

Amendment No. 399

Senate Amendment to Senate Bill No. 308

(BDR 14-285)

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

Adoption of this amendment will ADD a 2/3s majority vote requirement for final passage of SB308 (§ 4).

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 deleting sections 2 through 4 and adding new sections designated sections 2 through 4, following section 1, to read as follows:

“Sec. 2. “Authorized business” means a business that maintains a formally trained security staff which provides security and security supervision on the premises of the business 24 hours per day.

Sec. 3. 1. “Authorized person” means a person who:

(a) Works for an authorized business as a shift security supervisor or manager;

(b) Has completed the required training;

(c) Has been approved by the authorized business for which he works to receive information pursuant to section 4 of this act, following a complete investigation of his background; and

BAW

Date: 4/22/2005

S.B. No. 308—Revises provisions governing release and use of certain information contained in records of criminal history and in files of Department of Motor Vehicles.



(d) Has been listed with a local law enforcement agency as a person approved by the authorized business to request and receive information pursuant to section 4 of this act.

2. As used in this section, "required training" means training that:

(a) Is provided at the expense of the authorized business; and

(b) Must include, without limitation, classes certified by the Nevada Sheriffs and Chiefs Association or, if the Nevada Sheriffs and Chiefs Association ceases to exist, its legal successor, regarding records of criminal history, the dissemination of records of criminal history and criminal intelligence information, as that term is defined in Part 23 of Title 28 of the Code of Federal Regulations.

Sec. 4. 1. To protect public safety, an authorized business that wishes to obtain information pursuant to this section may submit to a local law enforcement agency the names of authorized persons who may request and receive such information.

2. If an authorized person has reasonable suspicion to believe that a motor vehicle located on the property of the authorized business for which he works, the registered owner of a motor vehicle located on the property or a person located on the property may pose a threat to the safety of the public, the authorized person may request the disclosure of the following information concerning the motor vehicle, registered owner or person:

(a) Whether the motor vehicle located on the property is stolen or wanted.

(b) Whether the registered owner of the motor vehicle located on the property is wanted for questioning by any law enforcement agency.

(c) Whether the person located on the property is wanted for questioning by any law enforcement agency.

(d) Any information that may be disseminated pursuant to subsection 1 of NRS 179A.100, if it is determined by the local law enforcement agency that the information is relevant to the authorized business under the circumstances.

3. A local law enforcement agency may charge a reasonable fee to an authorized business for providing information pursuant to this section.

4. A local law enforcement agency shall not disseminate any information concerning a motor vehicle located on the property, the registered owner of a motor vehicle located on the property or a person located on the property other than the information specifically identified in subsection 2.

5. An authorized person who obtains information pursuant to this section shall not:

(a) Disseminate that information further without express authority of law or in accordance with a court order, except that the authorized person may disseminate that information to an appropriate law enforcement agency; or

(b) Use that information for any unlawful purpose, including, without limitation, the commission of any criminal act or the denial of the full and equal enjoyment of the goods, services, facilities, privileges, advantages and accommodations of any place of public accommodation without discrimination or segregation on the ground of race, color, religion, national origin or disability in violation of NRS 651.070.

6. A person who violates any provision of subsection 5 is guilty of a gross misdemeanor.

7. For the purposes of the Driver's Privacy Protection Act of 1994, 18 U.S.C. § 2721, the Legislature hereby declares that any disclosure of personal information pursuant to this section is necessary to protect public safety.

8. *As used in this section, “registered owner” has the meaning ascribed to it in NRS 482.102.”.*

Amend sec. 6, page 5, by deleting lines 15 and 16 and inserting:

“(t) An authorized person”.

Amend the bill as a whole by deleting sections 7 through 9 and renumbering sec. 10 as sec. 7.

Amend the title of the bill to read as follows:

“AN ACT relating to public safety; authorizing certain persons involved in the security of authorized businesses to receive certain information pertaining to persons and motor vehicles that may pose a threat to public safety; prohibiting persons who receive such information from disseminating the information received or using the information received for an unlawful purpose; providing a penalty; and providing other matters properly relating thereto.”.

Amend the summary of the bill to read as follows:

“SUMMARY—Authorizes release and use of certain information pertaining to persons and motor vehicles that may pose threat to public safety. (BDR 14-285)”.