

ASSEMBLY BILL NO. 43—COMMITTEE  
ON GOVERNMENT AFFAIRS

(ON BEHALF OF CLARK COUNTY)

PREFILED NOVEMBER 19, 2024

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to public works.  
(BDR 28-465)

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

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

AN ACT relating to public works; creating a program to gather data on the use of job order contracts for certain public works; authorizing certain public bodies to enter into job order contracts for the maintenance, repair, alteration, demolition, renovation, remediation or minor construction of a public work; prescribing the procedure for awarding a job order contract; making certain documents and other information submitted by a person seeking a job order contract confidential until a contract is awarded; prescribing responsibilities of a contractor who enters into a job order contract; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law prescribes general procedures for awarding a contract for a public  
2 work. (Chapter 338 of NRS) Existing law also authorizes a local government to  
3 comply with alternative procedures for awarding a contract for a public work. (NRS  
4 338.1373) Senate Bill No. 67 of the 2021 Legislative Session established a pilot  
5 program to gather data on the use of job order contracts for certain public works in  
6 Clark County, the City of Henderson, the City of Las Vegas, the City of North Las  
7 Vegas and the Clark County Water Reclamation District and authorized those  
8 public bodies, as part of the pilot program, to enter into job order contracts for the  
9 maintenance, repair, alteration, demolition, renovation, remediation or minor  
10 construction of a public work. (Chapter 523, Statutes of Nevada 2021, at page  
11 3509) The pilot program expires on June 30, 2025. (Section 15 of chapter 523,  
12 Statutes of Nevada 2021, at page 3514) **Sections 2-16** of this bill: (1) establish a



13 similar, permanent program; (2) authorize certain public bodies to award job order  
14 contracts for certain public works; and (3) set forth various requirements and  
15 restrictions concerning the use of job order contracts by those public bodies.  
16 **Section 2** provides that the provisions of **sections 2-16** apply only to a public body  
17 that is: (1) a county whose population is 700,000 or more (currently only Clark  
18 County); (2) a city whose population is 150,000 or more located in such a county  
19 (currently the Cities of Henderson, Las Vegas and North Las Vegas); or (3) a  
20 general improvement district located in such a county which is granted certain  
21 powers relating to sanitary sewer systems. (NRS 318.140)

22 **Section 3** establishes a program to gather data on the use of job order contracts  
23 for certain public works and directs each public body to gather and report data on  
24 the use of job order contracts. **Sections 5-8** define certain terms for the purposes of  
25 this bill. **Section 9** authorizes a public body to award job order contracts for the  
26 maintenance, repair, alteration, demolition, renovation, remediation or minor  
27 construction of public works. **Section 17** of this bill revises the list of procedures by  
28 which a local government may award a contract for a public work to include the use  
29 of job order contracts if the local government is a public body to which the  
30 provisions of **sections 2-16** apply pursuant to **section 2**.

31 **Section 9** requires a job order contract to be for a fixed period and provide for  
32 indefinite types and quantities of work and delivery times. **Section 9** provides that a  
33 job order contract: (1) must not be for work exclusive to one trade for which a  
34 license as a specialty contractor is required; and (2) must require a contractor to  
35 prepare and submit a proposal for each job order. **Section 9** requires such a  
36 proposal to include the proposed price for the job order, each construction task  
37 required to perform the job order, the unit price for each such task and the  
38 adjustment factor applicable to the performance of the task. **Section 9** also requires  
39 a public body to adopt a written policy for the assignment of job orders and limits  
40 the total dollar amount of job order contracts that may be awarded annually by each  
41 public body.

42 **Section 10** prescribes the qualifications a contractor who wishes to enter into a  
43 job order contract must meet. **Section 11** requires a public body or its authorized  
44 representative to advertise requests for proposals or similar solicitation documents  
45 for job order contracts. **Section 11** also prescribes: (1) the contents of such  
46 advertisements or similar solicitation documents; and (2) requirements for  
47 proposals. **Sections 12 and 18** of this bill make any document or other information  
48 submitted to a public body in response to a request for proposals or similar  
49 solicitation document for a job order contract confidential and prohibit disclosure of  
50 any such document or information until notice of intent to award the contract is  
51 issued.

52 **Section 13** prescribes the method for selecting a contractor for a job order  
53 contract. Specifically, **section 13** requires a public body or its authorized  
54 representative to appoint a panel to rank the proposals submitted in response to the  
55 request for proposals and award a job order contract to one or more applicants.

56 **Section 14** prescribes certain responsibilities of a contractor who enters into a  
57 job order contract relating to contracting for the services of a subcontractor,  
58 supplier or professional. **Section 14** also prohibits a contractor who enters into a job  
59 order contract from performing more than 50 percent of the estimated cost of a  
60 work order himself or herself, or using his or her own employees.

61 **Section 9** requires a job order contract to provide for the use of job orders,  
62 which are defined in **section 7** as an order issued for a definite scope of work to be  
63 performed for a fixed price pursuant to a job order contract. **Section 15** requires a  
64 contractor to submit a list of each subcontractor whom the contractor intends to  
65 engage before a public body issues a job order. **Section 16** requires a public body to  
66 submit a quarterly report that contains certain information relating to job order  
67 contracts to the governing body of the public body. **Section 16** also requires a



68 governing body to annually submit to the Director of the Legislative Counsel  
69 Bureau a written report including the information reported to the governing body  
70 during the immediately preceding calendar year.

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

1       **Section 1.** Chapter 338 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 to 16, inclusive, of this  
3 act.

4       **Sec. 2.** *The provisions of sections 2 to 16, inclusive, of this*  
5 *act apply only to a public body that is:*

6       1. *A county whose population is 700,000 or more;*

7       2. *A city whose population is 150,000 or more located in a*  
8 *county whose population is 700,000 or more; or*

9       3. *A general improvement district established pursuant to*  
10 *chapter 318 of NRS in a county whose population is 700,000 or*  
11 *more which is granted the powers set forth in NRS 318.140.*

12       **Sec. 3.** 1. *The Legislature hereby finds and declares that:*

13       (a) *It is in the best interest of the State to ensure that*  
14 *contracting and bidding procedures for public works in this State*  
15 *are efficient and cost-effective.*

16       (b) *The procedures for awarding a contract for a public work*  
17 *authorized by existing law may create barriers to the efficient and*  
18 *cost-effective awarding of contracts for the maintenance, repair,*  
19 *alteration, demolition, renovation, remediation or minor*  
20 *construction of a public work.*

21       (c) *Reducing any such barriers will benefit the public and*  
22 *promote the timely completion of certain public works projects*  
23 *that are critical for the health and safety of members of the public*  
24 *who use public buildings and facilities.*

25       (d) *The voluminous and unpredictable amount of work for*  
26 *which certain public bodies in large counties in this State must*  
27 *award contracts presents unique challenges for these bodies.*

28       (e) *The use of job order contracting eliminates certain*  
29 *administrative burdens associated with traditional procurement*  
30 *methods and enables such a public body to efficiently manage the*  
31 *numerous renovation, repair and maintenance projects required*  
32 *for facilities.*

33       (f) *The provisions of sections 2 to 16, inclusive, of this act are*  
34 *not intended to prohibit a public body from awarding a contract*  
35 *for a public work pursuant to any other procedure authorized*  
36 *pursuant to this chapter.*

37       2. *The Legislature therefore:*



1 (a) Establishes a program to gather data on the use of job  
2 order contracts for the maintenance, repair, alteration, demolition,  
3 renovation, remediation and minor construction of a public work;  
4 and

5 (b) Directs each public body in the program to gather and  
6 report data on the use of job order contracts in this State in the  
7 manner prescribed by section 16 of this act.

8 **Sec. 4.** As used in sections 2 to 16, inclusive, of this act,  
9 unless the context otherwise requires, the words and terms defined  
10 in sections 5 to 8, inclusive, of this act have the meanings ascribed  
11 to them in those sections.

12 **Sec. 5.** "Adjustment factor" means the adjustment that is  
13 multiplied by a contractor against the unit price listed in the unit  
14 price catalog for the job order contract, which must reflect any  
15 overhead cost or profit to which a selected contractor is entitled.

16 **Sec. 6.** "Construction task" means an item of work:

17 1. That is included in a job order; and

18 2. For which a unit price is set forth in a unit price catalog or  
19 priced using the formula or method prescribed by section 11 of  
20 this act.

21 **Sec. 7.** "Job order" means an order issued by a public body  
22 for a definite scope of work to be performed for a fixed price  
23 pursuant to a job order contract.

24 **Sec. 8.** "Job order contract" means a contract entered into  
25 pursuant to section 13 of this act.

26 **Sec. 9. 1.** Except as otherwise provided in subsection 2, a  
27 public body may award a job order contract for the maintenance,  
28 repair, alteration, demolition, renovation, remediation or minor  
29 construction of a public work. A job order contract must:

30 (a) Be for a fixed period;

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

33 (c) Provide for the use of job orders;

34 (d) Require a contractor to prepare and submit a proposal for  
35 each job order, which must include, without limitation, a proposed  
36 price for the job order, each construction task required to perform  
37 the job order, the unit price for each such task and the adjustment  
38 factor applicable to the performance of the task; and

39 (e) Not be for work exclusive to one trade for which a license  
40 as a specialty contractor is required.

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

44 3. If the total dollar amount of all job order contracts  
45 awarded by a public body in any 1 year is less than the maximum



1 *dollar amount of job order contracts allowed to be awarded for*  
2 *that year pursuant to subsection 2, the difference between those*  
3 *amounts may be added to the total dollar amount of job order*  
4 *contracts that a public body may award in the immediately*  
5 *following year.*

6 *4. A public body shall adopt a written policy for the*  
7 *assignment of job orders, which must include, without limitation,*  
8 *the procedure by which a job order will be issued.*

9 **Sec. 10.** *To qualify to enter into a job order contract with a*  
10 *public body, a contractor:*

11 *1. Must not have been found liable for breach of contract*  
12 *with respect to a previous project, other than a breach for*  
13 *legitimate cause, during the 5 years immediately preceding the*  
14 *date of the advertisement for proposals pursuant to section 11 of*  
15 *this act;*

16 *2. Must not have been disqualified from being awarded a*  
17 *contract pursuant to NRS 338.017, 338.13845, 338.13895,*  
18 *338.1475 or 408.333; and*

19 *3. Must be licensed as a contractor pursuant to chapter 624*  
20 *of NRS.*

21 **Sec. 11.** *1. A public body or its authorized representative*  
22 *shall advertise for a job order contract in the manner set forth in*  
23 *paragraph (a) of subsection 1 of NRS 338.1385.*

24 *2. Each request for proposals or similar solicitation*  
25 *document for a job order contract must include, without*  
26 *limitation:*

27 *(a) A detailed description of the work that the public body*  
28 *expects a contractor to perform, which must include, without*  
29 *limitation:*

30 *(1) Construction tasks and any technical specifications for*  
31 *the work;*

32 *(2) A unit price catalog for units of work; and*

33 *(3) A description of the formula or method for pricing a*  
34 *unit of work that is not included in the unit price catalog;*

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

37 *(c) A statement requiring that a proposal list an adjustment*  
38 *factor;*

39 *(d) A description of the qualifications which are required for a*  
40 *contractor, including, without limitation, any certification*  
41 *required;*

42 *(e) A description of the bonding requirements for a contractor;*

43 *(f) The minimum amount of work committed to the selected*  
44 *contractor under the job order contract;*

45 *(g) The proposed form of the job order contract;*



1 (h) A copy of the policy for the assignment of job orders for  
2 the job order contract adopted pursuant to section 9 of this act;

3 (i) A description of the method for pricing a renewal or  
4 extension of the job order contract;

5 (j) The date by which proposals must be submitted to the  
6 public body; and

7 (k) A list of the factors and relative weight of the factors that  
8 will be used pursuant to section 13 of this act to rank proposals  
9 submitted by applicants.

10 3. A proposal submitted to a public body pursuant to this  
11 section must include, without limitation:

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

14 (b) An adjustment factor;

15 (c) Evidence of the ability of the applicant to obtain the  
16 necessary bonding for the work required by the public body;

17 (d) Evidence that the applicant has obtained or has the ability  
18 to obtain such insurances as may be required by law;

19 (e) A statement of whether the applicant has been:

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

24 (2) Disqualified from being awarded a contract pursuant to  
25 NRS 338.017, 338.13845, 338.13895, 338.1475 or 408.333; and

26 (f) Evidence that the applicant is licensed as a contractor  
27 pursuant to chapter 624 of NRS.

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

31 **Sec. 12.** Except as otherwise provided in subsection 4 of  
32 section 11 of this act, any document or other information  
33 submitted by an applicant to a public body in response to a request  
34 for proposals or similar solicitation document pursuant to section  
35 11 of this act, including, without limitation, a proposal made  
36 pursuant to section 11 of this act, is confidential and may not be  
37 disclosed until notice of intent to award the contract is issued.

38 **Sec. 13. 1.** The public body or its authorized representative  
39 shall appoint a panel to rank the proposals submitted by applicants  
40 to the public body pursuant to section 11 of this act. At least one  
41 member appointed to a panel pursuant to this subsection must  
42 have experience in the construction industry.

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



1 (a) *Verifying that each applicant satisfies the requirements of*  
2 *section 10 of this act; and*

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

6 3. *When ranking the proposals, the panel appointed pursuant*  
7 *to subsection 1 shall assign a relative weight of 5 percent to the*  
8 *applicant's possession of a certificate of eligibility to receive a*  
9 *preference in bidding on public works if the applicant submits a*  
10 *signed affidavit that meets the requirements of subsection 1 of*  
11 *NRS 338.0117. If any federal statute or regulation precludes the*  
12 *granting of federal assistance or reduces the amount of that*  
13 *assistance for a particular public work because of the provisions*  
14 *of this subsection, those provisions of this subsection do not apply*  
15 *insofar as their application would preclude or reduce federal*  
16 *assistance for that work.*

17 4. *Upon receipt of the rankings of the applicants from the*  
18 *panel, the public body or its authorized representative shall award*  
19 *a job order contract to one or more of the applicants.*

20 **Sec. 14.** 1. *A contractor who enters into a job order*  
21 *contract pursuant to section 13 of this act is responsible for:*

22 (a) *Contracting for the services of any necessary*  
23 *subcontractor, supplier or professional necessary to complete a job*  
24 *order;*

25 (b) *Ensuring a subcontractor complies with the requirements*  
26 *prescribed in subsections 5 and 6 of NRS 338.070; and*

27 (c) *The performance of and payment to any subcontractor,*  
28 *supplier or professional.*

29 2. *A contractor who enters into a job order contract pursuant*  
30 *to section 13 of this act may not perform more than 50 percent of*  
31 *the estimated cost of the job order himself or herself, or using his*  
32 *or her own employees.*

33 3. *Except as otherwise provided in subsection 5 of NRS*  
34 *624.220, a contractor who enters into a job order contract shall*  
35 *not perform specialty contracting in plumbing, electrical,*  
36 *refrigeration, air-conditioning or fire protection without a license*  
37 *for the specialty.*

38 **Sec. 15.** 1. *Before a public body issues a job order, a*  
39 *contractor must submit a list of each subcontractor whom the*  
40 *contractor intends to engage for work on the job order.*

41 2. *A contractor shall not:*

42 (a) *Perform any work required by a job order unless the*  
43 *requirements of subsection 1 are met.*



1 (b) *Substitute a subcontractor for any subcontractor who is*  
2 *named in the list provided pursuant to subsection 1 unless the*  
3 *requirements prescribed by subsection 5 of NRS 338.141 are met.*

4 **Sec. 16.** 1. *Each quarter, a public body shall provide to the*  
5 *governing body of the public body a written report containing, for*  
6 *each job order contract, if any:*

7 (a) *A list of each job order issued;*

8 (b) *The cost of each job order issued;*

9 (c) *A list of each subcontractor hired to perform work for each*  
10 *job order;*

11 (d) *A statement regarding whether the contractor is a*  
12 *minority-owned business, a woman-owned business, a veteran-*  
13 *owned business, a business enterprise owned by persons with*  
14 *physical disabilities, a business enterprise owned by persons who*  
15 *are disabled veterans or a local emerging small business; and*

16 (e) *Any other information requested by the governing body.*

17 2. *A governing body shall prepare and submit a written report*  
18 *that includes any information provided to the governing body*  
19 *pursuant to subsection 1 for the immediately preceding calendar*  
20 *year to the Director of the Legislative Counsel Bureau for*  
21 *transmittal to:*

22 (a) *The Legislature at the beginning of each regular session;*  
23 *and*

24 (b) *The Legislative Commission on or before February 1 of*  
25 *each even-numbered year.*

26 3. *For the purposes of this section, a business shall be*  
27 *deemed to be owned by a person who possesses characteristics*  
28 *described in paragraph (d) of subsection 1 if:*

29 (a) *The business is owned by a natural person who possesses*  
30 *those characteristics; or*

31 (b) *Fifty-one percent of the ownership interest in the business*  
32 *is held by one or more natural persons who possess those*  
33 *characteristics.*

34 4. *As used in this section, “local emerging small business”*  
35 *has the meaning ascribed to it in NRS 231.1402.*

36 **Sec. 17.** NRS 338.1373 is hereby amended to read as follows:

37 338.1373 1. A local government or its authorized  
38 representative shall award a contract for a public work pursuant to  
39 the provisions of NRS 338.1415 and:

40 (a) NRS 338.1377 to 338.139, inclusive;

41 (b) NRS 338.143 to 338.148, inclusive;

42 (c) NRS 338.1685 to 338.16995, inclusive; ~~or~~

43 (d) NRS 338.1711 to 338.173, inclusive ~~or~~; *or*

44 (e) *If applicable, sections 2 to 16, inclusive, of this act.*





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

3 3. Except as otherwise provided in this subsection, subsection  
4 4 and chapter 408 of NRS, the provisions of this chapter apply with  
5 respect to contracts for the construction, reconstruction,  
6 improvement and maintenance of highways that are awarded by the  
7 Department of Transportation pursuant to NRS 408.201 and  
8 408.313 to 408.433, inclusive. The provisions of NRS 338.1375 to  
9 338.1382, inclusive, 338.1386, 338.13862, 338.13864, 338.139,  
10 338.142 and 338.1711 to 338.1727, inclusive, do not apply with  
11 respect to contracts for the construction, reconstruction,  
12 improvement and maintenance of highways that are awarded by the  
13 Department of Transportation pursuant to NRS 408.201 and  
14 408.313 to 408.433, inclusive.

15 4. To the extent that a provision of this chapter precludes the  
16 granting of federal assistance or reduces the amount of such  
17 assistance with respect to a contract for the construction,  
18 reconstruction, improvement or maintenance of highways that is  
19 awarded by the Department of Transportation pursuant to NRS  
20 408.201 and 408.313 to 408.433, inclusive, that provision of this  
21 chapter does not apply to the Department of Transportation or the  
22 contract.

23 5. As used in this section:

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

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

31 **Sec. 18.** NRS 239.010 is hereby amended to read as follows:

32 239.010 1. Except as otherwise provided in this section and  
33 NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.0397, 41.071, 49.095,  
34 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030,  
35 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152,  
36 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413,  
37 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345,  
38 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270,  
39 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280,  
40 119A.280, 119A.653, 119A.677, 119B.370, 119B.382, 120A.640,  
41 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730,  
42 127.007, 127.057, 127.130, 127.140, 127.2817, 128.090, 130.312,  
43 130.712, 136.050, 159.044, 159A.044, 164.041, 172.075, 172.245,  
44 176.01334, 176.01385, 176.015, 176.0625, 176.09129, 176.156,  
45 176A.630, 178.39801, 178.4715, 178.5691, 178.5717, 179.495,



1 179A.070, 179A.165, 179D.160, 180.600, 200.3771, 200.3772,  
2 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3923,  
3 209.3925, 209.419, 209.429, 209.521, 211A.140, 213.010, 213.040,  
4 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350,  
5 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 218G.615,  
6 224.240, 226.462, 226.796, 228.270, 228.450, 228.495, 228.570,  
7 231.069, 231.1285, 231.1473, 232.1369, 233.190, 237.300,  
8 239.0105, 239.0113, 239.014, 239B.026, 239B.030, 239B.040,  
9 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270,  
10 239C.420, 240.007, 241.020, 241.030, 241.039, 242.105, 244.264,  
11 244.335, 247.540, 247.545, 247.550, 247.560, 250.087, 250.130,  
12 250.140, 250.145, 250.150, 268.095, 268.0978, 268.490, 268.910,  
13 269.174, 271A.105, 281.195, 281.805, 281A.350, 281A.680,  
14 281A.685, 281A.750, 281A.755, 281A.780, 284.4068, 284.4086,  
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17 293.906, 293.908, 293.909, 293.910, 293B.135, 293D.510, 331.110,  
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20 353A.049, 353A.085, 353A.100, 353C.240, 353D.250, 360.240,  
21 360.247, 360.255, 360.755, 361.044, 361.2242, 361.610, 365.138,  
22 366.160, 368A.180, 370.257, 370.327, 372A.080, 378.290, 378.300,  
23 379.0075, 379.008, 379.1495, 385A.830, 385B.100, 387.626,  
24 387.631, 388.1455, 388.259, 388.501, 388.503, 388.513, 388.750,  
25 388A.247, 388A.249, 391.033, 391.035, 391.0365, 391.120,  
26 391.925, 392.029, 392.147, 392.264, 392.271, 392.315, 392.317,  
27 392.325, 392.327, 392.335, 392.850, 393.045, 394.167, 394.16975,  
28 394.1698, 394.447, 394.460, 394.465, 396.1415, 396.1425, 396.143,  
29 396.159, 396.3295, 396.405, 396.525, 396.535, 396.9685,  
30 398A.115, 408.3885, 408.3886, 408.3888, 408.5484, 412.153,  
31 414.280, 416.070, 422.2749, 422.305, 422A.342, 422A.350,  
32 425.400, 427A.1236, 427A.872, 427A.940, 432.028, 432.205,  
33 432B.175, 432B.280, 432B.290, 432B.4018, 432B.407, 432B.430,  
34 432B.560, 432B.5902, 432C.140, 432C.150, 433.534, 433A.360,  
35 439.4941, 439.4988, 439.5282, 439.840, 439.914, 439A.116,  
36 439A.124, 439B.420, 439B.754, 439B.760, 439B.845, 440.170,  
37 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735,  
38 442.774, 445A.665, 445B.570, 445B.7773, 449.209, 449.245,  
39 449.4315, 449A.112, 450.140, 450B.188, 450B.805, 453.164,  
40 453.720, 458.055, 458.280, 459.050, 459.3866, 459.555, 459.7056,  
41 459.846, 463.120, 463.15993, 463.240, 463.3403, 463.3407,  
42 463.790, 467.1005, 480.535, 480.545, 480.935, 480.940, 481.063,  
43 481.091, 481.093, 482.170, 482.368, 482.5536, 483.340, 483.363,  
44 483.575, 483.659, 483.800, 484A.469, 484B.830, 484B.833,  
45 484E.070, 485.316, 501.344, 503.452, 522.040, 534A.031, 561.285,



1 571.160, 584.655, 587.877, 598.0964, 598.098, 598A.110,  
2 598A.420, 599B.090, 603.070, 603A.210, 604A.303, 604A.710,  
3 604D.500, 604D.600, 612.265, 616B.012, 616B.015, 616B.315,  
4 616B.350, 618.341, 618.425, 622.238, 622.310, 623.131, 623A.137,  
5 624.110, 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230,  
6 628B.760, 629.043, 629.047, 629.069, 630.133, 630.2671,  
7 630.2672, 630.2673, 630.2687, 630.30665, 630.336, 630A.327,  
8 630A.555, 631.332, 631.368, 632.121, 632.125, 632.3415,  
9 632.3423, 632.405, 633.283, 633.301, 633.427, 633.4715, 633.4716,  
10 633.4717, 633.524, 634.055, 634.1303, 634.214, 634A.169,  
11 634A.185, 634B.730, 635.111, 635.158, 636.262, 636.342, 637.085,  
12 637.145, 637B.192, 637B.288, 638.087, 638.089, 639.183,  
13 639.2485, 639.570, 640.075, 640.152, 640A.185, 640A.220,  
14 640B.405, 640B.730, 640C.580, 640C.600, 640C.620, 640C.745,  
15 640C.760, 640D.135, 640D.190, 640E.225, 640E.340, 641.090,  
16 641.221, 641.2215, 641A.191, 641A.217, 641A.262, 641B.170,  
17 641B.281, 641B.282, 641C.455, 641C.760, 641D.260, 641D.320,  
18 642.524, 643.189, 644A.870, 645.180, 645.625, 645A.050,  
19 645A.082, 645B.060, 645B.092, 645C.220, 645C.225, 645D.130,  
20 645D.135, 645G.510, 645H.320, 645H.330, 647.0945, 647.0947,  
21 648.033, 648.197, 649.065, 649.067, 652.126, 652.228, 653.900,  
22 654.110, 656.105, 657A.510, 661.115, 665.130, 665.133, 669.275,  
23 669.285, 669A.310, 670B.680, 671.365, 671.415, 673.450, 673.480,  
24 675.380, 676A.340, 676A.370, 677.243, 678A.470, 678C.710,  
25 678C.800, 679B.122, 679B.124, 679B.152, 679B.159, 679B.190,  
26 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410,  
27 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306,  
28 687A.060, 687A.115, 687B.404, 687C.010, 688C.230, 688C.480,  
29 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536,  
30 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550,  
31 696C.120, 703.196, 704B.325, 706.1725, 706A.230, 710.159,  
32 711.600, *and section 12 of this act*, sections 35, 38 and 41 of  
33 chapter 478, Statutes of Nevada 2011 and section 2 of chapter 391,  
34 Statutes of Nevada 2013 and unless otherwise declared by law to be  
35 confidential, all public books and public records of a governmental  
36 entity must be open at all times during office hours to inspection by  
37 any person, and may be fully copied or an abstract or memorandum  
38 may be prepared from those public books and public records. Any  
39 such copies, abstracts or memoranda may be used to supply the  
40 general public with copies, abstracts or memoranda of the records or  
41 may be used in any other way to the advantage of the governmental  
42 entity or of the general public. This section does not supersede or in  
43 any manner affect the federal laws governing copyrights or enlarge,  
44 diminish or affect in any other manner the rights of a person in any  
45 written book or record which is copyrighted pursuant to federal law.



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

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

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

17 (a) The public record:

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

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

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

22 (1) Give access to proprietary software; or

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

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

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

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

36 **Sec. 19.** The provisions of subsection 1 of NRS 218D.380 do  
37 not apply to any provision of this act which adds or revises a  
38 requirement to submit a report to the Legislature.

39 **Sec. 20.** This act becomes effective on July 1, 2025.

