

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, with certain limitations, 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. This bill authorizes any
9 such committee to hold a closed meeting under circumstances where the
10 Commission may do so, with the prior approval of the Commission.



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

Section 1. NRS 239C.140 is hereby amended to read as follows:

239C.140 1. Except as otherwise provided in subsections 2 and 3, the Commission *and any committee appointed pursuant to NRS 239C.170* shall comply with the provisions of chapter 241 of NRS and *shall conduct* all meetings ~~of the Commission must be conducted~~ in accordance with that chapter.

2. The Commission *and, with the prior approval of the Commission, any committee appointed pursuant to NRS 239C.170* may hold a closed meeting to:

(a) Receive security briefings;

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

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

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

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

