

ASSEMBLY BILL NO. 479—ASSEMBLYMEN PRICE, OHRENSCHALL,
CHOWNING, VON TOBEL, ANDERSON, CEGAVSKE, CLABORN,
COLLINS, DE BRAGA, FREEMAN, GOLDWATER, HUMKE AND LEE

MARCH 19, 2001

Referred to Committee on Government Affairs

SUMMARY—Revises provisions regarding open meeting law. (BDR 19-1026)

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 meetings of public bodies; clarifying the meaning of the term “public office” with respect to the prohibition against holding a closed meeting to discuss the appointment of a person to public office or as a member of a public body; 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 241.030 is hereby amended to read as follows:
2 241.030 1. Except as otherwise provided in NRS 241.031 and
3 241.033, nothing contained in this chapter prevents a public body from
4 holding a closed meeting to consider the character, alleged misconduct,
5 professional competence, or physical or mental health of a person.
6 2. A public body may close a meeting upon a motion which specifies
7 the nature of the business to be considered.
8 3. This chapter does not:
9 (a) Apply to judicial proceedings.
10 (b) Prevent the removal of any person who willfully disrupts a meeting
11 to the extent that its orderly conduct is made impractical.
12 (c) Prevent the exclusion of witnesses from a public or private meeting
13 during the examination of another witness.
14 (d) Require that any meeting be closed to the public.
15 (e) ~~Permit~~ *Allow* a closed meeting for the discussion of the
16 appointment of any person to public office or as a member of a public
17 body.
18 4. The exception provided by this section, and electronic
19 communication, must not be used to circumvent the spirit or letter of this



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1 chapter in order to discuss or act upon a matter over which the public body
2 has supervision, control, jurisdiction or advisory powers.

3 *5. As used in this section, “public office” means any office to which*
4 *a public body appoints a person to serve in a high-level administrative or*
5 *executive capacity. The term includes, without limitation:*

6 *(a) The executive director of technological crime, appointed pursuant*
7 *to NRS 205A.070.*

8 *(b) The office of coordinator of services for veterans, described in*
9 *NRS 244.401.*

10 *(c) The office held by a person hired to serve as the executive head of*
11 *a county fair and recreation board pursuant to the authority set forth in*
12 *subsection 3 of NRS 244A.619.*

13 *(d) The superintendent of public instruction, appointed pursuant to*
14 *NRS 385.150.*

15 *(e) The chancellor of the University and Community College System*
16 *of Nevada and the presidents of all the branches and facilities within the*
17 *system.*

18 *(f) The executive director of the state board of professional engineers*
19 *and land surveyors, appointed pursuant to NRS 625.110.*

20 *(g) The executive director of the chiropractic physicians’ board of*
21 *Nevada, appointed pursuant to NRS 634.043.*

22 *(h) The executive director of the Nevada state board of optometry,*
23 *appointed pursuant to NRS 636.080.*

24 **Sec. 2.** This act becomes effective on July 1, 2001.

