

Amendment No. 270

Assembly Amendment to Assembly Bill No. 236	(BDR 18-697)
Proposed by: Assembly Committee on Government Affairs	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION		Initial and Date	SENATE ACTION		Initial and Date
Adopted	<input type="checkbox"/>	Lost <input type="checkbox"/>	Adopted	<input type="checkbox"/>	Lost <input type="checkbox"/>
Concurred In	<input type="checkbox"/>	Not <input type="checkbox"/>	Concurred In	<input type="checkbox"/>	Not <input type="checkbox"/>
Receded	<input type="checkbox"/>	Not <input type="checkbox"/>	Receded	<input type="checkbox"/>	Not <input type="checkbox"/>

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

EMR/JWP



Date: 4/14/2015

A.B. No. 236—Enacts provisions related to the promotion of public engagement by state agencies. (BDR 18-697)



ASSEMBLY BILL NO. 236—ASSEMBLYMEN NEAL, SPIEGEL, THOMPSON, ELLIOT ANDERSON; ARAUJO, BENITEZ-THOMPSON, BUSTAMANTE ADAMS, CARLTON, CARRILLO, DIAZ, FLORES, JOINER, KIRKPATRICK, MUNFORD, OHRENSCHALL, SPRINKLE AND SWANK

MARCH 6, 2015

JOINT SPONSORS: SENATORS ATKINSON AND SPEARMAN

Referred to Committee on Government Affairs

SUMMARY—Enacts provisions related to the promotion of public engagement by state agencies. (BDR 18-697)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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

AN ACT relating to state agencies; providing for the promotion of public engagement by state agencies using the Internet and Internet tools; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

This bill provides that it is the policy of this State to promote public engagement in the activities of the State Government by adopting methods of public participation and public comment that include the use of the Internet and Internet tools. This bill encourages each state agency, to the extent practicable and within the limits of available money, to develop a policy to promote public engagement that includes the use of the Internet and Internet tools, including electronic mail, electronic mailing lists, online forums and social media. ***This bill requires that such a policy must: (1) require that any information communicated to the public using the Internet and Internet tools is written in easily understood language; (2) ensure that legal permission has been obtained for the use of any image on the Internet and Internet tools; and (3) ensure that the use of the Internet and Internet tools does not disrupt a public meeting of the state agency.*** This bill further authorizes a state agency to designate a public engagement specialist: ~~to~~ (1) ***to*** implement the agency's policy on public engagement; ~~and~~ (2) to the extent feasible, ***to*** provide training on public engagement to other employees of the agency; ~~and~~ ***and (3) to communicate information to the public related to the activities of the state agency using the Internet and Internet tools. In addition, with respect to any proposed major change to an existing policy of a state agency, this bill requires the state agency, to the extent feasible, to hold at least one public meeting in a county whose population is less than 100,000 (currently all counties other than Clark and Washoe Counties) and provide for public comment using the Internet and Internet tools.***

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

Section 1. Chapter 232 of NRS is hereby amended by adding thereto a new section to read as follows:

1. It is the policy of this State to strengthen and further promote broad, inclusive and meaningful engagement by the general public and interested stakeholders in the activities of the State Government by adopting methods of public participation and public comment that incorporate the use of the Internet and Internet tools. To assist in carrying out this policy:

(a) Each state agency is encouraged, to the extent practicable and within the limits of available money, to develop a policy on public engagement that incorporates the use of the Internet and Internet tools for the purpose of encouraging public participation and soliciting public comments on the activities of the state agency, including, without limitation, the development or adoption of regulations, policies and programs. The Internet tools used by the state agency may include, without limitation, electronic mail, electronic mailing lists, online forums and social media. The policy must:

(1) Require that any information communicated by the state agency using the Internet and Internet tools is written in easily understood language;

(2) Ensure that legal permission has been obtained by the state agency for the use of any image on the Internet and Internet tools; and

(3) Ensure that the use of the Internet and Internet tools does not disrupt a public meeting of the state agency.

(b) Each state agency may designate an employee as the public engagement specialist. The public engagement specialist shall:

(1) Implement the public engagement policy of the state agency; ~~and~~

(2) To the extent feasible, provide training on public engagement for other employees of the state agency ~~and~~; and

(3) Communicate information to the public related to the activities of the state agency using the Internet and Internet tools.

(c) If a state agency intends to propose a major change to an existing policy of the state agency, the state agency shall, to the extent feasible, hold at least one public meeting in accordance with the provisions of chapter 241 of NRS in a county whose population is less than 100,000, and provide for public comment using the Internet and Internet tools.

2. The decision by a state agency whether to adopt any particular Internet tool in carrying out its policy on public engagement is at the discretion of the state agency and not subject to judicial review.

3. The provisions of this section are intended to supplement the existing laws of this State applicable to specific state agencies and the existing requirements for such state agencies to provide notice, solicit public comments and hold public hearings. This section does not limit the applicability of any such provision.

4. As used in this section:

(a) "Social media" means any electronic service or account or electronic content, including, without limitation, videos, photographs, blogs, video blogs, podcasts, instant and text messages, live chat, mobile applications, online services or Internet website profiles.

(b) "State agency" means every public agency, bureau, board, commission, department or division of the Executive Department of the State Government.

1 **Sec. 2.** This act becomes effective on July 1, 2015.