

SENATE BILL NO. 33—COMMITTEE ON
HEALTH AND HUMAN SERVICES

(ON BEHALF OF CLARK COUNTY)

PREFILED DECEMBER 20, 2014

Referred to Committee on Health and Human Services

SUMMARY—Authorizes the board of hospital trustees of a county hospital to hold a closed meeting under certain circumstances. (BDR 40-475)

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

~

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

AN ACT relating to county hospitals; authorizing the board of hospital trustees of a county hospital to hold a closed meeting under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Section 6 of this bill makes a technical correction to the definition of the term “taxpayers” for the purposes of eligibility to sign certain petitions relating to county hospitals without changing the substance of the definition.

Except as otherwise provided by specific statute, existing law provides that any meeting of a public body must be open and public. (NRS 241.020) **Section 8** of this bill authorizes the board of hospital trustees of a county hospital to hold a closed meeting to discuss: (1) providing a new service at the hospital or materially expanding an existing service; or (2) acquiring an additional facility for the hospital or materially expanding an existing facility. The records of such a meeting become public records 5 years after the date of the meeting or when the board determines that confidentiality is no longer required, whichever occurs first.

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

Section 1. (Deleted by amendment.)

Sec. 2. (Deleted by amendment.)

Sec. 3. (Deleted by amendment.)



★ S B 3 3 R 1 ★

1 **Sec. 4.** (Deleted by amendment.)

2 **Sec. 5.** (Deleted by amendment.)

3 **Sec. 6.** NRS 450.010 is hereby amended to read as follows:

4 450.010 ~~[[For the purposes of NRS 450.010 to 450.510,~~
5 ~~inclusive, "taxpayers" include only]~~ **"Taxpayers" means** citizens of
6 the United States of the age of 18 years and upward who, at the time
7 of filing their petition, are registered electors of the county in which
8 an election is proposed to be held and whose names appear on the
9 latest assessment roll of the county as owners of real or personal
10 property.

11 **Sec. 7.** (Deleted by amendment.)

12 **Sec. 8.** NRS 450.140 is hereby amended to read as follows:

13 450.140 1. The board of hospital trustees shall hold meetings
14 at least once each month, and shall keep a complete record of all its
15 transactions.

16 2. Except as otherwise provided in NRS 241.0355:

17 (a) In counties where three county commissioners are not
18 members of the board, three members of the board constitute a
19 quorum for the transaction of business.

20 (b) And except as otherwise provided in paragraph (c), in
21 counties where three county commissioners are members of the
22 board, any five of the members constitute a quorum for the
23 transaction of business.

24 (c) In counties where the board of county commissioners is the
25 board of hospital trustees, a majority of the board constitutes a
26 quorum for the transaction of business.

27 **3. The board of hospital trustees may hold a closed meeting to**
28 **discuss:**

29 **(a) Providing a new health care service at the county hospital**
30 **or materially expanding a health care service that is currently**
31 **provided by the county hospital; or**

32 **(b) The acquisition of an additional facility by the county**
33 **hospital or the material expansion of an existing facility of the**
34 **county hospital.**

35 **4. Subsection 3 must not be construed to authorize the board**
36 **of hospital trustees to hold a closed meeting to discuss a change of**
37 **management or ownership or the dissolution of the county**
38 **hospital.**

39 **5. Minutes of a closed meeting held pursuant to subsection 3,**
40 **any supporting material and any recording or transcript of the**
41 **closed meeting become public records 5 years after the date on**
42 **which the meeting is held or when the board of hospital trustees**
43 **determines that the matters discussed no longer require**
44 **confidentiality, whichever occurs first.**

45 **Sec. 9.** (Deleted by amendment.)



Sec. 10. 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, 232.190, 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, **450.140**, 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, sections 35, 38
20 and 41 of chapter 478, Statutes of Nevada 2011 and section 2 of
21 chapter 391, Statutes of Nevada 2013 and unless otherwise declared
22 by law to be confidential, all public books and public records of a
23 governmental entity must be open at all times during office hours to
24 inspection by any person, and may be fully copied or an abstract or
25 memorandum may be prepared from those public books and public
26 records. Any such copies, abstracts or memoranda may be used to
27 supply the general public with copies, abstracts or memoranda of the
28 records or may be used in any other way to the advantage of the
29 governmental entity or of the general public. This section does not
30 supersede or in any manner affect the federal laws governing
31 copyrights or enlarge, diminish or affect in any other manner the
32 rights of a person in any written book or record which is
33 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. 11.** This act becomes effective on July 1, 2015.

