

Amendment No. 547

Senate Amendment to Senate Bill No. 57 First Reprint	(BDR 34-415)
Proposed by: Senator Denis	
Amends: Summary: No Title: Yes 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.



SENATE BILL NO. 57—COMMITTEE ON EDUCATION

(ON BEHALF OF THE ATTORNEY GENERAL)

PREFILED NOVEMBER 19, 2018

Referred to Committee on Education

SUMMARY—Revises provisions relating to school property. (BDR 34-415)

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

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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 school property; making a blueprint ~~for diagram of the layout~~ of a public school confidential; authorizing or requiring the disclosure of a blueprint ~~for diagram of the layout~~ of a public or private school in certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the principal of a public school and the principal or person in charge of a private school to contact all appropriate local agencies to respond to a crisis or an emergency that requires immediate action. (NRS 388.257, 394.1696) **Section 2** of this bill makes a blueprint ~~for diagram of the layout~~ of a public school confidential. **Section 2** also: (1) requires the most current version of a blueprint ~~for diagram of the layout~~ of a public school be disclosed to a public safety agency upon its request; and (2) authorizes the disclosure of such a blueprint ~~for diagram~~ to certain persons or governmental entities for purposes related to the public school. **Section 3** of this bill requires the principal or person in charge of a private school to provide a copy of the most current blueprint of the school ~~for a diagram of the most current layout of the school~~ of which he or she is in charge to a public safety agency upon its request. **Sections 2 and 3** prohibit any person or governmental entity to which a blueprint ~~for diagram~~ of a school is disclosed from disclosing the blueprint ~~for diagram~~ except pursuant to a court order. **Section 5** of this bill makes a conforming change.

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

Section 1. NRS 388.259 is hereby amended to read as follows:

388.259 A plan developed pursuant to NRS 388.243 or updated pursuant to NRS 388.245, a deviation and any information submitted to a development committee pursuant to NRS 388.249, a deviation approved pursuant to NRS 388.251 and the model plan developed pursuant to NRS 388.253 are confidential and, except as otherwise provided in NRS 239.0115 and 388.229 to 388.266,

1 inclusive, *and section 2 of this act*, must not be disclosed to any person or
2 government, governmental agency or political subdivision of a government.

3 **Sec. 2.** Chapter 393 of NRS is hereby amended by adding thereto a new
4 section to read as follows:

5 *1. Except as otherwise provided in NRS 239.0115, a blueprint ~~for diagram~~*
6 *~~of the layout~~ of a public school, including, without limitation, a charter school or*
7 *university school for profoundly gifted pupils, or any revision thereto, is*
8 *confidential and:*

9 *(a) Must be disclosed in its most current version to a public safety agency*
10 *upon its request.*

11 *(b) May be disclosed, upon request, to:*

12 *(1) An architect registered pursuant to chapter 623 of NRS, a landscape*
13 *architect registered pursuant to chapter 623A of NRS, a contractor licensed*
14 *pursuant to chapter 624 of NRS, a professional engineer or professional land*
15 *surveyor licensed pursuant to chapter 625 of NRS or a designated employee of*
16 *any such architect, landscape architect, contractor, professional engineer or*
17 *professional land surveyor who uses the blueprint ~~for diagram~~ in his or her*
18 *professional capacity for a purpose related to the public school; or*

19 *(2) Any other person or governmental entity if necessary for a purpose*
20 *related to the public school.*

21 *2. A person or governmental entity to which a blueprint ~~for diagram~~ is*
22 *disclosed pursuant to this section shall not disclose the blueprint ~~for diagram~~*
23 *except pursuant to the provisions of NRS 239.0115.*

24 *3. As used in this section, "public safety agency" means:*

25 *(a) A public fire department, fire protection district or other agency of this*
26 *State or a political subdivision of this State, the primary functions of which are to*
27 *prevent, control, extinguish or suppress fires;*

28 *(b) A law enforcement agency as defined in NRS 277.035; or*

29 *(c) An emergency medical service.*

30 **Sec. 3.** Chapter 394 of NRS is hereby amended by adding thereto a new
31 section to read as follows:

32 *1. The principal or other person in charge of a private school or his or her*
33 *designated representative shall provide a copy of the most current blueprint of the*
34 *school ~~for a diagram of the most current layout of the school~~ to a public safety*
35 *agency upon its request.*

36 *2. A public safety agency to which a blueprint ~~for diagram~~ is disclosed*
37 *pursuant to this section shall not disclose the blueprint ~~for diagram~~ except*
38 *pursuant to the provisions of NRS 239.0115.*

39 *3. As used in this section, "public safety agency" has the meaning ascribed*
40 *to it in section 2 of this act.*

41 **Sec. 4.** NRS 394.1698 is hereby amended to read as follows:

42 394.1698 A plan developed pursuant to NRS 394.1687 or updated pursuant to
43 NRS 394.1688, a deviation and any information submitted to a development
44 committee pursuant to NRS 394.1691 and a deviation approved pursuant to NRS
45 394.1692 are confidential and, except as otherwise provided in NRS 239.0115,
46 388.253 and 394.168 to 394.1699, inclusive, *and section 3 of this act*, must not be
47 disclosed to any person or government, governmental agency or political
48 subdivision of a government.

49 **Sec. 5.** NRS 239.010 is hereby amended to read as follows:

50 239.010 1. Except as otherwise provided in this section and NRS 1.4683,
51 1.4687, 1A.110, 3.2203, 41.071, 49.095, 49.293, 62D.420, 62D.440, 62E.516,
52 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 75A.100, 75A.150,
53 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413,

1 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345,
2 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260,
3 119.265, 119.267, 119.280, 119A.280, 119A.653, 119B.370, 119B.382, 120A.690,
4 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057,
5 127.130, 127.140, 127.2817, 128.090, 130.312, 130.712, 136.050, 159.044,
6 159A.044, 172.075, 172.245, 176.01249, 176.015, 176.0625, 176.09129, 176.156,
7 176A.630, 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.165,
8 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392,
9 209.3925, 209.419, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131,
10 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625, 218F.150, 218G.130,
11 218G.240, 218G.350, 228.270, 228.450, 228.495, 228.570, 231.069, 231.1473,
12 233.190, 237.300, 239.0105, 239.0113, 239B.030, 239B.040, 239B.050, 239C.140,
13 239C.210, 239C.230, 239C.250, 239C.270, 240.007, 241.020, 241.030, 241.039,
14 242.105, 244.264, 244.335, 247.540, 247.550, 247.560, 250.087, 250.130, 250.140,
15 250.150, 268.095, 268.490, 268.910, 271A.105, 281.195, 281.805, 281A.350,
16 281A.680, 281A.685, 281A.750, 281A.755, 281A.780, 284.4068, 286.110,
17 287.0438, 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.502, 293.504,
18 293.558, 293.906, 293.908, 293.910, 293B.135, 293D.510, 331.110,
19 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1593, 338.1725,
20 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100,
21 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.610, 365.138,
22 366.160, 368A.180, 370.257, 370.327, 372A.080, 378.290, 378.300, 379.008,
23 379.1495, 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501,
24 388.503, 388.513, 388.750, 388A.247, 388A.249, 391.035, 391.120, 391.925,
25 392.029, 392.147, 392.264, 392.271, 392.315, 392.317, 392.325, 392.327, 392.335,
26 392.850, 394.167, 394.1698, 394.447, 394.460, 394.465, 396.3295, 396.405,
27 396.525, 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888, 408.5484,
28 412.153, 416.070, 422.2749, 422.305, 422A.342, 422A.350, 425.400, 427A.1236,
29 427A.872, 432.028, 432.205, 432B.175, 432B.280, 432B.290, 432B.407,
30 432B.430, 432B.560, 432B.5902, 433.534, 433A.360, 437.145, 439.840, 439B.420,
31 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735, 445A.665,
32 445B.570, 449.209, 449.245, 449A.112, 450.140, 453.164, 453.720, 453A.610,
33 453A.700, 458.055, 458.280, 459.050, 459.3866, 459.555, 459.7056, 459.846,
34 463.120, 463.15993, 463.240, 463.3403, 463.3407, 463.790, 467.1005, 480.365,
35 480.940, 481.063, 481.091, 481.093, 482.170, 482.5536, 483.340, 483.363,
36 483.575, 483.659, 483.800, 484E.070, 485.316, 501.344, 503.452, 522.040,
37 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098, 598A.110,
38 599B.090, 603.070, 603A.210, 604A.710, 612.265, 616B.012, 616B.015,
39 616B.315, 616B.350, 618.341, 618.425, 622.310, 623.131, 623A.137, 624.110,
40 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230, 628B.760, 629.047,
41 629.069, 630.133, 630.30665, 630.336, 630A.555, 631.368, 632.121, 632.125,
42 632.405, 633.283, 633.301, 633.524, 634.055, 634.214, 634A.185, 635.158,
43 636.107, 637.085, 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075,
44 640A.220, 640B.730, 640C.400, 640C.600, 640C.620, 640C.745, 640C.760,
45 640D.190, 640E.340, 641.090, 641.325, 641A.191, 641A.289, 641B.170,
46 641B.460, 641C.760, 641C.800, 642.524, 643.189, 644A.870, 645.180, 645.625,
47 645A.050, 645A.082, 645B.060, 645B.092, 645C.220, 645C.225, 645D.130,
48 645D.135, 645E.300, 645E.375, 645G.510, 645H.320, 645H.330, 647.0945,
49 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228, 654.110, 656.105,
50 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450,
51 673.480, 675.380, 676A.340, 676A.370, 677.243, 679B.122, 679B.152, 679B.159,
52 679B.190, 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410,
53 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306, 687A.110,

687A.115, 687C.010, 688C.230, 688C.480, 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536, 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550, 696C.120, 703.196, 704B.320, 704B.325, 706.1725, 706A.230, 710.159, 711.600, *and sections 2 and 3 of this act*, sections 35, 38 and 41 of chapter 478, Statutes of Nevada 2011 and section 2 of chapter 391, Statutes of Nevada 2013 and unless otherwise declared by law to be confidential, all public books and public records of a governmental entity must be open at all times during office hours to inspection by any person, and may be fully copied or an abstract or memorandum may be prepared from those public books and public records. Any such copies, abstracts or memoranda may be used to supply the general public with copies, abstracts or memoranda of the records or may be used in any other way to the advantage of the governmental entity or of the general public. This section does not supersede or in any manner affect the federal laws governing copyrights or enlarge, diminish or affect in any other manner the rights of a person in any written book or record which is copyrighted pursuant to federal law.

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

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

4. A person may request a copy of a public record in any medium in which the public record is readily available. An officer, employee or agent of a governmental entity who has legal custody or control of a public record:

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

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

Sec. 6. This act becomes effective upon passage and approval.