

ASSEMBLY BILL NO. 510—COMMITTEE ON GOVERNMENT AFFAIRS
(ON BEHALF OF THE DIVISION OF STATE LIBRARY AND ARCHIVES)

MARCH 29, 2005

Referred to Committee on Government Affairs

SUMMARY—Revises provisions related to publications of state agencies and local governments. (BDR 33-400)

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 governmental publications; requiring state agencies and local governments to provide the State Publications Distribution Center of the State Library and Archives with notification of and access to certain electronic documents; revising provisions governing depository agreements; revising the manner in which the Center provides notice of the titles of publications received by the Center; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 378.160 is hereby amended to read as follows:
2 378.160 As used in NRS 378.150 to 378.210, inclusive:
3 1. ~~["Print" means all forms of printing and duplicating other~~
4 ~~than by use of carbon paper.]~~
5 ***"Center" means the State Publications Distribution Center created***
6 ***by NRS 378.170.***
7 2. ***"Depository library" means a library with which the***
8 ***Center has entered into an agreement pursuant to NRS 378.190.***
9 3. ***"Local government" means every political subdivision or***
10 ***other entity which has the right to levy or receive money from ad***
11 ***valorem or other taxes or any mandatory assessments, and***



1 includes, without limitation, counties, cities, towns, boards, school
2 districts and other districts organized pursuant to chapters 244A,
3 309, 318, 379, 474, 541, 543 and 555 of NRS, NRS 450.550 to
4 450.750, inclusive, and any agency or department of a county or
5 city which prepares a budget separate from that of the parent
6 political subdivision. The term includes the Nevada Rural
7 Housing Authority.

8 4. "Publication" includes any information in any format or
9 medium that is produced pursuant to the authority of or at the
10 total or partial expense of a state agency or local government, is
11 required by law to be distributed by a state agency or local
12 government, or is distributed publicly by a state agency or local
13 government outside that state agency or local government. The
14 term does not include:

15 (a) Nevada Revised Statutes with annotations;

16 (b) Nevada Reports;

17 (c) Bound volumes of the Statutes of Nevada;

18 (d) Items published by the University of Nevada Press and
19 other information disseminated by the University and Community
20 College System of Nevada which is not designed for public
21 distribution; or

22 (e) Official state records scheduled for retention and
23 disposition pursuant to NRS 239.080.

24 5. "State agency" includes the Legislature, constitutional
25 officers or any department, division, bureau, board, commission or
26 agency of the State of Nevada.

27 ~~{3. "State publication" includes any document issued in print~~
28 ~~by any state agency and which may legally be released for public~~
29 ~~distribution, but does not include:~~

30 ~~—(a) Nevada Revised Statutes with annotations;~~

31 ~~—(b) Nevada Reports;~~

32 ~~—(c) Bound volumes of the Statutes of Nevada;~~

33 ~~—(d) Press items of the University and Community College~~
34 ~~System of Nevada which are not in the nature of public and other~~
35 ~~items for the University and Community College System of Nevada~~
36 ~~not designed for external distribution;~~

37 ~~—(e) Correspondence—and—intraoffice—or—interoffice~~
38 ~~communications which are not of vital interest to the public; or~~

39 ~~—(f) Publications from established agencies which are required by~~
40 ~~federal and state law to be distributed to depositories which~~
41 ~~duplicate those under NRS 378.200.}~~

42 Sec. 2. NRS 378.180 is hereby amended to read as follows:

43 378.180 1. Every state agency shall ~~{, upon release,}~~ :

44 (a) For each publication of the state agency that was
45 published, printed or copied by the state agency itself or by a



private printer, deposit with the Center, upon release, 12 copies of each of its state publications which was not printed by the State Printing Division of the Department of Administration with the State Publications Distribution Center to meet the needs of the depository library system and to provide interlibrary loan service to those libraries without depository status.

—2.} the publication.

(b) For each ~~item~~ publication printed for or on behalf of the state agency by the State Printing Division of the Department of Administration ~~[, 12 additional copies must be printed by the Division, these to be collected by the State Publications Distribution Center and distributed to public libraries and libraries of the University and Community College System of Nevada within the State.~~

—3. Every city, county and regional agency and every school district and special district} :

(1) In addition to the number of copies otherwise required by the state agency, request the Division to print 12 copies of that publication; and

(2) Deposit or request the Division to deposit those additional copies with the Center.

2. Every local government shall, upon release, deposit with the State Publications Distribution Center at least six copies of each of its publications . ~~[and a list of its publications for a calendar year.]~~

3. Every state agency and local government shall, upon release of a publication in an electronic format or medium, notify the Center of such release and provide the Center with access to the publication.

Sec. 3. NRS 378.190 is hereby amended to read as follows:

378.190 1. The ~~{State Publications Distribution}~~ Center may enter into depository agreements with any ~~{city, county, district, regional, town or university}~~ library in this State ~~{}~~ *that is open and accessible to the general public.*

2. The State Library and Archives Administrator shall establish standards for eligibility as a depository library pursuant to subsection 1. Such standards may include and take into account ~~{}~~ , *without limitation:*

(a) The type of library;

(b) ~~Its~~ *The* ability *of the library* to preserve ~~{such}~~ publications and to make them available for public use; and

(c) ~~Its~~ *The* geographical location ~~{in order}~~ *of the library*, to assure that the publications are conveniently accessible to residents in all areas of the State.



1 **Sec. 4.** NRS 378.200 is hereby amended to read as follows:

2 378.200 1. After receipt of any ~~{state publications, the State~~
3 ~~Publications Distribution}~~ **publication from a state agency or local**
4 **government pursuant to NRS 378.180, the** Center shall distribute
5 copies of ~~{those publications as follows:~~

6 ~~—(a) One copy to the Legislative Counsel Bureau;~~
7 ~~—(b) Two copies to the Library of Congress; and~~
8 ~~—(c) Two copies to each depository library in this State.}~~ **that**
9 **publication to depository libraries.**

10 2. The Center shall retain sufficient copies in the State Library
11 and Archives for preservation and use by the public. The remaining
12 copies must be used for distribution in accordance with any
13 agreements entered into with other states **and the Library of**
14 **Congress** for the exchange of ~~{state}~~ publications, and for lending to
15 those libraries ~~{without depository status.}~~ **that are not depository**
16 **libraries.**

17 **Sec. 5.** NRS 378.210 is hereby amended to read as follows:

18 378.210 The ~~{State Publications Distribution}~~ Center shall
19 ~~{periodically publish, and, upon request, distribute to all state~~
20 ~~agencies and contracting depository libraries a list of state~~
21 ~~publications.}~~ **make available on the Internet website of the State**
22 **Library and Archives the titles of the publications received by the**
23 **Center pursuant to NRS 378.180.**

24 **Sec. 6.** NRS 345.060 is hereby amended to read as follows:

25 345.060 1. As used in this section, unless the context
26 otherwise requires:

27 (a) **“Publication” has the meaning ascribed to it in**
28 **NRS 378.160.**

29 (b) **“State agency”** ~~{includes the Legislature, constitutional~~
30 ~~officers or any department, division, bureau, board, commission or~~
31 ~~agency of the State of Nevada.~~

32 ~~—(b) “State publication”}~~ has the meaning ascribed **to it** in
33 ~~{subsection 3 of}~~ NRS 378.160.

34 2. Except as **otherwise** provided in subsection 3, every state
35 agency which periodically distributes any ~~{state}~~ publication shall at
36 least after every 12 issues , or annually if published more frequently
37 than once a month , notify the person receiving the publication that
38 his name will be deleted from the mailing list unless he notifies the
39 state agency within 30 days that he wants to remain on the mailing
40 list.

41 3. This section does not apply if the person subscribes to and
42 pays a fee for the ~~{state}~~ publication.

43 **Sec. 7.** This act becomes effective upon passage and approval.

