

Amendment No. 311

Senate Amendment to Senate Bill No. 389	(BDR 14-1348)
Proposed by: Senate Committee on Legislative Operations and Elections	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

Adoption of this amendment will REMOVE the 2/3s majority vote requirement from S.B. 389.

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold* is newly added transitory language.

TL/TMC



Date: 4/13/2007

S.B. No. 389—Makes various changes to provisions relating to public safety.
(BDR 14-1348)



SENATE BILL NO. 389—SENATOR NOLAN

MARCH 19, 2007

Referred to Committee on Legislative Operations and Elections

SUMMARY—Makes various changes to provisions relating to public safety.
(BDR 14-1348)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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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; revising the provisions relating to fees that may be charged by the Central Repository for Nevada Records of Criminal History ; ~~for providing certain information; directing the Legislative Commission to conduct an interim study concerning background investigations of persons and records of criminal history;~~ and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides that the Central Repository for Nevada Records of Criminal History shall not charge a fee for certain information. (NRS 179A.140) **Section 1** of this bill ~~allows~~ **prohibits** the Central Repository ~~to charge~~ **from charging** a fee for information ~~contained in a record of registration concerning an employee or prospective employee who is a sex offender or an offender convicted of a crime against a child requested by and provided to a nonprofit organization, but continues to prohibit the Central Repository from charging a fee for such information concerning a volunteer or prospective volunteer who will work directly with children and who is a sex offender or an offender convicted of a crime against a child.~~

~~Section 2 of this bill requires the Legislative Commission to conduct an interim study of background investigations of persons and records of criminal history.~~ **provided to any organization that meets the criteria established by regulation pursuant to paragraph (b) of subsection 5 of NRS 179A.310.**

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

Section 1. NRS 179A.140 is hereby amended to read as follows:

179A.140 1. Except as otherwise provided in this section, an agency of criminal justice may charge a reasonable fee for information relating to records of criminal history provided to any person or governmental entity.

2. An agency of criminal justice shall not charge a fee for providing such information to another agency of criminal justice if the information is provided for purposes of the administration of criminal justice, or for providing such information

1 to the State Disaster Identification Team of the Division of Emergency
2 Management of the Department.

3 3. The Central Repository shall not charge such a fee:

4 (a) For information relating to a person regarding whom the Central Repository
5 provided a similar report within the immediately preceding 6 months in conjunction
6 with the application by that person for professional licensure; or

7 (b) For information ~~contained in a record of registration concerning~~ **an**
8 **employee, prospective employee,** ~~an employee or prospective employee who will~~
9 ~~work directly with children and who is a sex offender or an offender convicted of a~~
10 ~~crime against a child or records of criminal history requested by and provided to a~~
11 ~~nonprofit organization that is recognized as exempt from taxation pursuant to 26~~
12 ~~U.S.C. § 501(c)(3).,~~ **provided to any organization that meets the criteria**
13 **established by regulation pursuant to paragraph (b) of subsection 5 of**
14 **NRS 179A.310.**

15 4. The Director may request an allocation from the Contingency Fund
16 pursuant to NRS 353.266, 353.268 and 353.269 to cover the costs incurred by the
17 Department to carry out the provisions of paragraph (b) of subsection 3.

18 5. All money received or collected by the Department pursuant to this section
19 must be used to defray the cost of operating the Central Repository.

20 **Sec. 2. ~~1. The Legislative Commission shall appoint a subcommittee of six~~**
21 **~~legislators to conduct an interim study of background investigations of persons and~~**
22 **~~records of criminal history, including, without limitation, the Central Repository for~~**
23 **~~Nevada Records of Criminal History and the statewide registry of sex offenders and~~**
24 **~~offenders convicted of a crime against a child established within the Central~~**
25 **~~Repository pursuant to NRS 179B.200. The subcommittee must consist of:~~**

26 **~~(a) The Chair of the Senate Standing Committee on Judiciary;~~**
27 **~~(b) The Chair of the Assembly Standing Committee on Judiciary;~~**
28 **~~(c) Two members of the Senate appointed by the Majority Leader of the~~**
29 **~~Senate; and~~**

30 **~~(d) Two members of the Assembly appointed by the Speaker of the Assembly;~~**
31 **~~2. The subcommittee shall appoint an advisory committee to assist the~~**
32 **~~subcommittee in carrying out its duties. The advisory committee must consist of:~~**

33 **~~(a) The Director of the Department of Corrections or his designee;~~**
34 **~~(b) The Director of the Department of Public Safety or his designee;~~**
35 **~~(c) The chief officer, other than the Director of the Department of Public~~**
36 **~~Safety, who administers the Central Repository for Nevada Records of Criminal~~**
37 **~~History;~~**

38 **~~(d) The Chief Parole and Probation Officer;~~**
39 **~~(e) One district attorney from Clark County, one district attorney from Washoe~~**
40 **~~County and one district attorney from a county other than Clark County or Washoe~~**
41 **~~County; and~~**

42 **~~(f) One public defender from Clark County, one public defender from~~**
43 **~~Washoe County and one public defender from a county other than Clark County or~~**
44 **~~Washoe County.~~** **(Deleted by amendment.)**

45 **Sec. 3. This act becomes effective ~~on July 1, 2007,~~ upon passage and**
46 **approval.**