

Amendment No. 677

Assembly Amendment to Senate Bill No. 20 First Reprint (BDR 33-305)

Proposed by: Assembly Committee on Government Affairs

Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

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 underlining* is newly added transitory language.

JWP/TMC



Date: 5/19/2013

S.B. No. 20—Revises provisions governing the submission of certain publications to the State Publications Distribution Center. (BDR 33-305)



SENATE BILL NO. 20—COMMITTEE ON EDUCATION

(ON BEHALF OF THE DIVISION OF
STATE LIBRARY AND ARCHIVES)

PREFILED DECEMBER 20, 2012

Referred to Committee on Education

SUMMARY—Revises provisions governing the submission of certain publications to the State Publications Distribution Center. (BDR 33-305)

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 governmental publications; revising provisions governing the submission of certain publications to the State Publications Distribution Center by certain state agencies and local governments; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the State Publications Distribution Center within the State Library and Archives. (NRS 378.170) Under existing law, state agencies and local governments, with certain exceptions, are required to deposit paper copies of certain publications, upon release, with the Center for distribution to certain libraries throughout the State. If such a state agency or local government releases a publication in an electronic format or medium, the state agency or local government is required to notify the Center of the release and provide the Center with access to the publication. (NRS 378.180) A “publication” is defined to include any information in any format or medium that is: (1) produced pursuant to the authority or at the expense of a state agency or local government; (2) required by law to be distributed by a state agency or local government; or (3) distributed publicly by a state agency or local government outside that state agency or local government. (NRS 378.160)

Section 1 of this bill excludes from the definition of “publication” certain records of a local government which have been scheduled for disposition or retention.

Section 3 of this bill reduces the number of paper copies of a publication that a state agency or local government is required to deposit with the Center. ~~from 12 copies to 10 copies. Section 3~~ Unless a publication is available only in paper form, section 3 also ~~authorizes~~ requires a state agency or local government to provide the Center with an electronic version of the publication in lieu of depositing paper copies. If the publication is available only in paper form at the time copies are deposited with the Center, but is later released in an electronic format or medium, section 3 also requires the state agency or local government to provide the Center with an electronic version of the publication ~~instead of notice and access to the electronic publication.~~ when it becomes available. Finally, section 3 prescribes requirements for the submission of an electronic version of a publication to the Center by a state agency or local government. ~~and section 2~~ Section 2 of this bill requires the State Library and Archives Administrator to adopt regulations prescribing the procedures for submitting an electronic version of a publication to the Center.

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

Section 1. NRS 378.160 is hereby amended to read as follows:

378.160 As used in NRS 378.150 to 378.210, inclusive:

1. "Center" means the State Publications Distribution Center created by NRS 378.170.

2. "Depository library" means a library with which the Center has entered into an agreement pursuant to NRS 378.190.

3. "Local government" means every political subdivision or other entity which has the right to levy or receive money from ad valorem or other taxes or any mandatory assessments, and includes, without limitation, counties, cities, towns, boards, school districts and other districts organized pursuant to chapters 244A, 309, 318, 379, 474, 541, 543 and 555 of NRS, NRS 450.550 to 450.750, inclusive, and any agency or department of a county or city which prepares a budget separate from that of the parent political subdivision. The term includes the Nevada Rural Housing Authority.

4. "Publication" includes any information in any format or medium that is produced pursuant to the authority of or at the total or partial expense of a state agency or local government, is required by law to be distributed by a state agency or local government, or is distributed publicly by a state agency or local government outside that state agency or local government. The term does not include:

(a) Nevada Revised Statutes with annotations;

(b) Nevada Reports;

(c) Bound volumes of the Statutes of Nevada;

(d) Items published by the University of Nevada Press and other information disseminated by the Nevada System of Higher Education which is not designed for public distribution; or

(e) Official state records scheduled for retention and disposition pursuant to NRS 239.080.

(f) Records of a local government which have been scheduled for disposition pursuant to NRS 239.124 or retention pursuant to NRS 239.125.

5. "State agency" includes the Legislature, constitutional officers or any department, division, bureau, board, commission or agency of the State of Nevada.

Sec. 2. NRS 378.170 is hereby amended to read as follows:

378.170 1. There is hereby created within the State Library and Archives a State Publications Distribution Center.

2. The State Library and Archives Administrator ~~may make~~ :

(a) Except as otherwise provided in paragraph (b), may adopt such regulations as may be necessary to carry out the purposes of the Center.

(b) Shall adopt regulations prescribing the procedures for submitting an electronic version of a publication to the Center pursuant to NRS 378.180.

Sec. 3. NRS 378.180 is hereby amended to read as follows:

378.180 1. ~~Every~~ *Except as otherwise provided in this subsection, every* state agency shall:

~~((a) For each publication of the state agency that was published, printed or copied on paper by the state agency itself or by a private printer, deposit with the Center, upon release, 10 copies of the publication; 10, upon release of~~

1 each of its publications, provide the Center with an electronic version of the
2 publication.

3 ~~[(b) For each publication printed on paper for or on behalf of the state agency~~
4 ~~by the State Printing Office:~~

5 ~~(1) In addition to the number of copies otherwise required by the state~~
6 ~~agency, request the State Printing Office to print ~~[(12) 10] 10 copies of that~~~~
7 ~~publication; and~~

8 ~~(2) Deposit or request the State Printing Office to deposit those additional~~
9 ~~copies.] If a publication is available only in paper form, the state agency shall
10 deposit 10 copies of the publication with the Center.~~

11 2. ~~[(Every)]~~ Except as otherwise provided in this subsection, every local
12 government shall, upon release ~~[(1) of each of its publications, (deposit with the~~
13 ~~Center at least six copies of)] each of its publications, (the publication or) provide~~
14 the Center with an electronic version of the publication. If a publication is
15 available only in paper form, the local government shall deposit six copies of the
16 publication with the Center.

17 3. ~~[(Every)]~~ If a publication is available only in paper form at the time copies
18 are deposited with the Center pursuant to subsection 1 or 2, every state agency
19 and local government shall, upon release of ~~[(a) the] the~~ publication in an electronic
20 format or medium, ~~[(notify the Center of such release and)]~~ provide the Center with
21 ~~[(access to)] an electronic version of the publication.~~

22 4. If a state agency or local government provides an electronic version of a
23 publication to the Center pursuant to this section, the state agency or local
24 government shall:

25 (a) Include, in a conspicuous location at or near the beginning of the
26 publication, the date on which the publication was initially released by the state
27 agency or local government; and

28 (b) Submit the electronic version of the publication in accordance with
29 regulations adopted by the State Library and Archives Administrator pursuant to
30 NRS 378.170.

31 **Sec. 4.** This act becomes effective upon passage and approval.