
ASSEMBLY BILL NO. 32—COMMITTEE ON
NATURAL RESOURCES, AGRICULTURE, AND MINING

(ON BEHALF OF THE STATE DEPARTMENT OF AGRICULTURE)

PREFILED FEBRUARY 4, 2005

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Makes certain information collected by State
Department of Agriculture confidential.
(BDR 50-657)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

EXPLANATION – Matter in **bolded italics** is new; matter between brackets **[omitted material]** is material to be omitted.

AN ACT relating to the State Department of Agriculture; making
certain information collected by the Department
confidential; and providing other matters properly relating
thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes the State Department of Agriculture to collect and
2 disseminate information to educate and benefit the livestock and agricultural
3 industries in this State. (NRS 561.285) Under existing law, the Department may be
4 required to make such information open for public inspection. (NRS 239.010)
5 Books and records of a governmental entity are required to be open for public
6 inspection unless they are deemed by statute to be confidential or if the
7 governmental entity determines pursuant to a balancing test that disclosure is not
8 required. (*Donrey v. Bradshaw*, 106 Nev. 630 (1990))

9 This bill expands the audience for whom the Department collects and
10 disseminates information to include the general public. This bill further makes all
11 proprietary information and information relating to a natural person, company,
12 corporation or other entity that is collected by the Department confidential, unless
13 the Director of the Department determines that release of the information will not
14 be detrimental to the natural person, company, corporation or other entity.



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

1 **Section 1.** NRS 561.285 is hereby amended to read as follows:
2 561.285 ~~{The}~~

3 ***1. Except as otherwise provided in subsection 2, the***
4 Department may collect and disseminate, throughout the State,
5 information calculated to educate and benefit the ***general public and***
6 ***the*** livestock and agricultural industries of the State of Nevada, and
7 information pertaining to any program administered by the
8 Department.

9 ***2. All proprietary information and other information***
10 ***specifically relating to a natural person, company, corporation or***
11 ***other entity which is collected by the Department pursuant to the***
12 ***provisions of titles 49 and 50 of NRS and chapters 581, 582, 583,***
13 ***586, 587, 588 and 590 of NRS is confidential, unless the Director***
14 ***determines that release of the information will not be detrimental***
15 ***to the natural person, company, corporation or other entity.***

16 **Sec. 2.** This act becomes effective on July 1, 2005.

