

SENATE BILL NO. 400—SELECT COMMITTEE ON
ECONOMIC GROWTH AND EMPLOYMENT

MARCH 28, 2011

Referred to Committee on Government Affairs

SUMMARY—Establishes a process by which a state agency may obtain certain information in county records at no charge for the purpose of assisting the economic development and population research of this State. (BDR 20-1143)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to records; establishing a process by which a state agency may obtain certain county records at no charge for the purpose of economic development and population estimate research; prohibiting certain uses of confidential information contained in such county records; providing civil and criminal penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 This bill establishes a process by which a state agency engaged in activities
2 related to economic development and population research may obtain at no charge
3 the digital parcel base of a county and electronic county assessor files. **Section 1** of
4 this bill requires a county assessor to provide each year to the demographer
5 employed by the Department of Taxation, at no charge, the electronic datasets of
6 the county assessor files. **Section 5** of this bill requires a county which maintains or
7 possesses a digital parcel base of the county to provide the digital parcel base to the
8 demographer each year at no charge. Not more than once each year, the
9 demographer must provide the digital parcel base and the assessor's electronic files
10 at no charge to a state agency engaged in economic development and population
11 research that submits a written request for the information. The state agency
12 receiving the digital parcel base and the assessor's electronic files must provide a
13 summary of the research produced from the information to the county providing the
14 information and the Commission on Economic Development at no charge.

15 Under existing law, the personal information of certain persons which is
16 contained in the records of a county assessor is deemed confidential, except that a
17 county assessor is authorized to release this confidential information for certain



* S B 4 0 0 *

18 limited purposes. (NRS 250.100-250.230) Existing law provides criminal and civil
19 penalties for improper acts related to obtaining or disclosing these confidential
20 records. (NRS 250.210-250.230) **Section 1** of this bill makes these civil and
21 criminal penalties applicable to an employee or agent of a state agency obtaining
22 confidential information from the demographer.

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

1 **Section 1.** Chapter 250 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *1. Notwithstanding any other provision of law, on or before*
4 *January 1 of each year, a county assessor shall provide to the*
5 *State Demographer at no charge the electronic datasets of the*
6 *county assessor files. The State Demographer shall keep*
7 *confidential the information provided to him or her pursuant to*
8 *this subsection, except that the State Demographer shall provide*
9 *such information at no charge to a state agency which satisfies the*
10 *requirements of this section.*

11 *2. A state agency engaged in activities related to economic*
12 *development or population estimate research may request the*
13 *electronic datasets of the county assessor files by submitting a*
14 *written request to the State Demographer. The written request*
15 *must include, without limitation:*

16 *(a) The name and address of the state agency;*

17 *(b) A statement of the purpose for which the state agency is*
18 *seeking the assessor's electronic files; and*

19 *(c) A summary of the research or statistical reports which will*
20 *be produced from the assessor's electronic files.*

21 *3. Except as otherwise provided in subsection 4, if the State*
22 *Demographer finds that a written request complies with subsection*
23 *2, the State Demographer shall provide to the state agency at no*
24 *charge the assessor's electronic files provided to the State*
25 *Demographer pursuant to subsection 1.*

26 *4. The State Demographer may refuse a request submitted by*
27 *a state agency pursuant to subsection 2 if the State Demographer*
28 *has provided the requested information to the state agency during*
29 *the calendar year in which the request is made.*

30 *5. A state agency receiving an assessor's electronic files*
31 *pursuant to this section shall provide to the county that provided*
32 *the files and the Commission on Economic Development, at no*
33 *charge, a summary of the research produced from that*
34 *information.*



1 **6. The State Demographer or any employee or other agent of**
2 **a state agency receiving an assessor's electronic files pursuant to**
3 **this section shall not knowingly:**

4 **(a) Publish or otherwise disclose any information made**
5 **confidential pursuant to NRS 250.100 to 250.230, inclusive; or**

6 **(b) Use any information made confidential pursuant to NRS**
7 **250.100 to 250.230, inclusive, to contact any person.**

8 **7. A person who violates subsection 6 is guilty of a**
9 **misdemeanor and, in addition, the court may order a person who**
10 **violates subsection 6 to pay a civil penalty in an amount not to**
11 **exceed \$2,500 for each act.**

12 **8. As used in this section:**

13 **(a) "State agency" means:**

14 **(1) The State of Nevada, or any agency, instrumentality or**
15 **corporation thereof; and**

16 **(2) The Nevada System of Higher Education or any branch**
17 **or facility thereof.**

18 **(b) "State Demographer" means the demographer employed**
19 **pursuant to NRS 360.283.**

20 **Sec. 2.** NRS 250.150 is hereby amended to read as follows:

21 250.150 If a person listed in NRS 250.140 requests
22 confidentiality, the confidential information of that person may only
23 be disclosed as provided in NRS 239.0115, 250.160 or 250.180 **[.]**
24 **or section 1 of this act.**

25 **Sec. 3.** NRS 250.160 is hereby amended to read as follows:

26 250.160 1. A county assessor may provide confidential
27 information for use:

28 (a) By any governmental entity, including, without limitation,
29 any court or law enforcement agency, in carrying out its functions,
30 or any person acting on behalf of a federal, state or local
31 governmental agency in carrying out its functions.

32 (b) In connection with any civil, criminal, administrative or
33 arbitration proceeding before any federal or state court, regulatory
34 body, board, commission or agency, including, without limitation,
35 use for service of process, investigation in anticipation of litigation,
36 and execution or enforcement of judgments and orders or pursuant
37 to an order of a federal or state court.

38 (c) By a private investigator, private patrol officer or security
39 consultant who is licensed pursuant to chapter 648 of NRS, for any
40 use authorized pursuant to this section.

41 (d) In connection with an investigation conducted pursuant to
42 NRS 253.0415 or 253.220.

43 (e) In activities relating to research and the production of
44 statistical reports, if the address or information will not be published
45 or otherwise disclosed or used to contact any person.



* S B 4 0 0 *

(f) In the bulk distribution of surveys, marketing material or solicitations, if the assessor has adopted policies and procedures to ensure that the information will be used or sold only for use in the bulk distribution of surveys, marketing material or solicitations.

(g) By a reporter or editorial employee who is employed by or affiliated with any newspaper, press association or commercially operated, federally licensed radio or television station.

(h) In accordance with section 1 of this act.

2. Except for a reporter or editorial employee described in paragraph (g) of subsection 1, a person who obtains information pursuant to this section and sells or discloses that information shall keep and maintain for at least 5 years a record of:

(a) Each person to whom the information is sold or disclosed; and

(b) The purpose for which that person will use the information.

Sec. 4. NRS 250.210 is hereby amended to read as follows:

250.210 1. A person shall not:

(a) Make a false representation to obtain any information pursuant to NRS 250.100 to 250.180, inclusive; or

(b) Knowingly obtain or disclose information pursuant to NRS 250.100 to 250.180, inclusive, for any use not authorized pursuant to NRS 250.100 to 250.180, inclusive ***H, or section 1 of this act.***

2. A person who violates the provisions of this section is guilty of a misdemeanor.

Sec. 5. Chapter 237 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Notwithstanding any other provision of law, on or before January 1 of each year, each county which possesses or maintains a digital parcel base for the county shall provide the digital parcel base to the State Demographer at no charge. The State Demographer shall keep confidential the information provided to him or her pursuant to this subsection, except that the State Demographer shall provide such information at no charge to a state agency which satisfies the requirements of this section.

2. A state agency engaged in activities related to economic development or population estimate research may request the digital parcel bases for each county that possesses or maintains a digital parcel base by submitting a written request to the State Demographer. The written request must include, without limitation:

(a) The name and address of the state agency;

(b) A statement of the purpose for which the state agency is seeking the digital parcel bases; and

(c) A summary of the research or statistical reports which will be produced from the digital parcel bases.



1 3. Except as otherwise provided in subsection 4, if the State
2 Demographer finds that a written request complies with subsection
3 2, the State Demographer shall provide to the state agency at no
4 charge the digital parcel bases provided to the State Demographer
5 pursuant to subsection 1.

6 4. The State Demographer may refuse a request submitted by
7 a state agency pursuant to subsection 2 if the State Demographer
8 has provided the requested information to the state agency during
9 the calendar year in which the request is made.

10 5. A state agency receiving digital parcel bases pursuant to
11 this section shall provide to the county that provided the digital
12 parcel bases and the Commission on Economic Development, at
13 no charge, a summary of the research produced from that
14 information.

15 6. As used in this section:

16 (a) "State agency" means:

17 (1) The State of Nevada, or any agency, instrumentality or
18 corporation thereof; and

19 (2) The Nevada System of Higher Education or any branch
20 or facility thereof.

21 (b) "State Demographer" means the demographer employed
22 pursuant to NRS 360.283.

23 Sec. 6. This act becomes effective on July 1, 2011.

