
ASSEMBLY BILL NO. 97—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE JOINT INTERIM STANDING
COMMITTEE ON JUDICIARY)

PREFILED JANUARY 13, 2025

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to public safety.
(BDR 14-499)

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 safety; revising provisions governing requirements for the submission of certain information to the Central Repository for Nevada Records of Criminal History; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law: (1) requires each agency of criminal justice and any other agency
2 dealing with crime to maintain certain records and submit certain information to the
3 Central Repository for Nevada Records of Criminal History; and (2) establishes
4 certain requirements for the submission of such information to ensure compliance
5 with the policies, procedures and definitions prescribed by the Uniform Crime
6 Reporting Program of the Federal Bureau of Investigation. (NRS 179A.075)
7 **Section 3** of this bill instead requires each such agency to make such a
8 submission through the use of the National Incident-Based Reporting System.
9 **Section 1** of this bill creates a definition of the term “National Incident-Based
10 Reporting System,” and **section 2** of this bill makes that definition applicable to
11 chapter 179A of NRS.



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

1 **Section 1.** Chapter 179A of NRS is hereby amended by
2 adding thereto a new section to read as follows:

3 *“National Incident-Based Reporting System” means the system*
4 *operated by the Bureau of Justice Statistics established in 34*
5 *U.S.C. § 10132.*

6 **Sec. 2.** NRS 179A.010 is hereby amended to read as follows:

7 179A.010 As used in this chapter, unless the context otherwise
8 requires, the words and terms defined in NRS 179A.020 to
9 179A.073, inclusive, *and section 1 of this act* have the meanings
10 ascribed to them in those sections.

11 **Sec. 3.** NRS 179A.075 is hereby amended to read as follows:

12 179A.075 1. The Central Repository for Nevada Records of
13 Criminal History is hereby created within the Records,
14 Communications and Compliance Division of the Department.

15 2. Each agency of criminal justice and any other agency
16 dealing with crime shall:

17 (a) Collect and maintain records, reports and compilations of
18 statistical data required by the Department; and

19 (b) Submit the information collected to the Central Repository:

20 (1) In the manner approved by the Director of the
21 Department; and

22 (2) ~~In accordance with the policies, procedures and~~
23 ~~definitions of the Uniform Crime Reporting Program of the Federal~~
24 ~~Bureau of Investigation.]~~ *Through the use of the National*
25 *Incident-Based Reporting System.*

26 3. Each agency of criminal justice shall submit the information
27 relating to records of criminal history that it creates, issues or
28 collects, and any information in its possession relating to the DNA
29 profile of a person from whom a biological specimen is obtained
30 pursuant to NRS 176.09123 or 176.0913, to the Division. The
31 information must be submitted to the Division:

32 (a) Through an electronic network;

33 (b) On a medium of magnetic storage; or

34 (c) In the manner prescribed by the Director of the Department,
35 ➔ within 60 days after the date of the disposition of the case. If an
36 agency has submitted a record regarding the arrest of a person who
37 is later determined by the agency not to be the person who
38 committed the particular crime, the agency shall, immediately upon
39 making that determination, so notify the Division. The Division
40 shall delete all references in the Central Repository relating to that
41 particular arrest.



1 4. Each state and local law enforcement agency shall submit
2 Uniform Crime Reports to the Central Repository:

3 (a) In the manner prescribed by the Director of the Department;

4 (b) ~~In accordance with the policies, procedures and definitions~~
5 ~~of the Uniform Crime Reporting Program of the Federal Bureau of~~
6 ~~Investigation;~~ *Through the use of the National Incident-Based*
7 *Reporting System;* and

8 (c) Within the time prescribed by the Director of the
9 Department.

10 5. The Division shall, in the manner prescribed by the Director
11 of the Department:

12 (a) Collect, maintain and arrange all information submitted to it
13 relating to:

14 (1) Records of criminal history; and

15 (2) The DNA profile of a person from whom a biological
16 specimen is obtained pursuant to NRS 176.09123 or 176.0913.

17 (b) When practicable, use a record of the personal identifying
18 information of a subject as the basis for any records maintained
19 regarding him or her.

20 (c) Upon request, provide, in paper or electronic form, the
21 information that is contained in the Central Repository to the
22 Committee on Domestic Violence appointed pursuant to NRS
23 228.470 when, pursuant to NRS 228.495, the Committee is
24 reviewing the death of the victim of a crime that constitutes
25 domestic violence pursuant to NRS 33.018.

26 6. The Division may:

27 (a) Disseminate any information which is contained in the
28 Central Repository to any other agency of criminal justice;

29 (b) Enter into cooperative agreements with repositories of the
30 United States and other states to facilitate exchanges of information
31 that may be disseminated pursuant to paragraph (a); and

32 (c) Request of and receive from the Federal Bureau of
33 Investigation information on the background and personal history of
34 any person whose record of fingerprints or other biometric identifier
35 the Central Repository submits to the Federal Bureau of
36 Investigation and:

37 (1) Who has applied to any agency of the State of Nevada or
38 any political subdivision thereof for a license which it has the power
39 to grant or deny;

40 (2) With whom any agency of the State of Nevada or any
41 political subdivision thereof intends to enter into a relationship of
42 employment or a contract for personal services;

43 (3) Who has applied to any agency of the State of Nevada or
44 any political subdivision thereof to attend an academy for training



1 peace officers approved by the Peace Officers' Standards and
2 Training Commission;

3 (4) For whom such information is required or authorized to
4 be obtained pursuant to NRS 62B.270, 62G.223, 62G.353, 424.031,
5 432A.170, 432B.198, 433B.183, 449.123 and 449.4329; or

6 (5) About whom any agency of the State of Nevada or any
7 political subdivision thereof is authorized by law to have accurate
8 personal information for the protection of the agency or the persons
9 within its jurisdiction.

10 7. To request and receive information from the Federal Bureau
11 of Investigation concerning a person pursuant to subsection 6, the
12 Central Repository must receive:

13 (a) The person's complete set of fingerprints for the purposes of:

14 (1) Booking the person into a city or county jail or detention
15 facility;

16 (2) Employment;

17 (3) Contractual services; or

18 (4) Services related to occupational licensing;

19 (b) One or more of the person's fingerprints for the purposes of
20 mobile identification by an agency of criminal justice; or

21 (c) Any other biometric identifier of the person as it may require
22 for the purposes of:

23 (1) Arrest; or

24 (2) Criminal investigation,

25 ↪ from the agency of criminal justice or agency of the State of
26 Nevada or any political subdivision thereof and submit the received
27 data to the Federal Bureau of Investigation for its report.

28 8. The Central Repository shall:

29 (a) Collect and maintain records, reports and compilations of
30 statistical data submitted by any agency pursuant to subsection 2.

31 (b) Tabulate and analyze all records, reports and compilations of
32 statistical data received pursuant to this section.

33 (c) Disseminate to federal agencies engaged in the collection of
34 statistical data relating to crime information which is contained in
35 the Central Repository.

36 (d) Investigate the criminal history of any person who:

37 (1) Has applied to the Superintendent of Public Instruction
38 for the issuance or renewal of a license;

39 (2) Has applied to a county school district, charter school or
40 private school for employment or to serve as a volunteer; or

41 (3) Is employed by or volunteers for a county school district,
42 charter school or private school,

43 ↪ and immediately notify the superintendent of each county school
44 district, the governing body of each charter school and the
45 Superintendent of Public Instruction, or the administrator of each



1 private school, as appropriate, if the investigation of the Central
2 Repository indicates that the person has been convicted of a
3 violation of NRS 200.508, 201.230, 453.3385, 453.3387 or 453.339,
4 or convicted of a felony or any offense involving moral turpitude.

5 (e) Upon discovery, immediately notify the superintendent of
6 each county school district, the governing body of each charter
7 school or the administrator of each private school, as appropriate, by
8 providing the superintendent, governing body or administrator with
9 a list of all persons:

10 (1) Investigated pursuant to paragraph (d); or

11 (2) Employed by or volunteering for a county school district,
12 charter school or private school whose fingerprints were sent
13 previously to the Central Repository for investigation,

14 ➔ who the Central Repository's records indicate have been
15 convicted of a violation of NRS 200.508, 201.230, 453.3385,
16 453.3387 or 453.339, or convicted of a felony or any offense
17 involving moral turpitude since the Central Repository's initial
18 investigation. The superintendent of each county school district, the
19 governing body of a charter school or the administrator of each
20 private school, as applicable, shall determine whether further
21 investigation or action by the district, charter school or private
22 school, as applicable, is appropriate.

23 (f) Investigate the criminal history of each person who submits
24 one or more fingerprints or other biometric identifier or has such
25 data submitted pursuant to NRS 62B.270, 62G.223, 62G.353,
26 424.031, 432A.170, 432B.198, 433B.183, 449.122, 449.123 or
27 449.4329.

28 (g) Provide an electronic means to access on the Central
29 Repository's Internet website statistical data relating to crime.

30 (h) Provide an electronic means to access on the Central
31 Repository's Internet website statistical data about domestic
32 violence in this State.

33 (i) Identify and review the collection and processing of
34 statistical data relating to criminal justice by any agency identified
35 in subsection 2 and make recommendations for any necessary
36 changes in the manner of collecting and processing statistical data
37 by any such agency.

38 (j) Adopt regulations governing biometric identifiers and the
39 information and data derived from biometric identifiers, including,
40 without limitation:

41 (1) Their collection, use, safeguarding, handling, retention,
42 storage, dissemination and destruction; and

43 (2) The methods by which a person may request the removal
44 of his or her biometric identifiers from the Central Repository and



1 any other agency where his or her biometric identifiers have been
2 stored.

3 9. The Central Repository may:

4 (a) In the manner prescribed by the Director of the Department,
5 disseminate compilations of statistical data and publish statistical
6 reports relating to crime.

7 (b) Charge a reasonable fee for any publication or special report
8 it distributes relating to data collected pursuant to this section. The
9 Central Repository may not collect such a fee from an agency of
10 criminal justice or any other agency dealing with crime which is
11 required to submit information pursuant to subsection 2. All money
12 collected pursuant to this paragraph must be used to pay for the cost
13 of operating the Central Repository or for any other purpose
14 authorized by the Legislature, and any balance of the money
15 remaining at the end of a fiscal year reverts to the State General
16 Fund.

17 (c) In the manner prescribed by the Director of the Department,
18 use electronic means to receive and disseminate information
19 contained in the Central Repository that it is authorized to
20 disseminate pursuant to the provisions of this chapter.

21 10. As used in this section:

22 (a) "Mobile identification" means the collection, storage,
23 transmission, reception, search, access or processing of a biometric
24 identifier using a handheld device.

25 (b) "Personal identifying information" means any information
26 designed, commonly used or capable of being used, alone or in
27 conjunction with any other information, to identify a person,
28 including, without limitation:

29 (1) The name, driver's license number, social security
30 number, date of birth and photograph or computer-generated image
31 of a person; and

32 (2) A biometric identifier of a person.

33 (c) "Private school" has the meaning ascribed to it in
34 NRS 394.103.



