

ASSEMBLY BILL NO. 212—ASSEMBLYMEN HANSEN; EDWARDS,
HAFEN, LEAVITT, MILLER, MONROE-MORENO AND TITUS

FEBRUARY 18, 2019

JOINT SPONSOR: SENATOR PICKARD

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing the confidentiality of
personal information of certain persons.
(BDR 20-620)

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

~

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

AN ACT relating to confidential information; authorizing certain
persons who perform tasks related to code enforcement to
obtain court orders requiring a county assessor, county
recorder, the Secretary of State or a county or city clerk to
maintain certain personal information in a confidential
manner; authorizing such persons to request the
Department of Motor Vehicles to display an alternate
address on the person's driver's license, commercial
driver's license or identification card; and providing other
matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes certain persons to obtain a court order to require a
county assessor, county recorder, the Secretary of State or a city or county clerk to
maintain the personal information of the person contained in their records in a
confidential manner. The person seeking the order must submit to the court a sworn
affidavit that, among other things, sets forth sufficient justification for the request
for confidentiality. (NRS 247.530, 250.130, 293.906) The persons authorized to
obtain such orders include justices, judges, certain court personnel, certain
prosecutors and state or county public defenders. Existing law also authorizes the
spouse, domestic partner or minor child of any such person and the surviving
spouse, domestic partner or minor child of any such person who was killed in the
performance of his or her duties to obtain such orders. (NRS 247.540, 250.140,
293.908) **Sections 1-3** of this bill further authorize such orders to be obtained by



any employee of this State or a political subdivision of this State designated by his or her employer who interacts with the public and performs tasks related to code enforcement.

Existing law authorizes certain persons to request that the Department of Motor Vehicles display an alternate address on the person's driver's license, commercial driver's license or identification card. (NRS 481.091) **Section 4** of this bill further authorizes any employee of this State or a political subdivision of this State designated by his or her employer who interacts with the public and performs tasks related to code enforcement to make such requests.

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

Section 1. NRS 247.540 is hereby amended to read as follows:

247.540 1. The following persons may request that the personal information described in subsection 1, 2 or 3 of NRS 247.520 that is contained in the records of a county recorder be kept confidential:

(a) Any justice or judge in this State.

(b) Any senior justice or senior judge in this State.

(c) Any court-appointed master in this State.

(d) Any clerk of a court, court administrator or court executive officer in this State.

(e) Any district attorney or attorney employed by the district attorney who as part of his or her normal job responsibilities prosecutes persons for:

(1) Crimes that are punishable as category A felonies; or

(2) Domestic violence.

(f) Any state or county public defender who as part of his or her normal job responsibilities defends persons for:

(1) Crimes that are punishable as category A felonies; or

(2) Domestic violence.

(g) *Any employee of this State or a political subdivision of this State designated by his or her employer who as part of his or her normal job responsibilities:*

(1) Interacts with the public; and

(2) Performs tasks related to code enforcement.

(h) The spouse, domestic partner or minor child of a person described in paragraphs (a) to ~~(f)~~ (g), inclusive.

~~(h)~~ (i) The surviving spouse, domestic partner or minor child of a person described in paragraphs (a) to ~~(f)~~ (g), inclusive, who was killed in the performance of his or her duties.

2. Any nonprofit entity in this State that maintains a confidential location for the purpose of providing shelter to victims of domestic violence may request that the personal information



described in subsection 4 of NRS 247.520 that is contained in the records of a county recorder be kept confidential.

Sec. 2. NRS 250.140 is hereby amended to read as follows:

250.140 1. The following persons may request that personal information described in subsection 1, 2 or 3 of NRS 250.120 that is contained in the records of a county assessor be kept confidential:

(a) Any justice or judge in this State.

(b) Any senior justice or senior judge in this State.

(c) Any court-appointed master in this State.

(d) Any clerk of a court, court administrator or court executive officer in this State.

(e) Any peace officer or retired peace officer.

(f) Any prosecutor.

(g) Any state or county public defender.

(h) *Any employee of this State or a political subdivision of this State designated by his or her employer who interacts with the public and performs tasks related to code enforcement.*

(i) The spouse, domestic partner or minor child of a person described in paragraphs (a) to ~~(g)~~ (h), inclusive.

~~(h)~~ (j) The surviving spouse, domestic partner or minor child of a person described in paragraphs (a) to ~~(g)~~ (h), inclusive, who was killed in the performance of his or her duties.

2. Any nonprofit entity in this State that maintains a confidential location for the purpose of providing shelter to victims of domestic violence may request that the personal information described in subsection 4 of NRS 250.120 that is contained in the records of a county assessor be kept confidential.

3. As used in this section:

(a) "Peace officer" means:

(1) Any person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive; and

(2) Any person:

(I) Who resides in this State;

(II) Whose primary duties are to enforce the law; and

(III) Who is employed by a law enforcement agency of the Federal Government, including, without limitation, a ranger for the National Park Service and an agent employed by the Federal Bureau of Investigation, Secret Service, United States Department of Homeland Security or United States Department of the Treasury.

(b) "Prosecutor" has the meaning ascribed to it in NRS 241A.030.



Sec. 3. NRS 293.908 is hereby amended to read as follows:
293.908 The following persons may request that personal information contained in the records of the Secretary of State or a county or city clerk be kept confidential:

1. Any justice or judge in this State.
2. Any senior justice or senior judge in this State.
3. Any court-appointed master in this State.
4. Any clerk of a court, court administrator or court executive officer in this State.

5. Any district attorney or attorney employed by the district attorney who as part of his or her normal job responsibilities prosecutes persons for:

- (a) Crimes that are punishable as category A felonies; or
- (b) Domestic violence.

6. Any state or county public defender who as part of his or her normal job responsibilities defends persons for:

- (a) Crimes that are punishable as category A felonies; or
- (b) Domestic violence.

7. *Any employee of this State or a political subdivision of this State designated by his or her employer who as part of his or her normal job responsibilities:*

- (a) Interacts with the public; and*
- (b) Performs tasks related to code enforcement.*

8. The spouse, domestic partner or minor child of a person described in subsections 1 to ~~6~~ 7, inclusive.

~~8~~ 9. The surviving spouse, domestic partner or minor child of a person described in subsections 1 to ~~6~~ 7, inclusive, who was killed in the performance of his or her duties.

Sec. 4. NRS 481.091 is hereby amended to read as follows:
481.091 1. The following persons may request that the Department display an alternate address on the person's driver's license, commercial driver's license or identification card:

- (a) Any justice or judge in this State.
- (b) Any senior justice or senior judge in this State.
- (c) Any court-appointed master in this State.
- (d) Any clerk of the court, court administrator or court executive officer in this State.

(e) Any district attorney or attorney employed by the district attorney who as part of his or her normal job responsibilities prosecutes persons for:

- (1) Crimes that are punishable as category A felonies; or
- (2) Domestic violence.
- (f) Any state or county public defender who as part of his or her normal job responsibilities defends persons for:
 - (1) Crimes that are punishable as category A felonies; or



1 (2) Domestic violence.

2 (g) *Any employee of this State or a political subdivision of this*
3 *State designated by his or her employer who as part of his or her*
4 *normal job responsibilities:*

5 (1) *Interacts with the public; and*

6 (2) *Performs tasks related to code enforcement.*

7 (h) The spouse, domestic partner or minor child of a person
8 described in paragraphs (a) to ~~[(f)]~~ (g), inclusive.

9 ~~[(h)]~~ (i) The surviving spouse, domestic partner or minor child
10 of a person described in paragraphs (a) to ~~[(f)]~~ (g), inclusive, who
11 was killed in the performance of his or her duties.

12 2. A person who wishes to have an alternate address displayed
13 on his or her driver's license, commercial driver's license or
14 identification card pursuant to this section must submit to the
15 Department satisfactory proof:

16 (a) That he or she is a person described in subsection 1; and

17 (b) Of the person's address of principal residence and mailing
18 address, if different from the address of principal residence.

19 3. A person who obtains a driver's license, commercial driver's
20 license or identification card that displays an alternate address
21 pursuant to this section may subsequently submit a request to the
22 Department to have his or her address of principal residence
23 displayed on his or her driver's license, commercial driver's license
24 or identification card instead of the alternate address.

25 4. The Department may adopt regulations to carry out the
26 provisions of this section.

27 **Sec. 5.** This act becomes effective upon passage and approval.

