

Amendment No. 265

Senate Amendment to Senate Bill No. 421

(BDR 19-99)

Proposed by: Committee on Government Affairs**Amendment Box:****Resolves Conflicts with:** N/A**Amends:** Summary: Yes 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 section 1, page 2, by deleting lines 20 through 40 and inserting:

“4. ~~[Each]~~ *Except as otherwise provided in subsections 6 and 7, a public body ~~[may]~~ shall, for each of its meetings, whether public or closed, record the meeting on audiotape or ~~[any other]~~ another means of sound reproduction ~~[each of its meetings, whether public or closed.]~~ or cause the meeting to be transcribed by a court reporter who is certified pursuant to chapter 656 of NRS. If a public body makes an audio recording of a meeting ~~[is so recorded]~~*

—(a) ~~The record must]~~ *or causes a meeting to be transcribed pursuant to this subsection, the audio recording or transcript:*

(a) *Must* be retained by the public body for at least 1 year after the adjournment of the meeting at which it was recorded ~~[~~

—(b) ~~The record of a public meeting]~~ *or transcribed;*

MSM/KMG

Date: 4/18/2005

S.B. No. 421—Requires public bodies subject to Open Meeting Law to make audio recordings of their meetings.



(b) *Except as otherwise provided in this section*, is a public record and must be made available for inspection by the public during the time the ~~[record]~~ **recording or transcript** is retained ~~[~~

~~Any record made pursuant to this subsection must]~~ ; and

(c) **Must** be made available to the Attorney General upon request.

5. ~~[If a public body elects to record a public meeting pursuant to the provisions of subsection 4,]~~
Except as otherwise provided in subsections 6 and 7, any portion of ~~[that]~~ **a public** meeting which is closed must also be recorded **or transcribed** and **the recording or transcript** must be retained and made available for inspection pursuant to the provisions of subsection 2 relating to records of closed meetings. Any ~~[record]~~ **recording or transcript** made pursuant to this subsection must be made available to the Attorney General upon request.

6. *A public body is not required to make an audio recording of a meeting or cause a meeting to be transcribed if the public body does not have sufficient money to conduct such activities.*

7. *If a public body makes a good faith effort to comply with the provisions of subsections 4 and 5 but is prevented from doing so because of factors beyond the public body's reasonable control, including, without limitation, a power outage, a mechanical failure or other unforeseen event, such failure does not constitute a violation of the provisions of this chapter."*

Amend sec. 2, page 3, line 12, by deleting "recordings" and inserting "**recordings, transcripts**".

Amend sec. 3, page 3, line 31, after "**recordings**" by inserting "**or transcripts**".

Amend sec. 4, page 4, line 5, after "**recordings**" by inserting "**or transcripts**".

Amend sec. 5, page 4, lines 20 and 34, after "**recordings**" by inserting "**or transcripts**".

Amend sec. 6, page 5, line 16, after "**recording**" by inserting "**or transcript**".

Amend sec. 7, page 5, line 27, after "**recordings**" by inserting "**or transcripts**".

Amend sec. 7, page 5, line 32, by deleting “*recordings*” and inserting “*recordings, transcripts*”.

Amend sec. 8, page 5, line 45, after “*recordings*” by inserting “*or transcripts*”.

Amend sec. 9, page 6, line 21, after “*recordings*” by inserting “*or transcripts*”.

Amend sec. 10, page 6, line 30, after “*recordings*” by inserting “*or transcripts*”.

Amend sec. 11, page 6, line 41, after “*recordings*” by inserting “*or transcripts*”.

Amend sec. 11, page 6, line 43, by deleting:

“*and audio recordings*” and inserting:

“, *audio recordings and transcripts*”.

Amend sec. 12, page 7, line 17, by deleting “*recordings*” and inserting “*recordings, transcripts*”.

Amend sec. 13, page 7, line 25, by deleting “*recordings*” and inserting “*recordings, transcripts*”.

Amend sec. 14, page 7, line 36, after “*recordings*” by inserting “*or transcripts*”.

Amend sec. 14, page 7, line 40, by deleting “*recordings*” and inserting “*recordings, transcripts*”.

Amend sec. 15, page 8, line 21, after “*recordings*” by inserting “*or transcripts*”.

Amend sec. 16, page 8, line 34, after “*recording*” by inserting “*or transcript*”.

Amend sec. 16, page 8, line 39, after “*recordings*” by inserting “*or transcripts*”.

Amend sec. 17, page 9, line 9, after “*recording*” by inserting “*or transcript*”.

Amend sec. 18, page 9, line 26, after “*recordings*” by inserting “*or transcripts*”.

Amend sec. 19, page 9, line 39, after “*recordings*” by inserting “*or transcripts*”.

Amend sec. 20, page 10, line 6, after “*recordings*” by inserting “*or transcripts*”.

Amend sec. 21, page 10, by deleting lines 33 through 36 and inserting:

“Board, and *audio recordings or transcripts of all meetings of the Board* and file the minutes *and audio recordings or transcripts* with the Welfare Division. ~~[The]~~ *Except as otherwise provided in*

NRS 241.035, the minutes and audio recordings or transcripts must be maintained as public records.”.

Amend sec. 22, page 11, line 19, after “*recordings*” by inserting “*or transcript*”.

Amend sec. 23, page 12, line 10, after “*recording*” by inserting “*or transcript*”.

Amend sec. 24, page 12, line 22, after “*recording*” by inserting “*or transcript*”.

Amend sec. 24, page 12, lines 25 and 35, by deleting “*recordings*” and inserting “*recordings, transcripts*”.

Amend sec. 25, page 13, line 3, after “*recordings*” by inserting “*or transcripts*”.

Amend sec. 26, page 13, line 12, after “*recordings*” by inserting “*or transcripts*”.

Amend sec. 27, page 13, line 22, after “*recordings*” by inserting “*or transcripts*”.

Amend sec. 28, page 13, line 34, after “*recordings*” by inserting “*or transcripts*”.

Amend sec. 29, page 14, line 8, after “*recordings*” by inserting “*or transcripts*”.

Amend sec. 30, page 14, line 27, after “*recordings*” by inserting “*or transcripts*”.

Amend sec. 31, page 14, line 38, after “*recordings*” by inserting “*or transcripts*”.

Amend sec. 32, page 15, by deleting lines 23 and 24 and inserting:

“*audio recordings or transcripts* of all meetings and , *except as otherwise provided in NRS 241.035, the records , [and] minutes , audio recordings and transcripts*”.

Amend sec. 33, page 16, line 8, after “*recordings*” by inserting “*or transcripts*”.

Amend sec. 34, page 16, line 31, after “*recordings*” by inserting “*or transcripts*”.

Amend sec. 34, page 16, line 36, by deleting “*recordings*” and inserting “*recordings, transcripts*”.

Amend sec. 35, page 17, line 8, after “*recordings*” by inserting “*or transcripts*”.

Amend sec. 36, page 17, line 38, after “*recordings*” by inserting “*or transcripts*”.

Amend sec. 36, page 17, line 43, by deleting “*recordings*” and inserting “*recordings, transcripts*”.

Amend sec. 37, page 18, line 29, after “*recordings*” by inserting “*or transcripts*”.

Amend sec. 37, page 18, line 34, by deleting “*recordings*” and inserting “*recordings, transcripts*”.

Amend sec. 38, page 19, line 37, after “*recordings*” by inserting “*or transcripts*”.

Amend sec. 39, page 20, line 16, after “*recordings*” by inserting “*or transcripts*”.

Amend sec. 40, page 20, line 34, after “*recordings*” by inserting “*or transcripts*”.

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

“retain an audio recording or transcript of each meeting, whether or not the meeting is public or closed; providing certain exceptions; and providing other”.

Amend the summary of the bill to read as follows:

“SUMMARY—Requires, with certain exceptions, public bodies subject to Open Meeting Law to make audio recordings or transcripts of their meetings. (BDR 19-99)”.