

## Amendment No. 455

Assembly Amendment to Assembly Bill No. 334

(BDR 19-874)

**Proposed by:** Committee on Government Affairs**Amendment Box:****Resolves Conflicts with:** N/A**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: No

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend the bill as a whole by renumbering sections 2 through 5 as sections 4 through 7 and adding new sections designated sections 2 and 3, following section 1, to read as follows:

“**Sec. 2.** Chapter 239B of NRS is hereby amended by adding thereto the provisions set forth as sections 3 and 4 of this act.

**Sec. 3. 1.** *Except as otherwise required by specific statute or federal law, a person shall not include and a governmental agency shall not require a person to include the social security number of a person on any document that is recorded, filed or otherwise submitted to the governmental agency.*

**2.** *A governmental agency shall take necessary measures to ensure that notice of the provisions of this section is provided to persons with whom it conducts business. Such notice may include, without limitation, posting notice in a conspicuous place in each of its offices.*

HC/EGO

Date: 4/25/2005

A.B. No. 334—Provides for protection of social security numbers and certain other personal information.

*3. A governmental agency may require a person who records, files or otherwise submits any document to the governmental agency to provide an affirmation that the document does not contain the social security number of any person. A governmental agency may refuse to record, file or otherwise accept a document which does not contain such an affirmation when required and any document which contains the social security number of a person.*

*4. On or before January 1, 2017, each governmental agency shall ensure that any social security number contained in a document that has been recorded, filed or otherwise submitted to the governmental agency before January 1, 2007, which the governmental agency continues to hold is maintained in a confidential manner or is obliterated or otherwise removed from the document. Any action taken by a governmental agency pursuant to this subsection must not be construed as affecting the legality of the document.*

*5. As used in this section, "governmental agency" mean an officer, board, commission, department, division, bureau, district or any other unit of government of the State or a local government."*

Amend sec. 2, page 2, by deleting lines 1 through 3 and inserting:

*"Sec. 4. 1. Except as otherwise provided in subsection 4, upon"*.

Amend sec. 2, page 3, by deleting lines 10 and 11 and inserting:

*"and reasonable attorney's fees, subject to any applicable limitations set forth in NRS 41.0305 to 41.039, inclusive. An action described in this subsection must"*.

Amend sec. 4, page 4, line 7, by deleting "*subsection 4,*" and inserting:

*"subsections 4 and 6,"*.

Amend sec. 4, page 5, line 10, after "*5.*" by inserting:

*“In addition to the notification required pursuant to subsection 1, if a person doing business in this State determines that he must provide such notification to more than 1,000 persons as a result of the breach, the person doing business in this State must, without unreasonable delay, inform each consumer reporting agency, as defined in 15 U.S.C. § 1681a, in writing, of the timing, distribution and contents of that notification.*

*6. The provisions of this section do not apply to any person doing business in this State that is subject to the provisions of the Gramm-Leach-Bliley Act, 15 U.S.C. §§ 6801 et. seq., or any regulations adopted pursuant thereto.*

*7.”.*

Amend sec. 4, page 5, line 18, by deleting “6.” and inserting “8.”.

Amend sec. 5, page 5, by deleting line 28 and inserting:

“**Sec. 7.** This act becomes effective on January 1, 2007.”.

Amend the title of the bill by deleting the fourth through sixth lines and inserting:

“in a confidential manner; prohibiting the inclusion of social security numbers in certain documents that are recorded, filed or otherwise submitted to a governmental agency; requiring a governmental agency or certain persons who do business in this State that own, license or maintain computerized data to notify”.