

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.

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

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

Legislative Counsel's Digest:

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

This bill expands the audience for whom the Department collects and disseminates information to include the general public. Subject to an exception set forth in NRS 571.160 concerning animals infected with certain diseases, this bill further makes confidential all proprietary information collected by the Department concerning numbers of animals, the quantity of production, fiscal or tax matters, or the security of any facility, if such information specifically relates to a natural person, company, corporation or other nonpublic 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. Except as otherwise provided in NRS 571.160, all**
10 **proprietary information concerning:**

11 **(a) Numbers of animals;**

12 **(b) The quantity of production;**

13 **(c) Fiscal or tax matters; or**

14 **(d) The security of any facility,**

15 **↪ which specifically relates to a natural person, company,**
16 **corporation or other nonpublic entity, and which is collected by**
17 **the Department pursuant to the provisions of titles 49 and 50 of**
18 **NRS and chapters 581, 582, 583, 586, 587, 588 and 590 of NRS is**
19 **confidential.**

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

