

Amendment No. 234

Assembly Amendment to Assembly Bill No. 212	(BDR 20-620)
<b>Proposed by:</b> Assembly Committee on Government Affairs	
<b>Amends:</b> 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.





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.

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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 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~~ **inspector, officer or investigator employed by** this State or a political subdivision of this State designated by his or her employer who **;(1) possesses specialized training in code enforcement; (2) interacts with the public ; and (performs) (3) whose primary duties are the performance of** 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~~ **inspector, officer or investigator employed by** this State or a political subdivision of this State designated by his or her employer who **;(1) possesses specialized training in code**

**enforcement; (2) interacts with the public ; and ~~performs~~ (3) whose primary duties are the performance of** 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~~ **inspector, officer or investigator employed by this State or a political subdivision of this State designated by his or her employer ~~who~~ ;**

**(1) Who possesses specialized training in code enforcement;**

**(2) Who, as part of his or her normal job responsibilities ~~is~~**

**~~(1) Interacts~~, interacts with the public; and**

**~~(2) Performs~~**

**(3) Whose primary duties are the performance of 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.

**3 As used in this section, "code enforcement" means the enforcement of laws, ordinances or codes regulating public nuisances or the public health, safety and welfare.**

**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~~ inspector, officer or investigator employed by this State or a political subdivision of this State designated by his or her employer who possesses specialized training in code enforcement, interacts with the public and ~~performs~~ whose primary duties are the performance of tasks related to code enforcement.

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

~~(i)~~ (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) "Code enforcement" means the enforcement of laws, ordinances or codes regulating public nuisances or the public health, safety and welfare.

(b) "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)~~ (c) "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.

1        7. ~~Any employee of~~ inspector, officer or investigator employed by this  
2 State or a political subdivision of this State designated by his or her employer  
3 ~~who~~ :

4        (a) Who possesses specialized training in code enforcement;

5        (b) Who, as part of his or her normal job responsibilities ~~+~~

6        ~~(a) Interacts~~, interacts with the public; and

7        ~~(b) Performs~~

8        (c) Whose primary duties are the performance of tasks related to code  
9 enforcement.

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

12       ~~(8)~~ 9. The surviving spouse, domestic partner or minor child of a person  
13 described in subsections 1 to ~~(6)~~ 7, inclusive, who was killed in the performance of  
14 his or her duties.

15       10. As used in this section, "code enforcement" means the enforcement of  
16 laws, ordinances or codes regulating public nuisances or the public health, safety  
17 and welfare.

18       **Sec. 4.** NRS 481.091 is hereby amended to read as follows:

19       481.091 1. The following persons may request that the Department display  
20 an alternate address on the person's driver's license, commercial driver's license or  
21 identification card:

22       (a) Any justice or judge in this State.

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

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

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

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

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

30           (2) Domestic violence.

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

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

34           (2) Domestic violence.

35       (g) ~~Any employee of~~ inspector, officer or investigator employed by this State  
36 or a political subdivision of this State designated by his or her employer ~~who~~ :

37           (1) Who possesses specialized training in code enforcement;

38           (2) Who, as part of his or her normal job responsibilities ~~+~~

39           ~~(1) Interacts~~, interacts with the public; and

40           ~~(2) Performs~~

41           (3) Whose primary duties are the performance of tasks related to code  
42 enforcement.

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

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

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

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

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

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

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

8           5. As used in this section, "code enforcement" means the enforcement of  
9 laws, ordinances or codes regulating public nuisances or the public health, safety  
10 and welfare.

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