

Amendment No. 721

Assembly Amendment to Senate Bill No. 236 First Reprint (BDR 19-769)

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. 236—Revises provisions governing state agencies. (BDR 19-769)



SENATE BILL NO. 236—SENATORS SPEARMAN, PARKS; FORD, JONES, KIHUEN,
MANENDO, SEGERBLOM AND WOODHOUSE

MARCH 11, 2013

JOINT SPONSORS: ASSEMBLYMEN AIZLEY, KIRNER AND SWANK

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing state agencies. (BDR 19-769)

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 administration; requiring a state agency to make available on an Internet website maintained by the state agency certain forms of the state agency in a format which allows the form to be completed, downloaded and saved electronically and submitted securely to the state agency via the Internet; authorizing a state agency to apply for a waiver from such a requirement; requiring the Interim Finance Committee to grant such a waiver in certain circumstances; authorizing a state agency to provide a copy of certain records to any other state agency upon request; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 3 of this bill requires each state agency, as soon as reasonably practicable, but not later than June 30, 2015, to make available on an Internet website maintained by the state agency an electronic version of each administrative form of the state agency in a format which allows the form to be completed, downloaded and saved electronically and submitted securely to the state agency via the Internet. **Section 3** further authorizes a state agency to: (1) utilize, in a manner determined appropriate by the state agency, any program, software or technology to comply with that requirement; (2) collaborate with other state agencies to comply with that requirement; and (3) comply with that requirement in phases or separate portions over time. **Section 3** also authorizes a state agency to apply to the Interim Finance Committee for a waiver of that requirement and requires the Committee to grant the waiver if the Committee determines that extenuating circumstances exist or that the cost to comply with the requirement is unreasonable and would place an undue burden on the operations of the state agency. **Section 4** of this bill authorizes a state agency, upon receiving a written request from any other state agency, to provide the requesting state agency with a copy of any record maintained by the state agency other than a record which is declared by law to be confidential ~~for which the state agency determines must be kept confidential.~~

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

1 **Section 1.** Chapter 237 of NRS is hereby amended by adding thereto the
2 provisions set forth as sections 2, 3 and 4 of this act.

3 **Sec. 2.** *As used in sections 2, 3 and 4 of this act, the term "state agency"*
4 *means every public agency, bureau, board, commission, department or division of*
5 *the Executive Department of State Government.*

6 **Sec. 3.** 1. *Except as otherwise provided in subsection 3, a state agency*
7 *shall, as soon as reasonably practicable, but not later than June 30, 2015, make*
8 *available on an Internet website maintained by the state agency an electronic*
9 *version of each administrative form of the state agency which is used by any*
10 *person to submit information to the state agency. The electronic version of each*
11 *administrative form must be in a format that allows a person to complete or*
12 *prepare the form electronically, download and save an electronic copy of the*
13 *form to a computer and submit the form to the state agency securely via the*
14 *Internet.*

15 2. *A state agency may, in the discretion of the state agency:*

16 (a) *Utilize, in the manner that the state agency determines is appropriate, any*
17 *program, software or technology that the state agency determines is appropriate*
18 *for the purposes of complying with the requirements of subsection 1;*

19 (b) *Collaborate with another state agency to carry out the provisions of*
20 *subsection 1, including, without limitation, for the purpose of sharing*
21 *technology; and*

22 (c) *Comply with the provisions of subsection 1 in phases or separate portions*
23 *over time, if the state agency determines that such an approach would be useful*
24 *in fully complying with the provisions of subsection 1 by June 30, 2015.*

25 3. *A state agency may apply to the Interim Finance Committee for a waiver*
26 *of the requirements of subsection 1. The Committee shall grant such a waiver to*
27 *a state agency if the Committee determines that extenuating circumstances exist*
28 *or that the cost to comply with subsection 1 is unreasonable and would place an*
29 *undue burden on the operations of the state agency.*

30 **Sec. 4.** *A state agency may, upon receiving a written request from any other*
31 *state agency, provide to the requesting state agency a copy of any record*
32 *maintained by the state agency other than a record which is declared by law to be*
33 *confidential, ~~for which the state agency determines must be kept confidential.~~*
34 *For the purposes of ~~providing a copy of a record pursuant to this subsection,~~*
35 *this section, if a ~~state agency determines that a~~ record is declared by law to be*
36 *confidential in part and not confidential in part, the state agency may provide to*
37 *the requesting state agency a copy of that portion of the record which is*
38 *~~determined, not to be~~ confidential.*

39 **Sec. 5.** This act becomes effective upon passage and approval.