

SENATE BILL NO. 28—COMMITTEE ON ENERGY,
INFRASTRUCTURE AND TRANSPORTATION

(ON BEHALF OF THE DEPARTMENT OF PUBLIC SAFETY)

PREFILED DECEMBER 5, 2008

Referred to Committee on Judiciary

SUMMARY—Revises reporting requirements concerning missing persons and unidentified dead bodies. (BDR 43-315)

FISCAL NOTE: Effect on Local Government: No.
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; revising reporting requirements concerning missing persons and unidentified dead bodies; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 **Section 2** of this bill deletes the requirement that a dentist who makes a dental
2 examination of an unidentified dead body forward the record of the dental
3 examination to the Investigation Division and the Central Repository and instead
4 requires the dentist to forward the record to the coroner, who is required to enter
5 that information into the computer for the National Crime Information Center.
6 **Section 2** also deletes the requirement that a sheriff, chief of police or other law
7 enforcement agency transmit to the Investigation Division and to the Central
8 Repository certain information concerning a person missing under suspicious
9 circumstances. In addition, **section 2** deletes the requirements that the Investigation
10 Division and the Central Repository maintain records to assist in the identification
11 of dead bodies and provide such records to the State Disaster Identification Team of
12 the Division of Emergency Management of the Department of Public Safety upon
13 request.

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

1 **Section 1.** NRS 480.460 is hereby amended to read as follows:
2 480.460 The Chief of the Investigation Division shall:



1 1. Furnish services relating to the investigation of crimes,
2 including interrogation with the use of polygraph instruments, upon
3 the request of the Attorney General or any sheriff, chief of police or
4 district attorney.

5 2. Disseminate information relating to the dangers of the use of
6 controlled substances and dangerous drugs.

7 3. Provide and operate a system of recording all information
8 received by the **Investigation** Division relating to persons who have
9 alleged connections with organized crime or have some connection
10 with violations of laws regulating controlled substances or
11 dangerous drugs.

12 4. Arrange for the purchase of controlled substances and
13 dangerous drugs when such a purchase is necessary in an
14 investigation of offenses relating to controlled substances and
15 dangerous drugs.

16 5. Procure from law enforcement agencies and other reliable
17 sources information relating to violators of laws which govern
18 controlled substances and dangerous drugs, including information
19 about their character, probable motives, circumstances of arrest,
20 methods of operation and other pertinent information.

21 6. Enforce the provisions of chapter 453 of NRS.

22 7. ~~{Maintain the records and other information forwarded to the~~
23 ~~Division to assist in locating missing persons or identifying dead~~
24 ~~bodies.~~

25 ~~—8—~~ 8. Furnish information relating to any person of whom he
26 maintains a record to any law enforcement agency.

27 ~~{9—~~ 8. Assist the Secretary of State in carrying out an
28 investigation pursuant to NRS 293.124.

29 **Sec. 2.** NRS 480.500 is hereby amended to read as follows:

30 480.500 1. When a coroner is unable to establish the identity
31 of a dead body by means other than by dental records, he shall have
32 a dental examination of the body made by a dentist. The dentist shall
33 prepare a record of his findings and forward it to the ~~{Investigation~~
34 ~~Division and to the Central Repository for Nevada Records of~~
35 ~~Criminal History.}~~ **coroner, who shall enter the information into**
36 **the computer for the National Crime Information Center.**

37 2. Each sheriff, chief of police or other law enforcement
38 agency which receives a report of a person missing under suspicious
39 circumstances who is 18 years **of age** or older shall:

40 (a) ~~{Transmit to the Investigation Division and to the Central~~
41 ~~Repository for Nevada Records of Criminal History;~~

42 ~~——(1) The initial report that contains identifying information~~
43 ~~concerning the missing person within 72 hours after the receipt of~~
44 ~~that report; and~~



~~1 — (2) Any subsequent report concerning the missing person~~
~~2 within 5 working days after the receipt of that report if the report~~
~~3 contains additional identifying information concerning the missing~~
~~4 person;~~

~~5 —(b)}~~ Notify immediately such persons and make inquiries
6 concerning the missing person as the agency deems necessary; and

~~7 (c)}~~ **(b)** Enter the information concerning the missing person
8 into the computer for the National Crime Information Center . ~~and~~
9 ~~the Central Repository for Nevada Records of Criminal History, if~~
10 ~~appropriate.}~~

11 3. The sheriff, chief of police or other law enforcement agency
12 shall request the written consent of the next of kin or guardian of a
13 person who has been reported to him as missing for 30 days or more
14 to obtain certain identifying information about the missing person
15 that the National Crime Information Center recommends be
16 provided from the appropriate providers of medical care. After
17 receiving the written consent, the sheriff, chief of police or other law
18 enforcement agency shall obtain the identifying information from
19 the providers of medical care and ~~forward~~ **enter** that information
20 and any other relevant information ~~to the Investigation Division~~
21 ~~and to the Central Repository for Nevada Records of Criminal~~
22 ~~History}~~ **into the computer for the National Crime Information**
23 **Center** for comparison with the identifying information that is on
24 file concerning unidentified deceased persons. This subsection does
25 not prevent the voluntary release of identifying information about
26 the missing person by the next of kin or guardian of the missing
27 person at any time.

28 4. The next of kin or guardian of the person reported as
29 missing shall promptly notify the appropriate law enforcement
30 agency when the missing person is found.

31 5. The sheriff, chief of police or other law enforcement agency
32 shall ~~inform the Investigation Division, the Central Repository for~~
33 ~~Nevada Records of Criminal History and}~~ **update the records**
34 **entered into the computer for** the National Crime Information
35 Center when a missing person has been found.

36 ~~{6. The Investigation Division and the Central Repository for~~
37 ~~Nevada Records of Criminal History shall:~~

38 ~~—(a) Maintain the records and other information forwarded to~~
39 ~~them pursuant to subsections 1, 2 and 3 for the purpose of~~
40 ~~comparing the records and otherwise assisting in the identification~~
41 ~~of dead bodies; and~~

42 ~~—(b) Upon request, provide the records and other information that~~
43 ~~are maintained pursuant to this subsection to the State Disaster~~
44 ~~Identification Team of the Division of Emergency Management of~~
45 ~~the Department.}~~



- 1 **Sec. 3.** NRS 414.290 is hereby amended to read as follows:
2 414.290 In carrying out its duties pursuant to NRS 414.280, the
3 State Disaster Identification Team may have access to:
4 1. The information that is contained in the Central Repository
5 for Nevada Records of Criminal History pursuant to
6 NRS 179A.075.
7 2. The records of criminal history maintained by an agency of
8 criminal justice pursuant to NRS 179A.100.
9 3. The records of missing children maintained by the Attorney
10 General pursuant to NRS 432.170.
11 ~~4. The records and information concerning missing persons~~
12 ~~maintained by the Investigation Division of the Department of~~
13 ~~Public Safety pursuant to NRS 480.500.]~~
14 **Sec. 4.** This act becomes effective upon passage and approval.

