

SENATE BILL NO. 279—SENATORS SEGERBLOM, ATKINSON,
KIHUEN, FORD, PARKS; SMITH AND WOODHOUSE

MARCH 13, 2015

JOINT SPONSORS: ASSEMBLYMEN CARRILLO; AND SWANK

Referred to Committee on Judiciary

SUMMARY—Revises various provisions relating to corrections.
(BDR 16-428)

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

CONTAINS UNFUNDED MANDATE (§ 2)
(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 offenders; requiring the Director of the Department of Corrections to verify the name and age of an offender who is to be released by obtaining certain documents before providing a photo identification card to the offender; requiring a sheriff, chief of police or town marshal, upon request, to provide a photo identification card to a prisoner who is to be released from a jail or detention facility; establishing an Ombudsman for Offenders within the Legislative Counsel Bureau to receive, process and investigate complaints by offenders and certain other persons; prescribing the duties and powers of the Ombudsman; requiring the Department of Corrections and the Division of Parole and Probation of the Department of Public Safety to post certain information pertaining to the Ombudsman in certain locations; revising the documents which may be furnished to the Department of Motor Vehicles as proof of full legal name and age to apply for a driver's license or identification card; providing for the waiver of certain fees relating to driver's licenses and identification cards for certain persons who are released from a jail or detention facility; and providing other matters properly relating thereto.



Legislative Counsel's Digest:

Existing law requires the Director of the Department of Corrections to provide to an offender upon the offender's release from prison and if the offender requests it: (1) a photo identification card containing the name, the date of birth and a color photograph of the offender; and (2) information and reasonable assistance relating to acquiring a valid driver's license or identification card to enable the offender to obtain employment if the offender is eligible to acquire a driver's license or identification card from the Department of Motor Vehicles. (NRS 209.511) **Section 1** of this bill requires the Director to verify the name and age of the offender by obtaining certain documents to prove the name and age of the offender, before providing the photo identification card. **Section 2** of this bill similarly requires the sheriff of a county, the chief of police of a city or a town marshal to, if requested, provide a prisoner with a photo identification card and certain information and assistance upon the prisoner's release from the county, city or town jail or detention facility because of the expiration of the prisoner's sentence.

Section 15 of this bill creates the Office of the Ombudsman for Offenders within the Legislative Counsel Bureau. **Section 16** of this bill grants the Legislative Commission the power to appoint and remove the Ombudsman for Offenders. **Section 17** of this bill sets forth the powers of the Ombudsman. **Sections 18 and 19** of this bill specify requirements for the accounting and use of money collected by the Ombudsman.

Section 20 of this bill directs the Ombudsman to establish regulations governing the receipt, processing, investigation and reporting of complaints from Legislators, offenders and family members of offenders and from the Ombudsman. **Sections 21-23** of this bill specify the responsibilities of the Ombudsman concerning the processing, investigation and reporting of such complaints and actions taken in response to the complaints.

Section 23 requires the Ombudsman to notify certain persons of the Ombudsman's decision regarding the processing of a complaint. **Section 24** of this bill authorizes the Legislative Commission, upon the request of the Ombudsman, to hold a hearing on a complaint. **Sections 25 and 32** of this bill make confidential certain information relating to complaints, reports and recommendations.

Section 26 of this bill requires the Ombudsman to prepare and submit a biennial report to the Department of Corrections and the Legislature.

Section 27 of this bill sets forth certain requirements relating to the publishing of findings and recommendations of the Ombudsman.

Section 28 of this bill prohibits the penalizing of an offender for certain acts relating to complaints and prohibits the hindrance of the Ombudsman in performing the duties of the Office of the Ombudsman.

Section 29 of this bill provides that the authority of the Ombudsman is not exclusive of other available remedies.

Section 30 of this bill requires certain information pertaining to the Ombudsman to be posted in certain locations by the Department of Corrections and the Division of Parole and Probation of the Department of Public Safety.

Existing law sets forth the documents which an applicant is required to present to the Department of Motor Vehicles as proof of his or her full legal name and age to apply for an instruction permit, driver's license or identification card. (NRS 483.290, 483.860) **Sections 33 and 35** of this bill revise these provisions to authorize as such proof the presentation of a photo identification card issued to a prisoner by a county, city or town in this State upon the prisoner's release from a county, city or town jail or detention facility.

Existing law provides for the waiver of certain fees for the issuance of a driver's license and the cost of producing a photograph for a driver's license or identification card for a person who was released from prison within the 90 days immediately preceding the person's application for the driver's license or



identification card. (NRS 483.417) **Section 34** of this bill authorizes the waiver of the fees for a person who was released from a county, city or town jail or detention facility within the immediately preceding 90 days. **Section 34** also provides that the Department of Motor Vehicles may accept documentation or data transmitted electronically from the jail or detention facility verifying that the person was released from the jail or detention facility within the immediately preceding 90 days.

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

Section 1. NRS 209.511 is hereby amended to read as follows:
209.511 1. ~~[When]~~ *Except as otherwise provided in subsection 2, when* an offender is released from prison by expiration of his or her term of sentence, by pardon or by parole, the Director:

(a) May furnish the offender with a sum of money not to exceed \$100, the amount to be based upon the offender's economic need as determined by the Director;

(b) Shall give the offender notice of the provisions of chapter 179C of NRS and NRS 202.357 and 202.360;

(c) Shall require the offender to sign an acknowledgment of the notice required in paragraph (b);

(d) Shall give the offender notice of the provisions of NRS 179.245 and the provisions of NRS 213.090, 213.155 or 213.157, as applicable;

(e) Shall provide the offender with information relating to obtaining employment, including, without limitation, any programs which may provide bonding for an offender entering the workplace and any organizations which may provide employment or bonding assistance to such a person;

(f) Shall provide the offender with a photo identification card issued by the Department and information and reasonable assistance relating to acquiring a valid driver's license or identification card to enable the offender to obtain employment, if the offender:

(1) Requests a photo identification card; or

(2) Requests such information and assistance and is eligible to acquire a valid driver's license or identification card from the Department of Motor Vehicles;

(g) May provide the offender with clothing suitable for reentering society;

(h) May provide the offender with the cost of transportation to his or her place of residence anywhere within the continental United States, or to the place of his or her conviction;



(i) May, but is not required to, release the offender to a facility for transitional living for released offenders that is licensed pursuant to chapter 449 of NRS; and

(j) Shall require the offender to submit to at least one test for exposure to the human immunodeficiency virus.

2. *The Director shall not provide an offender with a photo identification card pursuant to paragraph (f) of subsection 1 unless the Director has verified the full legal name and age of the offender by obtaining an original or certified copy of the documents required by the Department of Motor Vehicles to prove the name and age of an applicant for a driver's license or identification card.*

3. The costs authorized in paragraphs (a), (f), (g), (h) and (j) of subsection 1 must be paid out of the appropriate account within the State General Fund for the use of the Department as other claims against the State are paid to the extent that the costs have not been paid in accordance with subsection 5 of NRS 209.221 and NRS 209.246.

~~3-1~~ 4. As used in this section:

(a) "Facility for transitional living for released offenders" has the meaning ascribed to it in NRS 449.0055.

(b) "Photo identification card" means a document which includes the name, date of birth and a color picture of the offender.

Sec. 2. Chapter 211 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *Except as otherwise provided in subsection 2, when a prisoner is released from a county, city or town jail or detention facility by expiration of his or her term of imprisonment, the sheriff, chief of police or town marshal, as applicable, shall, at the expense of the county, city or town, as applicable, provide the prisoner with a photo identification card issued by the county, city or town, as applicable, and information and reasonable assistance relating to acquiring a valid driver's license or identification card to enable the prisoner to obtain employment, if the prisoner requests:*

(a) *A photo identification card; or*

(b) *Such information and assistance and is eligible to acquire a valid driver's license or identification card from the Department of Motor Vehicles.*

2. *The sheriff, chief of police or town marshal, as applicable, shall not provide a prisoner with a photo identification card pursuant to paragraph (f) of subsection 1 unless the Director has verified the full legal name and age of the prisoner by obtaining an original or certified copy of the documents required by the*



Department of Motor Vehicles to prove the name and age of an applicant for a driver's license or identification card.

3. As used in this section, "photo identification card" means a document which includes the name, date of birth and a color picture of the prisoner.

Sec. 3. Chapter 218F of NRS is hereby amended by adding thereto the provisions set forth as sections 4 to 30, inclusive, of this act.

Sec. 4. *As used in sections 4 to 30, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 5 to 14, inclusive, of this act have the meanings ascribed to them in those sections.*

Sec. 5. *"Administrative act" includes an action, omission, decision, recommendation, practice or other procedure of the Department.*

Sec. 6. *"Complainant" means a Legislator, an offender or a family member of an offender who files a complaint in accordance with the regulations adopted pursuant to section 20 of this act.*

Sec. 7. *"Department" means the Department of Corrections.*

Sec. 8. *"Facility" has the meaning ascribed to it in NRS 209.065.*

Sec. 9. *"Institution" has the meaning ascribed to it in NRS 209.071.*

Sec. 10. *"Manager" has the meaning ascribed to it in NRS 209.075.*

Sec. 11. *"Offender" has the meaning ascribed to it in NRS 209.081.*

Sec. 12. *"Official" means the Director, a deputy director, manager, warden or employee of the Department.*

Sec. 13. *"Ombudsman" means the Ombudsman for Offenders appointed pursuant to section 16 of this act.*

Sec. 14. *"Warden" has the meaning ascribed to it in NRS 209.085.*

Sec. 15. *The Office of the Ombudsman for Offenders is hereby created within the Legislative Counsel Bureau.*

Sec. 16. *1. The Legislative Commission shall appoint the Ombudsman. The Ombudsman is in the unclassified service of the State. The person appointed must be:*

(a) Knowledgeable in the field of corrections; and

(b) Independent of the Department.

2. The Legislative Commission may remove the Ombudsman from office for inefficiency, neglect of duty or malfeasance in office.

Sec. 17. *The Ombudsman may:*



1 1. Employ such staff as is necessary to carry out the duties
2 and functions of his or her office, in accordance with the
3 personnel practices and procedures established by the Legislative
4 Commission. The Ombudsman has sole discretion to employ and
5 remove any member of his or her staff.

6 2. Purchase necessary equipment.

7 3. Lease or make other suitable arrangements for office
8 space, but any lease which extends beyond the term of 1 year must
9 be reviewed and approved by the Legislative Commission.

10 4. Perform such other functions and make such other
11 arrangements as may be necessary to carry out the duties and
12 functions of his or her office.

13 **Sec. 18.** 1. All money collected by the Ombudsman must be
14 deposited with the State Treasurer for credit to the Account for the
15 Ombudsman for Offenders, which is hereby created.

16 2. Money in the Account may be used:

17 (a) To defray the costs of maintaining the Office of the
18 Ombudsman for Offenders; or

19 (b) For any other purpose authorized by the Legislature.

20 3. All claims against the Account must be paid as other
21 claims against the State are paid.

22 **Sec. 19.** All gifts and grants of money which the
23 Ombudsman is authorized to accept must be deposited with the
24 State Treasurer for credit to the Account for the Ombudsman for
25 Offenders created by section 18 of this act.

26 **Sec. 20.** The Ombudsman shall, by regulation, establish
27 procedures for:

28 1. Receiving and processing complaints from a complainant
29 and for processing allegations personally known to the
30 Ombudsman concerning:

31 (a) An administrative act which is alleged to be contrary to law
32 or a policy of the Department; or

33 (b) Significant issues relating to the health or safety of
34 offenders and other matters for which there is no effective
35 administrative remedy.

36 2. Conducting investigations.

37 3. Holding hearings.

38 4. Reporting the findings resulting from investigations.

39 **Sec. 21.** 1. Upon request and without the requirement of
40 any release, the Ombudsman must be given access to all
41 information, records and documents in the possession of the
42 Department which the Ombudsman deems necessary in an
43 investigation, including, without limitation:

44 (a) The medical and mental health records of an offender; and

45 (b) Mortality and morbidity records relating to offenders.



1 2. The Department shall, upon request and without prior
2 notice, grant the Ombudsman access to enter and inspect at any
3 time any premises under the control of the Department.

4 3. The Ombudsman may hold informal hearings and may
5 request that any person appear before the Ombudsman or at a
6 hearing and give testimony or produce documentary or other
7 evidence which the Ombudsman deems relevant to a matter under
8 investigation.

9 **Sec. 22.** 1. The Ombudsman shall advise a complainant to
10 pursue all administrative remedies that are available to the
11 complainant. The Ombudsman may request and shall receive from
12 the Department a progress report concerning the administrative
13 processing of a complaint. After the Department has taken
14 administrative action on a complaint, the Ombudsman may
15 conduct further investigation on request of a complainant or on
16 the Ombudsman's own initiative.

17 2. The Ombudsman is not required to conduct an
18 investigation on a complaint brought before the Ombudsman. A
19 person is not entitled as a right to be heard by the Ombudsman.

20 **Sec. 23.** If the Ombudsman receives a complaint from a
21 complainant and decides to investigate the complaint, the
22 Ombudsman shall notify the complainant, the offender or
23 offenders affected and the Department. If the Ombudsman
24 declines to investigate a complaint, the Ombudsman shall notify
25 the complainant in writing and inform the offender or offenders
26 affected of the reasons for the Ombudsman's decision.

27 **Sec. 24.** Upon request of the Ombudsman, the Legislative
28 Commission may hold a hearing on a complaint received from a
29 complainant. The Legislative Commission may administer oaths,
30 subpoena witnesses and examine the books and records of the
31 Department or of a person involved in a matter which is or was a
32 proper subject of investigation by the Ombudsman under sections
33 4 to 30, inclusive, of this act.

34 **Sec. 25.** 1. Correspondence between the Ombudsman and
35 an offender is confidential and must be processed as privileged
36 correspondence in the same manner as letters between offenders
37 and courts, attorneys or public officials.

38 2. The Ombudsman shall keep confidential all matters
39 relating to a complaint and the identities of the complainants or
40 persons from whom information is acquired, except so far as
41 disclosures may be necessary to enable the Ombudsman to
42 perform his or her duties and to support any recommendations
43 resulting from an investigation.



3. A report prepared and recommendations made by the Ombudsman and submitted pursuant to section 26 of this act are exempt from disclosure under chapter 239 of NRS.

Sec. 26. 1. For each regular session of the Legislature, the Ombudsman shall prepare a report on:

(a) The conduct of the Office of the Ombudsman for Offenders;

(b) Complaints investigated by the Ombudsman; and

(c) Findings resulting from investigation of those complaints if the Ombudsman finds:

(1) A matter that should be considered by the Department;

(2) An administrative act that should be modified or cancelled;

(3) A statute or regulation that should be altered;

(4) An administrative act for which justification is necessary;

(5) Significant issues relating to the health or safety of offenders; or

(6) Any other significant concerns as set forth by regulation.

2. The report must be submitted not later than September 1 of each even-numbered year to the Department and the Director of the Legislative Counsel Bureau for distribution to the Legislature.

3. Subject to section 27 of this act, the Legislature may forward all or part of a report prepared and submitted pursuant to this section to the complainant or the offender or offenders affected.

Sec. 27. 1. Before publishing a finding or recommendation that expressly or by implication criticizes a person or the Department, the Ombudsman shall consult with that person or the Department.

2. When publishing a finding adverse to a person or the Department, the Ombudsman shall include in that publication a statement of reasonable length made to the Ombudsman by the person or Department in defense or mitigation of the action, if that statement is provided within a reasonable period as specified by regulation.

3. The Ombudsman may request to be notified by the Department, within a specified period, of any action taken on a recommendation.

4. The Ombudsman shall notify a complainant of actions relating to the complaint taken by the Office of the Ombudsman and the Department.

Sec. 28. 1. An offender must not be penalized in any way by an official or the Department for filing a complaint,



complaining to a Legislator or cooperating with the Ombudsman in investigating a complaint.

2. A person or the Department shall not:

(a) Hinder the lawful actions of the Ombudsman or employees of the Office of the Ombudsman for Offenders; or

(b) Willfully refuse to comply with lawful demands of the Office.

Sec. 29. *The authority granted the Ombudsman pursuant to sections 4 to 30, inclusive, of this act:*

1. Is in addition to the authority granted under:

(a) The provisions of any other act or rule under which the remedy or right of appeal or objection is provided for a person; or

(b) Any procedure provided for the inquiry into or investigation of any other matter.

2. Shall not be:

(a) Construed to limit or affect the remedy or right of appeal or objection; or

(b) Deemed part of an exclusionary process.

Sec. 30. *Upon request of the Ombudsman, information prepared by and pertaining to the Ombudsman must be posted by:*

1. The Department of Corrections in a conspicuous place in each of its institutions and facilities; and

2. The Division of Parole and Probation of the Department of Public Safety in a conspicuous place in each of its offices.

Sec. 31. NRS 218F.100 is hereby amended to read as follows:

218F.100 1. There is hereby created the Legislative Counsel Bureau, which consists of a Legislative Commission, an Interim Finance Committee, a Director, an Audit Division, a Fiscal Analysis Division, a Legal Division, a Research Division , ~~and~~ an Administrative Division ~~and~~ *and the Office of the Ombudsman for Offenders created pursuant to section 15 of this act.*

2. The Legislative Auditor is chief of the Audit Division. The Legislative Counsel is chief of the Legal Division. The Research Director is chief of the Research Division. The Director shall designate from time to time one of the Fiscal Analysts or another employee of the Fiscal Analysis Division to be responsible for the administration of the Fiscal Analysis Division.

3. The Legislative Commission shall appoint the Director. The Director shall appoint the Fiscal Analysts and the chiefs of the divisions with the approval of the Legislative Commission, and may serve as the chief of any division.

4. The Director may, with the consent of the Legislative Commission, designate one of the other division chiefs or an employee of the Legislative Counsel Bureau as Deputy Director.



Sec. 32. 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, 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,
441A.220, 441A.230, 442.330, 442.395, 445A.665, 445B.570,
449.209, 449.245, 449.720, 453.1545, 453.720, 453A.610,
453A.700, 458.055, 458.280, 459.050, 459.3866, 459.555,
459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403,
463.3407, 463.790, 467.1005, 467.137, 481.063, 482.170, 482.5536,
483.340, 483.363, 483.800, 484E.070, 485.316, 503.452, 522.040,
534A.031, 561.285, 571.160, 584.583, 584.655, 598.0964,
598.0979, 598.098, 598A.110, 599B.090, 603.070, 603A.210,
604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350,



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

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

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

44 4. A person may request a copy of a public record in any
45 medium in which the public record is readily available. An officer,



1 employee or agent of a governmental entity who has legal custody
2 or control of a public record:

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

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

11 **Sec. 33.** NRS 483.290 is hereby amended to read as follows:

12 483.290 1. An application for an instruction permit or for a
13 driver's license must:

14 (a) Be made upon a form furnished by the Department.

15 (b) Be verified by the applicant before a person authorized to
16 administer oaths. Officers and employees of the Department may
17 administer those oaths without charge.

18 (c) Be accompanied by the required fee.

19 (d) State the full legal name, date of birth, sex, address of
20 principal residence and mailing address, if different from the
21 address of principal residence, of the applicant and briefly describe
22 the applicant.

23 (e) State whether the applicant has theretofore been licensed as a
24 driver, and, if so, when and by what state or country, and whether
25 any such license has ever been suspended or revoked, or whether an
26 application has ever been refused, and, if so, the date of and reason
27 for the suspension, revocation or refusal.

28 (f) Include such other information as the Department may
29 require to determine the competency and eligibility of the applicant.

30 2. Every applicant must furnish proof of his or her full legal
31 name and age by displaying:

32 (a) An original or certified copy of the required documents as
33 prescribed by regulation; or

34 (b) A photo identification card issued by ~~the~~ :

35 *(1) The Department of Corrections pursuant to NRS 209.511*
36 *H; or*

37 *(2) A county, city or town in this State pursuant to section 2*
38 *of this act.*

39 3. The Department shall adopt regulations prescribing the
40 documents an applicant may use to furnish proof of his or her full
41 legal name and age to the Department pursuant to paragraph (a) of
42 subsection 2.

43 4. At the time of applying for a driver's license, an applicant
44 may, if eligible, register to vote pursuant to NRS 293.524.



5. Every applicant who has been assigned a social security number must furnish proof of his or her social security number by displaying:

(a) An original card issued to the applicant by the Social Security Administration bearing the social security number of the applicant; or

(b) Other proof acceptable to the Department, including, without limitation, records of employment or federal income tax returns.

6. The Department may refuse to accept a driver's license issued by another state, the District of Columbia or any territory of the United States if the Department determines that the other state, the District of Columbia or the territory of the United States has less stringent standards than the State of Nevada for the issuance of a driver's license.

7. With respect to any document presented by a person who was born outside of the United States to prove his or her full legal name and age, the Department:

(a) May, if the document has expired, refuse to accept the document or refuse to issue a driver's license to the person presenting the document, or both; and

(b) Shall issue to the person presenting the document a driver's license that is valid only during the time the applicant is authorized to stay in the United States, or if there is no definite end to the time the applicant is authorized to stay, the driver's license is valid for 1 year beginning on the date of issuance.

8. The Administrator shall adopt regulations setting forth criteria pursuant to which the Department will issue or refuse to issue a driver's license in accordance with this section to a person who is a citizen of any state, the District of Columbia, any territory of the United States or a foreign country. The criteria pursuant to which the Department shall issue or refuse to issue a driver's license to a citizen of a foreign country must be based upon the purpose for which that person is present within the United States.

9. Notwithstanding any other provision of this section, the Department shall not accept a consular identification card as proof of the age or identity of an applicant for an instruction permit or for a driver's license. As used in this subsection, "consular identification card" has the meaning ascribed to it in NRS 232.006.

Sec. 34. NRS 483.417 is hereby amended to read as follows:

483.417 1. The Department shall waive the fee prescribed by NRS 483.410 and the increase in the fee required by NRS 483.347 not more than one time for furnishing a duplicate driver's license to:

(a) A homeless person who submits a signed affidavit on a form prescribed by the Department stating that the person is homeless.



(b) A person who submits documentation from the Department of Corrections verifying that the person was released from prison within the immediately preceding 90 days.

(c) A person who submits documentation from a county, city or town verifying that the person was released from a county, city or town jail or detention facility within the immediately preceding 90 days.

2. *In lieu of the documentation required to be submitted by a person released from a county, city or town jail or detention facility pursuant to paragraph (c) of subsection 1, the Department may accept documentation or data that is transmitted electronically from the jail or detention facility verifying that the person was released from the jail or detention facility within the immediately preceding 90 days.*

3. A vendor that has entered into an agreement with the Department to produce photographs for drivers' licenses pursuant to NRS 483.347 may waive the cost it charges the Department to produce the photograph of a homeless person or person released from prison *or a county, city or town jail or detention facility* for a duplicate driver's license.

~~[3.]~~ 4. If the vendor does not waive pursuant to subsection ~~[2]~~ 3 the cost it charges the Department and the Department has waived the increase in the fee required by NRS 483.347 for a duplicate driver's license furnished to a person pursuant to subsection 1, the person shall reimburse the Department in an amount equal to the increase in the fee required by NRS 483.347 if the person:

(a) Applies to the Department for the renewal of his or her driver's license; and

(b) Is employed at the time of such application.

~~[4.]~~ 5. The Department may accept gifts, grants and donations of money to fund the provision of duplicate drivers' licenses without a fee to persons pursuant to subsection 1.

Sec. 35. NRS 483.860 is hereby amended to read as follows:

483.860 1. Every applicant for an identification card must furnish proof of his or her full legal name and age by presenting:

(a) An original or certified copy of the required documents as prescribed by regulation; or

(b) A photo identification card issued by ~~[the]~~ :

~~[1]~~ (1) *The Department of Corrections pursuant to NRS 209.511*;
~~[1]~~ *; or*

(2) *A county, city or town in this State pursuant to section 2 of this act.*

2. The Director shall adopt regulations:



(a) Prescribing the documents an applicant may use to furnish proof of his or her full legal name and age to the Department pursuant to paragraph (a) of subsection 1; and

(b) Setting forth criteria pursuant to which the Department will issue or refuse to issue an identification card in accordance with this section to a person who is a citizen of a state, the District of Columbia, any territory of the United States or a foreign country. The criteria pursuant to which the Department shall issue or refuse to issue an identification card to a citizen of a foreign country must be based upon the purpose for which that person is present within the United States.

3. Notwithstanding any other provision of this section, the Department shall not accept a consular identification card as proof of the age or identity of an applicant for an identification card. As used in this subsection, “consular identification card” has the meaning ascribed to it in NRS 232.006.

Sec. 36. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 37. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 38. 1. This act becomes effective upon passage and approval for the purpose of performing any preparatory administrative tasks that are necessary to carry out the provisions of this act.

2. This section and sections 3 to 32, inclusive, 36 and 37 of this act become effective on July 1, 2015.

3. Sections 1, 2, 33, 34 and 35 of this act become effective on January 1, 2016.

