

SENATE BILL NO. 312—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF ATTORNEY GENERAL)

MARCH 4, 1999

Referred to Committee on Government Affairs

SUMMARY—Makes various changes relating to meeting of public bodies. (BDR 19-312)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State or on Industrial Insurance: Yes.

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

AN ACT relating to meetings of public bodies; expanding the definition of public body to include certain corporations and limited-liability companies; clarifying that notices of public meetings must be sent by first-class mail or its equivalent without charge; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 241.015 is hereby amended to read as follows:
2 241.015 As used in this chapter, unless the context otherwise requires:
3 1. “Action” means:
4 (a) A decision made by a majority of the members present during a
5 meeting of a public body;
6 (b) A commitment or promise made by a majority of the members
7 present during a meeting of a public body; or
8 (c) A vote taken by a majority of the members present during a meeting
9 of a public body.
10 2. “Meeting” means the gathering of members of a public body at
11 which a quorum is present to deliberate toward a decision or to take action
12 on any matter over which the public body has supervision, control,
13 jurisdiction or advisory power.
14 3. Except as otherwise provided in this subsection, “public body”
15 means ~~any~~ ***any*** :
16 ***(a)*** ***Any*** administrative, advisory, executive or legislative body of the
17 state or a local government which expends or disburses or is supported in

1 whole or in part by tax revenue or which advises or makes
2 recommendations to any entity which expends or disburses or is supported
3 in whole or in part by tax revenue, including, but not limited to, any board,
4 commission, committee, subcommittee or other subsidiary thereof and
5 includes an educational foundation as defined in subsection 3 of NRS
6 388.750 and a university foundation as defined in subsection 3 of NRS
7 396.405 **H**; and

8 *(b) Except as otherwise provided by specific statute, a corporation or*
9 *limited-liability company if the corporation or limited-liability company*
10 *receives more than 10 percent of its operating budget from an entity*
11 *described in paragraph (a) in the form of grants or contributions of*
12 *money derived from tax revenues, and the entity has the right to appoint*
13 *a voting member to the governing board of the corporation or limited-*
14 *liability company. As used in this paragraph, the phrase “grants or*
15 *contributions of money derived from tax revenues” does not include*
16 *money received as payment for membership dues or as payment for*
17 *goods or services pursuant to a written agreement with the entity.*

18 “Public body” does not include the legislature of the State of Nevada.

19 4. “Quorum” means a simple majority of the constituent membership
20 of a public body or another proportion established by law.

21 **Sec. 2.** NRS 241.020 is hereby amended to read as follows:

22 241.020 1. Except as otherwise provided by specific statute, all
23 meetings of public bodies must be open and public, and all persons must be
24 permitted to attend any meeting of these bodies. Public officers and
25 employees responsible for these meetings shall make reasonable efforts to
26 assist and accommodate physically handicapped persons desiring to attend.

27 2. Except in an emergency, written notice of all meetings must be given
28 at least 3 working days before the meeting. The notice must include:

29 (a) The time, place and location of the meeting.

30 (b) A list of the locations where the notice has been posted.

31 (c) An agenda consisting of:

32 (1) A clear and complete statement of the topics scheduled to be
33 considered during the meeting.

34 (2) A list describing the items on which action may be taken and
35 clearly denoting that action may be taken on those items.

36 (3) A period devoted to comments by the general public, if any, and
37 discussion of those comments. No action may be taken upon a matter raised
38 under this item of the agenda until the matter itself has been specifically
39 included on an agenda as an item upon which action may be taken pursuant
40 to subparagraph (2).

41 3. Minimum public notice is:

42 (a) Posting a copy of the notice at the principal office of the public
43 body, or if there is no principal office, at the building in which the meeting

1 is to be held, and at not less than three other separate, prominent places
2 within the jurisdiction of the public body not later than 9 a.m. of the third
3 working day before the meeting; and

4 (b) Mailing *, by first-class mail or its equivalent*, a copy of the notice ,
5 *at no charge*, to any person who has requested notice of the meetings of the
6 body . ~~[in the same manner in which notice is required to be mailed to a~~
7 ~~member of the body.]~~ A request for notice lapses 6 months after it is made.
8 The public body shall inform the requester of this fact by enclosure with or
9 notation upon the first notice sent. The notice must be delivered to the
10 postal service used by the body not later than 9 a.m. of the third working
11 day before the meeting.

12 4. Upon any request, a public body shall provide, at no charge, at least
13 one copy of:

14 (a) An agenda for a public meeting;

15 (b) A proposed ordinance or regulation which will be discussed at the
16 public meeting; and

17 (c) Any other supporting material provided to the members of the body
18 for an item on the agenda, except materials:

19 (1) Submitted to the public body pursuant to a nondisclosure or
20 confidentiality agreement;

21 (2) Pertaining to the closed portion of such a meeting of the public
22 body; or

23 (3) Declared confidential by law.

24 5. As used in this section, "emergency" means an unforeseen
25 circumstance which requires immediate action and includes, but is not
26 limited to:

27 (a) Disasters caused by fire, flood, earthquake or other natural causes; or

28 (b) Any impairment of the health and safety of the public.

29 **Sec. 3.** This act becomes effective on July 1, 1999.