

ASSEMBLY BILL NO. 364—ASSEMBLYMEN THOMPSON,  
BUSTAMANTE ADAMS, DIAZ, KIRKPATRICK, CARRILLO;  
ELLIOT ANDERSON, BENITEZ-THOMPSON, FLORES, JOINER  
AND OHRENSCHALL

MARCH 17, 2015

---

JOINT SPONSORS: SENATORS DENIS, PARKS, WOODHOUSE, KIHUEN,  
FORD; ATKINSON, MANENDO, ROBERSON, SEGERBLOM  
AND SMITH

---

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to the state business  
portal. (BDR 7-696)

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

CONTAINS UNFUNDED MANDATE (§ 4)  
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

~

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

---

AN ACT relating to business; declaring certain records to be confidential; revising provisions governing the state business portal; revising provisions governing applications for certain authorizations to conduct a business in this State issued by state and local agencies and health districts; requiring the Secretary of State to assign a unique business identification number to certain entities and persons under certain circumstances; revising provisions governing the issuance of certain licenses by the Office of the Secretary of State; removing the prohibition against a county clerk refusing to accept for filing certain business certificates in certain circumstances; revising provisions governing the disclosure of certain information by the Employment Security Division of the Department of Employment Training and Rehabilitation; repealing certain provisions relating to the collection of information from businesses seeking certain authorizations to conduct business in this State; repealing certain provisions relating to the issuance of certain licenses by incorporated cities and counties; and providing other matters properly relating thereto.



**Legislative Counsel's Digest:**

Under existing law, the Secretary of State is required to establish the state business portal to facilitate interaction among businesses and governmental agencies in this State by allowing businesses to conduct necessary transactions with governmental agencies in this State through the state business portal. (NRS 75A.100) **Section 4** of this bill requires the Secretary of State to: (1) establish common business registration information that is used by state and local agencies and health districts to conduct necessary transactions with businesses in this State; and (2) cause the state business portal to provide common business registration information to state and local agencies and health districts that conduct necessary transactions with businesses in this State. **Section 4** further requires that state and local agencies and health districts, to the extent practicable: (1) integrate their electronic applications processes into the state business portal; (2) use the state business portal to accept and disseminate common business registration information that is needed by the state or local agency or health district to issue a license, certificate, registration, permit or similar type of authorization to conduct a business in this State or to engage in an occupation or profession in this State; (3) make available on the Internet applications for a license, certificate, registration, permit or similar type of authorization to conduct a business in this State or to engage in an occupation or profession in this State and to integrate such applications into the state business portal; and (4) meet certain other requirements related to participation in the state business portal. **Section 4** also specifies that a state or local agency or health district is not required to disseminate or release information if such action would result in the state or local agency or health district violating any provision of state or federal law relating to the confidentiality of information. **Section 3** of this bill deems that the records and files collected as common business registration information are confidential and privileged unless an exception applies.

**Section 7** of this bill requires the Secretary of State to assign a unique business identification number to each business entity organized in this State and to each person who is issued a state business license or who claims to be excluded or exempt from the requirement to obtain a state business license. Under **section 4**: (1) the Secretary of State must cause the state business portal to interface with the system used by the Secretary of State to assign business identification numbers; and (2) state and local agencies and health districts that issue licenses, certificates, registration, permits or similar types of authorization to conduct a business in this State or to engage in an occupation or profession in this State must require an applicant for such a license, certificate, registration or permit to include the applicant's business identification number on the application.

Existing law also requires an applicant for a city or county business license to sign an affidavit affirming that the business maintains certain insurance requirements. (NRS 244.33505, 268.0955) **Section 15** of this bill repeals this requirement and **section 6** of this bill instead requires an applicant for a state business license to include with his or her application a signed affidavit or an attestation to affirm that the business maintains certain insurance requirements. **Section 6** further requires that certain information regarding industrial insurance be provided through the state business portal.

Existing law requires certain applicants for the issuance or renewal of certain licenses, certificates or permits by a county, city or town to submit a statement indicating whether the applicant is subject to a court order for the support of a child and whether he or she is in compliance with that order or a plan for the repayment of the money owed pursuant to the order. (NRS 244.33506, 266.358, 268.358, 269.171) **Section 15** repeals this requirement and **section 6** of this bill instead requires certain applicants for the issuance or renewal of a state business license to submit such statement with the application for the issuance or renewal of a state business license.



**Section 11** of this bill removes the provision from existing law which prohibits a county clerk, in certain circumstances, from refusing to accept for filing a certificate or renewal certificate concerning persons doing business in this State under an assumed or fictitious name that is filed by a foreign artificial person or persons. **Section 12** of this bill authorizes the Employment Security Division of the Department of Employment, Training and Rehabilitation to make certain information available to the Secretary of State for certain purposes related to operating and maintaining the state business portal.

---

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

**Section 1.** Chapter 75A of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

**Sec. 2.** *As used in this chapter, unless the context otherwise requires, "health district" means a health district created pursuant to NRS 439.362 or 439.370.*

**Sec. 3. 1.** *Except as otherwise provided in subsection 2 and NRS 239.0115, the records and files collected by the Secretary of State, a state or local agency or health district pursuant to paragraph (f) of subsection 2 of NRS 75A.100 are confidential and privileged. The Secretary of State, any employee of the Secretary of State and any state or local agency or health district, or employee of such an agency or health district, which is authorized to view or use the information in such records or files:*

*(a) Shall not disclose any information obtained from such records or files other than specific information contained in the record or file that is deemed a public record; and*

*(b) May not be required to produce any of the records, files and information for the inspection of any person or governmental entity or for use in any action or proceeding.*

**2.** *The records and files collected pursuant to paragraph (f) of subsection 2 of NRS 75A.100 are not confidential and privileged in the following cases:*

*(a) Testimony by the Secretary of State, or any employee of the Secretary of State, or a member or employee of any state or local agency or health district and production of records, files and information on behalf of the Secretary of State, any state or local agency or health district or a person in any action or proceeding before the Secretary of State, any state or local agency or health district, or court in this State if that testimony or the records, files or information, or the facts shown thereby, are directly involved in the action or proceeding.*

*(b) Delivery to a person or his or her authorized representative of a copy of any document filed by the person pursuant to this chapter.*



(c) *Publication by a governmental agency of statistics so classified as to prevent the identification of a particular business or document.*

(d) *Exchanges of information with the Secretary of State, any state or local agency, health district or federal governmental agency in accordance with any agreement made and provided for in such cases, or disclosure in confidence to any federal agency that requests the information for use by the agency in a civil or criminal investigation or prosecution.*

(e) *Disclosure in confidence to the Attorney General or other legal representative of the State or a local or federal agency in connection with an action or proceeding relating to a taxpayer, or to any agency of this or any other state or the Federal Government charged with the administration or enforcement of laws relating to workers' compensation, unemployment compensation, public assistance, taxation, labor or gaming or which issues licenses, certificates, registrations, permits or similar types of authorization to conduct a business in this State.*

(f) *Disclosure by the Secretary of State or a state or local agency or health district for the purpose of collection of a debt, fee or obligation owed to the Secretary of State or the agency or district.*

(g) *A business that submits information to the state business portal and agrees to a provision authorizing the release of information contained in the records and files of the state business portal for a purpose which must be specified in the provision.*

**Sec. 4.** NRS 75A.100 is hereby amended to read as follows:

75A.100 1. The Secretary of State shall provide for the establishment of a state business portal to facilitate interaction among businesses and governmental agencies in this State by allowing businesses to conduct necessary transactions with governmental agencies in this State through use of the state business portal.

2. The Secretary of State shall:

(a) Establish, through cooperative efforts **[H]** *and consultation with representatives of state agencies, local governments, health districts and businesses*, the standards and requirements necessary to design, build and implement the state business portal;

(b) Establish the standards and requirements necessary for a state or local agency to participate in the state business portal;

(c) Authorize a state or local agency to participate in the state business portal if the Secretary of State determines that the agency meets the standards and requirements necessary for such participation **[H]** *and the agency has entered into an agreement for*



1 *access to the state business portal which is prescribed by the*  
2 *Secretary of State;*

3 (d) Determine the appropriate requirements to be used by  
4 businesses and governmental agencies conducting transactions  
5 through use of the state business portal;

6 (e) *Cause the state business portal to interface with the system*  
7 *established by the Secretary of State to assign business*  
8 *identification numbers;*

9 (f) *For the purpose of coordinating the collection of common*  
10 *information from businesses using the state business portal:*

11 (1) *Establish common business registration information to*  
12 *be collected from businesses by state and local agencies and health*  
13 *districts which issue licenses, certificates, registrations, permits or*  
14 *similar types of authorization to conduct a business in this State,*  
15 *which collect taxes or fees or which conduct other necessary*  
16 *transactions with businesses in this State; and*

17 (2) *Cause the state business portal to provide the common*  
18 *business registration information to state and local agencies and*  
19 *health districts which participate in the state business portal and*  
20 *which use the common business registration information to issue*  
21 *licenses, certificates, registrations, permits or similar types of*  
22 *authorization to conduct a business in this State, to collect taxes or*  
23 *fees or to conduct other necessary transactions with businesses in*  
24 *this State;*

25 (g) In carrying out the provisions of this section, consult with  
26 the Executive Director of the Office of Economic Development to  
27 ensure that the activities of the Secretary of State are consistent with  
28 the State Plan for Economic Development developed by the  
29 Executive Director pursuant to subsection 2 of NRS 231.053; and

30 ~~(h)~~ (h) Adopt such regulations and take any appropriate action  
31 as necessary to carry out the provisions of this chapter.

32 3. *Each state or local agency or health district that issues a*  
33 *license, certificate, registration, permit or similar type of*  
34 *authorization to conduct a business in this State shall, to the*  
35 *extent practicable:*

36 (a) *Make available on its Internet website any of its*  
37 *applications for a license, certificate, registration, permit or*  
38 *similar type of authorization to conduct a business in this State.*

39 (b) *Accept the electronic transfer of common business*  
40 *registration information from the state business portal for use in*  
41 *any electronic application for a license, certificate, registration,*  
42 *permit or similar type of authorization to conduct a business in*  
43 *this State or for use in any application processing system.*

44 (c) *Integrate with the state business portal any of its*  
45 *applications for a license, certificate, registration, permit or*



1 similar type of authorization to conduct a business in this State. As  
2 used in this paragraph, “integrate” means to consolidate an  
3 electronic application process so that it is capable of collecting and  
4 disseminating information to a state or local agency or health  
5 district for the processing of the application for a license,  
6 certificate, registration, permit or similar type of authorization to  
7 conduct a business in this State.

8 (d) Allow for the acceptance of an electronic signature for a  
9 declaration or affirmation under penalty of perjury or as provided  
10 for in statute.

11 (e) Require an applicant for a license, certificate, registration,  
12 permit or similar type of authorization to conduct a business in  
13 this State to include in the application the applicant’s business  
14 identification number.

15 (f) Ensure that the state or local agency or health district, as  
16 applicable, is capable of using the state business portal to accept  
17 and disseminate to participating state and local agencies and  
18 health districts the common business registration information  
19 established pursuant to subparagraph (1) of paragraph (f) of  
20 subsection 2 which is needed by the state or local agency or health  
21 district to issue a license, certificate, registration, permit or similar  
22 type of authorization to conduct a business in this State.

23 (g) Establish and maintain its rules, data and processes  
24 relating to businesses in accordance with the agreement entered  
25 into by the state or local agency or health district pursuant to  
26 paragraph (c) of subsection 2 and any corresponding technical  
27 documentation.

28 4. The provisions of subsection 3 to not require a state or  
29 local agency or health district to disseminate or release  
30 information if such action would result in the state or local agency  
31 or health district violating any provision of state or federal law  
32 relating to the confidentiality of the information.

33 5. Except as otherwise provided in NRS 239.0115, all records  
34 containing technical specifications, processing protocols or  
35 programmatic or system architecture of the state business portal,  
36 and any other records containing information the disclosure of  
37 which would endanger the security of the state business portal, or  
38 proprietary information related to the functions, operations,  
39 processes or architecture of the state business portal, are deemed  
40 confidential and privileged.

41 6. As used in this section:

42 (a) “Business identification number” means the number  
43 assigned by the Secretary of State pursuant to section 7 of this act  
44 to an entity organized pursuant to this title or to a person who is  
45 issued a state business license or who claims to be excluded or



1 *exempt from the requirement to obtain a state business license*  
2 *pursuant to chapter 76 of NRS.*

3 *(b) "Disseminate" means to distribute in an electronic format*  
4 *that is capable of being accepted by participating state and local*  
5 *agencies and health districts and used by participants as the*  
6 *common business registration information used to issue a license,*  
7 *certificate, registration, permit or similar type of authorization, to*  
8 *collect taxes or fees or to conduct other necessary transactions*  
9 *with businesses in this State.*

10 **Sec. 5.** Chapter 76 of NRS is hereby amended by adding a  
11 new section to read as follows:

12 *1. If an applicant for the issuance or renewal of a state*  
13 *business license is required to obtain or renew a license, permit or*  
14 *certificate to practice a profession or occupation pursuant to NRS*  
15 *244.334, 244.335, 266.355, 268.0887, 268.095 or 269.170, the*  
16 *applicant shall:*

17 *(a) Include in the application his or her social security*  
18 *number; and*

19 *(b) Submit to the Secretary of State the statement prescribed by*  
20 *the Division of Welfare and Supportive Services of the Department*  
21 *of Health and Human Services pursuant to NRS 425.520. The*  
22 *statement must be completed and signed by the applicant.*

23 *2. The Secretary of State shall include the statement required*  
24 *pursuant to subsection 1 in:*

25 *(a) The application or any other forms that must be submitted*  
26 *for the issuance or renewal of the state business license; or*

27 *(b) A separate form prescribed by the Secretary of State.*

28 *3. A state business license may not be issued or renewed by*  
29 *the Secretary of State if the applicant:*

30 *(a) Fails to submit the statement required pursuant to*  
31 *subsection 1; or*

32 *(b) Indicates on the statement submitted pursuant to*  
33 *subsection 1 that the applicant is subject to a court order for the*  
34 *support of a child and is not in compliance with the order or a*  
35 *plan approved by the district attorney or other public agency*  
36 *enforcing the order for the repayment of the amount owed*  
37 *pursuant to the order.*

38 *4. If an applicant indicates on the statement submitted*  
39 *pursuant to subsection 1 that the applicant is subject to a court*  
40 *order for the support of a child and is not in compliance with the*  
41 *order or a plan approved by the district attorney or other public*  
42 *agency enforcing the order for the repayment of the amount owed*  
43 *pursuant to the order, the Secretary of State shall advise the*  
44 *applicant to contact the district attorney or other public agency*



*enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.*

**Sec. 6.** NRS 76.100 is hereby amended to read as follows:

76.100 1. A person shall not conduct a business in this State unless and until the person obtains a state business license issued by the Secretary of State. If the person is:

(a) An entity required to file an initial or annual list with the Secretary of State pursuant to this title, the person must obtain the state business license at the time of filing the initial or annual list.

(b) Not an entity required to file an initial or annual list with the Secretary of State pursuant to this title, the person must obtain the state business license before conducting a business in this State.

2. An application for a state business license must:

(a) Be made upon a form prescribed by the Secretary of State;

(b) Set forth the name under which the applicant transacts or intends to transact business, or if the applicant is an entity organized pursuant to this title and on file with the Secretary of State, the exact name on file with the Secretary of State, the ~~[entity]~~ *business identification* number as assigned by the Secretary of State ~~[, if known,]~~ *pursuant section 7 of this act*, and the location in this State of the place or places of business;

(c) Be accompanied by a fee in the amount of \$100; ~~[and]~~

(d) *Include a signed affidavit affirming or, if the applicant submits his or her application electronically, attesting that the business:*

*(1) Has received coverage by a private carrier as required pursuant to chapters 616A to 616D, inclusive, and chapter 617 of NRS;*

*(2) Maintains a valid certificate of self-insurance pursuant to chapters 616A to 616D, inclusive, of NRS;*

*(3) Is a member of an association of self-insured public or private employers; or*

*(4) Is not subject to the provisions of chapters 616A to 616D, inclusive, or chapter 617 of NRS; and*

(e) Include any other information that the Secretary of State deems necessary.

➤ If the applicant is an entity organized pursuant to this title and on file with the Secretary of State and the applicant has no location in this State of its place of business, the address of its registered agent shall be deemed to be the location in this State of its place of business.

3. The application must be signed pursuant to NRS 239.330 by:

(a) The owner of a business that is owned by a natural person.

(b) A member or partner of an association or partnership.

(c) A general partner of a limited partnership.





1 (d) A managing partner of a limited-liability partnership.  
2 (e) A manager or managing member of a limited-liability  
3 company.

4 (f) An officer of a corporation or some other person specifically  
5 authorized by the corporation to sign the application.

6 4. If the application for a state business license is defective in  
7 any respect or the fee required by this section is not paid, the  
8 Secretary of State may return the application for correction or  
9 payment.

10 5. The state business license required to be obtained pursuant  
11 to this section is in addition to any license to conduct business that  
12 must be obtained from the local jurisdiction in which the business is  
13 being conducted.

14 6. *The Secretary of State shall, through the state business*  
15 *portal established pursuant to NRS 75A.100, make available to the*  
16 *Administrator of the Division of Industrial Relations of the*  
17 *Department of Business and Industry monthly a list of the names*  
18 *of those businesses which have submitted an affidavit or*  
19 *attestation required by paragraph (d) of subsection 2.*

20 7. *Upon receiving an affidavit or attestation required by*  
21 *paragraph (d) of subsection 2, the Secretary of State shall,*  
22 *through the state business portal established pursuant to NRS*  
23 *75A.100, provide the owner of the business with a document*  
24 *setting forth the rights and responsibilities of employers and*  
25 *employees to promote safety in the workplace in accordance*  
26 *with the regulations adopted by the Division of Industrial*  
27 *Relations of the Department of Business and Industry pursuant to*  
28 *NRS 618.376.*

29 8. For the purposes of this chapter, a person shall be deemed to  
30 conduct a business in this State if a business for which the person is  
31 responsible:

32 (a) Is organized pursuant to this title, other than a business  
33 organized pursuant to:

34 (1) Chapter 82 or 84 of NRS; or

35 (2) Chapter 81 of NRS if the business is a nonprofit  
36 religious, charitable, fraternal or other organization that qualifies as  
37 a tax-exempt organization pursuant to 26 U.S.C. § 501(c).

38 (b) Has an office or other base of operations in this State;

39 (c) Has a registered agent in this State; or

40 (d) Pays wages or other remuneration to a natural person who  
41 performs in this State any of the duties for which he or she is paid.

42 ~~77~~ 9. As used in this section, "registered agent" has the  
43 meaning ascribed to it in NRS 77.230.



**Sec. 7.** Chapter 225 of NRS is hereby amended by adding thereto a new section to read as follows:

*For the purpose of establishing the identity of an entity organized pursuant to title 7 of NRS or a person who is issued a state business license pursuant to chapter 76 of NRS or who claims to be excluded or exempt from the requirement to obtain a state business license pursuant to NRS 76.105, the Secretary of State shall assign a unique business identification number to each such entity or person.*

**Sec. 8.** NRS 239.010 is hereby amended to read as follows:

239.010 1. Except as otherwise provided in this section and NRS 1.4683, 1A.110, 49.095, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, **75A.100**, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653, 119B.370, 119B.382, 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817, 130.312, 159.044, 172.075, 172.245, 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.165, 179A.450, 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3925, 209.419, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 228.270, 228.450, 228.495, 228.570, 231.069, 233.190, 237.300, 239.0105, 239.0113, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 240.007, 241.020, 241.030, 242.105, 244.264, 244.335, 250.087, 250.130, 250.140, 250.150, 268.095, 268.490, 268.910, 271A.105, 281.195, 281A.350, 281A.440, 281A.550, 284.4068, 286.110, 287.0438, 289.025, 289.080, 289.387, 293.5002, 293.503, 293.558, 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.610, 365.138, 366.160, 368A.180, 372A.080, 378.290, 378.300, 379.008, 386.655, 387.626, 387.631, 388.5275, 388.528, 388.5315, 388.750, 391.035, 392.029, 392.147, 392.264, 392.271, 392.652, 392.850, 394.167, 394.1698, 394.447, 394.460, 394.465, 396.3295, 396.405, 396.525, 396.535, 398.403, 408.3885, 408.3886, 412.153, 416.070, 422.290, 422.305, 422A.320, 422A.350, 425.400, 427A.1236, 427A.872, 432.205, 432B.175, 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 433.534, 433A.360, 439.270, 439.840, 439B.420, 440.170, 441A.195,



1 441A.220, 441A.230, 442.330, 442.395, 445A.665, 445B.570,  
2 449.209, 449.245, 449.720, 453.1545, 453.720, 453A.610,  
3 453A.700, 458.055, 458.280, 459.050, 459.3866, 459.555,  
4 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403,  
5 463.3407, 463.790, 467.1005, 467.137, 481.063, 482.170, 482.5536,  
6 483.340, 483.363, 483.800, 484E.070, 485.316, 503.452, 522.040,  
7 534A.031, 561.285, 571.160, 584.655, 598.0964, 598A.110,  
8 603.070, 603A.210, 604A.710, 612.265, 616B.012, 616B.015,  
9 616B.315, 616B.350, 618.341, 618.425, 622.310, 623.131,  
10 623A.353, 624.110, 624.265, 624.327, 625.425, 625A.185, 628.418,  
11 629.069, 630.133, 630.30665, 630.336, 630A.555, 631.368,  
12 632.121, 632.125, 632.405, 633.283, 633.301, 633.524, 634.212,  
13 634.214, 634A.185, 635.158, 636.107, 637.085, 637A.315,  
14 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075,  
15 640A.220, 640B.730, 640C.400, 640C.745, 640C.760, 640D.190,  
16 640E.340, 641.090, 641A.191, 641B.170, 641C.760, 642.524,  
17 643.189, 644.446, 645.180, 645.625, 645A.050, 645A.082,  
18 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135,  
19 645E.300, 645E.375, 645G.510, 645H.320, 645H.330, 647.0945,  
20 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228, 654.110,  
21 656.105, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310,  
22 671.170, 673.430, 675.380, 676A.340, 676A.370, 677.243,  
23 679B.122, 679B.152, 679B.159, 679B.190, 679B.285, 679B.690,  
24 680A.270, 681A.440, 681B.260, 681B.280, 683A.0873, 685A.077,  
25 686A.289, 686B.170, 686C.306, 687A.110, 687A.115, 687C.010,  
26 688C.230, 688C.480, 688C.490, 692A.117, 692C.190, 692C.420,  
27 693A.480, 693A.615, 696B.550, 703.196, 704B.320, 704B.325,  
28 706.1725, 710.159, 711.600, *and section 3 of this act*, sections 35,  
29 38 and 41 of chapter 478, Statutes of Nevada 2011 and section 2 of  
30 chapter 391, Statutes of Nevada 2013 and unless otherwise declared  
31 by law to be confidential, all public books and public records of a  
32 governmental entity must be open at all times during office hours to  
33 inspection by any person, and may be fully copied or an abstract or  
34 memorandum may be prepared from those public books and public  
35 records. Any such copies, abstracts or memoranda may be used to  
36 supply the general public with copies, abstracts or memoranda of the  
37 records or may be used in any other way to the advantage of the  
38 governmental entity or of the general public. This section does not  
39 supersede or in any manner affect the federal laws governing  
40 copyrights or enlarge, diminish or affect in any other manner the  
41 rights of a person in any written book or record which is  
42 copyrighted pursuant to federal law.

43 2. A governmental entity may not reject a book or record  
44 which is copyrighted solely because it is copyrighted.



3. A governmental entity that has legal custody or control of a public book or record shall not deny a request made pursuant to subsection 1 to inspect or copy or receive a copy of a public book or record on the basis that the requested public book or record contains information that is confidential if the governmental entity can redact, delete, conceal or separate the confidential information from the information included in the public book or record that is not otherwise confidential.

4. A person may request a copy of a public record in any medium in which the public record is readily available. An officer, employee or agent of a governmental entity who has legal custody or control of a public record:

(a) Shall not refuse to provide a copy of that public record in a readily available medium because the officer, employee or agent has already prepared or would prefer to provide the copy in a different medium.

(b) Except as otherwise provided in NRS 239.030, shall, upon request, prepare the copy of the public record and shall not require the person who has requested the copy to prepare the copy himself or herself.

**Sec. 9.** NRS 244.335 is hereby amended to read as follows:

244.335 1. Except as otherwise provided in subsections 2, 3 and 4, and NRS 244.33501, a board of county commissioners may:

(a) Except as otherwise provided in NRS 244.331 to 244.3345, inclusive, 598D.150 and 640C.100, regulate all character of lawful trades, callings, industries, occupations, professions and business conducted in its county outside of the limits of incorporated cities and towns.

(b) Except as otherwise provided in NRS 244.3359 and 576.128, fix, impose and collect a license tax for revenue or for regulation, or for both revenue and regulation, on such trades, callings, industries, occupations, professions and business.

2. The county license boards have the exclusive power in their respective counties to regulate entertainers employed by an entertainment by referral service and the business of conducting a dancing hall, escort service, entertainment by referral service or gambling game or device permitted by law, outside of an incorporated city. The county license boards may fix, impose and collect license taxes for revenue or for regulation, or for both revenue and regulation, on such employment and businesses.

3. A board of county commissioners shall not require that a person who is licensed as a contractor pursuant to chapter 624 of NRS obtain more than one license to engage in the business of contracting or pay more than one license tax related to engaging in the business of contracting, regardless of the number of



1 classifications or subclassifications of licensing for which the person  
2 is licensed pursuant to chapter 624 of NRS.

3 4. The board of county commissioners or county license board  
4 shall not require a person to obtain a license or pay a license tax on  
5 the sole basis that the person is a professional. As used in this  
6 subsection, “professional” means a person who:

7 (a) Holds a license, certificate, registration, permit or similar  
8 type of authorization issued by a regulatory body as defined in NRS  
9 622.060 or who is regulated pursuant to the Nevada Supreme Court  
10 Rules; and

11 (b) Practices his or her profession for any type of compensation  
12 as an employee.

13 5. The county license board shall provide upon request an  
14 application for a state business license pursuant to chapter 76 of  
15 NRS. No license to engage in any type of business may be granted  
16 unless the applicant for the license:

17 (a) Signs an affidavit affirming that the business has complied  
18 with the provisions of chapter 76 of NRS; or

19 (b) Provides to the county license board the ~~entity~~ *business*  
20 *identification* number of the applicant assigned by the Secretary of  
21 State *pursuant to section 7 of this act* which the county may use to  
22 validate that the applicant is currently in good standing with the  
23 State and has complied with the provisions of chapter 76 of NRS.

24 6. No license to engage in business as a seller of tangible  
25 personal property may be granted unless the applicant for the  
26 license:

27 (a) Presents written evidence that:

28 (1) The Department of Taxation has issued or will issue a  
29 permit for this activity, and this evidence clearly identifies the  
30 business by name; or

31 (2) Another regulatory agency of the State has issued or will  
32 issue a license required for this activity; or

33 (b) Provides to the county license board the ~~entity~~ *business*  
34 *identification* number of the applicant assigned by the Secretary of  
35 State *pursuant to section 7 of this act* which the county may use to  
36 validate that the applicant is currently in good standing with the  
37 State and has complied with the provisions of paragraph (a).

38 7. Any license tax levied for the purposes of NRS 244.3358 or  
39 244A.597 to 244A.655, inclusive, constitutes a lien upon the real  
40 and personal property of the business upon which the tax was levied  
41 until the tax is paid. The lien has the same priority as a lien for  
42 general taxes. The lien must be enforced:

43 (a) By recording in the office of the county recorder, within 6  
44 months after the date on which the tax became delinquent or was



otherwise determined to be due and owing, a notice of the tax lien containing the following:

- (1) The amount of tax due and the appropriate year;
  - (2) The name of the record owner of the property;
  - (3) A description of the property sufficient for identification;
- and

(4) A verification by the oath of any member of the board of county commissioners or the county fair and recreation board; and

(b) By an action for foreclosure against the property in the same manner as an action for foreclosure of any other lien, commenced within 2 years after the date of recording of the notice of the tax lien, and accompanied by appropriate notice to other lienholders.

8. The board of county commissioners may delegate the authority to enforce liens from taxes levied for the purposes of NRS 244A.597 to 244A.655, inclusive, to the county fair and recreation board. If the authority is so delegated, the board of county commissioners shall revoke or suspend the license of a business upon certification by the county fair and recreation board that the license tax has become delinquent, and shall not reinstate the license until the tax is paid. Except as otherwise provided in NRS 239.0115 and 244.3357, all information concerning license taxes levied by an ordinance authorized by this section or other information concerning the business affairs or operation of any licensee obtained as a result of the payment of such license taxes or as the result of any audit or examination of the books by any authorized employee of a county fair and recreation board of the county for any license tax levied for the purpose of NRS 244A.597 to 244A.655, inclusive, is confidential and must not be disclosed by any member, officer or employee of the county fair and recreation board or the county imposing the license tax unless the disclosure is authorized by the affirmative action of a majority of the members of the appropriate county fair and recreation board. Continuing disclosure may be so authorized under an agreement with the Department of Taxation or Secretary of State for the exchange of information concerning taxpayers.

**Sec. 10.** NRS 268.095 is hereby amended to read as follows:

268.095 1. Except as otherwise provided in subsection 4 and NRS 268.0951, the city council or other governing body of each incorporated city in this State, whether organized under general law or special charter, may:

(a) Except as otherwise provided in subsection 2 and NRS 268.0968 and 576.128, fix, impose and collect for revenues or for regulation, or both, a license tax on all character of lawful trades, callings, industries, occupations, professions and businesses conducted within its corporate limits.



(b) Assign the proceeds of any one or more of such license taxes to the county within which the city is situated for the purpose or purposes of making the proceeds available to the county:

(1) As a pledge as additional security for the payment of any general obligation bonds issued pursuant to NRS 244A.597 to 244A.655, inclusive;

(2) For redeeming any general obligation bonds issued pursuant to NRS 244A.597 to 244A.655, inclusive;

(3) For defraying the costs of collecting or otherwise administering any such license tax so assigned, of the county fair and recreation board and of officers, agents and employees hired thereby, and of incidentals incurred thereby;

(4) For operating and maintaining recreational facilities under the jurisdiction of the county fair and recreation board;

(5) For improving, extending and bettering recreational facilities authorized by NRS 244A.597 to 244A.655, inclusive; and

(6) For constructing, purchasing or otherwise acquiring such recreational facilities.

(c) Pledge the proceeds of any tax imposed on the revenues from the rental of transient lodging pursuant to this section for the payment of any general or special obligations issued by the city for a purpose authorized by the laws of this State.

(d) Use the proceeds of any tax imposed pursuant to this section on the revenues from the rental of transient lodging:

(1) To pay the principal, interest or any other indebtedness on any general or special obligations issued by the city pursuant to the laws of this State;

(2) For the expense of operating or maintaining, or both, any facilities of the city; and

(3) For any other purpose for which other money of the city may be used.

2. The city council or other governing body of an incorporated city shall not require that a person who is licensed as a contractor pursuant to chapter 624 of NRS obtain more than one license to engage in the business of contracting or pay more than one license tax related to engaging in the business of contracting, regardless of the number of classifications or subclassifications of licensing for which the person is licensed pursuant to chapter 624 of NRS.

3. The proceeds of any tax imposed pursuant to this section that are pledged for the repayment of general obligations may be treated as "pledged revenues" for the purposes of NRS 350.020.

4. The city council or other governing body of an incorporated city shall not require a person to obtain a license or pay a license tax on the sole basis that the person is a professional. As used in this subsection, "professional" means a person who:



(a) Holds a license, certificate, registration, permit or similar type of authorization issued by a regulatory body as defined in NRS 622.060 or who is regulated pursuant to the Nevada Supreme Court Rules; and

(b) Practices his or her profession for any type of compensation as an employee.

5. The city licensing agency shall provide upon request an application for a state business license pursuant to chapter 76 of NRS. No license to engage in any type of business may be granted unless the applicant for the license:

(a) Signs an affidavit affirming that the business has complied with the provisions of chapter 76 of NRS; or

(b) Provides to the city licensing agency the ~~[entity]~~ *business identification* number of the applicant assigned by the Secretary of State *pursuant to section 7 of this act* which the city may use to validate that the applicant is currently in good standing with the State and has complied with the provisions of chapter 76 of NRS.

6. No license to engage in business as a seller of tangible personal property may be granted unless the applicant for the license:

(a) Presents written evidence that:

(1) The Department of Taxation has issued or will issue a permit for this activity, and this evidence clearly identifies the business by name; or

(2) Another regulatory agency of the State has issued or will issue a license required for this activity; or

(b) Provides to the city licensing agency the ~~[entity]~~ *business identification* number of the applicant assigned by the Secretary of State *pursuant to section 7 of this act* which the city may use to validate that the applicant is currently in good standing with the State and has complied with the provisions of paragraph (a).

7. Any license tax levied under the provisions of this section constitutes a lien upon the real and personal property of the business upon which the tax was levied until the tax is paid. The lien has the same priority as a lien for general taxes. The lien must be enforced:

(a) By recording in the office of the county recorder, within 6 months following the date on which the tax became delinquent or was otherwise determined to be due and owing, a notice of the tax lien containing the following:

(1) The amount of tax due and the appropriate year;

(2) The name of the record owner of the property;

(3) A description of the property sufficient for identification;

and

(4) A verification by the oath of any member of the board of county commissioners or the county fair and recreation board; and





(b) By an action for foreclosure against such property in the same manner as an action for foreclosure of any other lien, commenced within 2 years after the date of recording of the notice of the tax lien, and accompanied by appropriate notice to other lienholders.

8. The city council or other governing body of each incorporated city may delegate the power and authority to enforce such liens to the county fair and recreation board. If the authority is so delegated, the governing body shall revoke or suspend the license of a business upon certification by the board that the license tax has become delinquent, and shall not reinstate the license until the tax is paid. Except as otherwise provided in NRS 239.0115 and 268.0966, all information concerning license taxes levied by an ordinance authorized by this section or other information concerning the business affairs or operation of any licensee obtained as a result of the payment of those license taxes or as the result of any audit or examination of the books of the city by any authorized employee of a county fair and recreation board for any license tax levied for the purpose of NRS 244A.597 to 244A.655, inclusive, is confidential and must not be disclosed by any member, official or employee of the county fair and recreation board or the city imposing the license tax unless the disclosure is authorized by the affirmative action of a majority of the members of the appropriate county fair and recreation board. Continuing disclosure may be so authorized under an agreement with the Department of Taxation or the Secretary of State for the exchange of information concerning taxpayers.

9. The powers conferred by this section are in addition and supplemental to, and not in substitution for, and the limitations imposed by this section do not affect the powers conferred by, any other law. No part of this section repeals or affects any other law or any part thereof, it being intended that this section provide a separate method of accomplishing its objectives, and not an exclusive one.

**Sec. 11.** NRS 602.020 is hereby amended to read as follows:

602.020 1. A certificate filed pursuant to NRS 602.010 or a renewal certificate filed pursuant to NRS 602.035 must state the assumed or fictitious name under which the business is being conducted or is intended to be conducted, and if conducted by:

(a) A natural person:

- (1) His or her full name;
- (2) The street address of his or her residence or business; and
- (3) If the mailing address is different from the street address, the mailing address of his or her residence or business;

(b) An artificial person:

- (1) Its name; and



- 1 (2) Its mailing address;
- 2 (c) A general partnership:
- 3 (1) The full name of each partner who is a natural person;
- 4 (2) The street address of the residence or business of each
- 5 partner who is a natural person;
- 6 (3) If the mailing address is different from the street address,
- 7 the mailing address of the residence or business of each partner who
- 8 is a natural person; and
- 9 (4) If one or more of the partners is an artificial person
- 10 described in paragraph (b), the information required by paragraph
- 11 (b) for each such partner; or
- 12 (d) A trust:
- 13 (1) The full name of each trustee of the trust;
- 14 (2) The street address of the residence or business of each
- 15 trustee of the trust; and
- 16 (3) If the mailing address is different from the street address,
- 17 the mailing address of the residence or business of each trustee of
- 18 the trust.
- 19 2. The certificate must be:
- 20 (a) Signed:
- 21 (1) In the case of a natural person, by that natural person;
- 22 (2) In the case of an artificial person, by an officer, director,
- 23 manager, general partner, trustee or other natural person having the
- 24 authority to bind the artificial person to a contract;
- 25 (3) In the case of a general partnership, by each of the
- 26 partners who is a natural person and, if one or more of the partners
- 27 is an artificial person described in subparagraph (2), by the person
- 28 described in subparagraph (2); or
- 29 (4) In the case of a trust, by each of the trustees; and
- 30 (b) Notarized, unless the board of county commissioners of the
- 31 county adopts an ordinance providing that the certificate may be
- 32 filed without being notarized.
- 33 3. ~~No county clerk may refuse to accept for filing a certificate~~
- 34 ~~filed by a foreign artificial person or foreign artificial persons~~
- 35 ~~because the foreign artificial person or foreign artificial persons~~
- 36 ~~have not qualified to do business in this State under title 7 of NRS.~~
- 37 ~~—4.]~~ As used in this section:
- 38 (a) “Artificial person” means any organization organized under
- 39 the law of the United States, any foreign country, or a state,
- 40 province, territory, possession, commonwealth or dependency of the
- 41 United States or any foreign country, and as to which the
- 42 government, state, province, territory, possession, commonwealth or
- 43 dependency must maintain a record showing the organization to
- 44 have been organized.



(b) ~~“Foreign artificial person” means an artificial person that is not organized under the laws of this State.~~

~~—(c)~~ “Record” means information which is inscribed on a tangible medium or which is stored in an electronic or other medium and is retrievable in perceivable form.

**Sec. 12.** NRS 612.265 is hereby amended to read as follows:

612.265 1. Except as otherwise provided in this section and NRS 239.0115 and 612.642, information obtained from any employing unit or person pursuant to the administration of this chapter and any determination as to the benefit rights of any person is confidential and may not be disclosed or be open to public inspection in any manner which would reveal the person’s or employing unit’s identity.

2. Any claimant or a legal representative of a claimant is entitled to information from the records of the Division, to the extent necessary for the proper presentation of the claimant’s claim in any proceeding pursuant to this chapter. A claimant or an employing unit is not entitled to information from the records of the Division for any other purpose.

3. Subject to such restrictions as the Administrator may by regulation prescribe, the information obtained by the Division may be made available to:

(a) Any agency of this or any other state or any federal agency charged with the administration or enforcement of laws relating to unemployment compensation, public assistance, workers’ compensation or labor and industrial relations, or the maintenance of a system of public employment offices;

(b) Any state or local agency for the enforcement of child support;

(c) The Internal Revenue Service of the Department of the Treasury;

(d) The Department of Taxation; ~~and~~

(e) The State Contractors’ Board in the performance of its duties to enforce the provisions of chapter 624 of NRS ~~§~~; and

*(f) The Secretary of State to operate the state business portal established pursuant to chapter 75A of NRS for the purposes of verifying that data submitted via the portal has satisfied the necessary requirements established by the Division, and as necessary to maintain the technical integrity and functionality of the state business portal established pursuant to chapter 75A of NRS.*

➤ Information obtained in connection with the administration of the Division may be made available to persons or agencies for purposes appropriate to the operation of a public employment service or a public assistance program.



4. Upon written request made by a public officer of a local government, the Administrator shall furnish from the records of the Division the name, address and place of employment of any person listed in the records of employment of the Division. The request must set forth the social security number of the person about whom the request is made and contain a statement signed by the proper authority of the local government certifying that the request is made to allow the proper authority to enforce a law to recover a debt or obligation owed to the local government. Except as otherwise provided in NRS 239.0115, the information obtained by the local government is confidential and may not be used or disclosed for any purpose other than the collection of a debt or obligation owed to that local government. The Administrator may charge a reasonable fee for the cost of providing the requested information.

5. The Administrator may publish or otherwise provide information on the names of employers, their addresses, their type or class of business or industry, and the approximate number of employees employed by each such employer, if the information released will assist unemployed persons to obtain employment or will be generally useful in developing and diversifying the economic interests of this State. Upon request by a state agency which is able to demonstrate that its intended use of the information will benefit the residents of this State, the Administrator may, in addition to the information listed in this subsection, disclose the number of employees employed by each employer and the total wages paid by each employer. The Administrator may charge a fee to cover the actual costs of any administrative expenses relating to the disclosure of this information to a state agency. The Administrator may require the state agency to certify in writing that the agency will take all actions necessary to maintain the confidentiality of the information and prevent its unauthorized disclosure.

6. Upon request therefor, the Administrator shall furnish to any agency of the United States charged with the administration of public works or assistance through public employment, and may furnish to any state agency similarly charged, the name, address, ordinary occupation and employment status of each recipient of benefits and the recipient's rights to further benefits pursuant to this chapter.

7. To further a current criminal investigation, the chief executive officer of any law enforcement agency of this State may submit a written request to the Administrator that the Administrator furnish, from the records of the Division, the name, address and place of employment of any person listed in the records of employment of the Division. The request must set forth the social security number of the person about whom the request is made and



1 contain a statement signed by the chief executive officer certifying  
2 that the request is made to further a criminal investigation currently  
3 being conducted by the agency. Upon receipt of such a request, the  
4 Administrator shall furnish the information requested. The  
5 Administrator may charge a fee to cover the actual costs of any  
6 related administrative expenses.

7 8. In addition to the provisions of subsection 5, the  
8 Administrator shall provide lists containing the names and addresses  
9 of employers, and information regarding the wages paid by each  
10 employer to the Department of Taxation, upon request, for use in  
11 verifying returns for the taxes imposed pursuant to chapters 363A  
12 and 363B of NRS. The Administrator may charge a fee to cover the  
13 actual costs of any related administrative expenses.

14 9. A private carrier that provides industrial insurance in this  
15 State shall submit to the Administrator a list containing the name of  
16 each person who received benefits pursuant to chapters 616A to  
17 616D, inclusive, or chapter 617 of NRS during the preceding month  
18 and request that the Administrator compare the information so  
19 provided with the records of the Division regarding persons  
20 claiming benefits pursuant to this chapter for the same period. The  
21 information submitted by the private carrier must be in a form  
22 determined by the Administrator and must contain the social  
23 security number of each such person. Upon receipt of the request,  
24 the Administrator shall make such a comparison and, if it appears  
25 from the information submitted that a person is simultaneously  
26 claiming benefits under this chapter and under chapters 616A to  
27 616D, inclusive, or chapter 617 of NRS, the Administrator shall  
28 notify the Attorney General or any other appropriate law  
29 enforcement agency. The Administrator shall charge a fee to cover  
30 the actual costs of any related administrative expenses.

31 10. The Administrator may request the Comptroller of the  
32 Currency of the United States to cause an examination of the  
33 correctness of any return or report of any national banking  
34 association rendered pursuant to the provisions of this chapter, and  
35 may in connection with the request transmit any such report or  
36 return to the Comptroller of the Currency of the United States as  
37 provided in section 3305(c) of the Internal Revenue Code of 1954.

38 11. If any employee or member of the Board of Review, the  
39 Administrator or any employee of the Administrator, in violation of  
40 the provisions of this section, discloses information obtained from  
41 any employing unit or person in the administration of this chapter,  
42 or if any person who has obtained a list of applicants for work, or of  
43 claimants or recipients of benefits pursuant to this chapter uses or  
44 permits the use of the list for any political purpose, he or she is  
45 guilty of a gross misdemeanor.



12. All letters, reports or communications of any kind, oral or written, from the employer or employee to each other or to the Division or any of its agents, representatives or employees are privileged and must not be the subject matter or basis for any lawsuit if the letter, report or communication is written, sent, delivered or prepared pursuant to the requirements of this chapter.

**Sec. 13.** NRS 616A.405 is hereby amended to read as follows:

616A.405 The Administrator may adopt regulations relating to ~~[NRS 244.33505 and 268.0955,]~~ *the affidavit required by paragraph (d) of subsection 2 of NRS 76.100*, including regulations specifying the form of the affidavit required by ~~[those sections.]~~ *that provision.*

**Sec. 14.** NRS 719.345 is hereby amended to read as follows:

719.345 The Secretary of State may require a governmental agency of this State or a governmental agency of a political subdivision of this State, as a condition of participation in the state business portal established pursuant to *chapter 75A of NRS*, ~~[75A.100, 75A.200 and 75A.300,]~~ to send and accept electronic records and electronic signatures to and from other persons and otherwise create, generate, communicate, store, process, use and rely upon electronic records and electronic signatures.

**Sec. 15.** NRS 237.180, 244.33505, 244.33506, 244.33507, 266.358, 266.368, 268.0955, 269.171, 269.173, 364.110 and 364.120 are hereby repealed.

**Sec. 16.** 1 This act becomes effective on October 1, 2015.

2. Section 5 of this act expires by limitation on the date on which the provisions of 42 U.S.C. § 666 requiring each state to establish procedures under which the state has authority to withhold or suspend, or to restrict the use of professional, occupational and recreational licenses of persons who:

(a) Have failed to comply with the subpoena or warrant relating to a proceeding to determine the paternity of a child or to establish or enforce an obligation for the support of a child; or

(b) Are in arrears in the payment for the support of one or more children,

↪ are repealed by the Congress of the United States.

---

---

## LEADLINES OF REPEALED SECTIONS

---

---

**237.180 Requirements; annual meeting to design and modify joint forms.**



**244.33505** Business required to submit affidavit or attestation concerning industrial insurance upon application for license or post office box; provision by county of monthly list to Division of Industrial Relations; board of county commissioners to provide business with document setting forth rights and responsibilities of employers and employees for promotion of safety in workplace.

**244.33506** Application for or renewal of license, permit or certificate: Statement regarding obligation of child support required; grounds for denial; duty of board of county commissioners.

**244.33507** Application for issuance of license, permit or certificate: Social security number required.

**266.358** Payment of child support: Statement by applicant for license, permit or certificate; grounds for denial of license, permit or certificate; duty of city council.

**266.368** Application for license, permit or certificate must include social security number of applicant.

**268.0955** Business required to submit affidavit or attestation concerning industrial insurance upon application for license or post office box; provision by city of monthly list to Division of Industrial Relations; governing body of incorporated city to provide business with document setting forth rights and responsibilities of employers and employees for promotion of safety in workplace.

**269.171** Payment of child support: Statement by applicant for license, permit or certificate; grounds for denial of license, permit or certificate; duty of town board or board of county commissioners.

**269.173** Application for license, certificate or permit must include social security number of applicant.

**364.110** Licensing authority to require affidavit.

**364.120** Filing fee for required affidavit.

