

ASSEMBLY BILL NO. 155—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE ATTORNEY GENERAL)

FEBRUARY 18, 2003

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Referred to Committee on Judiciary

SUMMARY—Makes various changes regarding background checks for purposes of employment and licensing.  
(BDR 14-430)

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.

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AN ACT relating to records of criminal history; making various changes regarding authorizing background checks to ensure compliance with the federal law that authorizes the Federal Bureau of Investigation to exchange records of criminal history with officials of state and local government for purposes of employment and licensing; authorizing the Central Repository for Nevada Records of Criminal History to conduct investigations and to disseminate certain information concerning applicants and employees of private schools; expanding the offenses about which certain employers may obtain information concerning employees; authorizing such employers to obtain the same information about volunteers and prospective volunteers; revising certain provisions concerning background checks conducted on certain applicants for employment with private and certain other postsecondary educational institutions; providing a penalty; and providing other matters properly relating thereto.

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



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1     **Section 1.** NRS 179.301 is hereby amended to read as follows:  
2     179.301 1. The State Gaming Control Board and Nevada  
3     Gaming Commission and their employees, agents and  
4     representatives may inquire into and inspect any records sealed  
5     pursuant to NRS 179.245 or 179.255, if the event or conviction was  
6     related to gaming, ~~for purposes of determining~~ *to determine* the  
7     suitability or qualifications of any person to hold a state gaming  
8     license, manufacturer's, seller's or distributor's license or gaming  
9     work permit pursuant to chapter 463 of NRS. Events and  
10    convictions, if any, which are the subject of an order sealing records  
11    may form the basis for recommendation, denial or revocation of  
12    those licenses or work permits.

13    2. The Central Repository *for Nevada Records of Criminal*  
14    *History* and its employees may inquire into and inspect any records  
15    sealed pursuant to NRS 179.245 or 179.255 that constitute  
16    information relating to sexual offenses, and may notify employers of  
17    the information in accordance with NRS 179A.180 to 179A.240,  
18    inclusive.

19    3. Records which have been sealed pursuant to NRS 179.245  
20    or 179.255 and which are retained in the statewide registry  
21    established pursuant to NRS 179B.200 may be inspected pursuant to  
22    chapter 179B of NRS by an officer or employee of the Central  
23    Repository *for Nevada Records of Criminal History* or a law  
24    enforcement officer in the regular course of his duties.

25    4. *As used in this section:*

26    (a) *"Information relating to sexual offenses" means*  
27    *information contained in or concerning a record of criminal*  
28    *history, or the records of criminal history of the United States or*  
29    *another state, relating in any way to a sexual offense.*

30    (b) *"Sexual offense" has the meaning ascribed to it in*  
31    *NRS 179A.073.*

32    **Sec. 1.5.** Chapter 179A of NRS is hereby amended by adding  
33    thereto a new section to read as follows:

34    *An employer who fails to request information concerning the*  
35    *criminal history of a volunteer or prospective volunteer as*  
36    *authorized pursuant to subsection 4 of NRS 179A.100 is not liable*  
37    *to a child served by the employer for civil damages suffered by the*  
38    *child as a result of an offense listed in subsection 4 of NRS*  
39    *179A.190 committed against the child by such a volunteer or*  
40    *prospective volunteer.*

41    **Sec. 2.** NRS 179A.075 is hereby amended to read as follows:

42    179A.075 1. The Central Repository for Nevada Records of  
43    Criminal History is hereby created within the Nevada Highway  
44    Patrol Division of the Department.



- 1       2. Each agency of criminal justice and any other agency  
2 dealing with crime or delinquency of children shall:
- 3       (a) Collect and maintain records, reports and compilations of  
4 statistical data required by the Department; and
- 5       (b) Submit the information collected to the Central Repository  
6 in the manner recommended by the Advisory Committee and  
7 approved by the Director of the Department.
- 8       3. Each agency of criminal justice shall submit the information  
9 relating to ~~[sexual offenses and other]~~ records of criminal history  
10 that it creates or issues, and any information in its possession  
11 relating to the genetic markers of a biological specimen of a person  
12 who is convicted of an offense listed in subsection 4 of NRS  
13 176.0913, to the Division in the manner prescribed by the Director  
14 of the Department. The information must be submitted to the  
15 Division:
- 16       (a) Through an electronic network;
- 17       (b) On a medium of magnetic storage; or
- 18       (c) In the manner prescribed by the Director of the  
19 Department,  
20 within the period prescribed by the Director of the Department. If an  
21 agency has submitted a record regarding the arrest of a person who  
22 is later determined by the agency not to be the person who  
23 committed the particular crime, the agency shall, immediately upon  
24 making that determination, so notify the Division. The Division  
25 shall delete all references in the Central Repository relating to that  
26 particular arrest.
- 27       4. The Division shall, in the manner prescribed by the Director  
28 of the Department:
- 29       (a) Collect, maintain and arrange all information submitted to it  
30 relating to:
- 31           (1) ~~[Sexual offenses and other records]~~ **Records** of criminal  
32 history; and
- 33           (2) The genetic markers of a biological specimen of a person  
34 who is convicted of an offense listed in subsection 4 of  
35 NRS 176.0913.
- 36       (b) When practicable, use a record of the personal identifying  
37 information of a subject as the basis for any records maintained  
38 regarding him.
- 39       (c) Upon request, provide the information that is contained in  
40 the Central Repository to the State Disaster Identification Team of  
41 the Division of Emergency Management of the Department.
- 42       5. The Division may:
- 43       (a) Disseminate any information which is contained in the  
44 Central Repository to any other agency of criminal justice;



1 (b) Enter into cooperative agreements with federal and state  
2 repositories to facilitate exchanges of information that may be  
3 disseminated pursuant to paragraph (a); and

4 (c) Request of and receive from the Federal Bureau of  
5 Investigation information on the background and personal history of  
6 any person whose record of fingerprints the Central Repository  
7 submits to the Federal Bureau of Investigation and:

8 (1) Who has applied to any agency of the State of Nevada or  
9 any political subdivision thereof for a license which it has the power  
10 to grant or deny;

11 (2) With whom any agency of the State of Nevada or any  
12 political subdivision thereof intends to enter into a relationship of  
13 employment or a contract for personal services;

14 (3) About whom any agency of the State of Nevada or any  
15 political subdivision thereof has a legitimate need to have accurate  
16 personal information for the protection of the agency or the persons  
17 within its jurisdiction; or

18 (4) For whom such information is required to be obtained  
19 pursuant to NRS 449.179.

20 *To request and receive information from the Federal Bureau of*  
21 *Investigation concerning a person pursuant to this subsection, the*  
22 *Central Repository must receive the person's complete set of*  
23 *fingerprints from the agency or political subdivision and submit*  
24 *the fingerprints to the Federal Bureau of Investigation for its*  
25 *report.*

26 6. The Central Repository shall:

27 (a) Collect and maintain records, reports and compilations of  
28 statistical data submitted by any agency pursuant to subsection 2.

29 (b) Tabulate and analyze all records, reports and compilations of  
30 statistical data received pursuant to this section.

31 (c) Disseminate to federal agencies engaged in the collection of  
32 statistical data relating to crime information which is contained in  
33 the Central Repository.

34 (d) Investigate the criminal history of any person who:

35 (1) Has applied to the superintendent of public instruction for  
36 a license;

37 (2) Has applied to a county school district *or a private school*  
38 *for employment; or*

39 (3) Is employed by a county school district ~~or~~ *or a private*  
40 *school,*

41 and notify the superintendent of each county school district and the  
42 Superintendent of Public Instruction *, or the administrator of each*  
43 *private school, as appropriate,* if the investigation of the Central  
44 Repository indicates that the person has been convicted of a



1 violation of NRS 200.508, 201.230, 453.3385, 453.339 or 453.3395,  
2 or convicted of a felony or any offense involving moral turpitude.

3 (e) Upon discovery, notify the superintendent of each county  
4 school district *or the administrator of each private school, as*  
5 *appropriate,* by providing ~~him~~ *the superintendent or*  
6 *administrator* with a list of all persons:

7 (1) Investigated pursuant to paragraph (d); or  
8 (2) Employed by a county school district *or private school*  
9 whose fingerprints were sent previously to the Central Repository  
10 for investigation,

11 who the Central Repository's records indicate have been convicted  
12 of a violation of NRS 200.508, 201.230, 453.3385, 453.339 or  
13 453.3395, or convicted of a felony or any offense involving moral  
14 turpitude since the Central Repository's initial investigation. The  
15 superintendent of each county school district *or the administrator*  
16 *of each private school, as applicable,* shall determine whether  
17 further investigation or action by the district *or private school, as*  
18 *applicable,* is appropriate.

19 (f) Investigate the criminal history of each person who submits  
20 fingerprints or has his fingerprints submitted pursuant to NRS  
21 449.176 or 449.179.

22 (g) On or before July 1 of each year, prepare and present to the  
23 Governor a printed annual report containing the statistical data  
24 relating to crime received during the preceding calendar year.  
25 Additional reports may be presented to the Governor throughout the  
26 year regarding specific areas of crime if they are recommended by  
27 the Advisory Committee and approved by the Director of the  
28 Department.

29 (h) On or before July 1 of each year, prepare and submit to the  
30 Director of the Legislative Counsel Bureau, for submission to the  
31 Legislature, or the Legislative Commission when the Legislature is  
32 not in regular session, a report containing statistical data about  
33 domestic violence in this state.

34 (i) Identify and review the collection and processing of  
35 statistical data relating to criminal justice and the delinquency of  
36 children by any agency identified in subsection 2, and make  
37 recommendations for any necessary changes in the manner of  
38 collecting and processing statistical data by any such agency.

39 7. The Central Repository may:

40 (a) At the recommendation of the Advisory Committee and in  
41 the manner prescribed by the Director of the Department,  
42 disseminate compilations of statistical data and publish statistical  
43 reports relating to crime or the delinquency of children.

44 (b) Charge a reasonable fee for any publication or special report  
45 it distributes relating to data collected pursuant to this section. The



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1 Central Repository may not collect such a fee from an agency of  
2 criminal justice, any other agency dealing with crime or the  
3 delinquency of children which is required to submit information  
4 pursuant to subsection 2 or the State Disaster Identification Team of  
5 the Division of Emergency Management of the Department. All  
6 money collected pursuant to this paragraph must be used to pay for  
7 the cost of operating the Central Repository.

8 (c) In the manner prescribed by the Director of the Department,  
9 use electronic means to receive and disseminate information  
10 contained in the Central Repository that it is authorized to  
11 disseminate pursuant to the provisions of this chapter.

12 8. As used in this section:

13 (a) "Advisory Committee" means the committee established by  
14 the Director of the Department pursuant to NRS 179A.078.

15 (b) "Personal identifying information" means any information  
16 designed, commonly used or capable of being used, alone or in  
17 conjunction with any other information, to identify a person,  
18 including, without limitation:

19 (1) The name, driver's license number, social security  
20 number, date of birth and photograph or computer generated image  
21 of a person; and

22 (2) The fingerprints, voiceprint, retina image and iris image  
23 of a person.

24 (c) *"Private school" has the meaning ascribed to it in*  
25 *NRS 394.103.*

26 **Sec. 3.** NRS 179A.080 is hereby amended to read as follows:

27 179A.080 The Director of the Department is responsible for  
28 administering this chapter and may adopt regulations for that  
29 purpose. The Director shall:

30 1. Adopt regulations for the security of the Central Repository  
31 so that it is adequately protected from fire, theft, loss, destruction,  
32 other hazards and unauthorized access.

33 2. Adopt regulations and standards for personnel employed by  
34 agencies of criminal justice in positions of responsibility for  
35 maintenance and dissemination of information relating to ~~sexual~~  
36 ~~offenses and other~~ records of criminal history ~~[-]~~ *and information*  
37 *disseminated pursuant to NRS 179A.180 to 179A.240, inclusive.*

38 3. Provide for audits of informational systems by qualified  
39 public or private agencies, organizations or persons.

40 **Sec. 4.** NRS 179A.100 is hereby amended to read as follows:

41 179A.100 1. The following records of criminal history may  
42 be disseminated by an agency of criminal justice without any  
43 restriction pursuant to this chapter:

44 (a) Any which reflect records of conviction only; and



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1 (b) Any which pertain to an incident for which a person is  
2 currently within the system of criminal justice, including parole or  
3 probation.

4 2. Without any restriction pursuant to this chapter, a record of  
5 criminal history or the absence of such a record may be:

6 (a) Disclosed among agencies which maintain a system for the  
7 mutual exchange of criminal records.

8 (b) Furnished by one agency to another to administer the system  
9 of criminal justice, including the furnishing of information by a  
10 police department to a district attorney.

11 (c) Reported to the Central Repository.

12 3. An agency of criminal justice shall disseminate to a  
13 prospective employer, upon request, records of criminal history  
14 concerning a prospective employee or volunteer which:

15 (a) Reflect convictions only; or

16 (b) Pertain to an incident for which the prospective employee or  
17 volunteer is currently within the system of criminal justice,  
18 including parole or probation.

19 4. ~~The~~ *In addition to any other information to which an*  
20 *employer is entitled or authorized to receive, the* Central  
21 Repository shall disseminate to a prospective or current employer ~~;~~  
22 ~~upon request, information relating to sexual offenses~~ *the*  
23 *information described in subsection 4 of NRS 179A.190*  
24 concerning an employee, prospective employee, volunteer or  
25 prospective volunteer who gives his written consent to the release of  
26 that information ~~;~~ *if the employer submits a request in the*  
27 *manner set forth in NRS 179A.200 for obtaining a notice of*  
28 *information. The Central Repository shall search for and*  
29 *disseminate such information in the manner set forth in NRS*  
30 *179A.210 for the dissemination of a notice of information. Except*  
31 *as otherwise provided in this subsection, the provisions of NRS*  
32 *179A.180 to 179A.240, inclusive, do not apply to an employer who*  
33 *requests information and to whom information is disseminated*  
34 *pursuant to this subsection.*

35 5. Records of criminal history must be disseminated by an  
36 agency of criminal justice upon request, to the following persons or  
37 governmental entities:

38 (a) The person who is the subject of the record of criminal  
39 history for the purposes of NRS 179A.150.

40 (b) The person who is the subject of the record of criminal  
41 history or his attorney of record when the subject is a party in a  
42 judicial, administrative, licensing, disciplinary or other proceeding  
43 to which the information is relevant.

44 (c) The State Gaming Control Board.

45 (d) The State Board of Nursing.



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1 (e) The Private Investigator's Licensing Board to investigate an  
2 applicant for a license.

3 (f) A public administrator to carry out his duties as prescribed in  
4 chapter 253 of NRS.

5 (g) A public guardian to investigate a ward or proposed ward or  
6 persons who may have knowledge of assets belonging to a ward or  
7 proposed ward.

8 (h) Any agency of criminal justice of the United States or of  
9 another state or the District of Columbia.

10 (i) Any public utility subject to the jurisdiction of the Public  
11 Utilities Commission of Nevada when the information is necessary  
12 to conduct a security investigation of an employee or prospective  
13 employee, or to protect the public health, safety or welfare.

14 (j) Persons and agencies authorized by statute, ordinance,  
15 executive order, court rule, court decision or court order as  
16 construed by appropriate state or local officers or agencies.

17 (k) Any person or governmental entity which has entered into a  
18 contract to provide services to an agency of criminal justice relating  
19 to the administration of criminal justice, if authorized by the  
20 contract, and if the contract also specifies that the information will  
21 be used only for stated purposes and that it will be otherwise  
22 confidential in accordance with state and federal law and regulation.

23 (l) Any reporter for the electronic or printed media in his  
24 professional capacity for communication to the public.

25 (m) Prospective employers if the person who is the subject of  
26 the information has given written consent to the release of that  
27 information by the agency which maintains it.

28 (n) For the express purpose of research, evaluative or statistical  
29 programs pursuant to an agreement with an agency of criminal  
30 justice.

31 (o) An agency which provides child welfare services, as defined  
32 in NRS 432B.030.

33 (p) The Welfare Division of the Department of Human  
34 Resources or its designated representative.

35 (q) An agency of this or any other state or the Federal  
36 Government that is conducting activities pursuant to Part D of  
37 ~~Title~~ *Subchapter* IV of *Chapter 7 of Title 42 of* the Social  
38 Security Act, 42 U.S.C. §§ 651 et seq.

39 (r) The State Disaster Identification Team of the Division of  
40 Emergency Management of the Department.

41 (s) The Commissioner of Insurance.

42 6. Agencies of criminal justice in this state which receive  
43 information from sources outside this state concerning transactions  
44 involving criminal justice which occur outside Nevada shall treat the



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1 information as confidentially as is required by the provisions of this  
2 chapter.

3 **Sec. 5.** NRS 179A.110 is hereby amended to read as follows:

4 179A.110 No person who receives information relating to  
5 ~~{sexual offenses or other}~~ records of criminal history pursuant to this  
6 chapter *or who receives information pursuant to NRS 179A.180 to*  
7 *179A.240, inclusive,* may disseminate it further without express  
8 authority of law or in accordance with a court order. This section  
9 does not prohibit the dissemination of material by an employee of  
10 the electronic or printed media in his professional capacity for  
11 communication to the public.

12 **Sec. 6.** NRS 179A.130 is hereby amended to read as follows:

13 179A.130 Each agency of criminal justice which maintains and  
14 disseminates information relating to ~~{sexual offenses or other}~~  
15 records of criminal history must maintain a log of each  
16 dissemination of that information other than a dissemination of the  
17 fact that the agency has no record relating to a certain person. The  
18 log must be maintained for at least 1 year after the information is  
19 disseminated, and must contain:

20 1. An entry showing to what agency or person the information  
21 relating to ~~{sexual offenses or other}~~ records of criminal history  
22 were provided;

23 2. The date on which the information was provided;

24 3. The person who is the subject of the information; and

25 4. A brief description of the information provided.

26 **Sec. 7.** NRS 179A.140 is hereby amended to read as follows:

27 179A.140 1. ~~{An}~~ *Except as otherwise provided in this*  
28 *subsection, an* agency of criminal justice may charge a reasonable  
29 fee for information relating to ~~{sexual offenses or other}~~ records of  
30 criminal history ~~{furnished}~~ *provided* to any person or governmental  
31 entity . ~~{except}~~ *An agency of criminal justice shall not charge a*  
32 *fee for providing such information to* another agency of criminal  
33 justice ~~{and}~~ *if the information is provided for purposes of the*  
34 *administration of criminal justice, or for providing such*  
35 *information to* the State Disaster Identification Team of the  
36 Division of Emergency Management of the Department. The  
37 Central Repository shall not charge such a fee for information  
38 relating to a person regarding whom the Central Repository  
39 ~~{furnished}~~ *provided* a similar report within the immediately  
40 preceding 6 months in conjunction with the application by that  
41 person for professional licensure.

42 2. All money received or collected by the Department pursuant  
43 to this section must be used to defray the cost of operating the  
44 Central Repository.



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1     **Sec. 8.** NRS 179A.150 is hereby amended to read as follows:  
2     179A.150 1. The Central Repository and each state,  
3     municipal, county or metropolitan police agency shall permit a  
4     person, who is or believes he may be the subject of information  
5     relating to ~~[sexual offenses or other]~~ records of criminal history  
6     maintained by that agency, to appear in person during normal  
7     business hours of the agency and inspect any recorded information  
8     held by that agency pertaining to him. This right of access does not  
9     extend to data contained in intelligence, investigative or other  
10    related files, and does not include any information other than ~~[that~~  
11    ~~defined as information relating to sexual offenses or]~~ **information**  
12    **contained in** a record of criminal history.  
13    2. Each such agency shall adopt regulations and make available  
14    necessary forms to permit inspection and review of information  
15    relating to ~~[sexual offenses or]~~ other records of criminal history by  
16    those persons who are the subjects thereof. The regulations must  
17    specify:  
18    (a) The reasonable periods during which the records are  
19    available for inspection;  
20    (b) The requirements for proper identification of the persons  
21    seeking access to the records; and  
22    (c) The reasonable charges or fees, if any, for inspecting records.  
23    3. Each such agency shall procure for and furnish to any person  
24    who requests it and pays a reasonable fee therefor, all of the  
25    information contained in the Central Repository which pertains to  
26    the person making the request.  
27    4. The Director of the Department shall adopt regulations  
28    governing:  
29    (a) All challenges to the accuracy or sufficiency of information  
30    relating to ~~[sexual offenses or other]~~ records of criminal history by  
31    the person who is the subject of the allegedly inaccurate or  
32    insufficient record;  
33    (b) The correction of any information relating to ~~[sexual~~  
34    ~~offenses or other record]~~ **records** of criminal history found by the  
35    Director to be inaccurate, insufficient or incomplete in any material  
36    respect;  
37    (c) The dissemination of corrected information to those persons  
38    or agencies which have previously received inaccurate or  
39    incomplete information; and  
40    (d) A time limit of not more than 90 days within which  
41    inaccurate or insufficient information relating to ~~[sexual offenses or~~  
42    ~~other]~~ records of criminal history must be corrected and the  
43    corrected information disseminated. The corrected information must  
44    be sent to each person who requested the information in the 12  
45    months preceding the date on which the correction was made, and



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1 notice of the correction must be sent to each person entitled thereto  
2 pursuant to NRS 179A.210, to the address given by each person  
3 who requested the information when the request was made.

4 **Sec. 9.** (Deleted by amendment.)

5 **Sec. 10.** NRS 179A.190 is hereby amended to read as follows:

6 179A.190 1. Notice of information relating to ~~{sexual}~~ *the*  
7 offenses *listed in subsection 4* may be disseminated to employers  
8 pursuant to NRS 179A.180 to 179A.240, inclusive.

9 2. An employer may consider such a notice of information  
10 concerning an employee when making a decision to hire, retain,  
11 suspend or discharge the employee, and is not liable in an action  
12 alleging discrimination based upon consideration of information  
13 obtained pursuant to NRS 179A.180 to 179A.240, inclusive.

14 3. The provisions of NRS 179A.180 to 179A.240, inclusive, do  
15 not limit or restrict any other statute specifically permitting the  
16 dissemination or release of information relating to ~~{sexual offenses.}~~  
17 *the offenses listed in subsection 4.*

18 *4. The offenses for which a notice of information may be*  
19 *disseminated pursuant to subsection 1 includes information*  
20 *contained in or concerning a record of criminal history, or the*  
21 *records of criminal history of the United States or another state,*  
22 *relating in any way to:*

23 *(a) A sexual offense;*

24 *(b) A conviction for a felony within the immediately preceding*  
25 *7 years;*

26 *(c) An act committed outside this state that would constitute a*  
27 *sexual offense if committed in this state or a conviction for an act*  
28 *committed outside this state that would constitute a felony if*  
29 *committed in this state; and*

30 *(d) The aiding, abetting, attempting or conspiring to engage in*  
31 *any such act in this state or another state.*

32 **Sec. 11.** NRS 179A.200 is hereby amended to read as follows:

33 179A.200 1. ~~{An}~~ *In addition to any other information*  
34 *which an employer is authorized to request pursuant to this*  
35 *chapter, an employer may request from the Central Repository*  
36 *notice of information relating to ~~{sexual}~~ the offenses listed in*  
37 *subsection 4 of NRS 179A.190 concerning an employee.*

38 2. A request for notice of information relating to ~~{sexual}~~ *the*  
39 *offenses listed in subsection 4 of NRS 179A.190* from an employer  
40 must conform to the requirements of the Central Repository. The  
41 request must include:

42 (a) The name and address of the employer, and the name and  
43 signature of the person requesting the notice on behalf of the  
44 employer;



1 (b) The name and address of the employer's facility in which the  
2 employee is employed or seeking to become employed;

3 (c) The name, *a complete set of* fingerprints and other  
4 identifying information of the employee;

5 (d) Signed consent by the employee ~~to a~~ *authorizing:*

6 *(1) The employer to forward the fingerprints of the*  
7 *employee to the Central Repository for submission to the Federal*  
8 *Bureau of Investigation for its report;*

9 *(2) A search of information relating to ~~sexual~~ the offenses*  
10 *listed in subsection 4 of NRS 179A.190 concerning ~~him, and for~~*  
11 *the employee; and*

12 *(3) The release of a notice concerning that information;*

13 (e) The mailing address of the employee or a signed waiver of  
14 the right of the employee to be sent a copy of the information  
15 disseminated to the employer as a result of the search of the records  
16 of criminal history; and

17 (f) The signature of the employee indicating that he has been  
18 notified of:

19 (1) The types of information for which notice is subject to  
20 dissemination pursuant to NRS 179A.210, or a description of the  
21 information;

22 (2) The employer's right to require a check of the records of  
23 criminal history as a condition of employment; and

24 (3) The employee's right, pursuant to NRS 179A.150, to  
25 challenge the accuracy or sufficiency of any information  
26 disseminated to the employer.

27 **Sec. 12.** NRS 179A.210 is hereby amended to read as follows:

28 179A.210 1. Upon receipt of a request from an employer for  
29 notice of information relating to ~~sexual offenses,~~ *the offenses*  
30 *listed in subsection 4 of NRS 179A.190*, the Central Repository  
31 shall undertake a search for the information, unless the request does  
32 not conform to the requirements of the Repository. The search must  
33 be based on the ~~employee's fingerprints,~~ *fingerprints of the*  
34 *employee*, or on a number furnished to the employee for  
35 identification pursuant to a previous search, as provided by the  
36 employer, and must include:

37 (a) Identifying any information relating to ~~sexual~~ *the* offenses  
38 *listed in subsection 4 of NRS 179A.190* concerning the employee in  
39 the Central Repository;

40 (b) Requesting information relating to ~~sexual~~ *the* offenses  
41 *listed in subsection 4 of NRS 179A.190* concerning the employee  
42 from federal repositories and repositories of other states, if  
43 authorized by federal law or an agreement entered into pursuant to  
44 NRS 179A.075;



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1 (c) If the information pertains to an arrest for which no  
2 disposition has been reported, contacting appropriate officers in the  
3 local jurisdiction where the arrest or prosecution occurred to verify  
4 and update the information; and

5 (d) Determining whether the information relating to ~~[sexual]~~ *the*  
6 offenses *listed in subsection 4 of NRS 179A.190* is the type of  
7 information for which notice is subject to dissemination pursuant to  
8 this section.

9 2. Notice of information relating to ~~[sexual]~~ *the* offenses *listed*  
10 *in subsection 4 of NRS 179A.190* may be disseminated to an  
11 employer who has requested it only if a check of the pertinent  
12 records indicates:

13 (a) A conviction for ~~[a-sexual]~~ *any such* offense, or a conviction  
14 based on an arrest or on an initial charge for ~~[a-sexual]~~ *any such*  
15 offense;

16 (b) An arrest or an initial charge for a sexual offense *that is*  
17 pending at the time of the request; or

18 (c) Two or more incidents resulting in arrest or initial charge for  
19 a sexual offense that have not resulted in a conviction.

20 3. If a search of the records of the Central Repository reveals  
21 no information for which notice is subject to release, the Central  
22 Repository shall submit the fingerprints of the employee to the  
23 Federal Bureau of Investigation for a search of its records of  
24 criminal history. The Central Repository shall review all  
25 information received from the Federal Bureau of Investigation.  
26 Notice of any information received from the Federal Bureau of  
27 Investigation may be disseminated only if the information is of a  
28 kind for which notice is subject to release pursuant to this section.

29 4. Within 30 days after receipt of a request by an employer for  
30 notice of information relating to ~~[sexual-offenses.]~~ *the offenses*  
31 *listed in subsection 4 of NRS 179A.190*, the Central Repository  
32 shall send a written report of the results of the search to the  
33 employer and to the employee, except that if the employee has  
34 waived his right to receive the results of the search, the report must  
35 be sent only to the employer. If the search revealed:

36 (a) No information for which notice is subject to release, the  
37 report must include a statement to that effect; or

38 (b) Information about the employee for which notice is subject  
39 to release, the report must include a notice of the type of  
40 information, limited to the descriptions set forth in subsection 2,  
41 revealed by the search. The notice must not include any further facts  
42 or details concerning the information. A statement of the purpose for  
43 which the notice is being disseminated, and the procedures by which  
44 the employee might challenge the accuracy and sufficiency of the  
45 information, must also be included with the report.



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1       5. Upon receipt of corrected information relating to ~~sexual~~  
2 *the offenses listed in subsection 4 of NRS 179A.190* for which  
3 notice was disseminated under this section, the Central Repository  
4 shall send written notice of the correction to:

5       (a) The employee who was the subject of the search, unless the  
6 employee has waived his right to receive such a notice;

7       (b) All employers to whom notice of the results of the search  
8 were disseminated within 3 months before the correction; and

9       (c) Upon request of the employee, any other employers who  
10 previously received the information.

11       6. Upon receipt of new information relating to ~~sexual~~ *the*  
12 offenses *listed in subsection 4 of NRS 179A.190* concerning an  
13 employee who was the subject of a search within the previous 3  
14 months, for which notice is subject to dissemination under this  
15 section, the Central Repository shall send written notice of the  
16 information to:

17       (a) The employee who was the subject of the search, unless the  
18 employee has waived his right to receive such a notice;

19       (b) All employers to whom a report of the results of the search  
20 were disseminated within 3 months before the correction; and

21       (c) Upon request of the employee, any other employers who  
22 previously received a report of the results of the search.

23       **Sec. 13.** NRS 179A.230 is hereby amended to read as follows:

24       179A.230 1. A person who is the subject of a request for  
25 notice of information ~~relating to sexual offenses~~ pursuant to NRS  
26 179A.180 to 179A.240, inclusive, may recover his actual damages  
27 in a civil action against:

28       (a) The Central Repository for an intentional or grossly  
29 negligent:

30       (1) Dissemination of information relating to ~~sexual~~ *the*  
31 offenses *listed in subsection 4 of NRS 179A.190* not authorized for  
32 dissemination; or

33       (2) Release of information relating to ~~sexual~~ *the* offenses  
34 *listed in subsection 4 of NRS 179A.190* to a person not authorized  
35 to receive the information;

36       (b) The Central Repository for an intentional or grossly  
37 negligent failure to correct any notice of information relating to  
38 ~~sexual~~ *the* offenses *listed in subsection 4 of NRS 179A.190* which  
39 was disseminated pursuant to NRS 179A.180 to 179A.240,  
40 inclusive; or

41       (c) An employer, representative of an employer or employee for  
42 an intentional or grossly negligent violation of NRS 179A.110.  
43 Punitive damages may be awarded against an employer,  
44 representative of an employer or employee whose violation of NRS  
45 179A.110 is malicious.



1       2. An employer is liable to a child served by the employer for  
2 damages suffered by the child as a result of ~~[a sexual]~~ *an* offense  
3 *listed in subsection 4 of NRS 179A.190* committed against the child  
4 by an employee ~~[hired on or after January 1, 1988,]~~ if, at the time  
5 the employer hired the employee, the employee was the subject of  
6 information relating to ~~[sexual]~~ *the* offenses for which notice was  
7 available for dissemination to the employer and the employer:

8       (a) Failed, without good cause, to request notice of the  
9 information pursuant to NRS 179A.180 to 179A.240, inclusive; or

10       (b) Was unable to obtain the information because the employee  
11 refused to consent to the search and release of the information, and  
12 the employer hired or retained the employee despite this  
13 refusal.

14 The amount of damages for which an employer is liable pursuant to  
15 this subsection must be reduced by the amount of damages  
16 recovered by the child in an action against the employee for  
17 damages sustained as a result of ~~[the sexual offense.]~~ *an offense*  
18 *listed in subsection 4 of NRS 179A.190.*

19       3. An action pursuant to this section must be brought within 3  
20 years after:

21       (a) The occurrence upon which the action is based; or

22       (b) The date upon which the party bringing the action became  
23 aware or reasonably should have become aware of the occurrence,  
24 whichever was earlier, if he was not aware of the occurrence at the  
25 time of the occurrence.

26       4. This section does not limit or affect any other rights, claims  
27 or causes of action arising by statute or common law.

28       **Sec. 14.** NRS 179A.240 is hereby amended to read as follows:

29       179A.240 A person who knowingly and willfully:

30       1. Uses NRS 179A.180 to 179A.240, inclusive, to obtain or  
31 seek to obtain information relating to ~~[sexual]~~ *the* offenses *listed in*  
32 *subsection 4 of NRS 179A.190* under false pretenses;

33       2. Disseminates or attempts to disseminate information relating  
34 to ~~[sexual]~~ *the* offenses *listed in subsection 4 of NRS 179A.190* that  
35 he knows was not received in accordance with the provisions of this  
36 chapter; or

37       3. Disseminates or attempts to disseminate information relating  
38 to ~~[sexual]~~ *the* offenses *listed in subsection 4 of NRS 179A.190* that  
39 he knows is false, inaccurate or incomplete,  
40 is guilty of a misdemeanor.

41       **Sec. 15.** NRS 179A.310 is hereby amended to read as follows:

42       179A.310 1. The revolving Account to Investigate the  
43 Background of Volunteers Who Work With Children is hereby  
44 created in the State General Fund.



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1       2. The Director of the Department shall administer the Account  
2 to Investigate the Background of Volunteers Who Work With  
3 Children. The money in the Account must be expended only to pay  
4 the costs of the Central Repository to process requests from  
5 nonprofit agencies to determine whether a volunteer of a nonprofit  
6 agency who works directly with children or a prospective volunteer  
7 of the nonprofit agency who will work directly with children has  
8 committed ~~["a sexual offense."]~~ *an offense listed in subsection 4 of*  
9 *NRS 179A.190.* The existence of the Account to Investigate the  
10 Background of Volunteers Who Work With Children does not  
11 create a right in any person to receive money from the Account.

12       3. The Director of the Department may apply for and accept  
13 any gift, donation, bequest, grant or other source of money. Any  
14 money so received must be deposited in the Account to Investigate  
15 the Background of Volunteers Who Work With Children.

16       4. The interest and income earned on money in the Account  
17 from any gift, donation ~~[""]~~ or bequest, after deducting any applicable  
18 charges, must be credited to the Account. Money from any gift,  
19 donation ~~[""]~~ or bequest that remains in the Account at the end of the  
20 fiscal year does not revert to the State General Fund, and the balance  
21 in the Account must be carried forward to the next fiscal year.

22       5. The Director of the Department shall adopt regulations to  
23 carry out the provisions of this section. The regulations must  
24 include, without limitation:

25       (a) The procedure by which a person may apply for a grant of  
26 money from the Account to Investigate the Background of  
27 Volunteers Who Work With Children;

28       (b) The criteria that the Department will consider in determining  
29 whether to award such a grant of money from the Account; and

30       (c) Procedures to distribute the money in the Account in a fair  
31 and equitable manner.

32       6. The following facts must not be considered as evidence of  
33 negligence or causation in any civil action brought against a  
34 nonprofit agency:

35       (a) The fact that the nonprofit agency did not apply for a grant of  
36 money from the Account.

37       (b) The fact that the nonprofit agency did not request that the  
38 Central Repository, through the use of the Account, determine  
39 whether a volunteer or prospective volunteer of the nonprofit agency  
40 has committed ~~["a sexual offense."]~~ *an offense listed in subsection 4*  
41 *of NRS 179A.190.*

42       **Sec. 16.** NRS 179B.250 is hereby amended to read as follows:

43       179B.250 1. The Department shall, in a manner prescribed  
44 by the Director, establish within the Central Repository a program to  
45 provide the public with access to certain information contained in



1 the statewide registry. The program may include, but is not limited  
2 to, the use of a secure website on the Internet or other electronic  
3 means of communication to provide the public with access to certain  
4 information contained in the statewide registry if such information is  
5 made available and disclosed in accordance with the procedures set  
6 forth in this section.

7 2. Before a search of the statewide registry is conducted on  
8 behalf of a requester seeking information from the program, the  
9 requester must provide his name, address and telephone number and  
10 the following information concerning the identity of the subject of  
11 the search:

12 (a) The name of the subject of the search and at least one of the  
13 following items:

14 (1) The social security number of the subject of the search;

15 (2) The identification number from a driver's license or an  
16 identification card issued to the subject of the search by this state; or

17 (3) The date of birth of the subject of the search; or

18 (b) The name and address of the subject of the search and all of  
19 the following items:

20 (1) The race or ethnicity of the subject of the search;

21 (2) The hair color and eye color of the subject of the search;

22 (3) The approximate height and weight of the subject of the  
23 search; and

24 (4) The approximate age of the subject of the search.

25 After conducting a search based upon information provided  
26 pursuant to paragraph (a) or (b), the Central Repository may require  
27 the requester to provide additional information to confirm the  
28 identity of the subject of the search. The additional information may  
29 include, but is not limited to, the license number from a motor  
30 vehicle frequently driven by the subject of the search, the employer  
31 of the subject of the search or any information listed in paragraph  
32 (a) or (b) that was not provided for the initial search.

33 3. After conducting a search of the statewide registry on behalf  
34 of a requester, the Central Repository shall inform the requester that:

35 (a) No person listed in the statewide registry matches the  
36 information provided by the requester concerning the identity of the  
37 subject of the search;

38 (b) The requester needs to provide additional information  
39 concerning the identity of the subject of the search before the  
40 Central Repository may disclose the results of the search; or

41 (c) A person listed in the statewide registry matches the  
42 information provided by the requester concerning the identity of the  
43 subject of the search. If a search of the statewide registry results in a  
44 match pursuant to this paragraph, the Central Repository:



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1 (1) Shall inform the requester of each offense for which the  
2 subject of the search was convicted and the date and location of  
3 each conviction.

4 (2) May, through the use of a secure website on the Internet  
5 or other electronic means of communication, provide the requester  
6 with a photographic image of the subject of the search if such an  
7 image is available.

8 (3) Shall not provide the requester with any other  
9 information that is included in the record of registration for the  
10 subject of the search.

11 4. For each inquiry to the program, the Central Repository  
12 shall:

13 (a) Charge a fee to the requester;

14 (b) Maintain a log of the information provided by the requester  
15 to the Central Repository and the information provided by the  
16 Central Repository to the requester; and

17 (c) Inform the requester that information obtained through the  
18 program may not be used to violate the law or the individual rights  
19 of another person and that such misuse of information obtained  
20 through the program may subject the requester to criminal  
21 prosecution or civil liability for damages.

22 5. A person may not use information obtained through the  
23 program as a substitute for information relating to ~~sexual~~ *the*  
24 offenses *listed in subsection 4 of NRS 179A.190* that must be  
25 provided by the Central Repository pursuant to NRS 179A.180 to  
26 179A.240, inclusive, or another provision of law.

27 **Sec. 17.** NRS 202.366 is hereby amended to read as follows:

28 202.366 1. Upon receipt by a sheriff of an application for a  
29 permit, the sheriff shall conduct an investigation of the applicant to  
30 determine if he is eligible for a permit. In conducting the  
31 investigation, the sheriff shall forward a complete set of the  
32 applicant's fingerprints to the Central Repository for Nevada  
33 Records of Criminal History ~~and~~ *for submission to* the Federal  
34 Bureau of Investigation for ~~its~~ *its* report concerning the criminal  
35 history of the applicant. The sheriff shall issue a permit to the  
36 applicant unless he is not qualified to possess a handgun pursuant to  
37 state or federal law or is not otherwise qualified to obtain a permit  
38 pursuant to NRS 202.3653 to 202.369, inclusive, or the regulations  
39 adopted pursuant thereto.

40 2. To assist the sheriff in conducting his investigation, any  
41 local law enforcement agency, including the sheriff of any county,  
42 may voluntarily submit to the sheriff a report or other information  
43 concerning the criminal history of an applicant.

44 3. Within 120 days after a complete application for a permit is  
45 submitted, the sheriff to whom the application is submitted shall



1 grant or deny the application. If the application is denied, the sheriff  
2 shall send the applicant written notification setting forth the reasons  
3 for the denial. If the application is granted, the sheriff shall provide  
4 the applicant with a permit containing a colored photograph of the  
5 applicant and containing such other information as may be  
6 prescribed by the department. The permit must be in substantially  
7 the following form:

8  
9 NEVADA CONCEALED FIREARM PERMIT

10  
11 County ..... Permit Number.....  
12 Expires..... Date of Birth .....  
13 Height ..... Weight.....  
14 Name ..... Address .....  
15 City ..... Zip.....  
16 Photograph  
17 Signature .....  
18 Issued by.....  
19 Date of Issue.....  
20 Make, model and caliber of each authorized firearm.....  
21

22 4. Unless suspended or revoked by the sheriff who issued the  
23 permit, a permit expires:

24 (a) If the permittee was a resident of this state at the time the  
25 permit was issued, on the fifth anniversary of the permittee's  
26 birthday, measured from the birthday nearest the date of issuance or  
27 renewal.

28 (b) If the permittee was not a resident of this state at the time the  
29 permit was issued, on the third anniversary of the permittee's  
30 birthday, measured from the birthday nearest the date of issuance or  
31 renewal.

32 5. If the date of birth of a permittee is on February 29 in a leap  
33 year, for the purposes of NRS 202.3653 to 202.369, inclusive, his  
34 date of birth shall be deemed to be on February 28.

35 **Sec. 18.** NRS 239B.010 is hereby amended to read as follows:

36 239B.010 **1.** Any agency of the State or any political  
37 subdivision may request of and receive from the Federal Bureau of  
38 Investigation information on the background and personal history of  
39 any person:

40 ~~(1-)~~ (a) Who has applied to it for a license *as required by any*  
41 *statute or local ordinance* which it has the power to grant or deny;

42 ~~(2-)~~ (b) With whom it intends to enter into a relationship of  
43 employment or a contract for personal services; or



1 ~~13-1~~ (c) About whom it has a legitimate need to have accurate  
2 personal information for the protection of the agency or the people  
3 within its jurisdiction.

4 *2. Except as otherwise provided in subsection 3:*

5 *(a) To request and receive information from the Federal*  
6 *Bureau of Investigation concerning a person pursuant to*  
7 *subsection 1, the agency or political subdivision must:*

8 *(1) Require the person to submit a complete set of his*  
9 *fingerprints; and*

10 *(2) Forward the fingerprints to the Central Repository for*  
11 *Nevada Records of Criminal History for submission to the Federal*  
12 *Bureau of Investigation for its report.*

13 *(b) Only the Central Repository may:*

14 *(1) Receive fingerprints from an agency of the State or any*  
15 *political subdivision for submission to the Federal Bureau of*  
16 *Investigation pursuant to this section;*

17 *(2) Submit those fingerprints to the Federal Bureau of*  
18 *Investigation; and*

19 *(3) Receive a report from the Federal Bureau of*  
20 *Investigation based on the submission of those fingerprints.*

21 *3. If an agency or political subdivision that wishes to request*  
22 *and receive information from the Federal Bureau of Investigation*  
23 *concerning a person pursuant to subsection 1 is required by*  
24 *federal law to comply with specific procedures to request and*  
25 *receive such information from the Federal Bureau of*  
26 *Investigation:*

27 *(a) The provisions of subsection 2 do not apply to the agency*  
28 *or political subdivision; and*

29 *(b) The agency or political subdivision must comply with the*  
30 *specific procedures required by federal law.*

31 **Sec. 19.** NRS 391.033 is hereby amended to read as follows:

32 391.033 1. All licenses for teachers and other educational  
33 personnel are granted by the Superintendent of Public Instruction  
34 pursuant to regulations adopted by the Commission and as  
35 otherwise provided by law.

36 2. An application for the issuance of a license must include the  
37 social security number of the applicant.

38 3. Every applicant for a license must submit with his  
39 application a complete set of his fingerprints and written permission  
40 authorizing the Superintendent to forward the fingerprints *to the*  
41 *Central Repository for Nevada Records of Criminal History for its*  
42 *report on the criminal history of the applicant and for submission*  
43 *to the Federal Bureau of Investigation* ~~and to the Central~~  
44 ~~Repository for Nevada Records of Criminal History for their~~  
45 ~~reports~~ *for its report* on the criminal history of the applicant.



1       4. The Superintendent may issue a provisional license pending  
2 receipt of the reports of the Federal Bureau of Investigation and the  
3 Central Repository for Nevada Records of Criminal History if he  
4 determines that the applicant is otherwise qualified.

5       5. A license must be issued to an applicant if:

6       (a) The Superintendent determines that the applicant is  
7 qualified;

8       (b) The reports on the criminal history of the applicant from the  
9 Federal Bureau of Investigation and the Central Repository for  
10 Nevada Records of Criminal History:

11       (1) Do not indicate that the applicant has been convicted of a  
12 felony or any offense involving moral turpitude; or

13       (2) Indicate that the applicant has been convicted of a felony  
14 or an offense involving moral turpitude but the Superintendent  
15 determines that the conviction is unrelated to the position within the  
16 county school district for which the applicant applied; and

17       (c) The applicant submits the statement required pursuant to  
18 NRS 391.034.

19       **Sec. 20.** NRS 391.100 is hereby amended to read as follows:

20       391.100 1. The board of trustees of a school district may  
21 employ a superintendent of schools, teachers and all other necessary  
22 employees.

23       2. The board of trustees of a school district:

24       (a) May employ teacher aides and other auxiliary,  
25 nonprofessional personnel to assist licensed personnel in the  
26 instruction or supervision of children, either in the classroom or at  
27 any other place in the school or on the grounds thereof; and

28       (b) Shall establish policies governing the duties and  
29 performance of teacher aides.

30       3. Each applicant for employment pursuant to this section,  
31 except a teacher or other person licensed by the Superintendent of  
32 Public Instruction, must, as a condition to employment, submit to  
33 the school district a full set of his fingerprints and written  
34 permission authorizing the school district to forward the fingerprints  
35 *to the Central Repository for Nevada Records of Criminal History*  
36 *for its report on the criminal history of the applicant and for*  
37 *submission* to the Federal Bureau of Investigation ~~and the Central~~  
38 ~~Repository for Nevada Records of Criminal History for their~~  
39 ~~reports~~ *for its report* on the criminal history of the applicant.

40       4. Except as otherwise provided in subsection 5, the board of  
41 trustees of a school district shall not require a licensed teacher or  
42 other person licensed by the Superintendent of Public Instruction  
43 pursuant to NRS 391.033 who has taken a leave of absence from  
44 employment authorized by the school district, including, without  
45 limitation:



- 1 (a) Sick leave;
- 2 (b) Sabbatical leave;
- 3 (c) Personal leave;
- 4 (d) Leave for attendance at a regular or special session of the
- 5 Legislature of this state if the employee is a member thereof;
- 6 (e) Maternity leave; and
- 7 (f) Leave permitted by the Family and Medical Leave Act of
- 8 1993, 29 U.S.C. §§ 2601 et seq.,
- 9 to submit a set of his fingerprints as a condition of return to or
- 10 continued employment with the school district if the employee is in
- 11 good standing when the employee began the leave.

12 5. A board of trustees of a school district may ask the  
13 Superintendent of Public Instruction to require a person licensed by  
14 the Superintendent of Public Instruction pursuant to NRS 391.033  
15 who has taken a leave of absence from employment authorized by  
16 the school district to submit a set of his fingerprints as a condition of  
17 return to or continued employment with the school district if the  
18 board of trustees has probable cause to believe that the person has  
19 committed a felony or an offense involving moral turpitude during  
20 the period of his leave of absence.

21 6. The board of trustees of a school district may employ or  
22 appoint persons to serve as school police officers. If the board of  
23 trustees of a school district employs or appoints persons to serve as  
24 school police officers, the board of trustees shall employ a law  
25 enforcement officer to serve as the chief of school police who is  
26 supervised by the superintendent of schools of the school district.  
27 The chief of school police shall supervise each person appointed or  
28 employed by the board of trustees as a school police officer. In  
29 addition, persons who provide police services pursuant to subsection  
30 7 or 8 shall be deemed school police officers.

31 7. The board of trustees of a school district in a county that has  
32 a metropolitan police department created pursuant to chapter 280 of  
33 NRS ~~H~~ may contract with the metropolitan police department for  
34 the provision and supervision of police services in the public  
35 schools within the jurisdiction of the metropolitan police department  
36 and on property therein that is owned by the school district. If a  
37 contract is entered into pursuant to this subsection, the contract must  
38 make provision for the transfer of each school police officer  
39 employed by the board of trustees to the metropolitan police  
40 department. If the board of trustees of a school district contracts  
41 with a metropolitan police department pursuant to this subsection,  
42 the board of trustees shall, if applicable, cooperate with appropriate  
43 local law enforcement agencies within the school district for the  
44 provision and supervision of police services in the public schools  
45 within the school district and on property owned by the school



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1 district, but outside the jurisdiction of the metropolitan police  
2 department.

3 8. The board of trustees of a school district in a county that  
4 does not have a metropolitan police department created pursuant to  
5 chapter 280 of NRS may contract with the sheriff of that county for  
6 the provision of police services in the public schools within the  
7 school district and on property therein that is owned by the school  
8 district.

9 **Sec. 21.** NRS 394.465 is hereby amended to read as follows:

10 394.465 1. Except as otherwise provided in subsection 4,  
11 before a postsecondary educational institution employs or contracts  
12 with a person:

13 (a) To occupy an instructional position;

14 (b) To occupy an administrative or financial position, including  
15 a position as school director, personnel officer, counselor, admission  
16 representative, solicitor, canvasser, surveyor, financial aid officer or  
17 any similar position; or

18 (c) To act as an agent for the institution,  
19 the applicant must submit to the Administrator completed  
20 fingerprint cards and a form authorizing an investigation of the  
21 applicant's background and the submission of *a complete set of* his  
22 fingerprints to the Central Repository for Nevada Records of  
23 Criminal History ~~and~~ *for its report and for submission to* the  
24 Federal Bureau of Investigation ~~and~~ *for its report.* The fingerprint  
25 cards and authorization form submitted must be those which are  
26 provided to the applicant by the Administrator. The applicant's  
27 fingerprints must be taken by an agency of law enforcement.

28 2. The Administrator shall keep the results of the investigation  
29 confidential . ~~[, except that if the investigation discloses that the~~  
30 ~~applicant has been convicted of any felony, the Administrator shall~~  
31 ~~notify the applicant and the hiring institution of the conviction and~~  
32 ~~the nature of the offense.]~~

33 3. The applicant shall pay the cost of the investigation.

34 4. An applicant is not required to satisfy the requirements of  
35 subsection 1 if he:

36 (a) Is licensed by the Superintendent of Public Instruction;

37 (b) Is an employee of the United States Department of Defense;

38 (c) Is a member of the faculty of an accredited postsecondary  
39 educational institution in another state who is domiciled in a state  
40 other than Nevada and is present in Nevada for a temporary period  
41 to teach at a branch of that accredited institution; or

42 (d) Has satisfied the requirements of subsection 1 within the  
43 immediately preceding 5 years.



1     **Sec. 22.** NRS 450B.800 is hereby amended to read as follows:  
2     450B.800 An applicant for any permit, license or certificate  
3 issued pursuant to this chapter shall furnish to the health authority a  
4 complete set of his fingerprints and written permission authorizing  
5 the health authority to forward those fingerprints *to the Central*  
6 *Repository for Nevada Records of Criminal History for submission*  
7 to the Federal Bureau of Investigation for its report. The health  
8 authority may exchange with the Federal Bureau of Investigation  
9 any information respecting the fingerprints of an applicant.

10    **Sec. 23.** NRS 463.1405 is hereby amended to read as follows:

11    463.1405 1. The Board shall investigate the qualifications of  
12 each applicant under this chapter before any license is issued or any  
13 registration, finding of suitability or approval of acts or transactions  
14 for which Commission approval is required or permission is  
15 granted, and shall continue to observe the conduct of all licensees  
16 and other persons having a material involvement directly or  
17 indirectly with a licensed gaming operation or registered holding  
18 company to ensure that licenses are not issued or held by, nor is  
19 there any material involvement directly or indirectly with a licensed  
20 gaming operation or registered holding company by unqualified,  
21 disqualified or unsuitable persons, or persons whose operations are  
22 conducted in an unsuitable manner or in unsuitable or prohibited  
23 places or locations.

24    2. *To request and receive information from the Federal*  
25 *Bureau of Investigation concerning an investigation of an*  
26 *applicant pursuant to this section, the Board must receive a*  
27 *complete set of fingerprints of the applicant which the Board must*  
28 *forward to the Central Repository for Nevada Records of Criminal*  
29 *History for submission to the Federal Bureau of Investigation for*  
30 *its report.*

31    3. The Board has full and absolute power and authority to  
32 recommend the denial of any application, the limitation,  
33 conditioning or restriction of any license, registration, finding of  
34 suitability or approval, the suspension or revocation of any license,  
35 registration, finding of suitability or approval or the imposition of a  
36 fine upon any person licensed, registered, found suitable or  
37 approved for any cause deemed reasonable by the Board.

38    ~~3.1~~ 4. The Commission has full and absolute power and  
39 authority to deny any application or limit, condition, restrict, revoke  
40 or suspend any license, registration, finding of suitability or  
41 approval, or fine any person licensed, registered, found suitable or  
42 approved, for any cause deemed reasonable by the Commission.

43    **Sec. 24.** NRS 463.4095 is hereby amended to read as follows:

44    463.4095 1. To register with or request the approval of the  
45 Executive Director, a qualified organization must submit to him:



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- 1 (a) A written application containing:  
2 (1) The name, address and nature of the organization.  
3 (2) Proof that the organization is a qualified organization.  
4 (3) The names of the officers or principals of the  
5 organization, and of any person responsible for the management,  
6 administration or supervision of the organization's charitable bingo  
7 games and any activities related to those bingo games.  
8 (4) A description of all the prizes to be offered in charitable  
9 bingo games operated by the organization during the calendar year  
10 to which the application pertains and, if the approval of the  
11 Executive Director is required, a summary of the anticipated  
12 expenses of conducting those bingo games, including copies of any  
13 proposed agreements between the organization and any suppliers of  
14 material for the operation of those bingo games.  
15 (5) A description of the intended use of the net proceeds of  
16 charitable bingo games operated by the organization during the  
17 calendar year to which the application pertains.  
18 (6) The address of the location where charitable bingo games  
19 will be conducted by the organization during the calendar year to  
20 which the application pertains.  
21 (7) A statement that charitable bingo games will be  
22 conducted in accordance with standards of honesty and integrity  
23 applicable to licensed bingo games in this state.  
24 (8) Any other information the Executive Director deems  
25 appropriate.  
26 (b) A nonrefundable fee of:  
27 (1) For registration, \$10; or  
28 (2) For a request for approval, \$25.  
29 (c) If the qualified organization requests approval of the  
30 Executive Director, it must ~~submit the~~ :  
31 (1) *Submit a complete set of the* fingerprints of its officers,  
32 principals and persons responsible for management of the bingo  
33 games, on forms approved by the Executive Director , *which the*  
34 *Executive Director may forward to the Central Repository for*  
35 *Nevada Records of Criminal History for submission to the Federal*  
36 *Bureau of Investigation for its report;* and ~~must reimburse~~  
37 (2) *Reimburse* the Board for its costs incurred in submitting  
38 the fingerprints for review.  
39 2. A qualified organization shall submit such additional  
40 information as necessary to correct or complete any information  
41 submitted pursuant to this section that becomes inaccurate or  
42 incomplete. The approval of a qualified organization is suspended  
43 during the period that any of the information is inaccurate or  
44 incomplete. The Executive Director may reinstate the approval of



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1 the organization only after all information has been corrected and  
2 completed.

3 3. The money collected pursuant to this section must be  
4 expended to administer and enforce the provisions of NRS 463.4091  
5 to 463.40965, inclusive.

6 **Sec. 25.** NRS 463.520 is hereby amended to read as follows:

7 463.520 A corporation, other than a publicly traded  
8 corporation, which applies for a state gaming license shall register  
9 as a corporation with the Board, and shall provide the following  
10 information to the Board:

11 1. The organization, financial structure and nature of the  
12 business to be operated, including ~~the names,~~ :

13 (a) *The names and* personal history ~~and~~ *of all officers,*  
14 *directors and key employees;*

15 (b) *A complete set of the* fingerprints of all officers, directors  
16 and key employees ~~and the~~ *which the Board may forward to the*  
17 *Central Repository for Nevada Records of Criminal History for*  
18 *submission to the Federal Bureau of Investigation for its report;*  
19 *and*

20 (c) *The* names, addresses and number of shares held by all  
21 stockholders.

22 2. The rights and privileges acquired by the holders of different  
23 classes of authorized securities, including debentures.

24 3. The terms on which securities are to be offered.

25 4. The terms and conditions of all outstanding loans,  
26 mortgages, trust deeds, pledges or any other indebtedness or security  
27 device.

28 5. The extent of the equity security holding in the corporation  
29 of all officers, directors and underwriters, and their remuneration as  
30 compensation for services, in the form of salary, wages, fees or  
31 otherwise.

32 6. Remuneration to persons other than directors and officers  
33 exceeding \$30,000 per annum.

34 7. Bonus and profit-sharing arrangements.

35 8. Management and service contracts.

36 9. Options existing, or to be created.

37 10. Balance sheets for at least 3 preceding fiscal years, or, if  
38 the corporation has not been incorporated for a period of 3 years,  
39 balance sheets from the time of its incorporation. All balance sheets  
40 shall be certified by independent public accountants certified or  
41 registered in the State of Nevada.

42 11. Profit and loss statements for at least the 3 preceding fiscal  
43 years, or, if the corporation has not been incorporated for a period of  
44 3 years, profit and loss statements from the time of its incorporation.



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1 All profit and loss statements shall be certified by independent  
2 public accountants certified or registered in the State of Nevada.

3 12. Any further financial data which the Board may deem  
4 necessary or appropriate for the protection of the State of Nevada, or  
5 licensed gambling, or both.

6 **Sec. 26.** NRS 463.568 is hereby amended to read as follows:

7 463.568 The limited partnership which applies for a state  
8 gaming license shall register as a limited partnership with the Board,  
9 and shall provide the following information to the Board:

10 1. The organization, financial structure and nature of the  
11 business to be operated, including ~~{the names,}~~ :

12 (a) *The names and* personal history ~~{and}~~ *of all general*  
13 *partners and key employees;*

14 (b) *A complete set of the* fingerprints of all general partners and  
15 key employees ~~{, and the}~~ *which the Board may forward to the*  
16 *Central Repository for Nevada Records of Criminal History for*  
17 *submission to the Federal Bureau of Investigation for its report;*  
18 *and*

19 (c) *The* name, address and interest of each limited partner.

20 2. The rights, privileges and relative priorities of limited  
21 partners as to the return of contributions to capital, and the right to  
22 receive income.

23 3. The terms on which limited partnership interests are to be  
24 offered.

25 4. The terms and conditions of all outstanding loans,  
26 mortgages, trust deeds, pledges or any other indebtedness or security  
27 device.

28 5. The extent of the holding in the limited partnership of all  
29 underwriters, and their remuneration as compensation for services,  
30 in the form of salary, wages, fees or otherwise.

31 6. Remuneration to persons other than general partners  
32 exceeding \$30,000 per annum.

33 7. Bonus and profit-sharing arrangements.

34 8. Management and service contracts.

35 9. Options existing, or to be created.

36 10. Balance sheets for at least the 3 preceding fiscal years, or,  
37 if the limited partnership has not been in existence for 3 years,  
38 balance sheets from the time of its formation. All balance sheets  
39 must be certified by independent public accountants certified or  
40 registered in this state.

41 11. Profit and loss statements for at least the 3 preceding fiscal  
42 years, or, if the limited partnership has not been in existence for 3  
43 years, profit and loss statements from the time of its formation. All  
44 profit and loss statements must be certified by independent public  
45 accountants certified or registered in this state.



1 12. Any further financial data which the Board may deem  
2 necessary or appropriate for the protection of the State of Nevada, or  
3 licensed gambling, or both.

4 **Sec. 27.** NRS 463.5734 is hereby amended to read as follows:  
5 463.5734 A limited-liability company which applies for a  
6 license shall register as a limited-liability company with the Board,  
7 and shall provide the following information to the Board:

8 1. The organization, financial structure and nature of the  
9 business to be operated, including ~~[the names,]~~ :

10 (a) *The names and* personal history *of each director, manager,*  
11 *member and key employee;* and

12 (b) *A complete set of the* fingerprints of each director, manager,  
13 member and key employee ~~[ ]~~ *which the Board may forward to the*  
14 *Central Repository for Nevada Records of Criminal History for*  
15 *submission to the Federal Bureau of Investigation for its report.*

16 2. The rights, privileges and relative priorities of the members  
17 as to the return of contributions to capital and the right to receive  
18 distribution of profits.

19 3. The terms on which interests in the limited-liability  
20 company are to be offered.

21 4. The terms and conditions of all outstanding loans,  
22 mortgages, trust deeds, pledges and any other indebtedness or  
23 security device.

24 5. The extent of the holding in the limited-liability company of  
25 all underwriters, and their remuneration as compensation for  
26 services, in the form of salary, wages, fees or otherwise.

27 6. Remuneration to persons other than directors and managers  
28 exceeding \$30,000 per annum.

29 7. Bonus and profit-sharing arrangements.

30 8. Management and service contracts.

31 9. Options existing, or to be created.

32 10. Balance sheets for at least the 3 preceding fiscal years, or,  
33 if the limited-liability company has not been in existence for 3  
34 years, balance sheets from the time of its formation. All balance  
35 sheets must be certified by independent public accountants certified  
36 or registered in this state.

37 11. Profit and loss statements for at least the 3 preceding fiscal  
38 years, or, if the limited-liability company has not been in existence  
39 for 3 years, profit and loss statements from the time of its formation.  
40 All profit and loss statements must be certified by independent  
41 public accountants certified or registered in this state.

42 12. Any further financial data which the Board may deem  
43 necessary or appropriate for the protection of the State of Nevada ,  
44 or licensed gambling, or both.



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1     **Sec. 28.** NRS 463A.030 is hereby amended to read as follows:  
2     463A.030 1. Not later than the date on which a labor  
3 organization which represents or seeks to represent gaming casino  
4 employees in this state begins an organizational activity directed at a  
5 gaming casino employee, the labor organization shall file with the  
6 Board a list of its personnel who:

7     (a) Adjust or seek to adjust grievances for, negotiate or  
8 administer the wages, hours, working conditions or conditions of  
9 employment of any gaming casino employee;

10    (b) Solicit, collect or receive , or seek to solicit, collect or  
11 receive any dues, assessments, levies, fines, contributions or other  
12 charges within this state for or on behalf of the organization from  
13 gaming casino employees; or

14    (c) Act as officers, members of the governing body, business  
15 agents or in any other policymaking or supervisory position in the  
16 organization.

17    2. Each person listed shall file with the Board :

18    (a) *A complete set of* his fingerprints ~~[and complete]~~ *which the*  
19 *Board may forward to the Central Repository for Nevada Records*  
20 *of Criminal History for submission to the Federal Bureau of*  
21 *Investigation for its report;*

22    (b) *Complete* information in writing concerning his labor  
23 organization activities, prior performance of the same or similar  
24 functions, previous employment or occupational history ~~[, and~~  
25 ~~criminal]~~; *and*

26    (c) *His criminal* record if any, covering at least a 10-year period  
27 unless the Board determines that a shorter period is appropriate.

28    3. The Commission shall by regulation prescribe the frequency  
29 or circumstances or both with or under which the list must be  
30 revised.

31    4. The Commission may by regulation prescribe:

32    (a) Any further information to be required concerning each  
33 person listed or each person performing a particular function.

34    (b) The addition of other personnel to the list whose duties  
35 significantly affect the conduct of a gaming operation.

36    5. In adopting regulations pursuant to this section, the  
37 Commission shall proceed in the manner prescribed in chapter 463  
38 of NRS.

39    6. For the purposes of this section, "organizational activity"  
40 means:

41    (a) Soliciting membership by direct personal contact;

42    (b) Distributing cards regarding interests or representation; or

43    (c) Distributing or posting a flyer, poster or advertisement.



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1     **Sec. 29.** NRS 467.030 is hereby amended to read as follows:  
2     467.030 1. The members of the Commission shall elect one  
3     of their number as Chairman of the Commission.

4     2. The Commission may purchase and use a seal.

5     3. The Commission may adopt regulations for the  
6     administration of this chapter. The regulations must include:

7         (a) Number and qualifications of ring officials required at any  
8         exhibition or contest.

9         (b) ~~[Requirements that fingerprints be obtained and criminal~~  
10        ~~records be investigated for]~~ *Procedures for obtaining fingerprints*  
11        *pursuant to NRS 467.100 to investigate the criminal history of* all  
12        ring officials and employees of the Commission ~~[ ]~~ *and any other*  
13        *applicant the Commission wishes to investigate.*

14        (c) Powers, duties and compensation of ring officials.

15        (d) Qualifications of licensees.

16     4. The Commission shall prepare all forms of contracts  
17     between sponsors, licensees, promoters and contestants.

18     **Sec. 30.** NRS 467.100 is hereby amended to read as follows:

19     467.100 1. All contestants, promoters, managers, seconds,  
20     trainers and ring officials must be licensed by the Commission. No  
21     person may participate, directly or indirectly, in any professional  
22     contest or exhibition of unarmed combat unless he has first procured  
23     a license from the Commission.

24     2. The Commission may deny an application for a license or  
25     grant a limited, restricted or conditional license for any cause  
26     deemed sufficient by the Commission.

27     3. An application for a license constitutes a request for a  
28     determination of the applicant's general suitability, character,  
29     integrity, and ability to participate or engage in, or be associated  
30     with contests or exhibitions of unarmed combat. The burden of  
31     proof is on the applicant to establish to the satisfaction of the  
32     Commission that the applicant is qualified to receive a license. By  
33     filing an application with the Commission, an applicant accepts the  
34     risk of adverse public notice, embarrassment, criticism, financial  
35     loss or other action with respect to his application, and expressly  
36     waives any claim for damages as a result thereof. Any written or  
37     oral statement that is made by any member of the Commission or  
38     any witness testifying under oath which is relevant to the application  
39     and investigation of the applicant is absolutely privileged and does  
40     not impose liability for defamation or constitute a ground for  
41     recovery in a civil action.

42     4. *The Commission shall require:*

43         (a) *Each ring official and employee of the Commission; and*

44         (b) *Any other applicant the Commission wishes to*  
45         *investigate,*



1 *to submit to the Commission with the application a complete set of*  
2 *his fingerprints which the Commission may forward to the Central*  
3 *Repository for Nevada Records of Criminal History for submission*  
4 *to the Federal Bureau of Investigation for its report.*

5 5. After an application has been submitted to the Commission,  
6 the application may not be withdrawn unless the Commission  
7 consents to the withdrawal.

8 ~~5.1~~ 6. The Commission shall fix a uniform scale of license  
9 fees.

10 ~~6.1~~ 7. In addition to the license fees required by subsection  
11 ~~5.1~~ 6, the Commission may require an applicant for a license to:

12 (a) Pay the costs of the proceedings associated with the issuance  
13 of the license, including, without limitation, investigative costs and  
14 attorney's fees; and

15 (b) Deposit with the Commission such an amount of money as  
16 the Commission deems necessary to pay for those costs. If any  
17 amount required to be deposited pursuant to this paragraph exceeds  
18 the actual cost of the proceedings, including, without limitation,  
19 investigative costs and attorney's fees, the Commission shall refund  
20 the excess amount to the applicant upon the completion of the  
21 proceedings.

22 ~~7.1~~ 8. It is a violation of this chapter for any person to  
23 participate, directly or indirectly, as stated in subsection 1, unless he  
24 has been granted a license therefor.

25 **Sec. 31.** NRS 489.321 is hereby amended to read as follows:

26 489.321 1. An application for a manufacturer's, dealer's,  
27 rebuilder's, serviceman's or installer's license must be filed upon  
28 forms supplied by the Division and include the social security  
29 number of the applicant. The applicant must furnish:

30 (a) Any proof the Division may deem necessary that the  
31 applicant is a manufacturer, dealer, rebuilder, serviceman or  
32 installer.

33 (b) Any proof the Division may require that the applicant has an  
34 established place of business.

35 (c) Any proof the Division may require of the applicant's good  
36 character and reputation and of his fitness to engage in the activities  
37 for which the license is sought.

38 (d) A complete set of his fingerprints and written permission  
39 authorizing the Administrator to forward those fingerprints *to the*  
40 *Central Repository for Nevada Records of Criminal History for*  
41 *submission* to the Federal Bureau of Investigation for its report. The  
42 Administrator may exchange with *the Central Repository and*  
43 the Federal Bureau of Investigation any information relating to the  
44 fingerprints of an applicant under this section.



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1 (e) In the case of a dealer in new manufactured homes, an  
2 instrument in the form prescribed by the Division executed by or on  
3 behalf of the manufacturer certifying that the applicant is an  
4 authorized franchise dealer for the make or makes concerned.

5 (f) A reasonable fee fixed by regulation.

6 (g) In the case of a dealer, rebuilder, serviceman or installer,  
7 proof of passing the examination required under NRS 489.351.

8 (h) Any additional requirements the Division may from time to  
9 time prescribe by regulation.

10 2. Within 60 days after the receipt of a complete application,  
11 the Division shall issue or deny the license.

12 3. The Administrator may issue a provisional license pending  
13 receipt of the report from the Federal Bureau of Investigation. Upon  
14 receipt of the report and a determination by the Administrator that  
15 the applicant is qualified, the Division shall issue to the applicant a  
16 dealer's, manufacturer's, installer's, rebuilder's or serviceman's  
17 license containing the applicant's name and the address of his fixed  
18 place of business.

19 4. Each license is valid for a period of 2 years from the date of  
20 issuance and may be renewed for like consecutive periods upon  
21 application to and approval by the Division.

22 **Sec. 32.** NRS 489.341 is hereby amended to read as follows:

23 489.341 1. A person shall not act as a salesman in this state  
24 or as a responsible managing employee for a person who sells,  
25 leases, reconstructs, improves, repairs or installs any manufactured  
26 home, mobile home or commercial coach subject to the provisions  
27 of this chapter without first having received a license from the  
28 Division. Before issuing such a license, the Division shall require:

29 (a) An application, signed and verified by the applicant, stating  
30 that he desires to act as a salesman or responsible managing  
31 employee and providing his residential address, his social security  
32 number and the name and address of his employer.

33 (b) Proof of the employment of the applicant at the time the  
34 application is filed. An applicant for a license as a responsible  
35 managing employee shall submit proof of 2 years' experience within  
36 the previous 4 years in the business in which the applicant is seeking  
37 to be licensed as a responsible managing employee.

38 (c) Proof of the applicant's good character and reputation and of  
39 his fitness to act as a salesman or responsible managing employee.

40 (d) A complete set of his fingerprints and written permission  
41 authorizing the Administrator to forward those fingerprints *to the*  
42 *Central Repository for Nevada Records of Criminal History for*  
43 *submission* to the Federal Bureau of Investigation for its report. The  
44 Administrator may exchange with *the Central Repository and* the



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1 Federal Bureau of Investigation any information relating to the  
2 fingerprints of an applicant.

3 (e) A statement as to whether any previous application of the  
4 applicant has been denied or license revoked.

5 (f) Payment of a reasonable license fee established by  
6 regulation.

7 (g) The applicant to have passed the examination required by  
8 NRS 489.351.

9 (h) Any other information the Division deems necessary.

10 2. Within 60 days after the receipt of a complete application,  
11 the Division shall issue or deny the license.


12 3. The Administrator may issue a provisional license pending  
13 receipt of the report from the Federal Bureau of Investigation. Upon  
14 receipt of the report and a determination by the Administrator that  
15 the applicant is qualified, the Administrator shall issue to the  
16 applicant a license as a salesman or a responsible managing  
17 employee. The license must contain the licensee's name and the  
18 address of his employer's place of business.

19 4. Each license is valid for 2 years from the date of issuance  
20 and may be renewed for like consecutive periods upon application  
21 to and approval by the Division.

22 5. A person licensed pursuant to this section shall not engage in  
23 sales activity other than for the account of, or for and in behalf of, a  
24 single employer who is a licensed dealer, rebuilder, serviceman or  
25 installer.

26 6. A license issued pursuant to this section may be transferred  
27 to another licensed employer upon application and the payment of a  
28 transfer fee of \$10. When a salesman or responsible managing  
29 employee holding a current license leaves the employment of one  
30 dealer, rebuilder, serviceman or installer for that of another, the new  
31 employer may employ the salesman or responsible managing  
32 employee pending the transfer of the license if the transfer is  
33 completed within 10 days.

34 7. A license issued pursuant to this section must be posted in a  
35 conspicuous place on the premises of the employer for whom the  
36 holder of the license is licensed.

37 8. If a salesman or responsible managing employee ceases to  
38 be employed by a licensed dealer, rebuilder, serviceman  or  
39 installer, his license to act as a salesman or responsible managing  
40 employee is automatically suspended and his right to act in that  
41 capacity immediately ceases, and he shall not engage in such an  
42 activity until reemployed by a licensed dealer, rebuilder, serviceman  
43 or installer. Every licensed salesman and responsible managing  
44 employee shall report in writing to the Division every change in his



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1 place of employment ~~[.]~~ or termination of employment within 5 days  
2 after the date of making the change.

3 **Sec. 33.** NRS 574.040 is hereby amended to read as follows:

4 574.040 1. Except as otherwise provided in this subsection  
5 and NRS 574.350, a member, agent or local or district officer of a  
6 society so incorporating, if authorized in writing by the trustees of  
7 the society, approved by the district judge of the county, and sworn  
8 in the same manner as peace officers are sworn, may make arrests  
9 for a violation of the provisions of this chapter in the same manner  
10 as is provided for other officers. The provisions of this subsection  
11 apply only to a society that, on the date the society submits an  
12 application to the district judge for approval for a member, agent or  
13 local or district officer of the society to make arrests pursuant to this  
14 subsection:

15 (a) Has at least 25 members; and

16 (b) Has been incorporated in accordance with NRS 574.010 for  
17 not less than 5 years immediately preceding the submission of the  
18 application.

19 2. Before submitting an application specified in subsection 1,  
20 the society shall ~~[submit to the sheriff of the county a complete set~~  
21 ~~of the fingerprints of the]~~ *require that each* member, agent or local  
22 or district officer of the society to whom the application relates ~~[.]~~  
23 *submit to the society a complete set of his fingerprints which the*  
24 *society shall submit to the sheriff of the county.*

25 3. *The sheriff shall:*

26 (a) Upon receipt of the fingerprints, ~~[the sheriff shall]~~ forward  
27 the fingerprints to the Central Repository for Nevada Records of  
28 Criminal History for submission to the Federal Bureau of  
29 Investigation for a report concerning the criminal history of the  
30 member, agent or local or district officer of the society.

31 (b) Upon receipt of the report, ~~[the sheriff shall]~~ forward the  
32 report to the society. The society shall include the report in the  
33 application submitted pursuant to subsection 1.

34 ~~[3.]~~ 4. A member, agent or local or district officer who is  
35 authorized to make arrests pursuant to subsection 1 shall, when  
36 making those arrests, exhibit and expose a suitable badge, to be  
37 adopted by the society.

38 ~~[4.]~~ 5. A person who resists such a specially appointed officer  
39 shall be punished for that resistance in the same manner as is  
40 provided for the punishment of resistance to other officers.

41 **Sec. 34.** NRS 599B.115 is hereby amended to read as follows:

42 599B.115 1. Except as otherwise provided in subsection 5,  
43 each applicant for registration as a seller must obtain a work card  
44 issued pursuant to subsection 3 by the sheriff of the county in which  
45 the business of the applicant is located.



1       2. Except as otherwise provided in subsection 5, each principal  
2 officer, director, trustee, shareholder, owner, partner and employee  
3 of a seller, and each salesman associated with a seller who is not an  
4 employee of the seller, must obtain a work card issued pursuant to  
5 subsection 3 by the sheriff of the county in which the business of the  
6 seller is located that authorizes his association with the seller.

7       3. The sheriff of a county shall issue a work card to each  
8 person who is required by this section to obtain a work card and  
9 who complies with the requirements established by the sheriff for  
10 the issuance of such a card. A work card issued pursuant to this  
11 section must be renewed each year.

12       4. If the sheriff of a county requires an applicant for a work  
13 card to *be investigated, the applicant must* submit ~~[a set of his~~  
14 ~~fingerprints]~~ with his application ~~[.] a complete set of his~~  
15 ~~fingerprints which~~ the sheriff may ~~[submit the fingerprints]~~ *forward*  
16 to the Central Repository for Nevada Records of Criminal History  
17 ~~[and] for submission~~ to the Federal Bureau of Investigation to  
18 determine the criminal history of the applicant.

19       5. A person who is licensed or registered pursuant to chapter  
20 119A or 645 of NRS is not required to obtain a work card pursuant  
21 to this section.

22       **Sec. 35.** NRS 616B.374 is hereby amended to read as follows:

23       616B.374 1. Except as otherwise provided in this section, a  
24 person shall not advertise or offer for sale in this state any policies  
25 or memberships or solicit or receive any money, subscriptions,  
26 applications, premiums, assessments, memberships or any other fee  
27 or charge in connection with a proposed association of self-insured  
28 public or private employers unless he has obtained a solicitor's  
29 permit from the Commissioner.

30       2. To obtain a solicitor's permit, a person must file a written  
31 application with the Commissioner. The application must include:

32       (a) The name, type and purposes of the association formed or  
33 proposed to be formed or financed;

34       (b) ~~[The name, residential address, business, professional or~~  
35 ~~employment experience for the preceding 10 years and~~  
36 ~~qualifications of]~~ *On forms furnished by the Commissioner, for*  
37 each person associated or to be associated as director, promoter,  
38 manager, member of the board or in other similar capacity in the  
39 association, or in the formation of the proposed association or in the  
40 proposed financing ~~[, together with the fingerprints of each person~~  
41 ~~so associated or to be associated, on forms furnished by the~~  
42 ~~Commissioner;]~~ :

43       (1) *His name, residential address and qualifications;*

44       (2) *His business, professional or employment experience*  
45 *for the preceding 10 years; and*



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1           (3) *A complete set of his fingerprints which the*  
2 *Commissioner may forward to the Central Repository for Nevada*  
3 *Records of Criminal History for submission to the Federal Bureau*  
4 *of Investigation for its report;*

5           (c) A full disclosure of the terms of all pertinent understandings  
6 and agreements existing or proposed among any persons or entities  
7 so associated or to be associated, and a copy of each such  
8 agreement;

9           (d) A copy of the articles of incorporation and bylaws of a  
10 solicitor, if incorporated;

11           (e) The plan according to which solicitations are to be made and  
12 a reasonably detailed estimate of all administrative and sales  
13 expenses to be incurred;

14           (f) A copy of any certificate proposed to be offered, and a copy  
15 of any proposed application therefor;

16           (g) A copy of any prospectus, offering circular, advertising or  
17 sales literature or materials proposed to be used;

18           (h) Proof of an escrow account and agreement for the deposit of  
19 all funds collected during the formation of the association; and

20           (i) Such additional pertinent information as the Commissioner  
21 may reasonably require.

22           3. The application must be accompanied by a fee of \$500 for  
23 the filing of the application and for the issuance of the permit, if  
24 granted. A solicitor must submit this fee each year thereafter if he  
25 continues to recruit new members for an association.

26           4. A person who violates subsection 1 is guilty of a category D  
27 felony and shall be punished as provided in NRS 193.130.

28           5. The provisions of this section do not apply to:

29           (a) A bona fide trade association that has been in existence for at  
30 least 5 years and solicits members of its trade association; or

31           (b) A person who is employed by:

32               (1) Current members of an association; or

33               (2) Employers that are considering membership in an  
34 association,

35 whose primary duties do not include solicitation of potential  
36 members of the association.

37           **Sec. 36.** NRS 631.220 is hereby amended to read as follows:

38           631.220 1. Every applicant for a license to practice dental  
39 hygiene or dentistry, or any of its special branches, shall:

40               (a) File an application with the Board 45 days before the date on  
41 which the examination is to be given.

42               (b) Accompany the application with a recent photograph of  
43 himself together with the required examination fee and such other  
44 documentation as the Board may require by regulation.





1 (c) Submit with the application a complete set of fingerprints  
2 and written permission authorizing the Board to forward the  
3 fingerprints *to the Central Repository for Nevada Records of*  
4 *Criminal History for submission* to the Federal Bureau of  
5 Investigation for its report.

6 2. An application must include the social security number of  
7 the applicant.

8 **Sec. 37.** Chapter 634 of NRS is hereby amended by adding  
9 thereto a new section to read as follows:

10 *Each applicant for a license to practice chiropractic or to*  
11 *practice as a chiropractor's assistant must submit to the Board a*  
12 *complete set of his fingerprints which the Board may forward to*  
13 *the Central Repository for Nevada Records of Criminal History*  
14 *for submission to the Federal Bureau of Investigation for its*  
15 *report.*

16 **Sec. 38.** NRS 634A.110 is hereby amended to read as follows:  
17 634A.110 1. An applicant for examination for a license to  
18 practice Oriental medicine, or any branch thereof, shall:

19 (a) Submit an application to the Board on forms provided by the  
20 Board;

21 (b) Submit satisfactory evidence that he is 21 years or older and  
22 meets the appropriate educational requirements;

23 (c) *Submit with the application a complete set of his*  
24 *fingerprints which the Board may forward to the Central*  
25 *Repository for Nevada Records of Criminal History for submission*  
26 *to the Federal Bureau of Investigation for its report;*

27 (d) Pay a fee established by the Board of not more than \$1,000;  
28 and

29 ~~[(d)]~~ (e) Pay any fees required by the Board for an investigation  
30 of the applicant or for the services of a translator, if the translator is  
31 required to enable the applicant to take the examination.

32 2. An application submitted to the Board pursuant to  
33 subsection 1 must include the social security number of the  
34 applicant.

35 **Sec. 39.** NRS 640.090 is hereby amended to read as follows:

36 640.090 Unless he is entitled to licensure under NRS 640.120  
37 or 640.140, a person who desires to be licensed as a physical  
38 therapist must:

39 1. Apply to the Board, in writing, on a form furnished by the  
40 Board;

41 2. Include in the application his social security number and  
42 evidence, under oath, satisfactory to the Board, that he possesses the  
43 qualifications required by NRS 640.080 other than having passed  
44 the examination;



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1       3. Pay to the Board at the time of filing his application a fee set  
2 by a regulation of the Board in an amount not to exceed \$300;

3       4. Submit ~~his fingerprints~~ to the Board with his application ~~;~~  
4 *and a complete set of his fingerprints which the Board may*  
5 *forward to the Central Repository for Nevada Records of Criminal*  
6 *History for submission to the Federal Bureau of Investigation for*  
7 *its report; and*

8       5. Submit other documentation and proof the Board may  
9 require.

10       **Sec. 40.** NRS 640.250 is hereby amended to read as follows:

11       640.250 Unless he is entitled to a license under NRS 640.270,  
12 a person who desires to be licensed as a physical therapist's assistant  
13 must:

14       1. Apply to the Board, in writing, on a form furnished by the  
15 Board. The application for licensure as a physical therapist's  
16 assistant must also be signed by the supervising physical therapist of  
17 the applicant.

18       2. Include in the application his social security number and  
19 evidence, under oath, satisfactory to the Board, that he possesses the  
20 qualifications required by NRS 640.230 other than having passed  
21 the examination.

22       3. Pay to the Board at the time of filing his application a fee set  
23 by a regulation of the Board in an amount not to exceed \$200.

24       4. Submit ~~his fingerprints~~ to the Board with his application ~~;~~  
25 *a complete set of his fingerprints which the Board may forward to*  
26 *the Central Repository for Nevada Records of Criminal History*  
27 *for submission to the Federal Bureau of Investigation for its*  
28 *report.*

29       5. Submit such documentation and proof as the Board may  
30 require.

31       6. Pay the fee for examination of the applicant as the Board  
32 may establish.

33       **Sec. 41.** Chapter 641B of NRS is hereby amended by adding  
34 thereto a new section to read as follows:

35       *Each applicant for a license must submit to the Board a*  
36 *complete set of his fingerprints which the Board may forward to*  
37 *the Central Repository for Nevada Records of Criminal History*  
38 *for submission to the Federal Bureau of Investigation for its*  
39 *report.*

40       **Sec. 42.** NRS 641C.260 is hereby amended to read as follows:

41       641C.260 Each applicant for a license or certificate must  
42 submit to the Board:

43       1. An application on a form provided by the Board; ~~and~~

44       2. *A complete set of his fingerprints which the Board may*  
45 *forward to the Central Repository for Nevada Records of Criminal*



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1 *History for submission to the Federal Bureau of Investigation for*  
2 *its report; and*

3 3. The application fee prescribed in NRS 641C.470.

4 **Sec. 43.** NRS 645.355 is hereby amended to read as follows:

5 645.355 1. An applicant for a license as a broker, broker-  
6 salesman or salesman in this state must, as part of his application, be  
7 fingerprinted. Each applicant ~~[shall]~~ *must*, at his own expense, and  
8 on a card provided by the Division, arrange to be fingerprinted by  
9 any police or sheriff's office and ~~[shall]~~ *must* attach his fingerprint  
10 card, after his fingerprints are taken, to his application.

11 2. The Division may ~~[mail]~~ *forward* the applicant's fingerprint  
12 card to :

13 (a) *The Central Repository for Nevada Records of Criminal*  
14 *History for submission to* the Federal Bureau of Investigation ~~[,~~  
15 ~~Washington, D.C.,]~~ for its report ~~[, and to such]~~ ; *and*

16 (b) *Such* other law enforcement agencies as the Division may  
17 deem necessary.

18 **Sec. 44.** NRS 645.6065 is hereby amended to read as follows:

19 645.6065 1. Except as otherwise provided in NRS 645.607, a  
20 person shall not act as a qualified intermediary unless he is  
21 registered as such with the Division. The Division may adopt such  
22 regulations as it deems necessary to carry out the provisions of NRS  
23 645.606 to 645.609, inclusive.

24 2. A person may apply for registration by paying to the  
25 Division a \$100 fee plus the actual cost of a background  
26 investigation conducted by the Federal Bureau of Investigation and  
27 filing with the Division:

28 (a) The following information on a form provided by the  
29 Division:

30 (1) The applicant's name, address and telephone number;

31 (2) The name under which the applicant will hold the money  
32 or other property of a client;

33 (3) The names, residence and business addresses of all  
34 persons having an interest in the business as principals, partners,  
35 officers, trustees or directors, specifying the capacity and title of  
36 each;

37 (4) If the applicant is a natural person, the social security  
38 number of the applicant; and

39 (5) The length of time the applicant has been engaged in the  
40 business of acting as such an intermediary;

41 (b) If the person is a natural person, the statement required  
42 pursuant to NRS 645.6068; and

43 (c) A card provided by the Division upon which *a complete set*  
44 *of* the applicant's fingerprints, taken by an agency of law  
45 enforcement, are displayed.



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1       3. The Division shall:

2       (a) ~~[Mail]~~ *Forward* the card upon which the applicant's  
3 fingerprints are displayed to the *Central Repository for submission*  
4 *to the* Federal Bureau of Investigation; and

5       (b) Request from the *Central Repository and the Federal*  
6 Bureau *of Investigation* such information regarding the applicant's  
7 criminal history as the Division deems necessary.

8       4. Registration pursuant to this section must be renewed each  
9 year on or before the date of the original registration by providing  
10 the information required by the Division for that purpose and paying  
11 a renewal fee of \$75.

12       **Sec. 45.** NRS 645B.450 is hereby amended to read as follows:

13       645B.450 1. A person shall not act as or provide any of the  
14 services of a mortgage agent or otherwise engage in, carry on or  
15 hold himself out as engaging in or carrying on the activities of a  
16 mortgage agent if the person:

17       (a) Has been convicted of, or entered a plea of nolo contendere  
18 to, a felony or any crime involving fraud, misrepresentation or  
19 moral turpitude; or

20       (b) Has had a financial services license or registration suspended  
21 or revoked within the immediately preceding 10 years.

22       2. A mortgage agent may not be associated with or employed  
23 by more than one mortgage broker at the same time.

24       3. A mortgage broker shall register with the Division each  
25 person who will be associated with or employed by the mortgage  
26 broker as a mortgage agent. A mortgage broker shall register each  
27 such person with the Division when the person begins his  
28 association or employment with the mortgage broker and annually  
29 thereafter. A registration expires 12 months after its effective date.

30       4. To register a person as a mortgage agent, a mortgage broker  
31 must:

32       (a) Submit to the Division a registration form which is provided  
33 by the Division and which:

34       (1) States the name, residence address and business address  
35 of the person;

36       (2) Is signed by the person;

37       (3) Includes a provision by which the person gives his  
38 written consent to an investigation of his credit history, criminal  
39 history and background; ~~[and]~~

40       (4) *Includes a complete set of his fingerprints which the*  
41 *Division may forward to the Central Repository for Nevada*  
42 *Records of Criminal History for submission to the Federal Bureau*  
43 *of Investigation for its report; and*

44       (5) Includes any other information or supporting materials  
45 required by the regulations adopted by the Commissioner. Such



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1 information or supporting materials may include, without limitation,  
2 ~~[a complete set of fingerprints from the person,]~~ the social security  
3 number of the person and other forms of identification of the person.

4 (b) For each initial registration, pay the actual costs and  
5 expenses incurred by the Division to investigate the credit history,  
6 criminal history and background of the person. All money received  
7 pursuant to this paragraph must be placed in the Investigative  
8 Account created by NRS 232.545.

9 (c) For each annual registration, submit to the Division  
10 satisfactory proof that the person attended at least 5 hours of  
11 certified courses of continuing education during the 12 months  
12 immediately preceding the date on which the registration expires.

13 5. Not later than the date on which the mortgage broker  
14 submits the information for annual registration required by  
15 subsection 4, the person being registered shall pay an annual  
16 registration fee of \$125. If the person does not pay the annual  
17 registration fee, the person shall be deemed to be unregistered for  
18 the purposes of this chapter.

19 6. A mortgage broker shall not employ a person as a mortgage  
20 agent or authorize a person to be associated with the mortgage  
21 broker as a mortgage agent if the mortgage broker has not registered  
22 the person with the Division pursuant to this section or if the person:

23 (a) Has been convicted of, or entered a plea of nolo contendere  
24 to, a felony or any crime involving fraud, misrepresentation or  
25 moral turpitude; or

26 (b) Has had a financial services license or registration suspended  
27 or revoked within the immediately preceding 10 years.

28 7. If a mortgage agent terminates his association or  
29 employment with a mortgage broker for any reason, the mortgage  
30 broker shall, not later than the third business day following the date  
31 of termination:

32 (a) Deliver to the mortgage agent or send by certified mail to the  
33 last known residence address of the mortgage agent a written  
34 statement which advises him that his termination is being reported  
35 to the Division; and

36 (b) Deliver or send by certified mail to the Division:

37 (1) A written statement of the circumstances surrounding the  
38 termination; and

39 (2) A copy of the written statement that the mortgage broker  
40 delivers or mails to the mortgage agent pursuant to paragraph (a).

41 8. As used in this section, "certified course of continuing  
42 education" has the meaning ascribed to it in NRS 645B.051.

43 **Sec. 46.** NRS 645C.300 is hereby amended to read as follows:

44 645C.300 1. Every application for a certificate, license or  
45 registration card must include the social security number of the



1 applicant and be accompanied by the fee for the certificate, license  
2 or registration card.

3 2. Each applicant must:

4 (a) At his own expense and on a card provided by the Division,  
5 arrange to be fingerprinted by an agency of law enforcement; and

6 (b) Attach the completed card to his application.

7 3. The Division may:

8 (a) ~~Mail~~ *Forward* the *completed* card to :

9 *(1) The Central Repository for Nevada Records of Criminal*  
10 *History for submission to* the Federal Bureau of Investigation ~~for~~  
11 ~~any~~ *for its report; and*

12 *(2) Any* other agency of law enforcement; and

13 (b) Request from such an agency any information regarding the  
14 applicant's criminal history as the Division deems necessary.

15 **Sec. 47.** NRS 645D.180 is hereby amended to read as follows:

16 645D.180 1. Every application for a certificate must be  
17 accompanied by the fee for the certificate.

18 2. Each applicant must:

19 (a) At his own expense and on a card provided by the Division,  
20 arrange to be fingerprinted by an agency of law enforcement; and

21 (b) Attach the completed card to his application.

22 3. The Division may:

23 (a) Require more than one set of fingerprints;

24 (b) ~~Mail-a~~ *Forward the* completed card to :

25 *(1) The Central Repository for Nevada Records of Criminal*  
26 *History for submission to* the Federal Bureau of Investigation ~~for~~  
27 ~~any~~ *for its report; and*

28 *(2) Any* other agency of law enforcement; and

29 (c) Request from such an agency any information regarding the  
30 applicant's criminal history that the Division deems necessary.

31 **Sec. 48.** NRS 648.080 is hereby amended to read as follows:

32 648.080 Every application for a license must contain:

33 1. A detailed statement of the applicant's personal history on  
34 the form specified by the Board. If the applicant is a corporation, the  
35 application must include such a statement concerning each officer  
36 and director.

37 2. A statement of the applicant's financial condition on the  
38 form specified by the Board. If the applicant is a corporation, the  
39 application must include such a statement concerning each officer  
40 and director.

41 3. A specific description of the location of the principal place  
42 of business of the applicant, the business in which he intends to  
43 engage and the category of license he desires.

44 4. A ~~full~~ *complete* set of fingerprints ~~and-a~~ *which the Board*  
45 *may forward to the Central Repository for Nevada Records of*



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1 *Criminal History for submission to the Federal Bureau of*  
2 *Investigation for its report.*

3 5. A recent photograph of the applicant or, if the applicant is a  
4 corporation, of each officer and director.

5 ~~[5-]~~ 6. Evidence supporting the qualifications of the applicant  
6 in meeting the requirements for the license for which he is applying.

7 ~~[6-]~~ 7. If the applicant is not a natural person, the full name  
8 and residence address of each of its partners, officers, directors and  
9 manager, and a certificate of filing of a fictitious name.

10 ~~[7-]~~ 8. Such other facts as may be required by the Board to  
11 show the good character, competency and integrity of each  
12 signatory.

13 **Sec. 49.** NRS 648.203 is hereby amended to read as follows:

14 648.203 1. Except as otherwise provided in subsection 2, it is  
15 unlawful for a person to:

16 (a) Allow an employee, including an independent contractor, to  
17 perform any work regulated pursuant to the provisions of this  
18 chapter unless the employee holds a work card authorizing his work  
19 which is issued by the sheriff of the county in which the work is  
20 performed. The provisions of this paragraph do not apply to a  
21 person licensed pursuant to this chapter.

22 (b) Work as a security guard unless he holds a work card  
23 authorizing his work as a security guard issued in accordance with  
24 applicable ordinances by the sheriff of the county in which the work  
25 is performed.

26 2. The provisions of subsection 1 do not apply in any county  
27 whose population is less than 100,000, but this subsection does not  
28 prohibit a board of county commissioners from adopting similar  
29 restrictions by ordinance.

30 3. The sheriff of any county in which such restrictions apply  
31 shall ~~[submit the fingerprints of]~~ *require* any person applying for  
32 such a work card to *submit a complete set of his fingerprints to the*  
33 *sheriff who may forward the fingerprints to* the Central Repository  
34 for Nevada Records of Criminal History ~~[and]~~ *for submission* to the  
35 Federal Bureau of Investigation to determine the applicant's  
36 criminal history.

37 **Sec. 50.** NRS 649.196 is hereby amended to read as follows:

38 649.196 1. Each applicant for a manager's certificate must  
39 submit proof satisfactory to the Commissioner that he:

40 (a) Is a citizen of the United States or lawfully entitled to remain  
41 and work in the United States.

42 (b) Is at least 21 years of age.

43 (c) Has a good reputation for honesty, trustworthiness, integrity  
44 and is competent to transact the business of a collection agency in a  
45 manner which protects the interests of the general public.





1 (d) Has not committed any of the acts specified in NRS 649.215.  
2 (e) Has not had a collection agency license or manager's  
3 certificate suspended or revoked within the 10 years immediately  
4 preceding the date of filing the application.

5 (f) Has not been convicted of, or entered a plea of nolo  
6 contendere to, a felony or any crime involving fraud,  
7 misrepresentation or moral turpitude.

8 (g) Has had not less than 2 years' full-time experience with a  
9 collection agency in the collection of accounts assigned by creditors  
10 who were not affiliated with the collection agency except as  
11 assignors of accounts. At least 1 year of the 2 years of experience  
12 must have been within the 18-month period preceding the date of  
13 filing the application.

14 2. Each applicant must:

15 (a) Pass the examination provided for in NRS 649.205.

16 (b) Pay the required fees.

17 (c) Submit ~~{three}~~ , *in such form as the Commissioner*  
18 *prescribes:*

19 (1) *Three* recent photographs ; and ~~{three}~~

20 (2) *Three complete* sets of *his* fingerprints ~~{in such form as}~~  
21 *which* the Commissioner ~~{prescribes}~~ *may forward to the Central*  
22 *Repository for Nevada Records of Criminal History for submission*  
23 *to the Federal Bureau of Investigation for its report.*

24 (d) Submit such other information reasonably related to his  
25 qualifications for the manager's certificate as the Commissioner  
26 determines to be necessary.

27 3. The Commissioner may refuse to issue a manager's  
28 certificate if the applicant does not meet the requirements of  
29 subsections 1 and 2.

30 4. If the Commissioner refuses to issue a manager's certificate  
31 pursuant to this section, he shall notify the applicant in writing by  
32 certified mail stating the reasons for the refusal. The applicant may  
33 submit a written request for a hearing within 20 days after he  
34 receives the notice. If the applicant fails to submit a written request  
35 within the prescribed period, the Commissioner shall enter a final  
36 order.

37 **Sec. 51.** NRS 654.150 is hereby amended to read as follows:

38 654.150 Each applicant for licensure as a nursing facility  
39 administrator pursuant to this chapter must:

40 1. Be of good moral character and physically and emotionally  
41 capable of administering a facility for skilled nursing or facility for  
42 intermediate care.

43 2. Have satisfactorily completed a course of instruction and  
44 training prescribed or approved by the Board, including the study of:



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- 1 (a) The needs which are to be properly served by a facility for
- 2 skilled nursing or facility for intermediate care;
- 3 (b) The laws governing the operation of a facility and the
- 4 protection of the patients' interests; and
- 5 (c) The elements of good administration of a facility.
- 6 In lieu of the specific requirements of this subsection, the applicant
- 7 may present other evidence satisfactory to the Board of sufficient
- 8 education, training or experience by which he would be qualified to
- 9 administer, supervise and manage a facility.
- 10 3. Pass an examination conducted and prescribed by the Board
- 11 pursuant to the provisions of this chapter.
- 12 4. Submit with his application:
- 13 (a) A complete set of his fingerprints and written permission
- 14 authorizing the Board to forward the fingerprints *to the Central*
- 15 *Repository for Nevada Records of Criminal History for submission*
- 16 to the Federal Bureau of Investigation for its report; and
- 17 (b) A fee to cover the actual cost of obtaining the report from the
- 18 Federal Bureau of Investigation.
- 19 5. Submit the statement required pursuant to NRS 654.145.
- 20 6. Meet such other standards and qualifications as the Board
- 21 may from time to time establish.
- 22 **Sec. 52.** NRS 654.155 is hereby amended to read as follows:
- 23 654.155 Each applicant for licensure as an administrator of a
- 24 residential facility for groups pursuant to this chapter must:
- 25 1. Be at least 21 years of age;
- 26 2. Be a citizen of the United States or lawfully entitled to
- 27 remain and work in the United States;
- 28 3. Be of good moral character and physically and emotionally
- 29 capable of administering a residential facility for groups;
- 30 4. Have satisfactorily completed a course of instruction and
- 31 training prescribed or approved by the Board or be qualified by
- 32 reason of his education, training or experience to administer,
- 33 supervise and manage a residential facility for groups;
- 34 5. Pass an examination conducted and prescribed by the Board;
- 35 6. Submit with his application:
- 36 (a) A complete set of his fingerprints and written permission
- 37 authorizing the Board to forward the fingerprints *to the Central*
- 38 *Repository for Nevada Records of Criminal History for submission*
- 39 to the Federal Bureau of Investigation for its report; ~~and~~
- 40 (b) A fee to cover the actual cost of obtaining the report from the
- 41 Federal Bureau of Investigation; and
- 42 (c) The statement required pursuant to NRS 654.145; and
- 43 7. Comply with such other standards and qualifications as the
- 44 Board prescribes.



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1     **Sec. 53.** NRS 683A.150 is hereby amended to read as follows:  
2     683A.150 Written application for a managing general agent's  
3 license must be filed with the Commissioner by the applicant . ~~It~~  
4 ~~accompanied by the applicable fee.~~

5     **Sec. 54.** NRS 683A.160 is hereby amended to read as follows:  
6     683A.160 ~~[Application for a license as a managing general~~  
7 ~~agent shall be made in writing by the applicant desiring a license as~~  
8 ~~a managing general agent, and filed with the Commissioner. The~~  
9 ~~application shall be accompanied by the applicant's fingerprints, by]~~  
10 *Each applicant for a license as a managing general agent must*  
11 *submit with his application:*

12     1. *A complete set of his fingerprints which the Commissioner*  
13 *may forward to the Central Repository for Nevada Records of*  
14 *Criminal History for submission to the Federal Bureau of*  
15 *Investigation for its report;*

16     2. *The* appointment of the applicant as a managing general  
17 agent by each insurer or underwriter department to be so represented  
18 ~~[, and by the]~~ ; and

19     3. *The application and* license fee specified in NRS 680B.010  
20 ~~. [(fee schedule).]~~

21     **Sec. 55.** NRS 689.175 is hereby amended to read as follows:

22     689.175 1. The proposed seller, or the appropriate corporate  
23 officer of the proposed seller, shall apply in writing to the  
24 Commissioner for a seller's certificate of authority, showing:

25         (a) The proposed seller's name and address, and his occupations  
26 during the preceding 5 years;

27         (b) The name and address of the proposed trustee;

28         (c) The names and addresses of the proposed performers,  
29 specifying what particular services, supplies and equipment each  
30 performer is to furnish under the proposed prepaid contract; and

31         (d) Such other pertinent information as the Commissioner may  
32 reasonably require.

33     2. The application must be accompanied by:

34         (a) A copy of the proposed trust agreement and a written  
35 statement signed by an authorized officer of the proposed trustee to  
36 the effect that the proposed trustee understands the nature of the  
37 proposed trust fund and accepts it;

38         (b) A copy of each contract or understanding, existing or  
39 proposed, between the seller and performers relating to the proposed  
40 prepaid contract or items to be supplied under it;

41         (c) A certified copy of the articles of incorporation and the  
42 bylaws of any corporate applicant;

43         (d) A copy of any other document relating to the proposed  
44 seller, trustee, trust, performer or prepaid contract, as required by  
45 the Commissioner;



1 (e) A complete set of his fingerprints and written permission  
2 authorizing the Commissioner to forward those fingerprints *to the*  
3 *Central Repository for Nevada Records of Criminal History for*  
4 *submission* to the Federal Bureau of Investigation for its report;

5 (f) A fee representing the amount charged by the Federal Bureau  
6 of Investigation for processing the fingerprints of the applicant; and

7 (g) The applicable fee established in NRS 680B.010, which is  
8 not refundable.

9 **Sec. 56.** NRS 689.235 is hereby amended to read as follows:

10 689.235 1. To qualify for an agent's license, the applicant:

11 (a) Must file a written application with the Commissioner on  
12 forms prescribed by the Commissioner;

13 (b) Must have a good business and personal reputation; and

14 (c) Must not have been convicted of, or entered a plea of guilty  
15 or nolo contendere to, forgery, embezzlement, obtaining money  
16 under false pretenses, larceny, extortion, conspiracy to defraud or  
17 any crime involving moral turpitude.

18 2. The application must:

19 (a) Contain information concerning the applicant's identity,  
20 address, social security number and personal background and  
21 business, professional or work history.

22 (b) Contain such other pertinent information as the  
23 Commissioner may require.

24 (c) Be accompanied by a complete set of the fingerprints of the  
25 applicant and written permission authorizing the Commissioner to  
26 forward those fingerprints *to the Central Repository for Nevada*  
27 *Records of Criminal History for submission* to the Federal Bureau  
28 of Investigation for its report.

29 (d) Be accompanied by a fee representing the amount charged  
30 by the Federal Bureau of Investigation for processing the  
31 fingerprints of the applicant.

32 (e) Be accompanied by the statement required pursuant to  
33 NRS 689.258.

34 (f) Be accompanied by the applicable fee established in NRS  
35 680B.010, which is not refundable.

36 3. A conviction of, or plea of guilty or nolo contendere by, an  
37 applicant or licensee for any crime listed in paragraph (c) of  
38 subsection 1 is a sufficient ground for the Commissioner to deny a  
39 license to the applicant, or to suspend or revoke the agent's license  
40 pursuant to NRS 689.265.

41 **Sec. 57.** NRS 689.490 is hereby amended to read as follows:

42 689.490 1. The proposed seller, or the appropriate corporate  
43 officer of the seller, shall apply in writing to the Commissioner for a  
44 seller's permit, showing:



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- 1 (a) The proposed seller's name and address and his occupations  
2 during the preceding 5 years;
- 3 (b) The name and address of the proposed trustee;
- 4 (c) The names and addresses of the proposed performers,  
5 specifying what particular services, supplies and equipment each  
6 performer is to furnish under the proposed prepaid contract; and
- 7 (d) Such other pertinent information as the Commissioner may  
8 reasonably require.
- 9 2. The application must be accompanied by:
- 10 (a) A copy of the proposed trust agreement and a written  
11 statement signed by an authorized officer of the proposed trustee to  
12 the effect that the proposed trustee understands the nature of the  
13 proposed trust fund and accepts it;
- 14 (b) A copy of each contract or understanding, existing or  
15 proposed, between the seller and performers relating to the proposed  
16 prepaid contract or items to be supplied under it;
- 17 (c) A certified copy of the articles of incorporation and the  
18 bylaws of any corporate applicant;
- 19 (d) A copy of any other document relating to the proposed  
20 seller, trustee, trust, performer or prepaid contract, as required by  
21 the Commissioner;
- 22 (e) A complete set of his fingerprints and written permission  
23 authorizing the Commissioner to forward those fingerprints *to the*  
24 *Central Repository for Nevada Records of Criminal History for*  
25 *submission* to the Federal Bureau of Investigation for its report;
- 26 (f) A fee representing the amount charged by the Federal Bureau  
27 of Investigation for processing the fingerprints of the applicant; and
- 28 (g) The applicable fee established in NRS 680B.010, which is  
29 not refundable.
- 30 **Sec. 58.** NRS 689.520 is hereby amended to read as follows:
- 31 689.520 1. To qualify for an agent's license, the applicant:
- 32 (a) Must file a written application with the Commissioner on  
33 forms prescribed by the Commissioner; and
- 34 (b) Must not have been convicted of, or entered a plea of guilty  
35 or nolo contendere to, forgery, embezzlement, obtaining money  
36 under false pretenses, larceny, extortion, conspiracy to defraud or  
37 any crime involving moral turpitude.
- 38 2. The application must:
- 39 (a) Contain information concerning the applicant's identity,  
40 address, social security number, personal background and business,  
41 professional or work history.
- 42 (b) Contain such other pertinent information as the  
43 Commissioner may require.
- 44 (c) Be accompanied by a complete set of fingerprints and  
45 written permission authorizing the Commissioner to forward those



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1 fingerprints *to the Central Repository for Nevada Records of*  
2 *Criminal History for submission* to the Federal Bureau of  
3 Investigation for its report.

4 (d) Be accompanied by a fee representing the amount charged  
5 by the Federal Bureau of Investigation for processing the  
6 fingerprints of the applicant.

7 (e) Be accompanied by the statement required pursuant to  
8 NRS 689.258.

9 (f) Be accompanied by the applicable fee established in NRS  
10 680B.010, which is not refundable.

11 3. A conviction of, or plea of guilty or nolo contendere by, an  
12 applicant or licensee for any crime listed in paragraph (b) of  
13 subsection 1 is a sufficient ground for the Commissioner to deny a  
14 license to the applicant, or to suspend or revoke the agent's license  
15 pursuant to NRS 689.535.

16 **Sec. 59.** NRS 692B.070 is hereby amended to read as follows:

17 692B.070 1. A written application for any permit required  
18 under NRS 692B.040 must be filed with the Commissioner. The  
19 application must include or be accompanied by:

20 (a) The name, type and purposes of the insurer, corporation,  
21 syndicate, association, firm or organization formed or proposed to  
22 be formed or financed;

23 (b) ~~[The name, residence address, business background and~~  
24 ~~experience for the preceding 10 years and qualifications of]~~ *On*  
25 *forms furnished by the Commissioner, for* each person associated  
26 or to be associated as incorporator, director, promoter, manager or in  
27 other similar capacity in the enterprise, or in the formation of the  
28 proposed insurer, corporation, syndicate, association, firm or  
29 organization, or in the proposed financing ~~[, together with the~~  
30 ~~fingerprints of each individual so associated or to be associated, on~~  
31 ~~forms furnished by the Commissioner.];~~

32 (1) *His name, residential address and qualifications;*

33 (2) *His business background and experience for the*  
34 *preceding 10 years; and*

35 (3) *A complete set of his fingerprints which the*  
36 *Commissioner may forward to the Central Repository for Nevada*  
37 *Records of Criminal History for submission to the Federal Bureau*  
38 *of Investigation for its report;*

39 (c) A full disclosure of the terms of all pertinent understandings  
40 and agreements existing or proposed among any persons or entities  
41 so associated or to be associated, and a copy of each such  
42 agreement;

43 (d) Executed quadruplicate originals of the articles of  
44 incorporation of a proposed domestic stock or mutual insurer;



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- 1 (e) The original and one copy of the proposed bylaws of a  
2 proposed domestic stock or mutual insurer;
- 3 (f) The plan according to which solicitations are to be made and  
4 a reasonably detailed estimate of all organization and sales expenses  
5 to be incurred in the proposed organization and offering;
- 6 (g) A copy of any security, receipt or certificate proposed to be  
7 offered, and a copy of any proposed subscription agreement or  
8 application therefor;
- 9 (h) A copy of any prospectus, offering circular, advertising or  
10 sales literature or material proposed to be used;
- 11 (i) A copy of the proposed form of any escrow agreement  
12 required;
- 13 (j) A copy of:
- 14 (1) The articles of incorporation of any corporation, other  
15 than a proposed domestic insurer, proposing to offer its securities,  
16 certified by the public officer having custody of the original thereof;
- 17 (2) Any syndicate, association, firm, organization or other  
18 similar agreement, by whatever name called, if funds for any of the  
19 purposes referred to in subsection 1 of NRS 692B.040 are to be  
20 secured through the sale of any security, interest or right in or  
21 relative to such syndicate, association, firm or organization; and
- 22 (3) If the insurer is, or is to be, a reciprocal insurer, the  
23 power of attorney and of other agreements existing or proposed  
24 affecting subscribers, investors, the attorney in fact or the insurer;
- 25 (k) If the applicant is a natural person, the statement required  
26 pursuant to NRS 692B.193; and
- 27 (l) Such additional pertinent information as the Commissioner  
28 may reasonably require.
- 29 2. The application must be accompanied by a deposit of the  
30 fees required under NRS 680B.010 for the filing of the application  
31 and for issuance of the permit, if granted.
- 32 3. If the applicant is a natural person, the application must  
33 include the social security number of the applicant.
- 34 4. In lieu of a special filing thereof of information required by  
35 subsection 1, the Commissioner may accept a copy of any pertinent  
36 filing made with the Securities and Exchange Commission relative  
37 to the same offering.
- 38 **Sec. 60.** NRS 692B.190 is hereby amended to read as follows:
- 39 692B.190 1. No person may in this state solicit subscription  
40 to or purchase of any security covered by a solicitation permit issued  
41 under this chapter, unless then licensed therefor by the  
42 Commissioner.
- 43 2. Such a license may be issued only to natural persons, and the  
44 Commissioner shall not license any person found by him to be:
- 45 (a) Dishonest or untrustworthy;



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1 (b) Financially irresponsible;  
2 (c) Of unfavorable personal or business history or reputation; or  
3 (d) For any other cause, reasonably unsuited for fulfillment of  
4 the responsibilities of such a licensee.  
5 3. The applicant for such a license must file his written  
6 application therefor with the Commissioner, on forms and  
7 containing inquiries as designated and required by the  
8 Commissioner. The application must include ~~{the}~~ *or be*  
9 *accompanied by:*  
10 (a) *The* social security number of the applicant ~~{and be~~  
11 ~~endorsed}~~;  
12 (b) *An endorsement* by the holder of the permit under which the  
13 securities are proposed to be sold ~~{. The application must be~~  
14 ~~accompanied by}~~;  
15 (c) *A complete set of* the fingerprints of the applicant on forms  
16 furnished by the Commissioner ~~{, and by the}~~ ; and  
17 (d) *The* application fee specified in NRS 680B.010.  
18 4. The Commissioner ~~{shall}~~ :  
19 (a) *May forward the complete set of fingerprints to the Central*  
20 *Repository for Nevada Records of Criminal History for submission*  
21 *to the Federal Bureau of Investigation for its report; and*  
22 (b) *Shall* promptly cause an investigation to be made of the  
23 identity and qualifications of the applicant.  
24 ~~{4.}~~ 5. The license, if issued, must be for the period of the  
25 permit, and must automatically be extended if the permit is  
26 extended.  
27 ~~{5.}~~ 6. The Commissioner shall revoke the license if at any  
28 time after issuance he has found that the license was obtained  
29 through misrepresentation or concealment of facts, or that the  
30 licensee is no longer qualified therefor, or that the licensee has  
31 misrepresented the securities offered, or has otherwise conducted  
32 himself in or with respect to transactions under the license in a  
33 manner injurious to the permit holder or to subscribers or prospects  
34 or the public.  
35 ~~{6.}~~ 7. This section does not apply to securities broker-dealers  
36 registered as such under the Securities Exchange Act of 1934, or  
37 with respect to securities the sale of which is underwritten, other  
38 than on a best efforts basis, by such a broker-dealer.  
39 ~~{7.}~~ 8. With respect to solicitation of subscriptions to or  
40 purchase of securities covered by a solicitation permit issued by the  
41 Commissioner, the license required by this section is in lieu of a  
42 license or permit otherwise required of the solicitor under any other  
43 law of this state.



1     **Sec. 61.** NRS 697.180 is hereby amended to read as follows:  
2     697.180 1. A written application for a license as a bail agent,  
3     general agent, bail enforcement agent or bail solicitor must be filed  
4     with the Commissioner by the applicant, accompanied by the  
5     applicable fees. The application form must ~~include~~ ;  
6     (a) *Include* the social security number of the applicant ~~and be~~  
7     ;  
8     (b) *Be* accompanied by *a complete set of* the applicant's  
9     fingerprints ~~[, and must require]~~ *which the Commissioner may*  
10    *forward to the Central Repository for Nevada Records of Criminal*  
11    *History for submission to the Federal Bureau of Investigation for*  
12    *its report; and*  
13    (c) *Require* full answers to questions reasonably necessary to  
14    determine the applicant's:  
15    ~~[(a)]~~ (1) Identity and residence.  
16    ~~[(b)]~~ (2) Business record or occupations for not less than the 2  
17    years immediately preceding the date of the application, with the  
18    name and address of each employer, if any.  
19    ~~[(c)]~~ (3) Prior criminal history, if any.  
20    2. The Commissioner may require the submission of such other  
21    information as may be required to determine the applicant's  
22    qualifications for the license for which he applied.  
23    3. The applicant must verify his application. An applicant for a  
24    license under this chapter shall not knowingly misrepresent or  
25    withhold any fact or information called for in the application form  
26    or in connection therewith.  
27    **Sec. 62.** NRS 706.8841 is hereby amended to read as follows:  
28    706.8841 1. The Administrator shall issue a driver's permit  
29    to qualified persons who wish to be employed by certificate holders  
30    as taxicab drivers. Before issuing a driver's permit, the  
31    Administrator shall:  
32    (a) Require the applicant to submit a *complete* set of his  
33    fingerprints ~~[, which must be forwarded]~~ *which the Administrator*  
34    *may forward to the Central Repository for Nevada Records of*  
35    *Criminal History for submission* to the Federal Bureau of  
36    Investigation to ascertain whether the applicant has a criminal  
37    record and the nature of any such record, and shall further  
38    investigate the applicant's background; and  
39    (b) Require proof that the applicant:  
40    (1) Has been a resident of the State for 30 days before his  
41    application for a permit;  
42    (2) Can read and orally communicate in the English  
43    language; and  
44    (3) Has a valid license issued under NRS 483.325 which  
45    authorizes him to drive a taxicab in this state.



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- 1       2. The Administrator may refuse to issue a driver's permit if  
2 the applicant has been convicted of:  
3       (a) A felony, other than a felony involving any sexual offense,  
4 in this state or any other jurisdiction within 5 years before the date  
5 of the application;  
6       (b) A felony involving any sexual offense in this state or any  
7 other jurisdiction at any time before the date of the application; or  
8       (c) A violation of NRS 484.379 or 484.3795 or a law of any  
9 other jurisdiction that prohibits the same or similar conduct within 3  
10 years before the date of the application.  
11       3. The Administrator may refuse to issue a driver's permit if  
12 the Administrator, after the background investigation of the  
13 applicant, determines that the applicant is morally unfit or if the  
14 issuance of the driver's permit would be detrimental to public  
15 health, welfare or safety.  
16       4. A taxicab driver shall pay to the Administrator, in advance,  
17 \$20 for an original driver's permit and \$5 for a renewal.  
18       **Sec. 63.** NRS 179A.065 and 179B.120 are hereby repealed.  
19       **Sec. 64.** This act becomes effective upon passage and  
20 approval.

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#### TEXT OF REPEALED SECTIONS

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**179A.065 "Information relating to sexual offenses" defined.**  
"Information relating to sexual offenses" means information  
contained in or concerning a record of criminal history, or the  
records of criminal history of the United States or another state,  
relating in any way to a sexual offense.

**179B.120 "Sexual offense" defined.** "Sexual offense" has  
the meaning ascribed to it in NRS 179D.410.

