

ASSEMBLY BILL NO. 87—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF DEPARTMENT OF BUSINESS AND  
INDUSTRY-DIRECTORS OFFICE)

FEBRUARY 12, 2001

Referred to Committee on Government Affairs

SUMMARY—Makes various changes concerning confidentiality of certain information relating to bonds for industrial development. (BDR 30-550)

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 revenue bonds for industrial development; requiring that certain information, statements and records submitted by an obligor for the issuance of such bonds be kept confidential in certain circumstances; 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 349.597 is hereby amended to read as follows:  
2     349.597 1. Except as otherwise provided in subsection 2, the  
3     director, the board and the governing body of the county or city where a  
4     project is located shall make available for public inspection, upon request,  
5     information furnished by an obligor to obtain the director's assistance in  
6     financing a project pursuant to NRS 349.400 to 349.670, inclusive. *At the*  
7     *time at which an obligor initially seeks to obtain the director's assistance*  
8     *in financing a project, the director shall inform the obligor of the*  
9     *provisions of this section.*  
10    2. Except as ordered by a court of competent jurisdiction or as required  
11    by federal law, the director, the board and the governing body of the  
12    county or city where the project is located shall not ~~[-without the prior~~  
13    ~~consent of the obligor,]~~ disclose proprietary information or financial  
14    statements or records of the obligor or guarantor that are not otherwise  
15    available to the public ~~[unless the obligor has:~~  
16    ~~—(a) Requested] if:~~  
17    *(a) The obligor has requested* in writing that the information,  
18    statements or records be ~~made public; or~~



\* A B 8 7 R 1 \*

1 ~~— (b) Furnished the information, statements or records for a purpose other~~  
2 ~~than obtaining the director's assistance in financing a project pursuant to~~  
3 ~~NRS 349.400 to 349.670, inclusive.~~ *kept confidential and has specified*  
4 *the legal authority pursuant to which such information, statements or*  
5 *records must be kept confidential; and*  
6 *(b) The director has found that the legal authority specified by the*  
7 *obligor requires that the information, statements or records be kept*  
8 *confidential.*  
9 3. As used in this section:  
10 (a) "Proprietary information" means any trade secret or other  
11 information which, if disclosed to members of the general public, may  
12 result in a competitive disadvantage to the obligor, including, without  
13 limitation:  
14 (1) Documents concerning the marketing or strategic planning of the  
15 obligor;  
16 (2) Data, studies and reports concerning the development of new  
17 products or services; and  
18 (3) Data that identify the share of the market of the obligor.  
19 (b) "Trade secret" has the meaning ascribed to it in NRS 600A.030.  
20 **Sec. 2.** This act becomes effective upon passage and approval.

