
ASSEMBLY BILL NO. 543—COMMITTEE ON ELECTIONS,
PROCEDURES, ETHICS, AND CONSTITUTIONAL AMENDMENTS

(ON BEHALF OF THE INTERIM STUDY COMMITTEE ON
TELECOMMUNICATION SERVICES IN NEVADA)

MARCH 29, 2005

Referred to Committee on Elections, Procedures, Ethics,
and Constitutional Amendments

SUMMARY—Provides for specified information to be confidential
to assist legislative committees and studies in
obtaining information. (BDR 17-470)

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 Legislature; providing for specified
information to be confidential to assist legislative
committees and studies in obtaining information; and
providing other matters properly relating thereto.

1 WHEREAS, The Legislative Commission's Subcommittee to
2 Study Telecommunication Services in Nevada (Assembly
3 Concurrent Resolution No. 2, Statutes of Nevada 2003, 20th Special
4 Session) was unable to obtain certain information that would have
5 assisted the Subcommittee in its work; and

6 WHEREAS, The information at issue might have been voluntarily
7 provided to the Subcommittee if the persons holding the information
8 could have been assured that the information would be treated as
9 confidential; and

10 WHEREAS, The Subcommittee did not have a statutory
11 mechanism by which it could ensure that the information would be
12 treated as confidential, so the Subcommittee did not obtain the
13 information; and



1 WHEREAS, The Subcommittee determined that future legislative
2 committees and studies would be greatly assisted by the enactment
3 of such a statutory mechanism; now, therefore,

4
5 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
6 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

7
8 **Section 1.** Chapter 218 of NRS is hereby amended by adding
9 thereto a new section to read as follows:

10 *1. If a committee determines it necessary to request one or*
11 *more persons to submit confidential information for use by the*
12 *members of the committee in the aggregate and without any*
13 *specific information that would allow the identification of a*
14 *specific person or entity, it may designate a consultant to receive*
15 *information pursuant to this section. To designate a consultant,*
16 *the committee must:*

17 *(a) Identify the consultant;*

18 *(b) Expressly indicate that the consultant is authorized by the*
19 *committee to receive information pursuant to this section; and*

20 *(c) Designate a date by which the consultant must destroy the*
21 *information deemed confidential pursuant to this section as*
22 *required by subsection 7.*

23 *2. Before accepting information pursuant to this section, the*
24 *consultant must provide to the committee in writing a method,*
25 *acceptable to the committee, by which confidential information*
26 *may be aggregated, redacted or otherwise manipulated so that it*
27 *may be included in a report without being identifiable. Upon the*
28 *request of a person who may provide information to the consultant*
29 *pursuant to this section, the consultant shall provide the method to*
30 *the person in writing.*

31 *3. Upon the request of the committee or the consultant, a*
32 *person may submit information to the consultant pursuant to this*
33 *section. Except as otherwise provided in this subsection, if the*
34 *person identifies the information submitted to the consultant as*
35 *confidential, the information shall be deemed confidential for all*
36 *purposes connected with the submission and use of the*
37 *information pursuant to this section. The information shall not be*
38 *deemed confidential pursuant to this section if:*

39 *(a) The person submits the information directly to:*

40 *(1) The committee or any member of the committee; or*

41 *(2) The staff of the committee other than the consultant; or*

42 *(b) The consultant also obtains the information in a*
43 *nonconfidential manner other than through submission by the*
44 *person pursuant to this section.*



1 4. The consultant may provide to the committee a report
2 which includes information deemed confidential pursuant to this
3 section if such confidential information in the report has been
4 manipulated in accordance with:

5 (a) The method provided to the committee pursuant to
6 subsection 2; or

7 (b) A method approved in advance by the person who
8 submitted the information.

9 5. The consultant may release information deemed
10 confidential pursuant to this section to a member of his staff if
11 necessary to provide a report to the committee pursuant to
12 subsection 4. Except as otherwise provided in this subsection and
13 subsection 4, the consultant and his staff shall not release to any
14 person, including, without limitation, the committee, any member
15 of the committee or the staff of the committee, any information
16 deemed confidential pursuant to this section.

17 6. Unless otherwise required by law, the committee may
18 release to any person or the public, in whole or in part, a report
19 provided to the committee by the consultant pursuant to
20 subsection 4.

21 7. Not later than the date designated by the committee
22 pursuant to subsection 1, the consultant shall destroy the
23 information deemed confidential pursuant to this section,
24 including, without limitation, all copies and compilations thereof,
25 except for any report provided to the committee pursuant to
26 subsection 4.

27 8. As used in this section:

28 (a) "Committee" means:

29 (1) A committee or subcommittee of the Legislature; or

30 (2) A committee, subcommittee or other group:

31 (I) Consisting in whole or in part of Legislators; and

32 (II) Created by the Legislature or a committee thereof to
33 conduct a study or investigation.

34 (b) "Consultant" means a person designated by the committee
35 pursuant to subsection 1.

36 (c) "Information" means any record, document or other
37 information, including, without limitation, any record which, if
38 submitted directly to the committee, would be a public record to
39 which NRS 239.010 would apply.



