

SENATE BILL NO. 39—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE DIVISION OF
EMERGENCY MANAGEMENT)

PREFILED DECEMBER 20, 2012

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing the Nevada
Commission on Homeland Security. (BDR 19-342)

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 the Nevada Commission on Homeland
Security; clarifying that the exceptions to the Open
Meeting Law that are provided by law for the
Commission also apply to all committees appointed by
the Chair of the Commission; and providing other matters
properly relating thereto.

Legislative Counsel's Digest:

1 Existing law generally requires the Nevada Commission on Homeland Security
2 to comply with the Open Meeting Law but authorizes the Commission, upon a
3 majority vote, to hold a closed meeting to receive security briefings, discuss
4 procedures for responding to acts of terrorism and related emergencies, or discuss
5 deficiencies in security with respect to public services, public facilities and
6 infrastructure. (NRS 239C.140) This bill clarifies that the exceptions to the Open
7 Meeting Law that are provided by law for the Commission also apply to all
8 committees appointed by the Chair of the Commission.

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

1 **Section 1.** NRS 239C.140 is hereby amended to read as
2 follows:
3 239C.140 1. Except as otherwise provided in subsections 2
4 and 3, the Commission *and any committee appointed pursuant to*



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1 *NRS 239C.170* shall comply with the provisions of chapter 241 of
2 NRS and *shall conduct* all meetings ~~{of the Commission must be~~
3 ~~conducted}~~ in accordance with that chapter.

4 2. The Commission *and any committee appointed pursuant to*
5 *NRS 239C.170* may hold a closed meeting to:

6 (a) Receive security briefings;

7 (b) Discuss procedures for responding to acts of terrorism and
8 related emergencies; or

9 (c) Discuss deficiencies in security with respect to public
10 services, public facilities and infrastructure,

11 ➔ if the Commission *or committee* determines, upon a majority
12 vote of its members, that the public disclosure of such matters
13 would be likely to compromise, jeopardize or otherwise threaten the
14 safety of the public.

15 3. Except as otherwise provided in NRS 239.0115, all
16 information and materials received or prepared by the Commission
17 *or any committee appointed pursuant to NRS 239C.170* during a
18 meeting closed pursuant to subsection 2 and all minutes and
19 audiovisual or electronic reproductions of such a meeting are
20 confidential, not subject to subpoena or discovery, and not subject to
21 inspection by the general public.

