between the compact  
2 states regarding psychologist licensure, adverse actions and  
3 disciplinary history;

4 5. Promote compliance with the laws governing psychological  
5 practice in each compact state; and

6 6. Invest all compact states with the authority to hold licensed  
7 psychologists accountable through the mutual recognition of  
8 compact state licenses.

9

10

## ARTICLE II.

11

12

### DEFINITIONS

13

14 A. "Adverse action" means any action taken by a state  
15 psychology regulatory authority which finds a violation of a statute  
16 or regulation that is identified by the state psychology regulatory  
17 authority as discipline and is a matter of public record.

18 B. "Association of State and Provincial Psychology Boards  
19 (ASPPB)" means the recognized membership organization  
20 composed of state and provincial psychology regulatory authorities  
21 responsible for the licensure and registration of psychologists  
22 throughout the United States and Canada.

23 C. "Authority to practice interjurisdictional telepsychology"  
24 means a licensed psychologist's authority to practice  
25 telepsychology, within the limits authorized under this Compact, in  
26 another compact state.

27 D. "Bylaws" means those bylaws established by the  
28 Psychology Interjurisdictional Compact Commission pursuant to  
29 Article X for its governance, or for directing and controlling its  
30 actions and conduct.

31 E. "Client/patient" means the recipient of psychological  
32 services, whether psychological services are delivered in the context  
33 of healthcare, corporate, supervision and/or consulting services.

34 F. "Commissioner" means the voting representative appointed  
35 by each state psychology regulatory authority pursuant to Article X.

36 G. "Compact state" means a state, the District of Columbia or  
37 United States territory that has enacted this Compact and which has  
38 not withdrawn pursuant to Article XIII, section C or been terminated  
39 pursuant to Article XII, section B.

40 H. "Coordinated Licensure Information System" or  
41 "Coordinated Database" means an integrated process for collecting,  
42 storing and sharing information on psychologists' licensure and  
43 enforcement activities related to psychology licensure laws, which is  
44 administered by the recognized membership organization composed  
45 of the state psychology regulatory authorities.



1 I. "Confidentiality" means the principle that data or  
2 information is not made available or disclosed to unauthorized  
3 persons or processes.

4 J. "Day" means any part of a day in which psychological work  
5 is performed.

6 K. "Distant state" means the compact state where a  
7 psychologist is physically present, not through using  
8 telecommunications technologies, to provide temporary in-person,  
9 face-to-face psychological services.

10 L. "E.Passport" means a certificate issued by the Association  
11 of State and Provincial Psychology Boards (ASPPB) that promotes  
12 the standardization in the criteria of interjurisdictional  
13 telepsychology practice and facilitates the process for licensed  
14 psychologists to provide telepsychological services across state  
15 lines.

16 M. "Executive Board" means a group of directors elected or  
17 appointed to act on behalf of, and within the powers granted to them  
18 by, the Commission.

19 N. "Home state" means a compact state where a psychologist  
20 is licensed to practice psychology. If the psychologist is licensed in  
21 more than one compact state, and is practicing under the  
22 authorization to practice interjurisdictional telepsychology, the  
23 home state is the compact state where the psychologist was  
24 physically present when the telepsychological services were  
25 delivered. If the psychologist is licensed in more than one compact  
26 state and is practicing under the temporary authorization to practice,  
27 the home state is any compact state where the psychologist is  
28 licensed.

29 O. "Identity history summary" means a summary of  
30 information retained by the Federal Bureau of Investigation, or other  
31 designee with similar authority, in connection with arrests and, in  
32 some instances, federal employment, naturalization or military  
33 service.

34 P. "In-person, face-to-face" means interactions in which the  
35 psychologist and the client/patient are in the same physical space  
36 and which does not include interactions that may occur through the  
37 use of telecommunication technologies.

38 Q. "Interjurisdictional practice certificate (IPC)" means a  
39 certificate issued by the Association of State and Provincial  
40 Psychology Boards (ASPPB) that grants temporary authority to  
41 practice based on notification to the state psychology regulatory  
42 authority of the intention to practice temporarily, and verification of  
43 one's qualifications for such practice.



1 R. "License" means authorization by a state psychology  
2 regulatory authority to engage in the independent practice of  
3 psychology, which would be unlawful without the authorization.

4 S. "Noncompact state" means any state which is not at the time  
5 a compact state.

6 T. "Psychologist" means an individual licensed for the  
7 independent practice of psychology.

8 U. "Psychology Interjurisdictional Compact Commission" or  
9 "Commission" means the national administration of which all  
10 compact states are members.

11 V. "Receiving state" means a compact state where the  
12 client/patient is physically located when the telepsychological  
13 services are delivered.

14 W. "Rule" means a written statement by the Psychology  
15 Interjurisdictional Compact Commission promulgated pursuant to  
16 Article XI that is of general applicability, implements, interprets or  
17 prescribes a policy or provision of the Compact, or an  
18 organizational, procedural or practice requirement of the  
19 Commission and has the force and effect of statutory law in a  
20 compact state, and includes the amendment, repeal or suspension of  
21 an existing rule.

22 X. "Significant investigatory information" means:

23 1. Investigative information that a state psychology  
24 regulatory authority, after a preliminary inquiry that includes  
25 notification and an opportunity to respond if required by state law,  
26 has reason to believe, if proven true, would indicate more than a  
27 violation of state statute or ethics code that would be considered  
28 more substantial than a minor infraction; or

29 2. Investigative information that indicates that the  
30 psychologist represents an immediate threat to the public health and  
31 safety, regardless of whether the psychologist has been notified or  
32 had an opportunity to respond.

33 Y. "State" means a state, commonwealth, territory or  
34 possession of the United States or the District of Columbia.

35 Z. "State psychology regulatory authority" means the board,  
36 office or other agency with the legislative mandate to license and  
37 regulate the practice of psychology.

38 AA. "Telepsychology" means the provision of psychological  
39 services using telecommunication technologies.

40 BB. "Temporary authorization to practice" means a licensed  
41 psychologist's authority to conduct temporary in-person, face-to-  
42 face practice, within the limits authorized under this Compact, in  
43 another compact state.

44 CC. "Temporary in-person, face-to-face practice" means where  
45 a psychologist is physically present, not through using





1 telecommunications technologies, in the distant state to provide for  
2 the practice of psychology for 30 days within a calendar year and  
3 based on notification to the distant state.

4  
5  
6 ARTICLE III.

7 HOME STATE LICENSURE  
8

9 A. The home state shall be a compact state where a  
10 psychologist is licensed to practice psychology.

11 B. A psychologist may hold one or more compact state licenses  
12 at a time. If the psychologist is licensed in more than one compact  
13 state, the home state is the compact state where the psychologist was  
14 physically present when the services were delivered as authorized  
15 by the authority to practice interjurisdictional telepsychology under  
16 the terms of this Compact.

17 C. Any compact state may require a psychologist not  
18 previously licensed in a compact state to obtain and retain a license  
19 to be authorized to practice in the compact state under  
20 circumstances not authorized by the authority to practice  
21 interjurisdictional telepsychology under the terms of this Compact.

22 D. Any compact state may require a psychologist to obtain and  
23 retain a license to be authorized to practice in a compact state under  
24 circumstances not authorized by the temporary authorization to  
25 practice under the terms of this Compact.

26 E. A home state's license authorizes a psychologist to practice  
27 in a receiving state under the authority to practice interjurisdictional  
28 telepsychology only if the compact state:

29 1. Currently requires the psychologist to hold an active  
30 E.Passport;

31 2. Has a mechanism in place for receiving and investigating  
32 complaints about licensed individuals;

33 3. Notifies the Commission, in compliance with the terms  
34 herein, of any adverse action or significant investigatory information  
35 regarding a licensed individual;

36 4. Requires an identity history summary of all applicants at  
37 initial licensure, including the use of the results of fingerprints or  
38 other biometric data checks compliant with the requirements of the  
39 Federal Bureau of Investigation, or other designee with similar  
40 authority, not later than 10 years after activation of the Compact;  
41 and

42 5. Complies with the bylaws and rules of the Commission.

43 F. A home state's license grants temporary authorization to  
44 practice to a psychologist in a distant state only if the compact state:

45 1. Currently requires the psychologist to hold an active IPC;



1           2. Has a mechanism in place for receiving and investigating  
2 complaints about licensed individuals;

3           3. Notifies the Commission, in compliance with the terms  
4 herein, of any adverse action or significant investigatory information  
5 regarding a licensed individual;

6           4. Requires an identity history summary of all applicants at  
7 initial licensure, including the use of the results of fingerprints or  
8 other biometric data checks compliant with the requirements of the  
9 Federal Bureau of Investigation, or other designee with similar  
10 authority, not later than 10 years after activation of the Compact;  
11 and

12           5. Complies with the bylaws and rules of the Commission.  
13

14   ARTICLE IV.

15   COMPACT PRIVILEGE TO PRACTICE TELEPSYCHOLOGY  
16

17  
18           A. Compact states shall recognize the right of a psychologist,  
19 licensed in a compact state in conformance with Article III, to  
20 practice telepsychology in other compact states (receiving states) in  
21 which the psychologist is not licensed, under the authority to  
22 practice interjurisdictional telepsychology as provided in the  
23 Compact.

24           B. To exercise the authority to practice interjurisdictional  
25 telepsychology under the terms and provisions of this Compact, a  
26 psychologist licensed to practice in a compact state must:

27           1. Hold a graduate degree in psychology from an institute of  
28 higher education that was, at the time the degree was awarded:

29           a. Regionally accredited by an accrediting body  
30 recognized by the United States Department of Education to grant  
31 graduate degrees or authorized by provincial statute or royal charter  
32 to grant doctoral degrees; or

33           b. A foreign college or university deemed to be equivalent  
34 to 1(a) above by a foreign credential evaluation service that is a  
35 member of the National Association of Credential Evaluation  
36 Services (NACES) or by a recognized foreign credential evaluation  
37 service; and

38           2. Hold a graduate degree in psychology that meets the  
39 following criteria:

40           a. The program, wherever it may be administratively  
41 housed, must be clearly identified and labeled as a psychology  
42 program and such a program must specify in pertinent institutional  
43 catalogues and brochures its intent to educate and train professional  
44 psychologists;



1           b. The psychology program must stand as a recognizable,  
2 coherent organizational entity within the institution;

3           c. There must be a clear authority and primary  
4 responsibility for the core and specialty areas whether or not the  
5 program cuts across administrative lines;

6           d. The program must consist of an integrated, organized  
7 sequence of study;

8           e. There must be an identifiable psychology faculty  
9 sufficient in size and breadth to carry out its responsibilities;

10          f. The designated director of the program must be a  
11 psychologist and a member of the core faculty;

12          g. The program must have an identifiable body of  
13 students who are matriculated in that program for a degree;

14          h. The program must include supervised practicum,  
15 internship or field training appropriate to the practice of psychology;

16          i. The curriculum shall encompass a minimum of 3  
17 academic years of full-time graduate study for doctoral degrees and  
18 a minimum of 1 academic year of full-time graduate study for  
19 master's degrees; and

20          j. The program must include an acceptable residency as  
21 defined by the rules of the Commission;

22          3. Possess a current, full and unrestricted license to practice  
23 psychology in a home state which is a compact state;

24          4. Have no history of adverse action that violates the rules  
25 of the Commission;

26          5. Have no criminal record history reported on an identity  
27 history summary that violates the rules of the Commission;

28          6. Possess a current, active E.Passport;

29          7. Provide attestations in regard to areas of intended  
30 practice, conformity with standards of practice, competence in  
31 telepsychology technology, criminal background and knowledge  
32 and adherence to legal requirements in the home and receiving  
33 states, and provide a release of information to allow for primary  
34 source verification in a manner specified by the Commission; and

35          8. Meet other criteria as defined by the rules of the  
36 Commission.

37          C. The home state maintains authority over the license of any  
38 psychologist practicing into a receiving state under the authority to  
39 practice interjurisdictional telepsychology.

40          D. A psychologist practicing into a receiving state under the  
41 authority to practice interjurisdictional telepsychology will be  
42 subject to the receiving state's scope of practice. A receiving state  
43 may, in accordance with that state's due process law, limit or revoke  
44 a psychologist's authority to practice interjurisdictional  
45 telepsychology in the receiving state and may take any other



1 necessary actions under the receiving state's applicable law to  
2 protect the health and safety of the receiving state's citizens. If a  
3 receiving state takes action, the state shall promptly notify the home  
4 state and the Commission.

5 E. If a psychologist's license in any home state or another  
6 compact state or any authority to practice interjurisdictional  
7 telepsychology in any receiving state is restricted, suspended or  
8 otherwise limited, the E.Passport shall be revoked and therefore the  
9 psychologist shall not be eligible to practice telepsychology in a  
10 compact state under the authority to practice interjurisdictional  
11 telepsychology.

12  
13 ARTICLE V.

14  
15 COMPACT TEMPORARY AUTHORIZATION TO PRACTICE

16  
17 A. Compact states shall also recognize the right of a  
18 psychologist, licensed in a compact state in conformance with  
19 Article III, to practice temporarily in other compact states (distant  
20 states) in which the psychologist is not licensed, as provided in the  
21 Compact.

22 B. To exercise the temporary authorization to practice under  
23 the terms and provisions of this Compact, a psychologist licensed to  
24 practice in a compact state must:

25 1. Hold a graduate degree in psychology from an institute of  
26 higher education that was, at the time the degree was awarded:

27 a. Regionally accredited by an accrediting body  
28 recognized by the United States Department of Education to grant  
29 graduate degrees or authorized by provincial statute or royal charter  
30 to grant doctoral degrees; or

31 b. A foreign college or university deemed to be equivalent  
32 to 1(a) above by a foreign credential evaluation service that is a  
33 member of the National Association of Credential Evaluation  
34 Services (NACES) or by a recognized foreign credential evaluation  
35 service; and

36 2. Hold a graduate degree in psychology that meets the  
37 following criteria:

38 a. The program, wherever it may be administratively  
39 housed, must be clearly identified and labeled as a psychology  
40 program and must specify in pertinent institutional catalogues and  
41 brochures its intent to educate and train professional psychologists;

42 b. The psychology program must stand as a recognizable,  
43 coherent organizational entity within the institution;



1 c. There must be a clear authority and primary  
2 responsibility for the core and specialty areas whether or not the  
3 program cuts across administrative lines;

4 d. The program must consist of an integrated, organized  
5 sequence of study;

6 e. There must be an identifiable psychology faculty  
7 sufficient in size and breadth to carry out its responsibilities;

8 f. The designated director of the program must be a  
9 psychologist and a member of the core faculty;

10 g. The program must have an identifiable body of  
11 students who are matriculated in that program for a degree;

12 h. The program must include supervised practicum,  
13 internship or field training appropriate to the practice of psychology;

14 i. The curriculum shall encompass a minimum of 3  
15 academic years of full-time graduate study for doctoral degrees and  
16 a minimum of 1 academic year of full-time graduate study for  
17 master's degrees; and

18 j. The program must include an acceptable residency as  
19 defined by the rules of the Commission;

20 3. Possess a current, full and unrestricted license to practice  
21 psychology in a home state which is a compact state;

22 4. No history of adverse action that violates the rules of the  
23 Commission;

24 5. No criminal record history that violates the rules of the  
25 Commission;

26 6. Possess a current, active IPC;

27 7. Provide attestations in regard to areas of intended  
28 practice and work experience and provide a release of information  
29 to allow for primary source verification in a manner specified by the  
30 Commission; and

31 8. Meet other criteria as defined by the rules of the  
32 Commission.

33 C. A psychologist practicing into a distant state under the  
34 temporary authorization to practice shall practice within the scope of  
35 practice authorized by the distant state.

36 D. A psychologist practicing into a distant state under the  
37 Temporary Authorization to Practice will be subject to the distant  
38 state's authority and law. A distant state may, in accordance with  
39 that state's due process law, limit or revoke a psychologist's  
40 temporary authorization to practice in the distant state and may take  
41 any other necessary actions under the distant state's applicable law  
42 to protect the health and safety of the distant state's citizens. If a  
43 distant state takes action, the state shall promptly notify the home  
44 state and the Commission.



1 E. If a psychologist's license in any home state or another  
2 compact state or any temporary authorization to practice in any  
3 distant state is restricted, suspended or otherwise limited, the IPC  
4 shall be revoked and therefore the psychologist shall not be eligible  
5 to practice in a compact state under the temporary authorization to  
6 practice.

7  
8 ARTICLE VI.

9  
10 CONDITIONS OF TELEPSYCHOLOGY PRACTICE  
11 IN A RECEIVING STATE

12  
13 A psychologist may practice in a receiving state under the  
14 authority to practice interjurisdictional telepsychology only in the  
15 performance of the scope of practice for psychology as assigned by  
16 an appropriate state psychology regulatory authority, as defined in  
17 the rules of the Commission, and under the following  
18 circumstances:

19 A. The psychologist initiates a client/patient contact in a home  
20 state via telecommunications technologies with a client/patient in a  
21 receiving state; or

22 B. Other conditions regarding telepsychology as determined by  
23 rules promulgated by the Commission.

24  
25 ARTICLE VII.

26  
27 ADVERSE ACTIONS

28  
29 A. A home state shall have the power to impose adverse action  
30 against a psychologist's license issued by the home state and a  
31 distant state may take adverse action on a psychologist's temporary  
32 authorization to practice within that distant state.

33 B. A receiving state may take adverse action on a  
34 psychologist's authority to practice interjurisdictional  
35 telepsychology within that receiving state. A home state may take  
36 adverse action against a psychologist based on an adverse action  
37 taken by a distant state regarding temporary in-person, face-to-face  
38 practice.

39 C. If a home state takes adverse action against a psychologist's  
40 license, that psychologist's authority to practice interjurisdictional  
41 telepsychology is terminated and the E.Passport is revoked.  
42 Furthermore, that psychologist's temporary authorization to practice  
43 is terminated and the IPC is revoked.

44 1. All home state disciplinary orders which impose adverse  
45 action shall be reported to the Commission in accordance with the



1 rules promulgated by the Commission. A compact state shall report  
2 adverse actions in accordance with the rules of the Commission.

3 2. In the event discipline is reported on a psychologist, the  
4 psychologist will not be eligible for telepsychology or temporary in-  
5 person, face-to-face practice in accordance with the rules of the  
6 Commission.

7 3. Other actions may be imposed as determined by the rules  
8 promulgated by the Commission.

9 D. A home state's psychology regulatory authority shall  
10 investigate and take appropriate action with respect to reported  
11 inappropriate conduct engaged in by a licensee which occurred in a  
12 receiving state as it would if such conduct had occurred by a  
13 licensee within the home state. In such cases, the home state's law  
14 shall control in determining any adverse action against a  
15 psychologist's license.

16 E. If a license granted by a compact state is revoked,  
17 surrendered in lieu of discipline or suspended following an  
18 investigation authorized in Article VIII, the authorization to practice  
19 interjurisdictional telepsychology and the temporary authorization to  
20 practice in all compact states shall be terminated upon entry of the  
21 final order in the compact state taking the action.

22 F. Nothing in this Compact shall override a compact state's  
23 decision that a psychologist's participation in an alternative program  
24 may be used in lieu of adverse action and that such participation  
25 shall remain nonpublic if required by the compact state's law.  
26 Compact states must require psychologists who enter any alternative  
27 programs to not provide telepsychology services under the authority  
28 to practice interjurisdictional telepsychology or provide temporary  
29 psychological services under the temporary authorization to practice  
30 in any other compact state during the term of the alternative  
31 program.

32 G. No other judicial or administrative remedies shall be  
33 available to a psychologist in the event a compact state imposes an  
34 adverse action pursuant to section C, above.

35  
36 ARTICLE VIII.

37  
38 ADDITIONAL AUTHORITIES INVESTED IN A COMPACT  
39 STATE'S PSYCHOLOGY REGULATORY AUTHORITY

40  
41 A. In addition to any other powers granted under state law, a  
42 compact state's psychology regulatory authority shall have the  
43 authority under this Compact to:

44 1. Issue subpoenas, for both hearings and investigations,  
45 which require the attendance and testimony of witnesses and the



1 production of evidence. Subpoenas issued by a compact state's  
2 psychology regulatory authority for the attendance and testimony of  
3 witnesses and/or the production of evidence from another compact  
4 state shall be enforced in the latter state by any court of competent  
5 jurisdiction, according to that court's practice and procedure in  
6 considering subpoenas issued in its own proceedings. The issuing  
7 state psychology regulatory authority shall pay any witness fees,  
8 travel expenses, mileage and other fees required by the service  
9 statutes of the state where the witnesses or evidence are located; and

10 2. Issue cease and desist and/or injunctive relief orders to  
11 revoke a psychologist's authority to practice interjurisdictional  
12 telepsychology and/or temporary authorization to practice.

13 B. During the course of any investigation, a psychologist may  
14 not change his or her home state licensure. A home state psychology  
15 regulatory authority is authorized to complete any pending  
16 investigations of a psychologist and to take any actions appropriate  
17 under its law. The home state psychology regulatory authority shall  
18 promptly report the conclusions of such investigations to the  
19 Commission. Once an investigation has been completed, and  
20 pending the outcome of said investigation, the psychologist may  
21 change his or her home state licensure. The Commission shall  
22 promptly notify the new home state of any such decisions as  
23 provided in the rules of the Commission. All information provided  
24 to the Commission or distributed by compact states pursuant to the  
25 psychologist shall be confidential, filed under seal and used for  
26 investigatory or disciplinary matters. The Commission may create  
27 additional rules for mandated or discretionary sharing of  
28 information by compact states.  
29

## 30 ARTICLE IX.

### 31 COORDINATED LICENSURE INFORMATION SYSTEM

32 A. The Commission shall provide for the development and  
33 maintenance of a Coordinated Licensure Information System  
34 (Coordinated Database) and reporting system containing licensure  
35 and disciplinary action information on all psychologists individuals  
36 to whom this Compact is applicable in all compact states as defined  
37 by the rules of the Commission.  
38

39 B. Notwithstanding any other provision of state law to the  
40 contrary, *and except as otherwise provided in this Article*, a  
41 compact state shall submit a uniform data set to the Coordinated  
42 Database on all licensees as required by the rules of the  
43 Commission, including:  
44

45 1. Identifying information;





- 2. Licensure data;
- 3. Significant investigatory information;
- 4. Adverse actions against a psychologist’s license;
- 5. An indicator that a psychologist’s authority to practice interjurisdictional telepsychology or temporary authorization to practice is revoked;
- 6. Nonconfidential information related to alternative program participation information;
- 7. Any denial of application for licensure, and the reasons for such denial; and
- 8. Other information which may facilitate the administration of this Compact, as determined by the rules of the Commission.

C. The Coordinated Database administrator shall promptly notify all compact states of any adverse action taken against, or significant investigative information on, any licensee in a compact state.

*D. A compact state shall not submit to the Coordinated Database any information concerning the criminal history of a licensee that is obtained from a report received from the Central Repository for Nevada Records of Criminal History or the Federal Bureau of Investigation.*

E. Compact states reporting information to the Coordinated Database may designate information that may not be shared with the public without the express permission of the compact state reporting the information.

~~E.~~ F. Any information submitted to the Coordinated Database that is subsequently required to be expunged by the law of the compact state reporting the information shall be removed from the Coordinated Database.

## ARTICLE X.

### ESTABLISHMENT OF THE PSYCHOLOGY INTERJURISDICTIONAL COMPACT COMMISSION

A. The compact states hereby create and establish a joint public agency known as the Psychology Interjurisdictional Compact Commission as follows:

1. The Commission is a body politic and an instrumentality of the compact states.

2. Venue is proper and judicial proceedings by or against the Commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the Commission is located. The Commission may waive venue and jurisdictional



1 defenses to the extent it adopts or consents to participate in  
2 alternative dispute resolution proceedings.

3 3. Nothing in this Compact shall be construed to be a  
4 waiver of sovereign immunity.

5 B. Membership, Voting and Meetings.

6 1. The Commission shall consist of one voting  
7 representative appointed by each compact state who shall serve as  
8 that state's Commissioner. The state psychology regulatory  
9 authority shall appoint its delegate. This delegate shall be  
10 empowered to act on behalf of the compact state. This delegate shall  
11 be limited to:

12 a. An executive director, executive secretary or similar  
13 executive;

14 b. A current member of the state psychology regulatory  
15 authority of a compact state; or

16 c. A designee empowered with the appropriate delegate  
17 authority to act on behalf of the compact state.

18 2. Any Commissioner may be removed or suspended from  
19 office as provided by the law of the state from which the  
20 Commissioner is appointed. Any vacancy occurring in the  
21 Commission shall be filled in accordance with the laws of  
22 the compact state in which the vacancy exists.

23 3. Each Commissioner shall be entitled to one (1) vote with  
24 regard to the promulgation of rules and creation of bylaws and shall  
25 otherwise have an opportunity to participate in the business and  
26 affairs of the Commission. A Commissioner shall vote in person or  
27 by such other means as provided in the bylaws. The bylaws may  
28 provide for Commissioners' participation in meetings by telephone  
29 or other means of communication.

30 4. The Commission shall meet at least once during each  
31 calendar year. Additional meetings shall be held as set forth in the  
32 bylaws.

33 5. All meetings shall be open to the public, and public  
34 notice of meetings shall be given in the same manner as required  
35 under the rulemaking provisions in Article XI.

36 6. The Commission may convene in a closed, nonpublic  
37 meeting if the Commission must discuss:

38 a. Noncompliance of a compact state with its obligations  
39 under the Compact;

40 b. The employment, compensation, discipline or other  
41 personnel matters, practices or procedures related to specific  
42 employees or other matters related to the Commission's internal  
43 personnel practices and procedures;

44 c. Current, threatened or reasonable anticipated litigation  
45 against the Commission;



1 d. Negotiation of contracts for the purchase or sale of  
2 goods, services or real estate;

3 e. Accusation against any person of a crime or formally  
4 censuring any person;

5 f. Disclosure of trade secrets or commercial or financial  
6 information which is privileged or confidential;

7 g. Disclosure of information of a personal nature where  
8 disclosure would constitute a clearly unwarranted invasion of  
9 personal privacy;

10 h. ~~Disclosure of investigatory records compiled for law~~  
11 ~~enforcement purposes;~~

12 ~~— i.]~~ Disclosure of information related to any investigatory  
13 reports prepared by or on behalf of or for use of the Commission or  
14 other committee charged with responsibility for investigation or  
15 determination of compliance issues pursuant to the Compact; or

16 ~~h.] i.~~ Matters specifically exempted from disclosure by  
17 federal and state statute.

18 7. If a meeting, or portion of a meeting, is closed pursuant  
19 to this provision, the Commission's legal counsel or designee shall  
20 certify that the meeting may be closed and shall reference each  
21 relevant exempting provision. The Commission shall keep minutes  
22 which fully and clearly describe all matters discussed in a meeting  
23 and shall provide a full and accurate summary of actions taken, of  
24 any person participating in the meeting, and the reasons therefor,  
25 including a description of the views expressed. All documents  
26 considered in connection with an action shall be identified in such  
27 minutes. All minutes and documents of a closed meeting shall  
28 remain under seal, subject to release only by a majority vote of the  
29 Commission or order of a court of competent jurisdiction.

30 C. The Commission shall, by a majority vote of the  
31 Commissioners, prescribe bylaws and rules to govern its conduct as  
32 may be necessary or appropriate to carry out the purposes and  
33 exercise the powers of the Compact, including, but not limited to:

34 1. Establishing the fiscal year of the Commission.

35 2. Providing reasonable standards and procedures:

36 a. For the establishment and meetings of other  
37 committees; and

38 b. Governing any general or specific delegation of any  
39 authority or function of the Commission.

40 3. Providing reasonable procedures for calling and  
41 conducting meetings of the Commission, ensuring reasonable  
42 advance notice of all meetings and providing an opportunity for  
43 attendance of such meetings by interested parties, with enumerated  
44 exceptions designed to protect the public's interest, the privacy of  
45 individuals of such proceedings and proprietary information,



1 including trade secrets. The Commission may meet in closed session  
2 only after a majority of the Commissioners vote to close a meeting  
3 to the public in whole or in part. As soon as practicable, the  
4 Commission must make public a copy of the vote to close the  
5 meeting revealing the vote of each Commissioner with no proxy  
6 votes allowed.

7 4. Establishing the titles, duties and authority and  
8 reasonable procedures for the election of the officers of the  
9 Commission.

10 5. Providing reasonable standards and procedures for the  
11 establishment of the personnel policies and programs of the  
12 Commission. Notwithstanding any civil service or other similar law  
13 of any compact state, the bylaws shall exclusively govern the  
14 personnel policies and programs of the Commission.

15 6. Promulgating a code of ethics to address permissible and  
16 prohibited activities of Commission members and employees.

17 7. Providing a mechanism for concluding the operations of  
18 the Commission and the equitable disposition of any surplus funds  
19 that may exist after the termination of the Compact after the  
20 payment and reserving of all of its debts and obligations.

21 8. The Commission shall publish its bylaws in a convenient  
22 form and file a copy thereof and a copy of any amendment thereto,  
23 with the appropriate agency or officer in each of the compact states.

24 9. The Commission shall maintain its financial records in  
25 accordance with the bylaws.

26 10. The Commission shall meet and take such actions as are  
27 consistent with the provisions of this Compact and the bylaws.

28 D. The Commission shall have the following powers:

29 1. The authority to promulgate uniform rules to facilitate  
30 and coordinate implementation and administration of this Compact  
31 which shall have the force and effect of law and shall be binding in  
32 all compact states;

33 2. To bring and prosecute legal proceedings or actions in  
34 the name of the Commission, provided that the standing of any state  
35 psychology regulatory authority or other regulatory body  
36 responsible for psychology licensure to sue or be sued under  
37 applicable law shall not be affected;

38 3. To purchase and maintain insurance and bonds;

39 4. To borrow, accept or contract for services of personnel,  
40 including, but not limited to, employees of a compact state;

41 5. To hire employees, elect or appoint officers, fix  
42 compensation, define duties, grant such individuals appropriate  
43 authority to carry out the purposes of the Compact and to establish  
44 the Commission's personnel policies and programs relating to



1 conflicts of interest, qualifications of personnel and other related  
2 personnel matters;

3 6. To accept any and all appropriate donations and grants of  
4 money, equipment, supplies, materials and services, and to receive,  
5 utilize and dispose of the same, provided that at all times the  
6 Commission shall strive to avoid any appearance of impropriety or  
7 conflict of interest;

8 7. To lease, purchase, accept appropriate gifts or donations  
9 of, or otherwise to own, hold, improve or use, any property, real,  
10 personal or mixed, provided that at all times the Commission shall  
11 strive to avoid any appearance of impropriety;

12 8. To sell, convey, mortgage, pledge, lease, exchange,  
13 abandon or otherwise dispose of any property, real, personal or  
14 mixed;

15 9. To establish a budget and make expenditures;

16 10. To borrow money;

17 11. To appoint committees, including advisory committees  
18 comprised of members, state regulators, state legislators or their  
19 representatives, and consumer representatives, and such other  
20 interested persons as may be designated in this Compact and the  
21 bylaws;

22 12. To provide and receive information from, and to  
23 cooperate with, law enforcement agencies;

24 13. To adopt and use an official seal; and

25 14. To perform such other functions as may be necessary or  
26 appropriate to achieve the purposes of this Compact consistent with  
27 the state regulation of psychology licensure, temporary in-person,  
28 face-to-face practice and telepsychology practice.

29 E. The Executive Board.

30 The elected officers shall serve as the Executive Board, which  
31 shall have the power to act on behalf of the Commission according  
32 to the terms of this Compact.

33 1. The Executive Board shall be comprised of six members:

34 a. Five voting members who are elected from the current  
35 membership of the Commission by the Commission; and

36 b. One ex-officio, nonvoting member from the recognized  
37 membership organization composed of state and provincial  
38 psychology regulatory authorities.

39 2. The ex-officio member must have served as staff or  
40 member on a state psychology regulatory authority and will be  
41 selected by its respective organization.

42 3. The Commission may remove any member of the  
43 Executive Board as provided in the bylaws.

44 4. The Executive Board shall meet at least annually.



1           5. The Executive Board shall have the following duties and  
2 responsibilities:

3           a. Recommend to the entire Commission changes to the  
4 rules or bylaws, changes to this Compact legislation, fees paid by  
5 compact states, such as annual dues, and any other applicable fees;

6           b. Ensure compact administration services are  
7 appropriately provided, contractual or otherwise;

8           c. Prepare and recommend the budget;

9           d. Maintain financial records on behalf of the  
10 Commission;

11           e. Monitor compact compliance of member states and  
12 provide compliance reports to the Commission;

13           f. Establish additional committees as necessary; and

14           g. Other duties as provided in the rules or bylaws.

15        F. Financing of the Commission.

16           1. The Commission shall pay, or provide for the payment of  
17 the reasonable expenses of its establishment, organization and  
18 ongoing activities.

19           2. The Commission may accept any and all appropriate  
20 revenue sources, donations and grants of money, equipment,  
21 supplies, materials and services.

22           3. The Commission may levy on and collect an annual  
23 assessment from each compact state or impose fees on other parties  
24 to cover the cost of the operations and activities of the Commission  
25 and its staff which must be in a total amount sufficient to cover its  
26 annual budget as approved each year for which revenue is not  
27 provided by other sources. The aggregate annual assessment amount  
28 shall be allocated based upon a formula to be determined by the  
29 Commission which shall promulgate a rule binding upon all  
30 compact states.

31           4. The Commission shall not incur obligations of any kind  
32 before securing the funds adequate to meet the same, nor shall the  
33 Commission pledge the credit of any of the compact states, except  
34 by and with the authority of the compact state.

35           5. The Commission shall keep accurate accounts of all  
36 receipts and disbursements. The receipts and disbursements of the  
37 Commission shall be subject to the audit and accounting procedures  
38 established under its bylaws. However, all receipts and  
39 disbursements of funds handled by the Commission shall be audited  
40 yearly by a certified or licensed public accountant and the report of  
41 the audit shall be included in and become part of the annual report  
42 of the Commission.

43        G. Qualified Immunity, Defense and Indemnification.

44           1. The members, officers, Executive Director, employees  
45 and representatives of the Commission shall be immune from suit



1 and liability, either personally or in their official capacity, for any  
2 claim for damage to or loss of property or personal injury or other  
3 civil liability caused by or arising out of any actual or alleged act,  
4 error or omission that occurred, or that the person against whom the  
5 claim is made had a reasonable basis for believing occurred within  
6 the scope of Commission employment, duties or responsibilities,  
7 provided that nothing in this subsection shall be construed to protect  
8 any such person from suit or liability for any damage, loss, injury or  
9 liability caused by the intentional or willful or wanton misconduct  
10 of that person.

11 2. The Commission shall defend any member, officer,  
12 Executive Director, employee or representative of the Commission  
13 in any civil action seeking to impose liability arising out of any  
14 actual or alleged act, error or omission that occurred within the  
15 scope of Commission employment, duties or responsibilities, or that  
16 the person against whom the claim is made had a reasonable basis  
17 for believing occurred within the scope of Commission  
18 employment, duties or responsibilities, provided that nothing herein  
19 shall be construed to prohibit that person from retaining his or her  
20 own counsel, and provided further, that the actual or alleged act,  
21 error or omission did not result from that person's intentional or  
22 willful or wanton misconduct.

23 3. The Commission shall indemnify and hold harmless any  
24 member, officer, Executive Director, employee or representative of  
25 the Commission for the amount of any settlement or judgment  
26 obtained against that person arising out of any actual or alleged act,  
27 error or omission that occurred within the scope of commission  
28 employment, duties or responsibilities, or that such person had a  
29 reasonable basis for believing occurred within the scope of  
30 commission employment, duties or responsibilities, provided that  
31 the actual or alleged act, error or omission did not result from the  
32 intentional or willful or wanton misconduct of that person.

33  
34 ARTICLE XI.

35  
36 RULEMAKING

37  
38 A. The Commission shall exercise its rulemaking powers  
39 pursuant to the criteria set forth in this Article and the rules adopted  
40 thereunder. Rules and amendments shall become binding as of the  
41 date specified in each rule or amendment.

42 B. If a majority of the legislatures of the compact states rejects  
43 a rule, by enactment of a statute or resolution in the same manner  
44 used to adopt the Compact, then such rule shall have no further  
45 force and effect in any compact state.



1 C. Rules or amendments to the rules shall be adopted at a  
2 regular or special meeting of the Commission.

3 D. Before promulgation and adoption of a final rule or rules by  
4 the Commission, and at least sixty (60) days in advance of the  
5 meeting at which the rule will be considered and voted upon, the  
6 Commission shall file a notice of proposed rulemaking:

7 1. On the Internet website of the Commission; and

8 2. On the Internet website of the compact states'  
9 psychology regulatory authority or the publication in which each  
10 state would otherwise publish proposed rules.

11 E. The notice of proposed rulemaking shall include:

12 1. The proposed time, date and location of the meeting in  
13 which the rule will be considered and voted upon;

14 2. The text of the proposed rule or amendment and the  
15 reason for the proposed rule;

16 3. A request for comments on the proposed rule from any  
17 interested person; and

18 4. The manner in which interested persons may submit  
19 notice to the Commission of their intention to attend the public  
20 hearing and any written comments.

21 F. Before adoption of a proposed rule, the Commission shall  
22 allow persons to submit written data, facts, opinions and arguments,  
23 which shall be made available to the public.

24 G. The Commission shall grant an opportunity for a public  
25 hearing before it adopts a rule or amendment if a hearing is  
26 requested by:

27 1. At least twenty-five (25) persons who submit comments  
28 independently of each other;

29 2. A government subdivision or agency; or

30 3. A duly appointed person in an association that has at  
31 least twenty-five (25) members.

32 H. If a hearing is held on the proposed rule or amendment, the  
33 Commission shall publish the place, time and date of the scheduled  
34 public hearing and:

35 1. All persons wishing to be heard at the hearing shall  
36 notify the Executive Director of the Commission or other designated  
37 member in writing of their desire to appear and testify at the hearing  
38 not less than five (5) business days before the scheduled date of the  
39 hearing.

40 2. Hearings shall be conducted in a manner providing each  
41 person who wishes to comment a fair and reasonable opportunity to  
42 comment orally or in writing.

43 3. No transcript of the hearing is required, unless a written  
44 request for a transcript is made, in which case the person requesting  
45 the transcript shall bear the cost of producing the transcript. A





1 recording may be made in lieu of a transcript under the same terms  
2 and conditions as a transcript. This subsection shall not preclude the  
3 Commission from making a transcript or recording of the hearing if  
4 it so chooses.

5 4. Nothing in this section shall be construed as requiring a  
6 separate hearing on each rule. Rules may be grouped for the  
7 convenience of the Commission at hearings required by this section.

8 I. Following the scheduled hearing date, or by the close of  
9 business on the scheduled hearing date if the hearing was not held,  
10 the Commission shall consider all written and oral comments  
11 received.

12 J. The Commission shall, by majority vote of all members, take  
13 final action on the proposed rule and shall determine the effective  
14 date of the rule, if any, based on the rulemaking record and the full  
15 text of the rule.

16 K. If no written notice of intent to attend the public hearing by  
17 interested parties is received, the Commission may proceed with  
18 promulgation of the proposed rule without a public hearing.

19 L. Upon determination that an emergency exists, the  
20 Commission may consider and adopt an emergency rule without  
21 prior notice, opportunity for comment, or hearing, provided that the  
22 usual rulemaking procedures provided in the Compact and in this  
23 section shall be retroactively applied to the rule as soon as  
24 reasonably possible, in no event later than ninety (90) days after the  
25 effective date of the rule. For the purposes of this provision, an  
26 emergency rule is one that must be adopted immediately in order to:

- 27 1. Meet an imminent threat to the public health, safety, or  
28 welfare;
- 29 2. Prevent a loss of Commission or compact state funds;
- 30 3. Meet a deadline for the promulgation of an  
31 administrative rule that is established by federal law or rule; or
- 32 4. Protect the public health and safety.

33 M. The Commission or an authorized committee of the  
34 Commission may direct revisions to a previously adopted rule or  
35 amendment for purposes of correcting typographical errors, errors in  
36 format, errors in consistency, or grammatical errors. Public notice of  
37 any revisions shall be posted on the Internet website of the  
38 Commission. The revision shall be subject to challenge by any  
39 person for a period of thirty (30) days after posting. The revision  
40 may be challenged only on grounds that the revision results in a  
41 material change to a rule. A challenge shall be made in writing, and  
42 delivered to the Chair of the Commission before the end of the  
43 notice period. If no challenge is made, the revision will take effect  
44 without further action. If the revision is challenged, the revision may  
45 not take effect without the approval of the Commission.



ARTICLE XII.

OVERSIGHT, DISPUTE RESOLUTION AND ENFORCEMENT

A. Oversight.

1. The executive, legislative and judicial branches of state government in each compact state shall enforce this Compact and take all actions necessary and appropriate to effectuate the Compact's purposes and intent. The provisions of this Compact and the rules promulgated hereunder shall have standing as statutory law.

2. All courts shall take judicial notice of the Compact and the rules in any judicial or administrative proceeding in a compact state pertaining to the subject matter of this Compact which may affect the powers, responsibilities or actions of the Commission.

3. The Commission shall be entitled to receive service of process in any such proceeding, and shall have standing to intervene in such a proceeding for all purposes. Failure to provide service of process to the Commission shall render a judgment or order void as to the Commission, this Compact or promulgated rules.

B. Default, Technical Assistance and Termination.

1. If the Commission determines that a compact state has defaulted in the performance of its obligations or responsibilities under this Compact or the promulgated rules, the Commission shall:

a. Provide written notice to the defaulting state and other compact states of the nature of the default, the proposed means of remedying the default and any other action to be taken by the Commission; and

b. Provide remedial training and specific technical assistance regarding the default.

2. If a state in default fails to remedy the default, the defaulting state may be terminated from the Compact upon an affirmative vote of the majority of the compact states, and all rights, privileges and benefits conferred by this Compact shall be terminated on the effective date of termination. A remedy of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

3. Termination of membership in the Compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be submitted by the Commission to the Governor, the majority and minority leaders of the defaulting state's legislature, and each of the compact states.

4. A compact state which has been terminated is responsible for all assessments, obligations and liabilities incurred through the



1 effective date of termination, including obligations which extend  
2 beyond the effective date of termination.

3 5. The Commission shall not bear any costs incurred by the  
4 state which is found to be in default or which has been terminated  
5 from the Compact, unless agreed upon in writing between the  
6 Commission and the defaulting state.

7 6. The defaulting state may appeal the action of the  
8 Commission by petitioning the United States District Court for the  
9 State of Georgia or the federal district where the Compact has its  
10 principal offices. The prevailing member shall be awarded all costs  
11 of such litigation, including reasonable attorney's fees.

12 C. Dispute Resolution.

13 1. Upon request by a compact state, the Commission shall  
14 attempt to resolve disputes related to the Compact which arise  
15 among compact states and between compact and noncompact states.

16 2. The Commission shall promulgate a rule providing for  
17 both mediation and binding dispute resolution for disputes that arise  
18 before the Commission.

19 D. Enforcement.

20 1. The Commission, in the reasonable exercise of its  
21 discretion, shall enforce the provisions and rules of this Compact.

22 2. By majority vote, the Commission may initiate legal  
23 action in the United States District Court for the State of Georgia or  
24 the federal district where the Compact has its principal offices  
25 against a compact state in default to enforce compliance with the  
26 provisions of the Compact and its promulgated rules and bylaws.  
27 The relief sought may include both injunctive relief and damages. In  
28 the event judicial enforcement is necessary, the prevailing member  
29 shall be awarded all costs of such litigation, including reasonable  
30 attorney's fees.

31 3. The remedies herein shall not be the exclusive remedies  
32 of the Commission. The Commission may pursue any other  
33 remedies available under federal or state law.

34  
35 ARTICLE XIII.

36  
37 DATE OF IMPLEMENTATION OF PSYCHOLOGY INTERJURISDICTIONAL  
38 COMPACT COMMISSION AND ASSOCIATED RULES, WITHDRAWAL  
39 AND AMENDMENT  
40

41 A. The Compact shall come into effect on the date on which  
42 the Compact is enacted into law in the seventh compact state. The  
43 provisions which become effective at that time shall be limited to  
44 the powers granted to the Commission relating to assembly and the  
45 promulgation of rules. Thereafter, the Commission shall meet and



1 exercise rulemaking powers necessary to the implementation and  
2 administration of the Compact.

3 B. Any state which joins the Compact subsequent to the  
4 Commission's initial adoption of the rules shall be subject to the  
5 rules as they exist on the date on which the Compact becomes law in  
6 that state. Any rule which has been previously adopted by the  
7 Commission shall have the full force and effect of law on the day  
8 the Compact becomes law in that state.

9 C. Any compact state may withdraw from this Compact by  
10 enacting a statute repealing the same, and:

11 1. A compact state's withdrawal shall not take effect until  
12 six (6) months after enactment of the repealing statute.

13 2. Withdrawal shall not affect the continuing requirement of  
14 the withdrawing state's psychology regulatory authority to comply  
15 with the investigative and adverse action reporting requirements of  
16 this act prior to the effective date of withdrawal.

17 D. Nothing contained in this Compact shall be construed to  
18 invalidate or prevent any psychology licensure agreement or other  
19 cooperative arrangement between a compact state and a noncompact  
20 state which does not conflict with the provisions of this Compact.

21 E. This Compact may be amended by the compact states. No  
22 amendment to this Compact shall become effective and binding  
23 upon any compact state until it is enacted into the law of all compact  
24 states.

25  
26 ARTICLE XIV.

27  
28 CONSTRUCTION AND SEVERABILITY

29  
30 This Compact shall be liberally construed so as to effectuate the  
31 purposes thereof. If this Compact shall be held contrary to the  
32 constitution of any state member thereto, the Compact shall remain  
33 in full force and effect as to the remaining compact states.

34 **Sec. 61.** Chapter 641A of NRS is hereby amended by adding  
35 thereto a new section to read as follows:

36 *In addition to any other requirements set forth in this chapter,*  
37 *an applicant for a license to practice as a marriage and family*  
38 *therapist or clinical professional counselor, a license by*  
39 *endorsement to practice as a marriage and family therapist or*  
40 *clinical professional counselor, a license as a marriage and family*  
41 *therapist intern or a license as a clinical professional counselor*  
42 *intern that is issued pursuant to this chapter:*

43 *1. Shall submit to the Board a complete set of fingerprints*  
44 *and written permission authorizing the Board to forward those*  
45 *fingerprints to the Central Repository for Nevada Records of*



1 *Criminal History for its report on the criminal history of the*  
2 *applicant and for submission to the Federal Bureau of*  
3 *Investigation for its report on the criminal history of the applicant;*  
4 *and*

5 *2. Is prohibited from receiving the reports obtained pursuant*  
6 *to subsection 1.*

7 **Sec. 62.** NRS 641B.040 is hereby amended to read as follows:  
8 641B.040 The provisions of this chapter do not apply to:

9 1. A physician who is licensed to practice in this State;

10 2. A nurse who is licensed to practice in this State;

11 3. A person who is licensed as a psychologist pursuant to  
12 chapter 641 of NRS or authorized to practice psychology in this  
13 State pursuant to the Psychology Interjurisdictional Compact  
14 enacted in NRS 641.227;

15 4. A person who is licensed as a marriage and family therapist  
16 or marriage and family therapist intern pursuant to chapter 641A of  
17 NRS;

18 5. A person who is licensed as a clinical professional counselor  
19 or clinical professional counselor intern pursuant to chapter 641A of  
20 NRS;

21 6. A person who is licensed as an occupational therapist or  
22 occupational therapy assistant pursuant to NRS 640A.010 to  
23 640A.230, inclusive ~~[ ]~~, *and section 58 of this act;*

24 7. A person who is licensed as a clinical alcohol and drug  
25 counselor, licensed or certified as an alcohol and drug counselor or  
26 certified as a clinical alcohol and drug counselor intern, an alcohol  
27 and drug counselor intern, a problem gambling counselor or a  
28 problem gambling counselor intern, pursuant to chapter 641C of  
29 NRS;

30 8. A person who provides or supervises the provision of peer  
31 recovery support services in accordance with NRS 433.622 to  
32 433.641, inclusive;

33 9. Any member of the clergy;

34 10. A county welfare director;

35 11. Any person who may engage in social work or clinical  
36 social work in his or her regular governmental employment but does  
37 not hold himself or herself out to the public as a social worker; or

38 12. A student of social work and any other person preparing for  
39 the profession of social work under the supervision of a qualified  
40 social worker in a training institution or facility recognized by the  
41 Board, unless the student or other person has been issued a  
42 provisional license pursuant to paragraph (b) of subsection 1 of NRS  
43 641B.275. Such a student must be designated by the title "student of  
44 social work" or "trainee in social work," or any other title which  
45 clearly indicates the student's training status.



1       **Sec. 63.** NRS 641D.110 is hereby amended to read as follows:

2       641D.110 The provisions of this chapter do not apply to:

- 3       1. A physician who is licensed to practice in this State;
- 4       2. A person who is licensed to practice dentistry in this State;
- 5       3. A person who is licensed as a psychologist pursuant to  
6 chapter 641 of NRS;
- 7       4. A person who is licensed as a marriage and family therapist  
8 or marriage and family therapist intern pursuant to chapter 641A of  
9 NRS;
- 10      5. A person who is licensed as a clinical professional counselor  
11 or clinical professional counselor intern pursuant to chapter 641A of  
12 NRS;

13      6. A person who is licensed to engage in social work pursuant  
14 to chapter 641B of NRS;

15      7. A person who is licensed as an occupational therapist or  
16 occupational therapy assistant pursuant to NRS 640A.010 to  
17 640A.230, inclusive ~~(7)~~, *and section 58 of this act*;

18      8. A person who is licensed as a clinical alcohol and drug  
19 counselor, licensed or certified as an alcohol and drug counselor or  
20 certified as an alcohol and drug counselor intern, a clinical alcohol  
21 and drug counselor intern, a problem gambling counselor or a  
22 problem gambling counselor intern, pursuant to chapter 641C of  
23 NRS;

24      9. Any member of the clergy;

25      10. A family member, guardian or caregiver of a recipient of  
26 applied behavior analysis services who performs activities as  
27 directed by a behavior analyst or assistant behavior analyst; or

28      11. An employee of a school district or charter school when  
29 providing services to a pupil in a public school in a manner  
30 consistent with the duties of his or her position,

31      ↪ if such a person does not commit an act described in NRS  
32 641D.910 or represent himself or herself as a behavior analyst,  
33 assistant behavior analyst or registered behavior technician.

34       **Sec. 64.** NRS 641D.300 is hereby amended to read as follows:

35       641D.300 1. Each person desiring a license as a behavior  
36 analyst or assistant behavior analyst or registration as a registered  
37 behavior technician must:

38       (a) Make application to the Board upon a form and in a manner  
39 prescribed by the Board. The application must be accompanied by  
40 the application fee prescribed by the Board pursuant to NRS  
41 641D.380 and include all information required to complete the  
42 application.

43       (b) As part of the application and at his or her own expense:



1 (1) Arrange to have a complete set of fingerprints taken by a  
2 law enforcement agency or other authorized entity acceptable to the  
3 Board; and

4 (2) Submit to the Board:

5 (I) A complete set of fingerprints and written permission  
6 authorizing the Board to forward the fingerprints to the Central  
7 Repository for Nevada Records of Criminal History *for its report on*  
8 *the criminal history of the applicant and* for submission to the  
9 Federal Bureau of Investigation for ~~[a] its~~ report on the ~~[applicant's~~  
10 ~~background,]~~ *criminal history of the applicant* and to such other  
11 law enforcement agencies as the Board deems necessary for a report  
12 on the applicant's background; or

13 (II) Written verification, on a form prescribed by the  
14 Board, stating that the set of fingerprints of the applicant was taken  
15 and directly forwarded electronically or by other means to the  
16 Central Repository for Nevada Records of Criminal History and that  
17 the applicant provided written permission authorizing the law  
18 enforcement agency or other authorized entity taking the  
19 fingerprints to submit the fingerprints to the Central Repository for  
20 Nevada Records of Criminal History *for its report on the criminal*  
21 *history of the applicant and* for submission to the Federal Bureau of  
22 Investigation for ~~[a] its~~ report on the ~~[applicant's background,]~~  
23 *criminal history of the applicant* and to such other law enforcement  
24 agencies as the Board deems necessary for a report on the  
25 applicant's background.

26 2. The Board may:

27 (a) Unless the applicant's fingerprints are directly forwarded  
28 pursuant to sub-subparagraph (II) of subparagraph (2) of paragraph  
29 (b) of subsection 1, submit those fingerprints to the Central  
30 Repository for Nevada Records of Criminal History for submission  
31 to the Federal Bureau of Investigation and to such other law  
32 enforcement agencies as the Board deems necessary; and

33 (b) Request from each agency to which the Board submits the  
34 fingerprints any information regarding the applicant's background  
35 as the Board deems necessary.

36 3. An application is not considered complete and received for  
37 purposes of evaluation pursuant to subsection 4 of NRS 641D.310  
38 until the Board receives a complete set of fingerprints or verification  
39 that the fingerprints have been forwarded electronically or by other  
40 means to the Central Repository for Nevada Records of Criminal  
41 History, and written authorization from the applicant pursuant to  
42 this section.

43 **Sec. 65.** NRS 642.511 is hereby amended to read as follows:

44 642.511 ~~[An]~~ *In addition to any other requirements set forth*  
45 *in this chapter, an* applicant for ~~[any]~~ a license ~~[-, permit or]~~ to



1 *practice the profession of embalming, a certificate of registration*  
2 *to serve as a registered apprentice to a licensed embalmer, a*  
3 *funeral director's license, a license as a funeral arranger, a permit*  
4 *to operate a funeral establishment or a permit to operate a direct*  
5 *cremation facility that is issued ~~[by the Board must]~~ pursuant to*  
6 *this chapter:*

7 1. Shall submit ~~[as part of his or her application]~~ to the Board  
8 a complete set of fingerprints and written permission authorizing the  
9 Board to forward ~~[the]~~ those fingerprints to the Central Repository  
10 for Nevada Records of Criminal History *for its report on the*  
11 *criminal history of the applicant and* for submission to the Federal  
12 Bureau of Investigation for its report ~~[ ]~~ *on the criminal history of*  
13 *the applicant; and*

14 2. *Is prohibited from receiving the reports obtained pursuant*  
15 *to subsection 1.*

16 **Sec. 66.** Chapter 643 of NRS is hereby amended by adding  
17 thereto a new section to read as follows:

18 *In addition to any other requirements set forth in this chapter,*  
19 *an applicant for a license as a barber or an apprentice that is*  
20 *issued pursuant to this chapter:*

21 1. Shall submit to the Board a complete set of fingerprints  
22 and written permission authorizing the Board to forward those  
23 fingerprints to the Central Repository for Nevada Records of  
24 Criminal History for its report on the criminal history of the  
25 applicant and for submission to the Federal Bureau of  
26 Investigation for its report on the criminal history of the applicant;  
27 and

28 2. *Is prohibited from receiving the reports obtained pursuant*  
29 *to subsection 1.*

30 **Sec. 67.** Chapter 644A of NRS is hereby amended by adding  
31 thereto a new section to read as follows:

32 *In addition to any other requirements set forth in this chapter,*  
33 *an applicant for a license as a cosmetologist, hair designer,*  
34 *advanced esthetician, esthetician, nail technologist, hair braider,*  
35 *demonstrator of cosmetics or electrologist, a certificate of*  
36 *registration as a shampoo technologist, makeup artist or*  
37 *electrologist's apprentice, or registration to engage in the practice*  
38 *of threading or to own or operate a facility in which a natural*  
39 *person engages in the practice of threading that is issued pursuant*  
40 *to this chapter:*

41 1. Shall submit to the Board a complete set of fingerprints  
42 and written permission authorizing the Board to forward those  
43 fingerprints to the Central Repository for Nevada Records of  
44 Criminal History for its report on the criminal history of the  
45 applicant and for submission to the Federal Bureau of





1 *Investigation for its report on the criminal history of the applicant;*  
2 *and*

3 *2. Is prohibited from receiving the reports obtained pursuant*  
4 *to subsection 1.*

5 **Sec. 68.** NRS 644A.860 is hereby amended to read as follows:

6 644A.860 1. If the Board receives a copy of a court order  
7 issued pursuant to NRS 425.540 that provides for the suspension of  
8 all professional, occupational and recreational licenses, certificates  
9 and permits issued to a person who has been issued a license or been  
10 registered pursuant to NRS 644A.300 to 644A.535, inclusive, *and*  
11 *section 67 of this act*, the Board shall deem the license or  
12 registration issued to that person to be suspended at the end of the  
13 30th day after the date on which the court order was issued unless  
14 the Board receives a letter issued by the district attorney or other  
15 public agency pursuant to NRS 425.550 to the holder of the license  
16 or registration stating that the holder of the license or registration  
17 has complied with the subpoena or warrant or has satisfied the  
18 arrearage pursuant to NRS 425.560.

19 2. The Board shall reinstate a license or registration issued  
20 pursuant to NRS 644A.300 to 644A.535, inclusive, *and section 67*  
21 *of this act*, that has been suspended by a district court pursuant to  
22 NRS 425.540 if the Board receives a letter issued by the district  
23 attorney or other public agency pursuant to NRS 425.550 to the  
24 person whose license or registration was suspended stating that the  
25 person whose license or registration was suspended has complied  
26 with the subpoena or warrant or has satisfied the arrearage pursuant  
27 to NRS 425.560.

28 **Sec. 69.** Chapter 652 of NRS is hereby amended by adding  
29 thereto the provisions set forth as sections 70 to 77, inclusive, of this  
30 act.

31 **Sec. 70.** *As used in NRS 652.080 to 652.110, inclusive, and*  
32 *sections 71 to 78, inclusive, of this act, unless the context*  
33 *otherwise requires, the words and terms defined in sections 72 to*  
34 *77, inclusive, of this act have the meanings ascribed to them in*  
35 *those sections.*

36 **Sec. 71.** *“Beneficial owner” means a shareholder who owns*  
37 *shares of a corporation indirectly through a bank or*  
38 *broker-dealer.*

39 **Sec. 72.** *“Broker-dealer” has the meaning ascribed to it in*  
40 *NRS 90.220.*

41 **Sec. 73.** *“Director” means a member of the board of*  
42 *directors of a corporation.*

43 **Sec. 74.** *“Officer” means a natural person who:*

44 *1. Holds the title of, or is designated by a corporation as, an*  
45 *officer of the corporation, including, without limitation, a*



1 *president, vice president, secretary, treasurer, manager, chief*  
2 *executive officer, chief operating officer, chief financial officer or*  
3 *anyone in charge of a principal business unit or function of the*  
4 *corporation; and*

5 *2. May or may not be an owner of the corporation.*

6 **Sec. 75.** *“Owner” means the holder of any ownership*  
7 *interest in a medical laboratory.*

8 **Sec. 76.** *“Ownership interest” has the meaning ascribed to*  
9 *“owner’s interest” in NRS 92A.080.*

10 **Sec. 77.** *In addition to any other requirements set forth in*  
11 *this chapter, if an application to operate, conduct, issue a report*  
12 *from or maintain a medical laboratory is submitted pursuant to*  
13 *this chapter, each owner of the laboratory or, if the owner is a*  
14 *corporation, each officer, director and beneficial owner of 10*  
15 *percent or more of its shares, and the laboratory director:*

16 *1. Shall submit to the Board a complete set of fingerprints*  
17 *and written permission authorizing the Board to forward those*  
18 *fingerprints to the Central Repository for Nevada Records of*  
19 *Criminal History for its report on the criminal history of the*  
20 *owner, officer, director, beneficial owner or laboratory director, as*  
21 *applicable, and for submission to the Federal Bureau of*  
22 *Investigation for its report on the criminal history of the owner,*  
23 *officer, director, beneficial owner or laboratory director, as*  
24 *applicable; and*

25 *2. Is prohibited from receiving the reports obtained pursuant*  
26 *to subsection 1.*

27 **Sec. 78.** NRS 656.150 is hereby amended to read as follows:

28 656.150 1. Each applicant for a certificate *of registration as*  
29 *a certified court reporter* must file an application with the  
30 Executive Secretary of the Board at least 30 days before the date  
31 fixed for examination. The application must be accompanied by the  
32 required fee and all information required to complete the  
33 application.

34 *2. In addition to the requirements set forth in subsection 1,*  
35 *each applicant for a certificate of registration as a certified court*  
36 *reporter:*

37 *(a) Shall submit to the Executive Secretary of the Board a*  
38 *complete set of fingerprints and written permission authorizing the*  
39 *Board to forward those fingerprints to the Central Repository for*  
40 *Nevada Records of Criminal History for its report on the criminal*  
41 *history of the applicant and for submission to the Federal Bureau*  
42 *of Investigation for its report on the criminal history of the*  
43 *applicant; and*

44 *(b) Is prohibited from receiving the reports obtained pursuant*  
45 *to paragraph (a).*



- 1     **3.** No certificate may be issued until the applicant has:  
2     (a) Passed the examination prescribed by the Board;  
3     (b) Passed one of the examinations described in paragraph (b) of  
4 subsection 2 of NRS 656.170; and  
5     (c) Paid the fee as provided in NRS 656.220.

6     **Sec. 79.** NRS 656.185 is hereby amended to read as follows:  
7     656.185 1. It is unlawful for any business entity to conduct  
8 business as a court reporting firm or to advertise or use any  
9 identifying term that may indicate to members of the public that the  
10 business entity is entitled to conduct such a business without first  
11 obtaining a license from the Board.

12     2. Each applicant for a license as a court reporting firm must  
13 file an application with the Executive Secretary of the Board on a  
14 form prescribed by the Board.

15     3. The application must:  
16     (a) Include the federal identification number of the applicant;  
17     (b) Include the name of the natural person who will be  
18 appointed as the designated representative of the court reporting  
19 firm and such other identifying information about that natural  
20 person as required by the Board;

21     (c) Be accompanied by the required fee; and  
22     (d) Include all information required to complete the application.

23     4. *In addition to the requirements set forth in subsection 3,*  
24 *the natural person who will be appointed as the designated*  
25 *representative of the court reporting firm:*

26     (a) *Shall submit to the Executive Secretary of the Board a*  
27 *complete set of fingerprints and written permission authorizing the*  
28 *Board to forward those fingerprints to the Central Repository for*  
29 *Nevada Records of Criminal History for its report on the criminal*  
30 *history of the natural person and for submission to the Federal*  
31 *Bureau of Investigation for its report on the criminal history of*  
32 *the natural person; and*

33     (b) *Is prohibited from receiving the reports obtained pursuant*  
34 *to paragraph (a).*

35     5. To obtain a license pursuant to this section, an applicant  
36 need not hold a certificate of registration as a certified court  
37 reporter.

38     **Sec. 80.** Chapter 678A of NRS is hereby amended by adding  
39 thereto the provisions set forth as sections 81 to 84, inclusive, of this  
40 act.

41     **Sec. 81.** *“Board member” means a natural person who is*  
42 *proposed to sit on the board of a proposed cannabis establishment*  
43 *and who may or may not be an owner of the cannabis*  
44 *establishment.*

45     **Sec. 82.** *“Officer” means a natural person who:*



1 *1. Is proposed to hold the title of, or be designated by a*  
2 *proposed cannabis establishment as, an officer of the cannabis*  
3 *establishment, including, without limitation, a president, vice*  
4 *president, secretary, treasurer, manager, chief executive officer,*  
5 *chief operating officer or chief financial officer of the cannabis*  
6 *establishment or anyone in charge of a principal business unit or*  
7 *function of the cannabis establishment; and*

8 *2. May or may not be an owner of the proposed cannabis*  
9 *establishment.*

10 **Sec. 83.** *“Owner” means the holder of any ownership*  
11 *interest in a proposed cannabis establishment.*

12 **Sec. 84.** *“Ownership interest” has the meaning ascribed to*  
13 *“owner’s interest” in NRS 92A.080.*

14 **Sec. 85.** NRS 678A.010 is hereby amended to read as follows:  
15 678A.010 As used in this title, unless the context otherwise  
16 requires, the words and terms defined in NRS 678A.020 to  
17 678A.240, inclusive, *and sections 81 to 84, inclusive, of this act*  
18 have the meanings ascribed to them in those sections.

19 **Sec. 86.** NRS 678B.630 is hereby amended to read as follows:  
20 678B.630 1. The Board shall develop and implement a  
21 process by which a person with a criminal history may *submit a*  
22 *petition to* the Board ~~to~~ *requesting that the Board* review the  
23 criminal history of the person to determine if the person’s criminal  
24 history will disqualify the person from obtaining a license or  
25 cannabis establishment agent registration card pursuant to this title.

26 2. Not later than 90 days after a petition is submitted to the  
27 Board pursuant to subsection 1, the Board shall inform the person of  
28 the determination of the Board of whether the person’s criminal  
29 history will disqualify the person from obtaining a license or  
30 cannabis establishment agent registration card. The Board is not  
31 bound by its determination of disqualification or qualification and  
32 may rescind such a determination at any time.

33 3. The Board may provide instructions to a person who  
34 receives a determination of disqualification to remedy the  
35 determination of disqualification. A person may resubmit a petition  
36 pursuant to subsection 1 not earlier than 6 months after receiving  
37 instructions pursuant to this subsection if the person remedies the  
38 determination of disqualification.

39 4. A person with a criminal history may *submit a* petition *to*  
40 the Board at any time, including, without limitation, before  
41 obtaining any education or paying any fee required to obtain a  
42 license or cannabis establishment agent registration card from the  
43 Board.



1 5. A person may submit a new petition to the Board not earlier  
2 than 2 years after the final determination of the initial petition  
3 submitted to the Board.

4 6. The Board may impose a fee of up to \$50 upon the person to  
5 fund the administrative costs in complying with the provisions of  
6 this section. The Board may waive such fees or allow such fees to  
7 be covered by funds from a scholarship or grant.

8 7. The Board may post on its Internet website:

9 (a) The requirements to obtain a license and a cannabis  
10 establishment agent registration card from the Board; and

11 (b) A list of crimes, if any, that would disqualify a person from  
12 obtaining a license or a cannabis establishment agent registration  
13 card from the Board.

14 8. ~~The Board may request the criminal history record of a~~ A  
15 person who petitions the Board for a determination pursuant to  
16 subsection 1 : ~~[- To the extent consistent with federal law, if the~~  
17 ~~Board makes such a request of a person, the Board shall require the~~  
18 ~~person to submit his or her criminal history record which includes a~~  
19 ~~report from:]~~

20 (a) ~~The~~ *Shall submit to the Board a complete set of*  
21 *fingerprints and written permission authorizing the Board to*  
22 *forward those fingerprints to the* Central Repository for Nevada  
23 *Records of Criminal History* ~~[-]~~ *for its report on the criminal*  
24 *history of the person and for submission to the Federal Bureau of*  
25 *Investigation for its report on the criminal history of the person;*  
26 and

27 (b) ~~The Federal Bureau of Investigation.~~ *Is prohibited from*  
28 *receiving the reports obtained pursuant to paragraph (a).*

29 9. A person who petitions the Board for a determination  
30 pursuant to subsection 1 shall not submit false or misleading  
31 information to the Board.

32 10. The Board shall, on or before the 20th day of January,  
33 April, July and October, submit to the Director of the Legislative  
34 Counsel Bureau in an electronic format prescribed by the Director, a  
35 report that includes:

36 (a) The number of petitions submitted to the Board pursuant to  
37 subsection 1;

38 (b) The number of determinations of disqualification made by  
39 the Board pursuant to subsection 1; *and*

40 (c) *Except as otherwise provided in subsection 11:*

41 (1) The reasons for such determinations; and

42 ~~[(d)]~~ (2) Any other information that is requested by the Director  
43 or which the Board determines would be helpful.

44 11. *The Board shall not include in a report submitted to the*  
45 *Director pursuant to subsection 10 any information concerning*



1 *the criminal history of a person that is obtained from a report*  
2 *received from the Central Repository for Nevada Records of*  
3 *Criminal History or the Federal Bureau of Investigation pursuant*  
4 *to subsection 8.*

5 **12.** The Director shall transmit a compilation of the  
6 information received pursuant to subsection 10 to the Legislative  
7 Commission quarterly, unless otherwise directed by the  
8 Commission.

9 **Sec. 87.** NRS 706.4626 is hereby amended to read as follows:

10 706.4626 1. The Authority shall develop and implement a  
11 process by which a person with a criminal history may *submit a*  
12 *petition to* the Authority ~~to~~ *requesting that the Authority* review  
13 the criminal history of the person to determine if the person's  
14 criminal history will disqualify the person from obtaining a driver's  
15 permit pursuant to NRS 706.462.

16 2. Not later than 90 days after a petition is submitted to the  
17 Authority pursuant to subsection 1, the Authority shall inform the  
18 person of the determination of the Authority of whether the person's  
19 criminal history will disqualify the person from obtaining a driver's  
20 permit. The Authority is not bound by its determination of  
21 disqualification or qualification and may rescind such a  
22 determination at any time.

23 3. The Authority may provide instructions to a person who  
24 receives a determination of disqualification to remedy the  
25 determination of disqualification. A person may resubmit a petition  
26 pursuant to subsection 1 not earlier than 6 months after receiving  
27 instructions pursuant to this subsection if the person remedies the  
28 determination of disqualification.

29 4. A person with a criminal history may *submit a* petition *to*  
30 the Authority at any time, including, without limitation, before  
31 obtaining any education or paying any fee required to obtain a  
32 driver's permit from the Authority.

33 5. A person may submit a new petition to the Authority not  
34 earlier than 2 years after the final determination of the initial petition  
35 submitted to the Authority.

36 6. The Authority may impose a fee of up to \$50 upon the  
37 person to fund the administrative costs in complying with the  
38 provisions of this section. The Authority may waive such fees or  
39 allow such fees to be covered by funds from a scholarship or grant.

40 7. The Authority may post on its Internet website:

41 (a) The requirements to obtain a driver's permit from the  
42 Authority; and

43 (b) A list of crimes, if any, that would disqualify a person from  
44 obtaining a driver's permit from the Authority.



1 8. ~~The Authority may request the criminal history record of a~~  
2 A person who petitions the Authority for a determination pursuant to  
3 subsection 1 : ~~To the extent consistent with federal law, if the~~  
4 ~~Authority makes such a request of a person, the Authority shall~~  
5 ~~require the person to submit his or her criminal history record which~~  
6 ~~includes a report from:~~

7 (a) ~~The~~ *Shall submit to the Authority a complete set of*  
8 *fingerprints and written permission authorizing the Authority to*  
9 *forward those fingerprints to the* Central Repository for Nevada  
10 Records of Criminal History ~~;~~ *for its report on the criminal*  
11 *history of the person and for submission to the Federal Bureau of*  
12 *Investigation for its report on the criminal history of the person;*  
13 and

14 (b) ~~The Federal Bureau of Investigation.~~ *Is prohibited from*  
15 *receiving the reports obtained pursuant to paragraph (a).*

16 9. A person who petitions the Authority for a determination  
17 pursuant to subsection 1 shall not submit false or misleading  
18 information to the Authority.

19 10. The Authority shall, on or before the 20th day of January,  
20 April, July and October, submit to the Director of the Legislative  
21 Counsel Bureau in an electronic format prescribed by the Director, a  
22 report that includes:

23 (a) The number of petitions submitted to the Authority pursuant  
24 to subsection 1;

25 (b) The number of determinations of disqualification made by  
26 the Authority pursuant to subsection 1; *and*

27 (c) *Except as otherwise provided in subsection 11:*

28 (1) The reasons for such determinations; and

29 ~~(d)~~ (2) Any other information that is requested by the Director  
30 or which the Authority determines would be helpful.

31 11. *The Authority shall not include in a report submitted to*  
32 *the Director pursuant to subsection 10 any information*  
33 *concerning the criminal history of a person that is obtained from a*  
34 *report received from the Central Repository for Nevada Records of*  
35 *Criminal History or the Federal Bureau of Investigation pursuant*  
36 *to subsection 8.*

37 12. The Director shall transmit a compilation of the  
38 information received pursuant to subsection 10 to the Legislative  
39 Commission quarterly, unless otherwise directed by the  
40 Commission.

41 **Sec. 88.** The Legislative Counsel shall, in preparing the reprint  
42 and supplements to the Nevada Revised Statutes, appropriately  
43 revise any references to a person providing written permission for  
44 his or her fingerprints to be forwarded to the Central Repository for  
45 Nevada Records of Criminal History and the Federal Bureau of



1 Investigation to specify that such permission is being provided for  
2 the purpose of obtaining a report on the criminal history of the  
3 person from the Central Repository and a report on the criminal  
4 history of the person from the Federal Bureau of Investigation. Such  
5 references must be revised in the same manner as that used in  
6 section 64 of this act or, if not feasible, in a manner which is  
7 otherwise consistent with the revisions made in this act and which  
8 does not otherwise substantively affect the meaning of any  
9 language.

10 **Sec. 89.** NRS 394.157, 622.085, 622.360, 622.530 and  
11 644A.465 are hereby repealed.

12 **Sec. 90.** Notwithstanding the provisions of NRS 218D.430 and  
13 218D.435, a committee may vote on this act before the expiration of  
14 the period prescribed for the return of a fiscal note in NRS  
15 218D.475. This section applies retroactively from and after May 10,  
16 2023.

17 **Sec. 91.** 1. This act becomes effective upon passage and  
18 approval.

19 2. Section 68 of this act expires by limitation 2 years after the  
20 date of the repeal of 42 U.S.C. § 666, the federal law requiring each  
21 state to establish procedures for withholding, suspending and  
22 restricting the professional, occupational and recreational licenses  
23 for child support arrearages and for noncompliance with certain  
24 processes relating to paternity or child support proceedings.

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## LEADLINES OF REPEALED SECTIONS

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**394.157** Conditions under which volunteer not required to submit fingerprints.

**622.085** Development and implementation of process for preliminary determination of whether person's criminal history will disqualify person from obtaining license; fee; posting of requirements and list of disqualifying crimes for licensure on Internet website; request for criminal history record; prohibition on submission of false or misleading information.

**622.360** Disciplinary proceedings: Authority to require licensee to submit fingerprints; additional grounds for disciplinary action; supplemental provision.

**622.530** Regulatory body to adopt regulations for license by endorsement for qualified persons; restrictions; issuance of license by endorsement; conflicts with other license by endorsement provisions.





**644A.465 Reduction of duplication in licensing and registration procedure for applicant who also applies to local governmental entity to practice massage therapy, reflexology or structural integration.**

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