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SECOND REPRINT

A.B. 364

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.

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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 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; requiring the Secretary of State to suspend a state business license under certain circumstances; 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 certain businesses in this State; and providing other matters properly relating thereto.



* A B 3 6 4 R 2 *

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 may be 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 exchange the common business registration information among certain state and local agencies and health districts that conduct necessary transactions with businesses in this State. **Section 4** authorizes state and local agencies and health districts to: (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) perform certain other actions 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 by the Secretary of State 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 may 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 or electronically submit an attestation affirming that the business satisfies certain insurance requirements. (NRS 244.33505, 268.0955) **Sections 9.5 and 10.5** of this bill provide that if an applicant submits such an attestation electronically via the state business portal, access to certain information regarding industrial insurance must be provided through the state business portal.

Existing law provides that if certain local governments require a person to obtain a license, permit or certificate to practice a profession or occupation, an applicant for the issuance or renewal of such a license, certificate or permit must 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, 266.368, 269.171) **Sections 9.6-9.9, 10.6 and 10.7** of this bill provide that an applicant for a general business license issued by a local government is not required to submit such a statement.



Existing law provides that if a local government which issues professional or occupational licenses, certificates or permits receives a copy of a court order suspending all such licenses, certificates or permits for failure to comply with certain child support requirements, the governmental entity must suspend the license, certificate or permit. (NRS 244.33508, 266.362, 269.172) **Section 5.7** of this bill requires the Secretary of State to suspend the state business license of a sole proprietor if the Secretary of State receives a copy of a court order providing for the suspension of the professional and occupational licenses issued to the sole proprietor because the sole proprietor has not complied with certain child support requirements and the sole proprietor does not comply with certain requirements within 30 days. **Sections 10.8 and 10.9** of this bill make conforming changes.

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 pursuant to paragraph (f) of subsection 2 of NRS 75A.100 are confidential and privileged. The Secretary of State and any employee of the Secretary of State who 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 and the production of records, files and information on behalf of the Secretary of State or a person in any action or proceeding before the Secretary of State or a court in this State if that testimony or the records, files or information, or



1 *the facts shown thereby, are directly involved in the action or*
2 *proceeding.*

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

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

9 *(d) Exchanges of information with the Secretary of State or a*
10 *federal agency in accordance with any agreement made and*
11 *provided for in such cases, or disclosure in confidence to any*
12 *federal agency that requests the information for use by the agency*
13 *in a civil or criminal investigation or prosecution.*

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

23 *(f) Disclosure by the Secretary of State for the purpose of*
24 *collection of a debt, fee or obligation owed to the Secretary of*
25 *State.*

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

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

31 75A.100 1. The Secretary of State shall provide for the
32 establishment of a state business portal to facilitate interaction
33 among businesses and governmental agencies in this State by
34 allowing businesses to conduct necessary transactions with
35 governmental agencies in this State through use of the state business
36 portal.

37 2. The Secretary of State shall:

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

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

44 (c) Authorize a state or local agency to participate in the state
45 business portal if the Secretary of State determines that the agency



1 meets the standards and requirements necessary for such
2 participation ~~(h)~~ *and the agency has entered into an agreement for*
3 *access to the state business portal with the Secretary of State;*

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

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

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

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

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

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

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

33 3. *Each state agency or health district that issues a license,*
34 *certificate, registration, permit or similar type of authorization to*
35 *conduct a business in this State may, to the extent practicable, and*
36 *each local agency that issues a license, certificate, registration,*
37 *permit or similar type of authorization to conduct a business in the*
38 *jurisdiction of the local agency may, as approved by the governing*
39 *body of the local government:*

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

43 (b) *Accept the electronic transfer of common business*
44 *registration information from the state business portal for use in*
45 *any electronic application for a license, certificate, registration,*



1 *permit or similar type of authorization to conduct a business in*
2 *this State or for use in any application processing system.*

3 (c) *Integrate with the state business portal any of its*
4 *applications for a license, certificate, registration, permit or*
5 *similar type of authorization to conduct a business in this State. As*
6 *used in this paragraph, “integrate” means to consolidate an*
7 *electronic application process so that it is capable of collecting and*
8 *disseminating information to a state or local agency or health*
9 *district for the processing of the application for a license,*
10 *certificate, registration, permit or similar type of authorization to*
11 *conduct a business in this State.*

12 (d) *Allow for the acceptance of an electronic signature for a*
13 *declaration or affirmation under penalty of perjury or as provided*
14 *for in statute.*

15 (e) *Require an applicant for a license, certificate, registration,*
16 *permit or similar type of authorization to conduct a business in*
17 *this State to include in the application the applicant’s business*
18 *identification number.*

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

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

32 4. *The provisions of subsection 3 do not require a state or*
33 *local agency or health district to:*

34 (a) *Disseminate or release information if such action would*
35 *result in the state or local agency or health district violating any*
36 *provision of state or federal law relating to the confidentiality of*
37 *the information.*

38 (b) *Upgrade its information technology system or incur*
39 *significant expense to comply with the provisions of this section.*

40 5. *Except as otherwise provided in NRS 239.0115, all records*
41 *containing technical specifications, processing protocols or*
42 *programmatic or system architecture of the state business portal,*
43 *and any other records containing information the disclosure of*
44 *which would endanger the security of the state business portal, or*
45 *proprietary information related to the functions, operations,*



processes or architecture of the state business portal, are deemed confidential and privileged.

6. As used in this section:

(a) "Business identification number" means the number assigned by the Secretary of State pursuant to section 7 of this act to an entity organized pursuant to this title or to a 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 pursuant to chapter 76 of NRS.

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

Sec. 5. Chapter 76 of NRS is hereby amended by adding thereto the provisions sets forth as sections 5.3 and 5.7 of this act.

Sec. 5.3. (Deleted by amendment.)

Sec 5.7. 1. *If the Secretary of State receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is conducting business in this State as a sole proprietor, and the state business license issued by the Secretary of State to such a person, the Secretary of State shall deem the state business license issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Secretary of State receives a letter issued to the holder of the state business license by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the state business license has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.*

2. The Secretary of State shall reinstate a state business license that has been suspended by a district court pursuant to NRS 425.540 if the Secretary of State receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose state business license was suspended stating that the person whose state business license was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

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:



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(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 to 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 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.

(d) A managing partner of a limited-liability partnership.

(e) A manager or managing member of a limited-liability company.

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

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

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

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

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



- 1 (1) Chapter 82 or 84 of NRS; or
2 (2) Chapter 81 of NRS if the business is a nonprofit
3 religious, charitable, fraternal or other organization that qualifies as
4 a tax-exempt organization pursuant to 26 U.S.C. § 501(c).
5 (b) Has an office or other base of operations in this State;
6 (c) Has a registered agent in this State; or
7 (d) Pays wages or other remuneration to a natural person who
8 performs in this State any of the duties for which he or she is paid.
9 7. As used in this section, "registered agent" has the meaning
10 ascribed to it in NRS 77.230.

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

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

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

21 239.010 1. Except as otherwise provided in this section and
22 NRS 1.4683, 1A.110, 49.095, 62D.420, 62D.440, 62E.516,
23 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, **75A.100**,
24 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515,
25 87.5413, 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067,
26 88A.345, 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757,
27 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267,
28 119.280, 119A.280, 119A.653, 119B.370, 119B.382, 120A.690,
29 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007,
30 127.057, 127.130, 127.140, 127.2817, 130.312, 159.044, 172.075,
31 172.245, 176.015, 176.0625, 176.09129, 176.156, 176A.630,
32 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.165,
33 179A.450, 179D.160, 200.3771, 200.3772, 200.5095, 200.604,
34 202.3662, 205.4651, 209.392, 209.3925, 209.419, 209.521,
35 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110,
36 217.464, 217.475, 218E.625, 218F.150, 218G.130, 218G.240,
37 218G.350, 228.270, 228.450, 228.495, 228.570, 231.069, 233.190,
38 237.300, 239.0105, 239.0113, 239B.030, 239B.040, 239B.050,
39 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 240.007,
40 241.020, 241.030, 242.105, 244.264, 244.335, 250.087, 250.130,
41 250.140, 250.150, 268.095, 268.490, 268.910, 271A.105, 281.195,
42 281A.350, 281A.440, 281A.550, 284.4068, 286.110, 287.0438,
43 289.025, 289.080, 289.387, 293.5002, 293.503, 293.558, 293B.135,
44 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070,
45 338.1379, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205,



1 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255,
2 360.755, 361.044, 361.610, 365.138, 366.160, 368A.180, 372A.080,
3 378.290, 378.300, 379.008, 386.655, 387.626, 387.631, 388.5275,
4 388.528, 388.5315, 388.750, 391.035, 392.029, 392.147, 392.264,
5 392.271, 392.652, 392.850, 394.167, 394.1698, 394.447, 394.460,
6 394.465, 396.3295, 396.405, 396.525, 396.535, 398.403, 408.3885,
7 408.3886, 412.153, 416.070, 422.290, 422.305, 422A.320,
8 422A.350, 425.400, 427A.1236, 427A.872, 432.205, 432B.175,
9 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 433.534,
10 433A.360, 439.270, 439.840, 439B.420, 440.170, 441A.195,
11 441A.220, 441A.230, 442.330, 442.395, 445A.665, 445B.570,
12 449.209, 449.245, 449.720, 453.1545, 453.720, 453A.610,
13 453A.700, 458.055, 458.280, 459.050, 459.3866, 459.555,
14 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403,
15 463.3407, 463.790, 467.1005, 467.137, 481.063, 482.170, 482.5536,
16 483.340, 483.363, 483.800, 484E.070, 485.316, 503.452, 522.040,
17 534A.031, 561.285, 571.160, 584.655, 598.0964, 598A.110,
18 603.070, 603A.210, 604A.710, 612.265, 616B.012, 616B.015,
19 616B.315, 616B.350, 618.341, 618.425, 622.310, 623.131,
20 623A.353, 624.110, 624.265, 624.327, 625.425, 625A.185, 628.418,
21 629.069, 630.133, 630.30665, 630.336, 630A.555, 631.368,
22 632.121, 632.125, 632.405, 633.283, 633.301, 633.524, 634.212,
23 634.214, 634A.185, 635.158, 636.107, 637.085, 637A.315,
24 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075,
25 640A.220, 640B.730, 640C.400, 640C.745, 640C.760, 640D.190,
26 640E.340, 641.090, 641A.191, 641B.170, 641C.760, 642.524,
27 643.189, 644.446, 645.180, 645.625, 645A.050, 645A.082,
28 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135,
29 645E.300, 645E.375, 645G.510, 645H.320, 645H.330, 647.0945,
30 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228, 654.110,
31 656.105, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310,
32 671.170, 673.430, 675.380, 676A.340, 676A.370, 677.243,
33 679B.122, 679B.152, 679B.159, 679B.190, 679B.285, 679B.690,
34 680A.270, 681A.440, 681B.260, 681B.280, 683A.0873, 685A.077,
35 686A.289, 686B.170, 686C.306, 687A.110, 687A.115, 687C.010,
36 688C.230, 688C.480, 688C.490, 692A.117, 692C.190, 692C.420,
37 693A.480, 693A.615, 696B.550, 703.196, 704B.320, 704B.325,
38 706.1725, 710.159, 711.600, *and section 3 of this act*, sections 35,
39 38 and 41 of chapter 478, Statutes of Nevada 2011 and section 2 of
40 chapter 391, Statutes of Nevada 2013 and unless otherwise declared
41 by law to be confidential, all public books and public records of a
42 governmental entity must be open at all times during office hours to
43 inspection by any person, and may be fully copied or an abstract or
44 memorandum may be prepared from those public books and public
45 records. Any such copies, abstracts or memoranda may be used to



1 supply the general public with copies, abstracts or memoranda of the
2 records or may be used in any other way to the advantage of the
3 governmental entity or of the general public. This section does not
4 supersede or in any manner affect the federal laws governing
5 copyrights or enlarge, diminish or affect in any other manner the
6 rights of a person in any written book or record which is
7 copyrighted pursuant to federal law.

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

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

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

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

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

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

31 244.335 1. Except as otherwise provided in subsections 2, 3
32 and 4, and NRS 244.33501, a board of county commissioners may:

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

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

42 2. The county license boards have the exclusive power in their
43 respective counties to regulate entertainers employed by an
44 entertainment by referral service and the business of conducting a
45 dancing hall, escort service, entertainment by referral service or



1 gambling game or device permitted by law, outside of an
2 incorporated city. The county license boards may fix, impose and
3 collect license taxes for revenue or for regulation, or for both
4 revenue and regulation, on such employment and businesses.

5 3. A board of county commissioners shall not require that a
6 person who is licensed as a contractor pursuant to chapter 624 of
7 NRS obtain more than one license to engage in the business of
8 contracting or pay more than one license tax related to engaging in
9 the business of contracting, regardless of the number of
10 classifications or subclassifications of licensing for which the person
11 is licensed pursuant to chapter 624 of NRS.

12 4. The board of county commissioners or county license board
13 shall not require a person to obtain a license or pay a license tax on
14 the sole basis that the person is a professional. As used in this
15 subsection, "professional" means a person who:

16 (a) Holds a license, certificate, registration, permit or similar
17 type of authorization issued by a regulatory body as defined in NRS
18 622.060 or who is regulated pursuant to the Nevada Supreme Court
19 Rules; and

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

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

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

28 (b) Provides to the county license board the **[entity] business**
29 **identification** number of the applicant assigned by the Secretary of
30 State **pursuant to section 7 of this act** which the county may use to
31 validate that the applicant is currently in good standing with the
32 State and has complied with the provisions of chapter 76 of NRS.

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

36 (a) Presents written evidence that:

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

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

42 (b) Provides to the county license board the **[entity] business**
43 **identification** number of the applicant assigned by the Secretary of
44 State **pursuant to section 7 of this act** which the county may use to



1 validate that the applicant is currently in good standing with the
2 State and has complied with the provisions of paragraph (a).

3 7. Any license tax levied for the purposes of NRS 244.3358 or
4 244A.597 to 244A.655, inclusive, constitutes a lien upon the real
5 and personal property of the business upon which the tax was levied
6 until the tax is paid. The lien has the same priority as a lien for
7 general taxes. The lien must be enforced:

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

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

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

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

15 and

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

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

22 8. The board of county commissioners may delegate the
23 authority to enforce liens from taxes levied for the purposes of NRS
24 244A.597 to 244A.655, inclusive, to the county fair and recreation
25 board. If the authority is so delegated, the board of county
26 commissioners shall revoke or suspend the license of a business
27 upon certification by the county fair and recreation board that the
28 license tax has become delinquent, and shall not reinstate the license
29 until the tax is paid. Except as otherwise provided in NRS 239.0115
30 and 244.3357, all information concerning license taxes levied by an
31 ordinance authorized by this section or other information concerning
32 the business affairs or operation of any licensee obtained as a result
33 of the payment of such license taxes or as the result of any audit or
34 examination of the books by any authorized employee of a county
35 fair and recreation board of the county for any license tax levied for
36 the purpose of NRS 244A.597 to 244A.655, inclusive, is
37 confidential and must not be disclosed by any member, officer or
38 employee of the county fair and recreation board or the county
39 imposing the license tax unless the disclosure is authorized by the
40 affirmative action of a majority of the members of the appropriate
41 county fair and recreation board. Continuing disclosure may be so
42 authorized under an agreement with the Department of Taxation or
43 Secretary of State for the exchange of information concerning
44 taxpayers.



Sec. 9.5. NRS 244.33505 is hereby amended to read as follows:

244.33505 1. In a county in which a license to engage in a business is required, the board of county commissioners shall not issue such a license unless the applicant for the license:

(a) Signs an affidavit affirming 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; or

(b) If the applicant submits his or her application electronically, attests to his or her compliance with the provisions of paragraph (a).

2. In a county in which such a license is not required, the board of county commissioners shall require a business, when applying for a post office box, to submit to the board the affidavit or attestation required by subsection 1.

3. ~~Each~~ *Except as otherwise provided in this subsection, each* board of county commissioners shall submit to the Administrator of the Division of Industrial Relations of the Department of Business and Industry monthly a ~~list~~ *report* of the names of those businesses which have submitted an affidavit or attestation required by subsections 1 and 2. *A board of county commissioners is not required to include in the monthly report the name of a business which has submitted an attestation electronically via the state business portal.*

4. ~~Upon~~ *Except as otherwise provided in subsection 5, upon* receiving an affidavit or attestation required by this section, a board of county commissioners shall provide the owner of the business with a document setting forth the rights and responsibilities of employers and employees to promote safety in the workplace, in accordance with regulations adopted by the Division of Industrial Relations of the Department of Business and Industry pursuant to NRS 618.376.

5. *If an applicant submits an attestation required by this section electronically via the state business portal, the state business portal must provide the owner of the business with access to information setting forth the rights and responsibilities of employers and employees to promote safety in the workplace, in accordance with regulations adopted by the Division of Industrial*



Relations of the Department of Business and Industry pursuant to NRS 618.376.

6. As used in this section, “state business portal” means the state business portal established pursuant to chapter 75A of NRS.

Sec. 9.6. NRS 244.33506 is hereby amended to read as follows:

244.33506 1. If a board of county commissioners requires a person to obtain a license, permit or certificate to practice a profession or occupation pursuant to NRS 244.334 or 244.335, an applicant for the issuance or renewal of such a license, certificate or permit shall submit to the board of county commissioners the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant.

2. The board of county commissioners shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the license, certificate or permit; or

(b) A separate form prescribed by the board of county commissioners.

3. A license, certificate or permit may not be issued or renewed by a board of county commissioners pursuant to NRS 244.334 or 244.335 if the applicant:

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

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

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the board of county commissioners shall advise the 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.

5. As used in this section, “license, permit or certificate to practice a profession or occupation” does not include a general business license issued by a board of county commissioners.



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Sec. 9.7. NRS 244.33507 is hereby amended to read as follows:

244.33507 **1.** An application for the issuance of a license, permit or certificate to practice a profession or occupation pursuant to NRS 244.334 or 244.335 must include the social security number of the applicant.

2. *As used in this section, "license, permit or certificate to practice a profession or occupation" does not include a general business license issued by a board of county commissioners.*

Sec. 9.8. NRS 266.358 is hereby amended to read as follows:

266.358 **1.** If a city council requires a person to obtain a license, permit or certificate to practice a profession or occupation pursuant to NRS 266.355 or 268.0887, an applicant for the issuance or renewal of such a license, certificate or permit shall submit to the city council the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant.

2. The city council shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the license, certificate or permit; or

(b) A separate form prescribed by the city council.

3. A license, certificate or permit may not be issued or renewed by the city council pursuant to NRS 266.355 or 268.0887 if the applicant:

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

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

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that he or she is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the city council shall advise the 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.

5. *As used in this section, "license, permit or certificate to practice a profession or occupation" does not include a general business license issued by a city council.*



Sec. 9.9. NRS 266.368 is hereby amended to read as follows:

266.368 **1.** An application for the issuance of a license, permit or certificate to practice a profession or occupation pursuant to NRS 266.355 or 268.0887 must include the social security number of the applicant.

2. *As used in this section, "license, permit or certificate to practice a profession or occupation" does not include a general business license issued by a city council.*

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;



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(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.



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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. 10.5. NRS 268.0955 is hereby amended to read as follows:

268.0955 1. In an incorporated city in which a license to engage in a business is required, the city council or other governing body of the city shall not issue such a license unless the applicant for the license:

(a) Signs an affidavit affirming 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; or

(b) If the applicant submits his or her application electronically, attests to his or her compliance with the provisions of paragraph (a).

2. In an incorporated city in which such a license is not required, the city council or other governing body of the city shall require a business, when applying for a post office box, to submit to the governing body the affidavit or attestation required by subsection 1.

3. ~~Each~~ *Except as otherwise provided in this subsection, each* city council or other governing body of an incorporated city shall submit to the Administrator of the Division of Industrial Relations of the Department of Business and Industry monthly a ~~list~~ *report* of the names of those businesses which have submitted an affidavit or attestation required by subsections 1 and 2. *A city council or other governing board of an incorporated city is not required to include in the monthly report the name of a business which has submitted an attestation electronically via the state business portal.*

4. ~~Upon~~ *Except as otherwise provided in subsection 5, upon* receiving an affidavit or attestation required by this section, the city council or other governing body of an incorporated city shall provide the applicant with a document setting forth the rights and responsibilities of employers and employees to promote safety in the



workplace in accordance with regulations adopted by the Division of Industrial Relations of the Department of Business and Industry pursuant to NRS 618.376.

5. If an applicant submits an attestation required by this section electronically via the state business portal, the state business portal must provide the owner of the business with access to information setting forth the rights and responsibilities of employers and employees to promote safety in the workplace in accordance with regulations adopted by the Division of Industrial Relations of the Department of Business and Industry pursuant to NRS 618.376.

6. As used in this section, “state business portal” means the state business portal established pursuant to chapter 75A of NRS.

Sec. 10.6. NRS 269.171 is hereby amended to read as follows:

269.171 1. If a town board or board of county commissioners requires a person to obtain a license, permit or certificate to practice a profession or occupation pursuant to NRS 269.170, an applicant for the issuance or renewal of such a license, certificate or permit shall submit to the town board or board of county commissioners the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant.

2. The town board or board of county commissioners shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the license, certificate or permit; or

(b) A separate form prescribed by the town board or board of county commissioners.

3. A license, certificate or permit may not be issued or renewed by a town board or board of county commissioners pursuant to NRS 269.170 if the applicant:

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

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

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that he or she is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the town board or board of county commissioners shall advise



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the 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.

5. As used in this section, "license, permit or certificate to practice a profession or occupation" does not include a general business license issued by a town board or board of county commissioners.

Sec. 10.7. NRS 269.173 is hereby amended to read as follows:

269.173 **1.** An application for the issuance of a license, permit or certificate to practice a profession or occupation pursuant to NRS 269.170 must include the social security number of the applicant.

2. As used in this section, "license, permit or certificate to practice a profession or occupation" does not include a general business license issued by a town board or board of county commissioners.

Sec. 10.8. NRS 425.530 is hereby amended to read as follows:

425.530 **1.** Each district attorney or other public agency collecting support for children shall send a notice by certified mail, restricted delivery, with return receipt requested to each person who:

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

(b) Is in arrears in the payment for the support of one or more children.

➤ The notice must include the information set forth in subsections 2 and 4 and a copy of the subpoena or warrant or a statement of the amount of the arrearage.

2. If the person does not, within 30 days after the person receives the notice required by subsection 1:

(a) Comply with the subpoena or warrant;

(b) Satisfy the arrearage pursuant to NRS 425.560; or

(c) Submit to the district attorney or other public agency a written request for a hearing,

➤ the district attorney or other public agency shall request in writing that the master suspend all professional, occupational and recreational licenses, certificates and permits issued to that person

H, *and any business license issued to that person if he or she is conducting business in this State as a sole proprietor.*

3. Before a hearing requested pursuant to subsection 2 may be held, the person requesting the hearing and a representative of the enforcing authority must meet and make a good faith effort to resolve the matter.

4. If the master receives from a district attorney or other public agency a request to suspend the professional, occupational and



recreational licenses, certificates and permits issued to a person, *and any business license issued to that person if he or she is conducting business in this State as a sole proprietor*, the master shall enter a recommendation determining whether the person:

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

(b) Is in arrears in the payment for the support of one or more children.

➤ As soon as practicable after the master enters a recommendation, the district attorney or other public agency shall notify the person by first-class mail of the recommendation of the master.

5. If a person requests a hearing within the period prescribed in subsection 2 and meets with the enforcing authority as required in subsection 3, a hearing must be held pursuant to NRS 425.3832. The master shall notify the person of the recommendation of the master at the conclusion of the hearing or as soon thereafter as is practicable.

Sec. 10.9. NRS 425.540 is hereby amended to read as follows:

425.540 1. If a master enters a recommendation determining that a person:

(a) Has failed to comply with a 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) Is in arrears in the payment for the support of one or more children,

➤ and the district court issues an order approving the recommendation of the master pursuant to NRS 425.3844, the court shall provide a copy of the order to *the Secretary of State* and all agencies that issue professional, occupational or recreational licenses, certificates or permits.

2. A court order issued pursuant to subsection 1 must provide that if the person named in the order does not, within 30 days after the date on which the order is issued, submit to any agency that has issued a professional, occupational or recreational license, certificate or permit to that person, *and to the Secretary of State if he or she conducts business in this State as a sole proprietor*, a letter from the district attorney or other public agency stating that the person has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560, the professional, occupational or recreational licenses issued to the person by that agency, *or the business license issued to the person to conduct business in this State as a sole proprietor by the Secretary of State*, will be automatically suspended. Such an order must not apply to a license, certificate or permit issued by the Department of Wildlife or the



1 State Land Registrar if that license, certificate or permit expires less
2 than 6 months after it is issued.

3 3. If a court issues an order pursuant to subsection 1, the
4 district attorney or other public agency shall send a notice by first-
5 class mail to the person who is subject to the order. The notice must
6 include:

7 (a) If the person has failed to comply with a subpoena or
8 warrant, a copy of the court order and a copy of the subpoena or
9 warrant; or

10 (b) If the person is in arrears in the payment for the support of
11 one or more children:

12 (1) A copy of the court order;

13 (2) A statement of the amount of the arrearage; and

14 (3) A statement of the action that the person may take to
15 satisfy the arrearage pursuant to NRS 425.560.

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

17 602.020 1. A certificate filed pursuant to NRS 602.010 or a
18 renewal certificate filed pursuant to NRS 602.035 must state the
19 assumed or fictitious name under which the business is being
20 conducted or is intended to be conducted, and if conducted by:

21 (a) A natural person:

22 (1) His or her full name;

23 (2) The street address of his or her residence or business; and

24 (3) If the mailing address is different from the street address,
25 the mailing address of his or her residence or business;

26 (b) An artificial person:

27 (1) Its name; and

28 (2) Its mailing address;

29 (c) A general partnership:

30 (1) The full name of each partner who is a natural person;

31 (2) The street address of the residence or business of each
32 partner who is a natural person;

33 (3) If the mailing address is different from the street address,
34 the mailing address of the residence or business of each partner who
35 is a natural person; and

36 (4) If one or more of the partners is an artificial person
37 described in paragraph (b), the information required by paragraph

38 (b) for each such partner; or

39 (d) A trust:

40 (1) The full name of each trustee of the trust;

41 (2) The street address of the residence or business of each
42 trustee of the trust; and

43 (3) If the mailing address is different from the street address,
44 the mailing address of the residence or business of each trustee of
45 the trust.



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2. The certificate must be:

(a) Signed:

(1) In the case of a natural person, by that natural person;

(2) In the case of an artificial person, by an officer, director, manager, general partner, trustee or other natural person having the authority to bind the artificial person to a contract;

(3) In the case of a general partnership, by each of the partners who is a natural person and, if one or more of the partners is an artificial person described in subparagraph (2), by the person described in subparagraph (2); or

(4) In the case of a trust, by each of the trustees; and

(b) Notarized, unless the board of county commissioners of the county adopts an ordinance providing that the certificate may be filed without being notarized.

~~3. [No county clerk may refuse to accept for filing a certificate filed by a foreign artificial person or foreign artificial persons because the foreign artificial person or foreign artificial persons have not qualified to do business in this State under title 7 of NRS.~~

~~—4.]~~ As used in this section:

(a) “Artificial person” means any organization organized under the law of the United States, any foreign country, or a state, province, territory, possession, commonwealth or dependency of the United States or any foreign country, and as to which the government, state, province, territory, possession, commonwealth or dependency must maintain a record showing the organization to 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



1 will be generally useful in developing and diversifying the economic
2 interests of this State. Upon request by a state agency which is able
3 to demonstrate that its intended use of the information will benefit
4 the residents of this State, the Administrator may, in addition to the
5 information listed in this subsection, disclose the number of
6 employees employed by each employer and the total wages paid by
7 each employer. The Administrator may charge a fee to cover the
8 actual costs of any administrative expenses relating to the disclosure
9 of this information to a state agency. The Administrator may require
10 the state agency to certify in writing that the agency will take all
11 actions necessary to maintain the confidentiality of the information
12 and prevent its unauthorized disclosure.

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

20 7. To further a current criminal investigation, the chief
21 executive officer of any law enforcement agency of this State may
22 submit a written request to the Administrator that the Administrator
23 furnish, from the records of the Division, the name, address and
24 place of employment of any person listed in the records of
25 employment of the Division. The request must set forth the social
26 security number of the person about whom the request is made and
27 contain a statement signed by the chief executive officer certifying
28 that the request is made to further a criminal investigation currently
29 being conducted by the agency. Upon receipt of such a request, the
30 Administrator shall furnish the information requested. The
31 Administrator may charge a fee to cover the actual costs of any
32 related administrative expenses.

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

40 9. A private carrier that provides industrial insurance in this
41 State shall submit to the Administrator a list containing the name of
42 each person who received benefits pursuant to chapters 616A to
43 616D, inclusive, or chapter 617 of NRS during the preceding month
44 and request that the Administrator compare the information so
45 provided with the records of the Division regarding persons



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1 claiming benefits pursuant to this chapter for the same period. The
2 information submitted by the private carrier must be in a form
3 determined by the Administrator and must contain the social
4 security number of each such person. Upon receipt of the request,
5 the Administrator shall make such a comparison and, if it appears
6 from the information submitted that a person is simultaneously
7 claiming benefits under this chapter and under chapters 616A to
8 616D, inclusive, or chapter 617 of NRS, the Administrator shall
9 notify the Attorney General or any other appropriate law
10 enforcement agency. The Administrator shall charge a fee to cover
11 the actual costs of any related administrative expenses.

12 10. The Administrator may request the Comptroller of the
13 Currency of the United States to cause an examination of the
14 correctness of any return or report of any national banking
15 association rendered pursuant to the provisions of this chapter, and
16 may in connection with the request transmit any such report or
17 return to the Comptroller of the Currency of the United States as
18 provided in section 3305(c) of the Internal Revenue Code of 1954.

19 11. If any employee or member of the Board of Review, the
20 Administrator or any employee of the Administrator, in violation of
21 the provisions of this section, discloses information obtained from
22 any employing unit or person in the administration of this chapter,
23 or if any person who has obtained a list of applicants for work, or of
24 claimants or recipients of benefits pursuant to this chapter uses or
25 permits the use of the list for any political purpose, he or she is
26 guilty of a gross misdemeanor.

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

33 **Sec. 13.** (Deleted by amendment.)

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

35 719.345 The Secretary of State may require a governmental
36 agency of this State or a governmental agency of a political
37 subdivision of this State, as a condition of participation in the state
38 business portal established pursuant to *chapter 75A of NRS,*
39 ~~[75A.100, 75A.200 and 75A.300,]~~ to send and accept electronic
40 records and electronic signatures to and from other persons and
41 otherwise create, generate, communicate, store, process, use and
42 rely upon electronic records and electronic signatures.

43 **Sec. 15.** NRS 237.180, 364.110 and 364.120 are hereby
44 repealed.

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



2. Sections 5.3, 5.7, 10.8 and 10.9 of this act expire 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.

TEXT OF REPEALED SECTIONS

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

1. The agencies of this State, and the local governments within this State, that collect taxes or fees from persons engaged in business, or require such persons to provide related information and forms, shall coordinate their collection of information and forms so that each enterprise is required to furnish information in as few separate reports as possible. This section applies specifically, but is not limited, to the Department of Taxation, the Employment Security Division of the Department of Employment, Training and Rehabilitation, the State Department of Conservation and Natural Resources, and the counties and cities that require a business license.

2. On or before October 1 of each year, the Executive Director of the Department of Taxation shall convene the heads, or persons designated by the respective heads, of the state agencies named in subsection 1 and the appropriate officers of the cities and counties that require a business license. The Secretary of State, a representative of the Nevada Association of Counties and a representative of the Nevada League of Cities must be invited to attend the meeting. If the Executive Director knows, or is made aware by persuasive information furnished by any enterprise required to pay a tax or fee or to provide information, that any other state or local agency needs to participate to accomplish the purpose set forth in subsection 1, the Executive Director shall also invite the head of that agency or the appropriate officer of the local government, and the person so invited shall attend. The Administrator of the Division of Enterprise Information Technology



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Services of the Department of Administration shall assist in effecting the consolidation of the information and the creation of the forms.

3. The persons so assembled shall design and modify, as appropriate, the necessary joint forms for use during the ensuing fiscal year to accomplish the purpose set forth in subsection 1. If any dispute cannot be resolved by the participants, it must be referred to the Nevada Tax Commission for a decision that is binding on all parties.

4. The provisions of chapter 241 of NRS apply to a meeting held pursuant to this section. The Executive Director of the Department of Taxation shall provide members of the staff of the Department of Taxation to assist in complying with the requirements of chapter 241 of NRS.

364.110 Licensing authority to require affidavit. No county license board and no other licensing authority, whether county, city or township, within the State of Nevada, shall issue an initial license or transfer any license to any person, firm or corporation authorizing the person, firm or corporation to engage in, or in any manner carry on, any business of the retail sale of wines, beers, liquors, soft drinks, produce, meats or other foodstuffs, clothing, hardware, or any other type or class of merchandise whatever, without requiring the applicant or applicants for the license to file with the licensing authority an affidavit showing:

1. Whether the applicant or applicants are engaged in business under a fictitious name, and if so engaged in business, that the applicant or applicants have complied with the provisions of chapter 602 of NRS.

2. Whether there has been any change in ownership in the business of the applicant or applicants during the preceding calendar year, and if there has been any such change in ownership, that the change was made in compliance with the provisions of chapter 104 of NRS.

364.120 Filing fee for required affidavit. Any licensing authority coming within the provisions of NRS 364.110 is authorized to collect a filing fee of not to exceed \$3 for the filing of the affidavit required to be filed by NRS 364.110.

