

SENATE BILL NO. 365—SENATOR NOLAN

MARCH 25, 2005

Referred to Committee on Transportation and Homeland Security

SUMMARY—Revises provisions relating to public safety.
(BDR 19-286)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 public safety; requiring the Nevada Commission on Homeland Security to establish a statewide mapping system for the public buildings in this State to the extent money is available for a system; requiring the crisis response plans for public and private schools to include an appropriate response to acts of terrorism; encouraging retail establishments doing business in this State to adopt the “Code Adam” program; and providing other matters properly relating thereto.

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

Section 1. Chapter 239C of NRS is hereby amended by adding thereto a new section to read as follows:

1. To the extent money is made available, the Commission shall establish a statewide mapping system for the public buildings in this State for use by response agencies that are called to respond to an act of terrorism or related emergency.

2. The statewide mapping system must include, without limitation:

(a) The type of information that must be included within the software program that comprises the system, including, without limitation, floor plans, fire protection information, building evacuation plans, utility information, known hazards and information on how to contact emergency personnel;



1 (b) *The manner by which the information prescribed pursuant*
2 *to paragraph (a) must be transferred to the system from the state*
3 *agencies and the political subdivisions that participate in the*
4 *system;*

5 (c) *Standards for the software that must be used by the state*
6 *agencies and political subdivisions that participate in the system;*

7 (d) *Conditions for use of the system by response agencies;*

8 (e) *Guidelines for the accessibility of information contained*
9 *within the system;*

10 (f) *In accordance with the information obtained by the*
11 *Commission pursuant to subsection 3 of NRS 239C.160, determine*
12 *the priority for distribution of any money that may be available for*
13 *the state agencies and political subdivisions to participate in the*
14 *system; and*

15 (g) *Guidelines recommended by the Commission for the*
16 *training of persons employed by response agencies concerning the*
17 *use of the system.*

18 3. *To the extent money is made available, the state agencies*
19 *and political subdivisions shall participate in the statewide*
20 *mapping system. If a state agency or a political subdivision uses its*
21 *own building mapping system before the Commission establishes a*
22 *statewide mapping system, the state agency or political subdivision*
23 *may continue to use its system unless money is made available for*
24 *the state agency or political subdivision to update or modify its*
25 *system as necessary for inclusion in the statewide system.*

26 4. *The Commission:*

27 (a) *Shall pursue any money that may be available from the*
28 *Federal Government for the development and operation of a*
29 *statewide mapping system for public buildings and for the*
30 *distribution of grants to the state agencies and political*
31 *subdivisions that participate in the system.*

32 (b) *In accordance with NRS 239C.190, may accept gifts, grants*
33 *and contributions for the development and operation of a*
34 *statewide mapping system and for the distribution of grants to the*
35 *state agencies and political subdivisions that participate in the*
36 *system.*

37 **Sec. 2.** NRS 239C.060 is hereby amended to read as follows:

38 239C.060 "Information system" means any computer
39 equipment, computer software, procedures or technology used to
40 collect, process, distribute or store information that is related to the
41 protection of homeland security. *The term does not include a*
42 *statewide mapping system for public buildings established by the*
43 *Commission pursuant to section 1 of this act.*



Sec. 3. NRS 239C.160 is hereby amended to read as follows:

239C.160 The Commission shall, within the limits of available money:

1. Make recommendations to the Governor, the Legislature, agencies of this State, political subdivisions, businesses located within this State and private persons who reside in this State with respect to actions and measures that may be taken to protect residents of this State and visitors to this State from potential acts of terrorism and related emergencies.

2. Propose goals and programs that may be set and carried out, respectively, to counteract or prevent potential acts of terrorism and related emergencies before such acts of terrorism and related emergencies can harm or otherwise threaten residents of this State and visitors to this State.

3. With respect to buildings, facilities, geographic features and infrastructure that must be protected from acts of terrorism and related emergencies to ensure the safety of the residents of this State and visitors to this State, including, without limitation, airports, the Capitol Complex, dams, gaming establishments, governmental buildings, highways, hotels, information technology infrastructure, lakes, places of worship, power lines, public buildings, public utilities, reservoirs, rivers and their tributaries, and water facilities:

(a) Identify and categorize such buildings, facilities, geographic features and infrastructure according to their susceptibility to and need for protection from acts of terrorism and related emergencies; and

(b) Study and assess the security of such buildings, facilities, geographic features and infrastructure from acts of terrorism and related emergencies.

4. Examine the use, deployment and coordination of response agencies within this State to ensure that those agencies are adequately prepared to protect residents of this State and visitors to this State from acts of terrorism and related emergencies.

5. Assess, examine and review the use of information systems and systems of communication used by response agencies within this State to determine the degree to which such systems are compatible and interoperable. After conducting the assessment, examination and review, the Commission shall establish a state plan setting forth criteria and standards for the compatibility and interoperability of those systems when used by response agencies within this State.

6. Assess, examine and review the operation and efficacy of telephone systems and related systems used to provide emergency 911 service.



7. To the extent practicable, cooperate and coordinate with the Division of Emergency Management of the Department of Public Safety to avoid duplication of effort in developing policies and programs for preventing and responding to acts of terrorism and related emergencies.

8. *Establish a statewide mapping system for public buildings in accordance with section 1 of this act.*

9. Perform any other acts related to their duties set forth in subsections 1 to ~~7~~ 8, inclusive, that the Commission determines are necessary to protect or enhance:

(a) The safety and security of the State of Nevada;

(b) The safety of residents of the State of Nevada; and

(c) The safety of visitors to the State of Nevada.

Sec. 4. Chapter 392 of NRS is hereby amended by adding thereto a new section to read as follows:

“Act of terrorism” has the meaning ascribed to it in NRS 239C.030.

Sec. 5. NRS 392.600 is hereby amended to read as follows:

392.600 As used in NRS 392.600 to 392.656, inclusive, *and section 4 of this act*, unless the context otherwise requires, the words and terms defined in NRS 392.604, 392.608 and 392.612 *and section 4 of this act* have the meanings ascribed to them in those sections.

Sec. 6. NRS 392.604 is hereby amended to read as follows:

392.604 **1.** “Crisis” means a traumatic and sudden event or emergency condition that:

~~1~~ (a) Involves violence;

~~2~~ (b) Profoundly and negatively affects or will affect pupils or employees of a public school, or both;

~~3~~ (c) Occurs on the property of a public school, at an activity sponsored by a public school or on a school bus while the bus is engaged in its official duties for a public school; and

~~4~~ (d) May involve serious injury or death.

2. *The term includes an act of terrorism if that act involves a public school.*

Sec. 7. NRS 392.624 is hereby amended to read as follows:

392.624 **1.** Each development committee shall, at least once each year, review and update as appropriate the plan that it developed pursuant to NRS 392.620, and provide an updated copy of the plan to the board of trustees of the school district that established the committee or the governing body of the charter school that established the committee. *Each development committee shall ensure that the plan is reviewed and updated as necessary to ensure an appropriate response to a crisis that*



1 *includes an act of terrorism involving a public school of the school*
2 *district or the charter school, as applicable.*

3 2. The board of trustees of each school district and the
4 governing body of each charter school shall:

5 (a) Post a notice of the completion of each review and update
6 that its development committee performs pursuant to subsection 1 at
7 each school in its school district or at its charter school;

8 (b) Post a copy of NRS 392.600 to 392.656, inclusive, *and*
9 *section 4 of this act* at each school in its school district or at its
10 charter school;

11 (c) Retain a copy of each plan developed pursuant to NRS
12 392.620, each plan updated pursuant to subsection 1 and each
13 deviation approved pursuant to NRS 392.636;

14 (d) Provide a copy of each plan developed pursuant to NRS
15 392.620 and each plan updated pursuant to subsection 1 to:

16 (1) The State Board;

17 (2) Each local law enforcement agency in the county in
18 which the school district or charter school is located; ~~and~~

19 (3) The Division of Emergency Management of the
20 Department of Public Safety; *and*

21 *(4) The Nevada Commission on Homeland Security;*

22 (e) Upon request, provide a copy of each plan developed
23 pursuant to NRS 392.620 and each plan updated pursuant to
24 subsection 1 to a local agency that is included in the plan and to an
25 employee of a school who is included in the plan;

26 (f) Upon request, provide a copy of each deviation approved
27 pursuant to NRS 392.636 to:

28 (1) The State Board;

29 (2) A local law enforcement agency in the county in which
30 the school district or charter school is located;

31 (3) The Division of Emergency Management of the
32 Department of Public Safety;

33 (4) A local agency that is included in the plan; ~~and~~

34 (5) An employee of a school who is included in the plan; and

35 *(6) The Nevada Commission on Homeland Security; and*

36 (g) At least once each year, provide training in responding to a
37 crisis to each employee of the school district or of the charter
38 school, including, without limitation, training concerning drills for
39 evacuating and securing schools.

40 3. The board of trustees of each school district and the
41 governing body of each charter school may apply for and accept
42 gifts, grants and contributions from any public or private source to
43 carry out the provisions of NRS 392.600 to 392.656, inclusive ~~and~~,
44 *and section 4 of this act.*



Sec. 8. NRS 392.640 is hereby amended to read as follows:

392.640 1. The State Board shall, with assistance from other state agencies, including, without limitation, the Division of Emergency Management, the Investigation Division, and the Nevada Highway Patrol of the Department of Public Safety, *and with the assistance of the Nevada Commission on Homeland Security*, develop a plan for the management of a crisis that involves a public school, including, without limitation, a charter school, or a private school and that requires immediate action. The plan must include, without limitation, a procedure for coordinating the resources of local, state and federal agencies, officers and employees, as appropriate. In developing the plan, the State Board shall consider the plans to respond to crises developed pursuant to NRS 392.620 and 394.1687 and updated pursuant to NRS 392.624 and 394.1688. *The State Board shall ensure that the plan is reviewed and updated as necessary to ensure an appropriate response to a crisis that includes an act of terrorism involving a public school, including, without limitation, a charter school, or a private school.*

2. The State Board may disseminate to *the Nevada Commission on Homeland Security and to* any appropriate local, state or federal agency, officer or employee, as the State Board determines is necessary:

(a) The plan developed by the State Board pursuant to subsection 1;

(b) A plan developed pursuant to NRS 392.620 or updated pursuant to NRS 392.624;

(c) A plan developed pursuant to NRS 394.1687 or updated pursuant to NRS 394.1688; and

(d) A deviation approved pursuant to NRS 392.636 or 394.1692.

Sec. 9. Chapter 394 of NRS is hereby amended by adding thereto a new section to read as follows:

“Act of terrorism” has the meaning ascribed to it in NRS 239C.030.

Sec. 10. NRS 394.168 is hereby amended to read as follows:

394.168 As used in NRS 394.168 to 394.1699, inclusive, *and section 9 of this act*, unless the context otherwise requires, the words and terms defined in NRS 394.1681, 394.1682 and 394.1683 *and section 9 of this act* have the meanings ascribed to them in those sections.

Sec. 11. NRS 394.1681 is hereby amended to read as follows:

394.1681 **1.** “Crisis” means a traumatic and sudden event or emergency condition that:

[H] (a) Involves violence;



~~(2)~~ (b) Profoundly and negatively affects or will affect pupils or employees of a private school;

~~(3)~~ (c) Occurs on the property of a private school, at an activity sponsored by a private school or on a school bus while the bus is engaged in its official duties for a private school; and

~~(4)~~ (d) May involve serious injury or death.

2. *The term includes an act of terrorism if that act involves a private school.*

Sec. 12. NRS 394.1688 is hereby amended to read as follows:

394.1688 1. Each development committee shall, at least once each year, review and update as appropriate the plan that it developed pursuant to NRS 394.1687, and provide an updated copy of the plan to the governing body of the school. ***Each development committee shall ensure that the plan is reviewed and updated as necessary to ensure an appropriate response to a crisis that includes an act of terrorism involving the school.***

2. The governing body of each private school shall:

(a) Post a notice of the completion of each review and update that its development committee performs pursuant to subsection 1 at the school;

(b) Post a copy of NRS 392.640 and 394.168 to 394.1699, inclusive, ***and section 9 of this act*** at the school;

(c) Retain a copy of each plan developed pursuant to NRS 394.1687, each plan updated pursuant to subsection 1 and each deviation approved pursuant to NRS 394.1692;

(d) Provide a copy of each plan developed pursuant to NRS 394.1687 and each plan updated pursuant to subsection 1 to:

(1) The Board;

(2) Each local law enforcement agency in the county in which the school is located; ~~and~~

(3) The Division of Emergency Management of the Department of Public Safety; ***and***

(4) The Nevada Commission on Homeland Security;

(e) Upon request, provide a copy of each plan developed pursuant to NRS 394.1687 and each plan updated pursuant to subsection 1 to a local agency that is included in the plan and to an employee of the school who is included in the plan;

(f) Upon request, provide a copy of each deviation approved pursuant to NRS 394.1692 to:

(1) The Board;

(2) A local law enforcement agency in the county in which the school is located;

(3) The Division of Emergency Management of the Department of Public Safety;

(4) A local agency that is included in the plan; ~~and~~



(5) *The Nevada Commission on Homeland Security; and*

(6) An employee of the school who is included in the plan;
and

(g) At least once each year, provide training in responding to a crisis to each employee of the school, including, without limitation, training concerning drills for evacuating and securing the school.

Sec. 13. The Legislature hereby encourages retail establishments doing business in this State to adopt and carry out the "Code Adam" program. The "Code Adam" program, which was created in 1994 and is currently used in more than 45,000 establishments throughout the United States, is an important tool that promotes the safety of children because:

1. A swift and effective response is critical to ensure the safe recovery of a child who is abducted;

2. The program prescribes training for employees of retail establishments that is designed to prevent the abduction of children and to respond efficiently in situations of suspected child abductions from those establishments;

3. The United States Department of Justice reports that almost 2,200 children are reported missing every day and the program helps to improve the chances of a safe recovery of these children;

4. Since its implementation, the program has proven successful in thwarting attempted abductions; and

5. A retail establishment that has undertaken the commitment to carry out the program provides its patrons with a sense of security while shopping at that establishment.

Sec. 14. This act becomes effective on July 1, 2005.

