

Assembly Bill No. 277—Committee on Government Affairs

CHAPTER.....

AN ACT relating to public records; providing that an agreement to settle a tort claim or action against a governmental entity or an officer or employee thereof is not confidential; providing that such an agreement must include the amount of any attorney's fees and costs to be paid pursuant to the agreement; providing that if the labor commissioner enters into, effects or approves any compromise or settlement concerning an alleged violation of labor laws, the terms and conditions of the compromise or settlement are not confidential; and providing other matters properly relating thereto.

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

Section 1. Chapter 41 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Any agreement to settle a claim or action brought under NRS 41.031 or against a present or former officer or employee of the state or any political subdivision, immune contractor or state legislator:

(a) Must not provide that any or all of the terms of the agreement are confidential.

(b) Must include the amount of any attorney's fees and costs to be paid pursuant to the agreement.

(c) Is a public record and must be open for inspection pursuant to NRS 239.010.

2. Any provision of an agreement to settle a claim or action brought under NRS 41.031 or against a present or former officer or employee of the state or any political subdivision, immune contractor or state legislator that conflicts with this section is void.

Sec. 2. NRS 41.0305 is hereby amended to read as follows:

41.0305 As used in NRS 41.0305 to 41.039, inclusive, *and section 1 of this act*, the term "political subdivision" includes an organization that was officially designated as a community action agency pursuant to 42 U.S.C. § 2790 before that section was repealed and is included in the definition of an "eligible entity" pursuant to 42 U.S.C. § 9902, the Nevada rural housing authority, an airport authority created by special act of the legislature, a regional transportation commission and a fire protection district, irrigation district, school district, governing body of a charter school and other special district that performs a governmental function, even though it does not exercise general governmental powers.

Sec. 3. Chapter 607 of NRS is hereby amended by adding thereto a new section to read as follows:

If the labor commissioner enters into, effects or approves any compromise or settlement of a claim or dispute concerning or arising out of an alleged violation of the labor laws of this state, the terms and conditions of the compromise or settlement:

1. Must be made available to the public upon request; and

2. Must not include any confidentiality clause or similar clause, and any such clause that is included in the terms and conditions of the compromise or settlement is void as against the public policy of this state.

Sec. 4. The amendatory provisions of this act apply to any compromise or settlement that is executed on or after July 1, 2001.

Sec. 5. This act becomes effective on July 1, 2001.