

ASSEMBLY BILL NO. 362—ASSEMBLYMAN FUMO

MARCH 20, 2019

Referred to Committee on Government Affairs

**SUMMARY**—Revises provisions governing the confidentiality of the personal information of certain public employees. (BDR 20-763)

**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 confidential information; authorizing certain social workers and other public employees who perform tasks related to child welfare services or child protective services or tasks that expose the person to comparable dangers 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 social worker or other person employed by this State or a political subdivision of this State who as part of his or her normal job responsibilities interacts with the



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public and performs tasks related to child welfare services or child protective services or tasks that expose the person to comparable dangers.

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 social worker or other person employed by this State or a political subdivision of this State who, as part of his or her normal job responsibilities, interacts with the public and performs tasks related to child welfare services or child protective services or tasks that expose the person to comparable dangers to make such requests.

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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 social worker or other person employed by this State or a political subdivision of this State who as part of his or her normal job responsibilities:*

*(1) Interacts with the public; and*

*(2) Performs tasks related to child welfare services or child protective services or tasks that expose the person to comparable dangers.*

(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.

3. *As used in this section:*

(a) *"Child protective services" has the meaning ascribed to it in NRS 432B.042.*

(b) *"Child welfare services" has the meaning ascribed to it in NRS 432B.044.*

(c) *"Social worker" means any person licensed under chapter 641B of NRS.*

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 social worker or other person employed by this State or a political subdivision of this State who as part of his or her normal job responsibilities interacts with the public and performs tasks related to child welfare services or child protective services or tasks that expose the person to comparable dangers.*

(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) *"Child protective services" has the meaning ascribed to it in NRS 432B.042.*

(b) *"Child welfare services" has the meaning ascribed to it in NRS 432B.044.*

(c) "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)]~~ (d) "Prosecutor" has the meaning ascribed to it in NRS 241A.030.

*(e) "Social worker" means any person licensed under chapter 641B of NRS.*

**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 social worker or other person employed by this State or a political subdivision of this State who as part of his or her normal job responsibilities:*

*(a) Interacts with the public; and*

*(b) Performs tasks related to child welfare services or child protective services or tasks that expose the person to comparable dangers.*

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.



**10. As used in this section:**

(a) "Child protective services" has the meaning ascribed to it in NRS 432B.042.

(b) "Child welfare services" has the meaning ascribed to it in NRS 432B.044.

(c) "Social worker" means any person licensed under chapter 641B of NRS.

**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

(2) Domestic violence.

(g) *Any social worker or other person employed by this State or a political subdivision of this State who as part of his or her normal job responsibilities:*

*(1) Interacts with the public; and*

*(2) Performs tasks related to child welfare services or child protective services or tasks that expose the person to comparable dangers.*

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

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

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



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

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

**5. As used in this section:**

(a) *"Child protective services" has the meaning ascribed to it in NRS 432B.042.*

(b) *"Child welfare services" has the meaning ascribed to it in NRS 432B.044.*

(c) *"Social worker" means any person licensed under chapter 641B of NRS.*

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

