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Section 1. Chapter 242 is hereby amended by adding thereto the provision set forth as section 2 of this act.

Section 2.

1. Those portions of records assembled, prepared, maintained, or overseen by the Department of Information Technology to prevent, mitigate or respond to ***terrorist*** criminal acts ***and other criminal acts of sabotage***, the public disclosure of which would have a substantial likelihood of threatening public safety, consisting of:

- a) Information regarding the infrastructure and security of computer and telecommunications networks, consisting of security passwords, security access codes and programs; access codes for secure software applications, security procedures and processes and security and service recovery plans;
- b) Specific and unique security vulnerability assessments or specific and unique response plans, including compiled underlying data collected in preparation of or essential to the assessments or to the response plans.
- c) Security test results to the extent that they identify specific system vulnerabilities

are confidential.

2. For the purposes of this provision, criminal terrorist acts and other acts of sabotage consist of:

- a) conduct that is calculated to intimidate the general civilian population through the use of violence or coercion, and that either attempts to cause death or serious bodily injury to many people or actually causes such deaths or serious bodily injuries, intentionally or recklessly under circumstances manifesting extreme indifference to the value of human life or;***
- b) conduct that is calculated to unlawfully undermine the viability of or compromise the essential government infrastructure of the State of Nevada or its political subdivisions***

3. A Confidential Document List shall be maintained as a public record identifying the existence of the confidential documents, without revealing the document contents.

4. Confidential documents identified on the list shall have a formal biennial review of the status with a decision to:

- a) Re-confirm the confidential designation or;
- b) Remove confidential designation or;
- c) Dispose of in accordance with the requirements of NRS 239, Records Management.

Section 3. Chapter 223 of NRS is hereby amended by adding thereto the provision set forth as Section 4 of this act.

Section 4. 1. The Governor may appoint an advisory committee on security issues concerning the State of Nevada.
The Committee shall include at least one non law enforcement member.

- 2. All meetings of the Security Committee appointed pursuant to subsection 1 shall be open and public, except that the committee may close a meeting to receive security briefings and to discuss emergency response or vulnerability mitigation procedures and security deficiencies in public services, infrastructure and facilities, if the ***disclosure of the*** information discussed would have a substantial likelihood of threatening public safety. Financial decisions must be made at an open meeting.

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Section 5. The Governor shall file a confidential annual report to the Legislative Commission including the status review and detailing those portions of records and meetings made confidential under Chapters 223 and 242 of the Nevada Revised Statutes, and the reasons such actions were taken.

Section 6. This act becomes effective upon passage and approval.