ASSEMBLY BILL NO. 220-ASSEMBLYMEMBER HUNT

Prefiled February 3, 2025

Referred to Committee on Health and Human Services

SUMMARY—Authorizes the issuance of identification cards by the Department of Health and Human Services to persons experiencing homelessness under certain circumstances. (BDR 38-671)

FISCAL NOTE: Effect on Local Government: Increases or Newly
Provides for Term of Imprisonment in County or City
Jail or Detention Facility.
Effect on the State: Yes.

Effect on the State. Tes.

EXPLANATION - Matter in bolded italics is new; matter between brackets [omitted material] is material to be omitted.

AN ACT relating to identification cards; authorizing the Department of Health and Human Services to establish a program to issue identification cards to Nevada residents who are experiencing homelessness; requiring an applicant for an identification card to attest to certain facts and provide certain information providing for the change of the full legal name on an identification card under certain circumstances; providing for the expiration of an identification card issued by the Department; prohibiting certain conduct related to an identification card; authorizing certain local governments to accept an identification card issued by the Department for certain purposes; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Director of the Department of Motor Vehicles to issue identification cards to: (1) qualified residents of this State who are 10 years of age or older and do not hold a valid driver's license or identification card from any state or jurisdiction; and (2) qualified seasonal residents who do not hold a valid Nevada driver's license. (NRS 483.820, 483.830) Existing law requires the Department of Health and Human Services to establish the Nevada Housing Crisis Response System and requires the System to collaborate with the Department of Motor Vehicles to facilitate assistance to persons experiencing homelessness who wish to





apply for an identification card issued by the Department of Motor Vehicles. (NRS 422A.680)

Section 7 of this bill authorizes the Department of Health and Human Services to establish and administer a program to issue identification cards to residents of this State who are experiencing homelessness. Section 7 limits the issuance of such cards to residents of this State who are 10 years of age or older and do not hold a valid driver's license or identification card from any state or jurisdiction. Section 7: (1) prohibits the Department from charging a fee for the issuance, renewal or replacement of an identification card; and (2) authorizes the Department to accept gifts, grants and donations of money to fund the program to provide identification cards to residents of this State who are experiencing homelessness. Sections 7 and 19 of this bill make confidential personal information contained in any file or record of the Department relating to an identification card or an application for an identification card.

Section 8 of this bill prescribes the form of identification cards issued by the Department and requires the Department to adopt regulations prescribing the information that must be contained on such identification cards.

Section 9 of this bill requires an application for an identification card issued by the Department to include a statement from the applicant attesting that the applicant is a person who: (1) is experiencing homelessness; and (2) does not hold a valid driver's license or identification card from any state or jurisdiction.

Section 10 of this bill requires an applicant to furnish proof of his or her full legal name and age to the Department by presenting an original or certified copy of the documents required by the Department of Motor Vehicles as proof of the full legal name and age of an applicant for an identification card issued by the Department of Motor Vehicles. Section 10 prohibits the Department of Health and Human Services from issuing an identification card to an applicant who does not furnish such proof unless the identification card clearly indicates on the face of the card that the Department has not verified the full legal name and age of the card holder.

Section 11 of this bill requires a person to request that the Department change his or her full legal name on an identification card issued by the Department after a legal name change as indicated on certain documents and authorizes a person to request that the Department change his or her full legal name on an identification card upon the occurrence of certain life events. **Section 11** prohibits the Department from charging or collecting a fee for making a change to an identification card.

Section 12 of this bill applies to the Department the prohibition of existing law against the issuance of an identification card to or renewal of the identification card of a sex offender or an offender convicted of a crime against a child until the Department receives information submitted by the Central Repository for Nevada Records of Criminal History or other satisfactory evidence that the offender is in compliance with the provisions of law governing the registration of sex offenders and offenders convicted of a crime against a child. (NRS 179D.570) Section 12 provides that an identification card issued to such offenders expires on the first anniversary date of the offender's birthday, measured from the birthday nearest to the date of issuance or renewal of the card. Section 17 of this bill authorizes the Central Repository to share information concerning sex offenders and offenders convicted of a crime against a child with the Department to carry out the provisions of section 12.

Section 13 of this bill provides that an identification card issued by the Department generally remains valid until expiration unless the holder becomes licensed in any state or jurisdiction to drive a motor vehicle or obtains an identification card from any state or jurisdiction. **Section 13** requires an identification card issued by the Department to be surrendered upon the issuance of a driver's license from any state or jurisdiction, an identification card from another



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state or jurisdiction or an identification card issued by the Department of Motor Vehicles.

Section 14 of this bill requires the Department to adopt regulations prescribing when an identification card expires and requires the date of expiration adopted by the Department to be not later than the eighth anniversary of the birthday of the holder of the identification card measured from the birthday nearest to the date of issuance or renewal of the card.

Section 15 of this bill authorizes a person whose identification card is lost or destroyed to obtain a duplicate card.

Section 16 of this bill provides that a person who commits certain acts relating to an identification card is guilty of a misdemeanor.

Section 18 of this bill authorizes certain local governments to accept an identification card issued by the Department of Health and Human Services for certain purposes.

Sections 2-6 of this bill define certain terms for the purposes of **sections 2-16**.

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

- **Section 1.** Chapter 422A of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 16, inclusive, of this act.
- Sec. 2. As used in sections 2 to 16, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3 to 6, inclusive, of this act have the meanings ascribed to them in those sections.
- Sec. 3. "Full legal name" means a natural person's first name or given name, middle name and family name or last name, without the use of initials or a nickname. The term includes a full legal name that has been changed pursuant to the provisions of section 11 of this act.
- Sec. 4. "Identification card" means an identification card issued by the Department pursuant to sections 2 to 16, inclusive, of this act.
- Sec. 5. "Person experiencing homelessness" means a person who is transient, at imminent risk of homelessness or homeless.
- Sec. 6. "Resident" means a person who has actually resided in this State for at least 6 months.
- Sec. 7. 1. To the extent that money is available for that purpose, the Department, through a division of the Department designated by the Director, may establish and administer a program to issue photo identification cards to residents of this State who are persons experiencing homelessness. If the Department establishes such a program, the Department shall:
 - (a) Prepare suitable identification cards.
 - (b) Prepare and furnish application forms for those cards.





(c) Receive applications, grant or deny the applications and maintain files of applications.

(d) Issue identification cards, recall and cancel identification cards when necessary and maintain records adequate to preserve

the integrity of the system for identification cards.

- 2. A person who applies for an identification card in accordance with the provisions of sections 2 to 16, inclusive, of this act and who is not ineligible to receive an identification card pursuant to section 12 of this act is entitled to receive an identification card if the person:
 - (a) Is a resident of this State;

(b) Is 10 years of age or older; and

(c) Does not hold a valid driver's license or identification card from any state or jurisdiction.

3. The Department shall not charge a fee for the issuance,

renewal or replacement of an identification card.

4. The Department may accept gifts, grants and donations of money to fund the program to issue identification cards to residents of this State who are experiencing homelessness. Money received by the Department pursuant to this subsection does not revert to the State General Fund at the end of any fiscal year and must be carried forward to the next fiscal year.

- 5. The personal information contained in any file or record of the Department relating to an identification card or an application for an identification card is confidential and is not a public record for the purposes of chapter 239 of NRS. The Department may only disclose information made confidential pursuant to this subsection if such disclosure is necessary for the Department to carry out its duties or upon the lawful order of a court of competent jurisdiction.
- Sec. 8. 1. The form of identification cards issued by the Department must be similar to that of identification cards issued by the Department of Motor Vehicles pursuant to NRS 483.810 to 483.890, inclusive, but distinguishable in color or otherwise.
- 2. Identification cards issued by the Department must comply with the requirements of section 202(d)(11) of the Real ID Act of 2005, Public Law 109-13, Division B, Title II, 119 Stat. 302, 312-15, 49 U.S.C. § 30301 note.
- 3. Identification cards issued by the Department do not authorize the operation of any motor vehicle.
- 4. If the Department establishes the program described in section 7 of this act, the Department shall adopt regulations prescribing the information that must be contained on the identification card.





Sec. 9. 1. Every application for an identification card must be made upon a form prescribed by the Department and include, without limitation, a statement from the applicant attesting that the applicant:

(a) Does not hold a valid driver's license or identification card

from any state or jurisdiction.

(b) Is a person experiencing homelessness.

2. When the form is completed, the applicant must sign the form and verify the contents before a person authorized to administer oaths. Officers and employees of the Department may administer those oaths without charge.

Sec. 10. 1. Except as otherwise provided in subsection 2, every applicant for an identification card pursuant to sections 2 to 16, inclusive, of this act must furnish proof of his or her full legal name and age by presenting an original or certified copy of the documents required by the Department of Motor Vehicles pursuant to NRS 483.860 as proof of the full legal name and age of an applicant for the issuance of an identification card by the Department of Motor Vehicles.

2. If an applicant for an identification card does not furnish the proof of his or her full legal name and age as required by subsection 1, the Department must not issue to the applicant an identification card, unless the identification card clearly indicates on the face of the card that the Department has not verified the full legal name and age of the card holder pursuant to

26 subsection 1.

Sec. 11. 1. A person must request that the Department change his or her full legal name on an identification card after a legal change of the person's name indicated on:

(a) An order of a court of competent jurisdiction changing the

name of the person;

(b) A decree of adoption;

(c) A certificate of marriage; or

(d) A decree of divorce.

2. A request required pursuant to subsection 1 must:

(a) Be made on a form prescribed by the Department; and

- (b) Include an original or certified copy of the order, decree or certificate.
- 3. A person may request that the Department change his or her full legal name on an identification card upon adoption, marriage, divorce or the death of a spouse. Such a request must be made on a form prescribed by the Department and must include:
- (a) Upon adoption, an original or certified copy of a decree of adoption and an affidavit on a form prescribed by the Department indicating the person's choice to:





(1) Change his or her last name to the last name of one of his or her adoptive parents;

(2) Use his or her last name hyphenated with the last name

of one of his or her adoptive parents; or

(3) Replace his or her middle name with his or her last name and use as his or her last name the last name of one of his or her adoptive parents.

(b) Upon marriage, an original or certified copy of a certificate of marriage and an affidavit on a form prescribed by the

Department indicating the person's choice to:

(1) Change his or her last name to the last name of his or her spouse;

(2) Use his or her last name hyphenated with the last name of his or her spouse; or

- (3) Replace his or her middle name with his or her last name and use as his or her last name the last name of his or her spouse.
- (c) Upon divorce, an original or certified copy of a decree of divorce and an affidavit on a form prescribed by the Department indicating the person's choice to:

(1) Change his or her last name back to a last name he or she used before marriage; or

- (2) If he or she changed his or her name pursuant to subparagraph (3) of paragraph (b), change his or her middle name and last name back to the middle name and last name he or she used before the marriage; or
- (d) Upon the death of a spouse, an original or certified copy of a certificate of marriage and an original or certified copy of a death certificate and an affidavit on a form prescribed by the Department indicating the person's choice to:

(1) Change his or her last name back to a name he or she

used before the marriage; or

(2) If he or she changed his or her name pursuant to subparagraph (3) of paragraph (b), change his or her middle name and last name back to the middle name and last name he or she used before marriage.

4. Upon receipt of a request that meets the requirements of subsection 2 or 3, the Department shall:

- (a) Change the full legal name of a person on the identification card issued to the person by the Department; and
- (b) Provide to the person who requested the change a document which evidences that such a change was made pursuant to this section.
- 5. The Department shall not charge or collect a fee for a change to an identification card pursuant to this section.





Sec. 12. 1. The Department shall not issue an identification card to an offender or renew the identification card of an offender until the Department has received information submitted by the Central Repository pursuant to NRS 179D.570 or other satisfactory evidence indicating that the offender is in compliance with the provisions of chapter 179D of NRS.

2. If an offender is not in compliance with the provisions of

chapter 179D of NRS, the Department:

(a) Shall not issue an identification card to the offender or renew the identification card of the offender; and

(b) Shall advise the offender to contact the Central Repository to determine the actions that the offender must take to be in

compliance with the provisions of chapter 179D of NRS.

3. An identification card issued to an offender expires on the first anniversary date of the offender's birthday, measured in the case of an original identification card, a renewal identification card and a renewal of an expired identification card, from the birthday nearest the date of issuance or renewal.

4. The Department may adopt regulations to carry out the

provisions of this section.

5. As used in this section:

(a) "Central Repository" means the Central Repository for Nevada Records of Criminal History.

(b) "Offender" includes, without limitation, an "offender convicted of a crime against a child" as defined in NRS 179D.0559 and a "sex offender" as defined in NRS 179D.095.

- Sec. 13. Except as otherwise provided in section 14 of this act, an identification card that is issued pursuant to sections 2 to 16, inclusive, of this act remains valid until its expiration date so long as the facts and circumstances declared in the application and stated on the card do not change and the person does not become licensed in any state or jurisdiction to drive a motor vehicle or obtain an identification card from any state or jurisdiction. An identification card that is issued pursuant to sections 2 to 16, inclusive, of this act does not become invalid because the person ceases to be a person experiencing homelessness. An identification card issued pursuant to sections 2 to 16, inclusive, of this act must be surrendered upon the issuance of:
 - 1. A driver's license from any state or jurisdiction;
- 2. An identification card from another state or jurisdiction; or
- 3. An identification card issued by the Department of Motor Vehicles pursuant to NRS 483.810 to 483.890, inclusive.





- Sec. 14. 1. Except as otherwise provided in sections 12 and 13 of this act, an identification card and a renewal of an identification card issued pursuant to sections 2 to 16, inclusive, of this act expires as prescribed by the regulations adopted pursuant to subsection 2.
- 2. The Department shall adopt regulations prescribing when an identification card expires. The regulations adopted by the Department pursuant to this section must not establish an expiration date which is later than the eighth anniversary of the birthday of the holder of the identification card measured, in the case of an original identification card, a renewal identification card and a renewal of an expired identification card, from the birthday nearest the date of issuance or renewal.

3. An identification card is renewable at any time before its

expiration upon application.

Sec. 15. 1. Upon furnishing information that his or her identification card is lost or destroyed, the person to whom the original was issued may obtain a duplicate.

2. If the original of a duplicated identification card is subsequently recovered or a lost identification card is found, the person having possession shall return it immediately to the Department.

Sec. 16. A person who:

- 1. Forges or alters an identification card or knowingly possesses an altered or forged identification card;
- 2. Refuses to surrender an identification card for cancellation when so directed by the Department;
- 3. Lends his or her identification card to another person for the other's use or uses an identification card issued to another person; or
- 4. Willfully fails to surrender to the Department within 10 days after another's identification card comes into his or her possession or to return it to the proper holder,

⇒ is guilty of a misdemeanor.

- **Sec. 17.** NRS 179D.570 is hereby amended to read as follows: 179D.570 1. The Central Repository shall, in accordance with the requirements of this section, share information concerning sex offenders and offenders convicted of a crime against a child with:
- (a) The Nevada Gaming Control Board to carry out the provisions of NRS 463.335 pertaining to the registration of a gaming employee who is a sex offender or an offender convicted of a crime against a child. The Central Repository shall, at least once each calendar month, provide the Nevada Gaming Control Board with the name and other identifying information of each offender





who is not in compliance with the provisions of this chapter, in the manner and form agreed upon by the Central Repository and the Nevada Gaming Control Board.

- (b) The Department of Motor Vehicles to carry out the provisions of NRS 483.283, 483.861 and 483.929.
- (c) The Department of Health and Human Services to carry out the provisions of section 12 of this act.
- 2. The information shared by the Central Repository pursuant to this section must indicate whether a sex offender or an offender convicted of a crime against a child is in compliance with the provisions of this chapter.
- 3. The Central Repository shall share information pursuant to this section as expeditiously as possible under the circumstances.
- 4. The Central Repository may adopt regulations to carry out the provisions of this section.

Sec. 18. NRS 237.200 is hereby amended to read as follows:

- 237.200 1. Except as otherwise provided in subsection 2, with respect to any activity or transaction in which a local government accepts an identification card issued by the Department of Motor Vehicles to identify a person, the local government may also accept an identification card issued by the Department of Health and Human Services pursuant to sections 2 to 16, inclusive, of this this act, a consular identification card, permanent resident card or tribal identification card to identify a person.
- 2. The provisions of subsection 1 apply only to the presentation of *an identification card issued by the Department of Health and Human Services*, a consular identification card, permanent resident card or tribal identification card for purposes of identification and do not convey an independent right to receive benefits of any type.
- 3. To be accepted pursuant to subsection 1 to identify a person, an identification card issued by a tribal government must contain:
 - (a) The full legal name of the holder of the card;
 - (b) The date of birth of the holder of the card;
 - (c) A unique number assigned to the holder of the card;
- (d) A digital photograph of the full face of the holder of the card;
- (e) The address of the principal residence of the holder of the card;
- (f) A physical description of the holder of the card, including, without limitation, the height, weight, hair color and eye color of the holder of the card;
 - (g) The usual signature of the holder of the card;
 - (h) The date on which the card is issued; and
 - (i) A reference to the tribal government which issued the card.
 - 4. As used in this section:





- (a) "Consular identification card" means an identification card issued by a consulate of a foreign government, which consulate is located within the State of Nevada.
- (b) "Identification card issued by the Department of Motor Vehicles" means an identification card of the type described in NRS 483.810 to 483.890, inclusive.
- (c) "Local government" has the meaning ascribed to it in NRS 237.050.
- (d) "Permanent resident card" means a Permanent Resident Card issued by the United States Citizenship and Immigration Services of the Department of Homeland Security.
- (e) "Tribal government" has the meaning ascribed to it in NRS 239C.105.
- (f) "Tribal identification card" means an identification card issued by a tribal government which satisfies the requirements of subsection 3.

NRS 239.010 is hereby amended to read as follows: Sec. 19.

17 18 239.010 1. Except as otherwise provided in this section and NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.0397, 41.071, 49.095, 19 20 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 21 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152, 22 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 23 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 24 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 25 116B.880, 118B.026, 119.260, 119.265, 119.267, 119A.280, 119A.653, 119A.677, 119B.370, 119B.382, 120A.640, 26 27 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 28 127.007, 127.057, 127.130, 127.140, 127.2817, 128.090, 130.312, 130.712, 136.050, 159.044, 159A.044, 164.041, 172.075, 172.245, 29 30 176.01334, 176.01385, 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691, 178.5717, 179.495, 31 179A.070, 179A.165, 179D.160, 180.600, 200.3771, 200.3772, 32 200.604, 202.3662, 205.4651, 209.392, 209.3923, 200.5095, 33 209.3925, 209.419, 209.429, 209.521, 211A.140, 213.010, 213.040, 34 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350, 35 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 218G.615, 36 224.240, 226.462, 226.796, 228.270, 228.450, 228.495, 228.570, 37 231.1285, 231.1473, 232.1369, 233.190, 38 231.069. 237.300, 239.0105, 239.0113, 239.014, 239B.026, 239B.030, 239B.040, 39 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 40 239C.420, 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 41 244.335, 247.540, 247.545, 247.550, 247.560, 250.087, 250.130, 250.140, 250.145, 250.150, 268.095, 268.0978, 268.490, 268.910, 42 43 269.174, 271A.105, 281.195, 281.805, 281A.350, 281A.680, 44

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

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

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



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to provide a copy of a public record in an electronic format or by means of an electronic medium if:

(a) The public record:

- (1) Was not created or prepared in an electronic format; and
- (2) Is not available in an electronic format; or
- (b) Providing the public record in an electronic format or by means of an electronic medium would:
 - (1) Give access to proprietary software; or
- (2) Require the production of information that is confidential and that cannot be redacted, deleted, concealed or separated from information that is not otherwise confidential.
- 5. An officer, employee or agent of a governmental entity who has legal custody or control of a public record:
- (a) Shall not refuse to provide a copy of that public record in the medium that is requested because the officer, employee or agent has already prepared or would prefer to provide the copy in a different medium.
- (b) Except as otherwise provided in NRS 239.030, shall, upon request, prepare the copy of the public record and shall not require the person who has requested the copy to prepare the copy himself or herself.
 - **Sec. 20.** This act becomes effective:
- 1. Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and
 - 2. On January 1, 2026, for all other purposes.





