

Amendment No. 27

Senate Amendment to Senate Bill No. 66	(BDR 36-356)
Proposed by: Senate Committee on Government Affairs	
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. 66—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE DIVISION OF EMERGENCY MANAGEMENT
OF THE DEPARTMENT OF PUBLIC SAFETY)

PREFILED NOVEMBER 20, 2018

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to emergency management.
(BDR 36-356)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 public safety; renaming the State Disaster Identification Team as the State Disaster Identification Coordination Committee; revising the membership and duties of the Committee; transferring the duty to adopt regulations governing the Committee from the Department of Public Safety to the Division of Emergency Management of the Department; requiring providers of health care to report to the Committee certain information regarding any person who comes or is brought in for treatment of an injury which ~~appears to have been~~ ***the provider concludes was*** inflicted as a result of certain emergencies or disasters or an illness which ~~appears to have been~~ ***the provider concludes was*** contracted during certain health events; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes the State Disaster Identification Team within the Division of Emergency Management of the Department of Public Safety and requires the State Disaster Identification Team to provide technical assistance and personnel to local authorities to recover, identify and process deceased victims during the existence of a state of emergency or a declaration of disaster or upon the request of a city or county in Nevada. (NRS 414.270, 414.280) Existing law also requires the Chief of the Division of Emergency Management to assign persons with expertise in various fields to the State Disaster Identification Team to perform these duties. (NRS 414.270)

Section 2 of this bill renames the State Disaster Identification Team as the State Disaster Identification Coordination Committee. **Section 2** also: (1) revises the membership of the Committee; (2) requires the Committee to meet at least monthly; and (3) provides that the Open Meeting Law does not apply to any meeting held by the Committee or any subcommittee thereof. **Section 3** of this bill requires the Committee to: (1) annually report certain information to the Chief of the Division, the Governor and the Legislature; and (2) perform certain other duties relating to planning for activation. **Section 4** of this bill transfers

the duty to adopt regulations governing the Committee from the Department of Public Safety to the Division of Emergency Management. (NRS 414.300)

Section 1 of this bill authorizes the Chief of the Division of Emergency Management to activate the Committee or a subcommittee thereof during the existence of a state of emergency or declaration of disaster or a public health emergency or upon the request of a city or county in Nevada for an emergency in the city or county. **Section 1** requires the Committee or a subcommittee thereof to perform specified duties to coordinate the sharing of information between state, local and tribal governmental agencies regarding persons who appear to have been injured or killed or contracted an illness as a result of the emergency or disaster in accordance with a confidential plan developed by the Committee. **Sections 5-13 and 16** of this bill make conforming changes as a result of the change in the duties of the Committee from recovering, identifying and processing victims of an emergency or disaster itself to serving as a coordinator of information for agencies that are directly performing such recovery, identification and processing.

Providers of health care are required under existing law to report persons who come or are brought for treatment of burns and injuries from a knife or firearm in certain circumstances. (NRS 629.041, 629.045) **Section 14** of this bill similarly requires providers of health care to report treatment of any person who comes or is brought in for treatment of an injury which ~~appears to have been~~ the provider concludes was inflicted as a result of a declared emergency or disaster or illness which ~~appears to have been~~ the provider concludes was contracted during a public health emergency to the State Disaster Identification Coordination Committee. **Section 14** also grants a provider of health care and his or her agents and employees immunity from liability for any disclosures made in good faith.

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

Section 1. Chapter 414 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Chief may activate the State Disaster Identification Coordination Committee or any subcommittee thereof to coordinate the sharing of information among state, local and tribal governmental agencies regarding persons who appear to have been injured or killed or contracted an illness:

(a) During the existence of a state of emergency or declaration of disaster pursuant to NRS 414.070 or a public health emergency or other health event pursuant to NRS 439.970; or

(b) During an emergency in a political subdivision, upon the request of a political subdivision, if the Chief determines that the political subdivision requires the services of the Committee.

2. If activated pursuant to subsection 1, the State Disaster Identification Coordination Committee or subcommittee thereof shall:

(a) Determine which state, local or tribal governmental agencies have a legitimate need for the information received pursuant to section 14 of this act and distribute that information to those agencies.

(b) Determine the specific information a state, local or tribal governmental agency must share to assist other state, local or tribal governmental agencies to:

(1) Identify a person who appears to have been injured or killed or contracted an illness as a result of the emergency, disaster or other event;

(2) Notify members of the family of a person who appears to have been injured or killed or contracted an illness as a result of the emergency, disaster or other event; or

(3) Reunite a person who appears to have been injured or killed or contracted an illness as a result of the emergency, disaster or other event with members of his or her family.

(c) Establish a registry of persons who appear to have been injured or killed or contracted an illness as a result of the emergency, disaster or other event and make the registry available to state, local or tribal governmental agencies.

(d) Ensure compliance with the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, as amended, and any applicable regulations and any other federal or state law.

Sec. 2. NRS 414.270 is hereby amended to read as follows:

414.270 1. A State Disaster Identification ~~[Team]~~ *Coordination Committee* is hereby established within the Division of Emergency Management of the Department of Public Safety. The Chief ~~[-~~

~~1. Shall assign persons with expertise in various fields]~~ shall appoint to the State Disaster Identification ~~[Team; and]~~ *Coordination Committee*:

(a) One or more representatives of a state or local organization for emergency management;

(b) One or more representatives of the office of a county coroner;

(c) One or more representatives of the Office of the Attorney General;

(d) One or more representatives of the Nevada Hospital Association or its successor organization;

(e) One or more representatives of a state or local public health agency whose duties relate to emergency preparedness;

~~(f) The Chief Medical Officer;~~

~~(g)]~~ (g) An employee of the Department of Health and Human Services whose duties relate to ensuring compliance with the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, as amended, and any applicable regulations; and

~~(g)]~~ (h) A consumer of healthcare services.

2. ~~[May activate such persons to perform the duties of the State Disaster Identification Team:~~

~~—(a) During a state of emergency or declaration of disaster proclaimed pursuant to NRS 414.070; or~~

~~—(b) Upon the request of a political subdivision of this state if the Chief determines that the political subdivision requires the services of the State Disaster Identification Team.] The State Disaster Identification Coordination Committee shall meet at least once a month.~~

3. *The provisions of chapter 241 of NRS do not apply to any meeting held by the State Disaster Identification Coordination Committee or a subcommittee thereof.*

Sec. 3. NRS 414.280 is hereby amended to read as follows:

414.280 ~~[Upon activation, the]~~ *The* State Disaster Identification ~~[Team]~~ *Coordination Committee* shall:

1. ~~[Provide technical assistance and personnel to local authorities to recover, identify and process deceased victims.] Notify providers of health care, as defined in NRS 629.031, in writing of the requirements of section 14 of this act.~~

2. ~~[Within 2 hours after activation, begin to identify and report to the Chief the need for medical and health services to:~~

~~—(a) Establish temporary facilities to be used as a morgue.~~

~~—(b) Identify deceased victims by using, without limitation, latent fingerprints and the forensic methods of dentistry, pathology and anthropology.~~

~~—(c) Process and dispose of the remains of deceased victims.] Develop a plan for performing the duties prescribed in section 1 of this act during activation.~~

1 *Such a plan is confidential and must be securely maintained by each person who*
2 *has possession, custody or control of the plan.*

3 *3. Annually review the plan developed pursuant to subsection 2 and*
4 *annually practice carrying out the plan.*

5 *4. On or before January 31 of each year, submit a report to the Chief, the*
6 *Governor and the Director of the Legislative Counsel Bureau for transmittal to*
7 *the next session of the Legislature, if the report is submitted in an even-numbered*
8 *year, or the Legislative Commission, if the report is submitted in an odd-*
9 *numbered year. The report must include, without limitation:*

10 *(a) A description of the activities of the State Disaster Identification*
11 *Coordination Committee for the immediately preceding calendar year; and*

12 *(b) A summary of any policies or procedures adopted by the State Disaster*
13 *Identification Coordination Committee for the immediately preceding calendar*
14 *year.*

15 **Sec. 4.** NRS 414.300 is hereby amended to read as follows:

16 414.300 The *Division of Emergency Management of the* Department of
17 Public Safety shall adopt *such* regulations ~~[to] as are necessary to~~ govern the State
18 Disaster Identification ~~[Team. The regulations must include, without limitation:~~

19 ~~1. Guidelines for the Chief to:~~

20 ~~— (a) Assign persons to positions on the State Disaster Identification Team; and~~

21 ~~— (b) Determine which members of the State Disaster Identification Team may~~
22 ~~be activated pursuant to NRS 414.270.~~

23 ~~2. Provisions governing the organization, administration and operation of the~~
24 ~~State Disaster Identification Team.~~

25 ~~3. The compensation, if any, to be paid by the Department to a member of the~~
26 ~~State Disaster Identification Team who is activated pursuant to NRS 414.270.]~~
27 *Coordination Committee.*

28 **Sec. 5.** NRS 179A.075 is hereby amended to read as follows:

29 179A.075 1. The Central Repository for Nevada Records of Criminal
30 History is hereby created within the Records, Communications and Compliance
31 Division of the Department.

32 2. Each agency of criminal justice and any other agency dealing with crime
33 shall:

34 (a) Collect and maintain records, reports and compilations of statistical data
35 required by the Department; and

36 (b) Submit the information collected to the Central Repository:

37 (1) In the manner approved by the Director of the Department; and

38 (2) In accordance with the policies, procedures and definitions of the
39 Uniform Crime Reporting Program of the Federal Bureau of Investigation.

40 3. Each agency of criminal justice shall submit the information relating to
41 records of criminal history that it creates, issues or collects, and any information in
42 its possession relating to the DNA profile of a person from whom a biological
43 specimen is obtained pursuant to NRS 176.09123 or 176.0913, to the Division. The
44 information must be submitted to the Division:

45 (a) Through an electronic network;

46 (b) On a medium of magnetic storage; or

47 (c) In the manner prescribed by the Director of the Department,

48 ↪ within 60 days after the date of the disposition of the case. If an agency has
49 submitted a record regarding the arrest of a person who is later determined by the
50 agency not to be the person who committed the particular crime, the agency shall,
51 immediately upon making that determination, so notify the Division. The Division
52 shall delete all references in the Central Repository relating to that particular arrest.

4. Each state and local law enforcement agency shall submit Uniform Crime Reports to the Central Repository:

- (a) In the manner prescribed by the Director of the Department;
- (b) In accordance with the policies, procedures and definitions of the Uniform Crime Reporting Program of the Federal Bureau of Investigation; and
- (c) Within the time prescribed by the Director of the Department.

5. The Division shall, in the manner prescribed by the Director of the Department:

- (a) Collect, maintain and arrange all information submitted to it relating to:
 - (1) Records of criminal history; and
 - (2) The DNA profile of a person from whom a biological specimen is obtained pursuant to NRS 176.09123 or 176.0913.

- (b) When practicable, use a record of the personal identifying information of a subject as the basis for any records maintained regarding him or her.

- (c) ~~Upon request, provide the information that is contained in the Central Repository to the State Disaster Identification Team of the Division of Emergency Management of the Department.~~

- ~~—(d)—~~ Upon request, provide, in paper or electronic form, the information that is contained in the Central Repository to the Committee on Domestic Violence appointed pursuant to NRS 228.470 when, pursuant to NRS 228.495, the Committee is reviewing the death of the victim of a crime that constitutes domestic violence pursuant to NRS 33.018.

6. The Division may:

- (a) Disseminate any information which is contained in the Central Repository to any other agency of criminal justice;

- (b) Enter into cooperative agreements with repositories of the United States and other states to facilitate exchanges of information that may be disseminated pursuant to paragraph (a); and

- (c) Request of and receive from the Federal Bureau of Investigation information on the background and personal history of any person whose record of fingerprints or other biometric identifier the Central Repository submits to the Federal Bureau of Investigation and:

- (1) Who has applied to any agency of the State of Nevada or any political subdivision thereof for a license which it has the power to grant or deny;

- (2) With whom any agency of the State of Nevada or any political subdivision thereof intends to enter into a relationship of employment or a contract for personal services;

- (3) Who has applied to any agency of the State of Nevada or any political subdivision thereof to attend an academy for training peace officers approved by the Peace Officers' Standards and Training Commission;

- (4) For whom such information is required or authorized to be obtained pursuant to NRS 62B.270, 62G.223, 62G.353, 424.031, 432A.170, 432B.198, 433B.183, 449.123 and 449.4329; or

- (5) About whom any agency of the State of Nevada or any political subdivision thereof is authorized by law to have accurate personal information for the protection of the agency or the persons within its jurisdiction.

7. To request and receive information from the Federal Bureau of Investigation concerning a person pursuant to subsection 6, the Central Repository must receive:

- (a) The person's complete set of fingerprints for the purposes of:

- (1) Booking the person into a city or county jail or detention facility;
 - (2) Employment;
 - (3) Contractual services; or

(4) Services related to occupational licensing;
(b) One or more of the person's fingerprints for the purposes of mobile identification by an agency of criminal justice; or
(c) Any other biometric identifier of the person as it may require for the purposes of:

(1) Arrest; or
(2) Criminal investigation,
↳ from the agency of criminal justice or agency of the State of Nevada or any political subdivision thereof and submit the received data to the Federal Bureau of Investigation for its report.

8. The Central Repository shall:

(a) Collect and maintain records, reports and compilations of statistical data submitted by any agency pursuant to subsection 2.

(b) Tabulate and analyze all records, reports and compilations of statistical data received pursuant to this section.

(c) Disseminate to federal agencies engaged in the collection of statistical data relating to crime information which is contained in the Central Repository.

(d) Investigate the criminal history of any person who:

(1) Has applied to the Superintendent of Public Instruction for the issuance or renewal of a license;

(2) Has applied to a county school district, charter school or private school for employment or to serve as a volunteer; or

(3) Is employed by or volunteers for a county school district, charter school or private school,

↳ and immediately notify the superintendent of each county school district, the governing body of each charter school and the Superintendent of Public Instruction, or the administrator of each private school, as appropriate, if the investigation of the Central Repository indicates that the person has been convicted of a violation of NRS 200.508, 201.230, 453.3385, 453.339 or 453.3395, or convicted of a felony or any offense involving moral turpitude.

(e) Upon discovery, immediately notify the superintendent of each county school district, the governing body of each charter school or the administrator of each private school, as appropriate, by providing the superintendent, governing body or administrator with a list of all persons:

(1) Investigated pursuant to paragraph (d); or

(2) Employed by or volunteering for a county school district, charter school or private school whose fingerprints were sent previously to the Central Repository for investigation,

↳ who the Central Repository's records indicate have been convicted of a violation of NRS 200.508, 201.230, 453.3385, 453.339 or 453.3395, or convicted of a felony or any offense involving moral turpitude since the Central Repository's initial investigation. The superintendent of each county school district, the governing body of a charter school or the administrator of each private school, as applicable, shall determine whether further investigation or action by the district, charter school or private school, as applicable, is appropriate.

(f) Investigate the criminal history of each person who submits one or more fingerprints or other biometric identifier or has such data submitted pursuant to NRS 62B.270, 62G.223, 62G.353, 424.031, 432A.170, 432B.198, 433B.183, 449.122, 449.123 or 449.4329.

(g) On or before July 1 of each year, prepare and post on the Central Repository's Internet website an annual report containing the statistical data relating to crime received during the preceding calendar year. Additional reports may be posted to the Central Repository's Internet website throughout the year

1 regarding specific areas of crime if they are approved by the Director of the
2 Department.

3 (h) On or before July 1 of each year, prepare and post on the Central
4 Repository's Internet website a report containing statistical data about domestic
5 violence in this State.

6 (i) Identify and review the collection and processing of statistical data relating
7 to criminal justice by any agency identified in subsection 2 and make
8 recommendations for any necessary changes in the manner of collecting and
9 processing statistical data by any such agency.

10 (j) Adopt regulations governing biometric identifiers and the information and
11 data derived from biometric identifiers, including, without limitation:

12 (1) Their collection, use, safeguarding, handling, retention, storage,
13 dissemination and destruction; and

14 (2) The methods by which a person may request the removal of his or her
15 biometric identifiers from the Central Repository and any other agency where his or
16 her biometric identifiers have been stored.

17 9. The Central Repository may:

18 (a) In the manner prescribed by the Director of the Department, disseminate
19 compilations of statistical data and publish statistical reports relating to crime.

20 (b) Charge a reasonable fee for any publication or special report it distributes
21 relating to data collected pursuant to this section. The Central Repository may not
22 collect such a fee from an agency of criminal justice ~~or~~ any other agency dealing
23 with crime which is required to submit information pursuant to subsection 2. ~~for~~
24 ~~the State Disaster Identification Team of the Division of Emergency Management~~
25 ~~of the Department.]~~ All money collected pursuant to this paragraph must be used to
26 pay for the cost of operating the Central Repository.

27 (c) In the manner prescribed by the Director of the Department, use electronic
28 means to receive and disseminate information contained in the Central Repository
29 that it is authorized to disseminate pursuant to the provisions of this chapter.

30 10. As used in this section:

31 (a) "Mobile identification" means the collection, storage, transmission,
32 reception, search, access or processing of a biometric identifier using a handheld
33 device.

34 (b) "Personal identifying information" means any information designed,
35 commonly used or capable of being used, alone or in conjunction with any other
36 information, to identify a person, including, without limitation:

37 (1) The name, driver's license number, social security number, date of
38 birth and photograph or computer-generated image of a person; and

39 (2) A biometric identifier of a person.

40 (c) "Private school" has the meaning ascribed to it in NRS 394.103.

41 **Sec. 6.** NRS 179A.100 is hereby amended to read as follows:

42 179A.100 1. The following records of criminal history may be disseminated
43 by an agency of criminal justice without any restriction pursuant to this chapter:

44 (a) Any which reflect records of conviction only; and

45 (b) Any which pertain to an incident for which a person is currently within the
46 system of criminal justice, including parole or probation.

47 2. Without any restriction pursuant to this chapter, a record of criminal history
48 or the absence of such a record may be:

49 (a) Disclosed among agencies which maintain a system for the mutual
50 exchange of criminal records.

51 (b) Furnished by one agency to another to administer the system of criminal
52 justice, including the furnishing of information by a police department to a district
53 attorney.

1 (c) Reported to the Central Repository.

2 3. An agency of criminal justice shall disseminate to a prospective employer,
3 upon request, records of criminal history concerning a prospective employee or
4 volunteer which are the result of a name-based inquiry and which:

5 (a) Reflect convictions only; or

6 (b) Pertain to an incident for which the prospective employee or volunteer is
7 currently within the system of criminal justice, including parole or probation.

8 4. Records of criminal history must be disseminated by an agency of criminal
9 justice, upon request, to the following persons or governmental entities:

10 (a) The person who is the subject of the record of criminal history for the
11 purposes of NRS 179A.150.

12 (b) The person who is the subject of the record of criminal history when the
13 subject is a party in a judicial, administrative, licensing, disciplinary or other
14 proceeding to which the information is relevant.

15 (c) The Nevada Gaming Control Board.

16 (d) The State Board of Nursing.

17 (e) The Private Investigator's Licensing Board to investigate an applicant for a
18 license.

19 (f) A public administrator to carry out the duties as prescribed in chapter 253 of
20 NRS.

21 (g) A public guardian to investigate a protected person or proposed protected
22 person or persons who may have knowledge of assets belonging to a protected
23 person or proposed protected person.

24 (h) Any agency of criminal justice of the United States or of another state or
25 the District of Columbia.

26 (i) Any public utility subject to the jurisdiction of the Public Utilities
27 Commission of Nevada when the information is necessary to conduct a security
28 investigation of an employee or prospective employee or to protect the public
29 health, safety or welfare.

30 (j) Persons and agencies authorized by statute, ordinance, executive order,
31 court rule, court decision or court order as construed by appropriate state or local
32 officers or agencies.

33 (k) Any person or governmental entity which has entered into a contract to
34 provide services to an agency of criminal justice relating to the administration of
35 criminal justice, if authorized by the contract, and if the contract also specifies that
36 the information will be used only for stated purposes and that it will be otherwise
37 confidential in accordance with state and federal law and regulation.

38 (l) Any reporter or editorial employee who is employed or affiliated with a
39 newspaper, press association or commercially operated, federally licensed radio or
40 television station who requests a record of a named person or aggregate information
41 for statistical purposes, excluding any personal identifying information, in a
42 professional capacity for communication to the public.

43 (m) Prospective employers if the person who is the subject of the information
44 has given written consent to the release of that information by the agency which
45 maintains it.

46 (n) For the express purpose of research, evaluative or statistical programs
47 pursuant to an agreement with an agency of criminal justice.

48 (o) An agency which provides child welfare services, as defined in NRS
49 432B.030.

50 (p) The Division of Welfare and Supportive Services of the Department of
51 Health and Human Services or its designated representative, as needed to ensure the
52 safety of investigators and caseworkers.

(q) The Aging and Disability Services Division of the Department of Health and Human Services or its designated representative, as needed to ensure the safety of investigators and caseworkers.

(r) An agency of this or any other state or the Federal Government that is conducting activities pursuant to Part D of Subchapter IV of Chapter 7 of Title 42 of the Social Security Act, 42 U.S.C. §§ 651 et seq.

~~(s) [The State Disaster Identification Team of the Division of Emergency Management of the Department.]~~

~~—(t)~~ The Commissioner of Insurance.

~~[(u)]~~ (t) The Board of Medical Examiners.

~~[(v)]~~ (u) The State Board of Osteopathic Medicine.

~~[(w)]~~ (v) The Board of Massage Therapy and its Executive Director.

~~[(x)]~~ (w) The Board of Examiners for Social Workers.

~~[(y)]~~ (x) The State Board of Cosmetology and its Executive Director.

~~[(z)]~~ (y) The Committee on Domestic Violence appointed pursuant to NRS 228.470 when, pursuant to NRS 228.495, the Committee is reviewing the death of the victim of a crime that constitutes domestic violence pursuant to NRS 33.018.

~~[(aa)]~~ (z) A county coroner or medical examiner, as needed to conduct an investigation of the death of a person.

5. Agencies of criminal justice in this State which receive information from sources outside this State concerning transactions involving criminal justice which occur outside Nevada shall treat the information as confidentially as is required by the provisions of this chapter.

Sec. 7. NRS 179A.140 is hereby amended to read as follows:

179A.140 1. Except as otherwise provided in this section, an agency of criminal justice may charge a reasonable fee for information relating to records of criminal history provided to any person or governmental entity.

2. An agency of criminal justice shall not charge a fee for providing such information to another agency of criminal justice if the information is provided for purposes of the administration of criminal justice . ~~[, or for providing such information to the State Disaster Identification Team of the Division of Emergency Management of the Department.]~~

3. The Central Repository shall not charge such a fee:

(a) For information relating to a person regarding whom the Central Repository provided a similar report within the immediately preceding 90 days in conjunction with the application by that person for professional licensure; or

(b) For information provided to any organization that meets the criteria established by regulation pursuant to paragraph (b) of subsection 5 of NRS 179A.310.

4. The Director may request an allocation from the Contingency Account pursuant to NRS 353.266, 353.268 and 353.269 to cover the costs incurred by the Department to carry out the provisions of paragraph (b) of subsection 3.

5. All money received or collected by the Department pursuant to this section must be used to defray the cost of operating the Central Repository.

Sec. 8. NRS 239.010 is hereby amended to read as follows:

239.010 1. Except as otherwise provided in this section and NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.071, 49.095, 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 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,

1 127.130, 127.140, 127.2817, 128.090, 130.312, 130.712, 136.050, 159.044,
2 159A.044, 172.075, 172.245, 176.01249, 176.015, 176.0625, 176.09129, 176.156,
3 176A.630, 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.165,
4 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392,
5 209.3925, 209.419, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131,
6 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625, 218F.150, 218G.130,
7 218G.240, 218G.350, 228.270, 228.450, 228.495, 228.570, 231.069, 231.1473,
8 233.190, 237.300, 239.0105, 239.0113, 239B.030, 239B.040, 239B.050, 239C.140,
9 239C.210, 239C.230, 239C.250, 239C.270, 240.007, 241.020, 241.030, 241.039,
10 242.105, 244.264, 244.335, 247.540, 247.550, 247.560, 250.087, 250.130, 250.140,
11 250.150, 268.095, 268.490, 268.910, 271A.105, 281.195, 281.805, 281A.350,
12 281A.680, 281A.685, 281A.750, 281A.755, 281A.780, 284.4068, 286.110,
13 287.0438, 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.502, 293.502,
14 293.504, 293.558, 293.906, 293.908, 293.910, 293B.135, 293D.510, 331.110,
15 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1593, 338.1725,
16 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100,
17 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.610, 365.138,
18 366.160, 368A.180, 370.257, 370.327, 372A.080, 378.290, 378.300, 379.008,
19 379.1495, 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501,
20 388.503, 388.513, 388.750, 388A.247, 388A.249, 391.035, 391.120, 391.925,
21 392.029, 392.147, 392.264, 392.271, 392.315, 392.317, 392.325, 392.327, 392.335,
22 392.850, 394.167, 394.1698, 394.447, 394.460, 394.465, 396.3295, 396.405,
23 396.525, 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888, 408.5484,
24 412.153, **414.280**, 416.070, 422.2749, 422.305, 422A.342, 422A.350, 425.400,
25 427A.1236, 427A.872, 432.028, 432.205, 432B.175, 432B.280, 432B.290,
26 432B.407, 432B.430, 432B.560, 432B.5902, 433.534, 433A.360, 437.145, 439.840,
27 439B.420, 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735,
28 445A.665, 445B.570, 449.209, 449.245, 449A.112, 450.140, 453.164, 453.720,
29 453A.610, 453A.700, 458.055, 458.280, 459.050, 459.3866, 459.555, 459.7056,
30 459.846, 463.120, 463.15993, 463.240, 463.3403, 463.3407, 463.790, 467.1005,
31 480.365, 480.940, 481.063, 481.091, 481.093, 482.170, 482.5536, 483.340,
32 483.363, 483.575, 483.659, 483.800, 484E.070, 485.316, 501.344, 503.452,
33 522.040, 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098,
34 598A.110, 599B.090, 603.070, 603A.210, 604A.710, 612.265, 616B.012,
35 616B.015, 616B.315, 616B.350, 618.341, 618.425, 622.310, 623.131, 623A.137,
36 624.110, 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230, 628B.760,
37 629.047, 629.069, 630.133, 630.30665, 630.336, 630A.555, 631.368, 632.121,
38 632.125, 632.405, 633.283, 633.301, 633.524, 634.055, 634.214, 634A.185,
39 635.158, 636.107, 637.085, 637B.288, 638.087, 638.089, 639.2485, 639.570,
40 640.075, 640A.220, 640B.730, 640C.400, 640C.600, 640C.620, 640C.745,
41 640C.760, 640D.190, 640E.340, 641.090, 641.325, 641A.191, 641A.289,
42 641B.170, 641B.460, 641C.760, 641C.800, 642.524, 643.189, 644A.870, 645.180,
43 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220, 645C.225,
44 645D.130, 645D.135, 645E.300, 645E.375, 645G.510, 645H.320, 645H.330,
45 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228, 654.110,
46 656.105, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310, 671.170,
47 673.450, 673.480, 675.380, 676A.340, 676A.370, 677.243, 679B.122, 679B.152,
48 679B.159, 679B.190, 679B.285, 679B.690, 680A.270, 681A.440, 681B.260,
49 681B.410, 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306,
50 687A.110, 687A.115, 687C.010, 688C.230, 688C.480, 688C.490, 689A.696,
51 692A.117, 692C.190, 692C.3507, 692C.3536, 692C.3538, 692C.354, 692C.420,
52 693A.480, 693A.615, 696B.550, 696C.120, 703.196, 704B.320, 704B.325,
53 706.1725, 706A.230, 710.159, 711.600, sections 35, 38 and 41 of chapter 478,

1 Statutes of Nevada 2011 and section 2 of chapter 391, Statutes of Nevada 2013 and
2 unless otherwise declared by law to be confidential, all public books and public
3 records of a governmental entity must be open at all times during office hours to
4 inspection by any person, and may be fully copied or an abstract or memorandum
5 may be prepared from those public books and public records. Any such copies,
6 abstracts or memoranda may be used to supply the general public with copies,
7 abstracts or memoranda of the records or may be used in any other way to the
8 advantage of the governmental entity or of the general public. This section does not
9 supersede or in any manner affect the federal laws governing copyrights or enlarge,
10 diminish or affect in any other manner the rights of a person in any written book or
11 record which is copyrighted pursuant to federal law.

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

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

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

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

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

29 **Sec. 9.** NRS 241.016 is hereby amended to read as follows:

30 241.016 1. The meetings of a public body that are quasi-judicial in nature
31 are subject to the provisions of this chapter.

32 2. The following are exempt from the requirements of this chapter:

33 (a) The Legislature of the State of Nevada.

34 (b) Judicial proceedings, including, without limitation, proceedings before the
35 Commission on Judicial Selection and, except as otherwise provided in NRS
36 1.4687, the Commission on Judicial Discipline.

37 (c) Meetings of the State Board of Parole Commissioners when acting to grant,
38 deny, continue or revoke the parole of a prisoner or to establish or modify the terms
39 of the parole of a prisoner.

40 3. Any provision of law, including, without limitation, NRS 91.270,
41 219A.210, 228.495, 239C.140, 281A.350, 281A.690, 281A.735, 281A.760,
42 284.3629, 286.150, 287.0415, 287.04345, 287.338, 288.220, 289.387, 295.121,
43 360.247, 388.261, 388A.495, 388C.150, 388G.710, 388G.730, 392.147, 392.467,
44 394.1699, 396.3295, **414.270**, 433.534, 435.610, 463.110, 622.320, 622.340,
45 630.311, 630.336, 631.3635, 639.050, 642.518, 642.557, 686B.170, 696B.550,
46 703.196 and 706.1725, which:

47 (a) Provides that any meeting, hearing or other proceeding is not subject to the
48 provisions of this chapter; or

49 (b) Otherwise authorizes or requires a closed meeting, hearing or proceeding,
50 ➤ prevails over the general provisions of this chapter.

51 4. The exceptions provided to this chapter, and electronic communication,
52 must not be used to circumvent the spirit or letter of this chapter to deliberate or act,

outside of an open and public meeting, upon a matter over which the public body has supervision, control, jurisdiction or advisory powers.

Sec. 10. NRS 289.270 is hereby amended to read as follows:

289.270 1. The following persons have the powers of a peace officer:

(a) The Director of the Department of Public Safety.

(b) The chiefs of the divisions of the Department of Public Safety.

(c) The deputy directors of the Department of Public Safety employed pursuant to NRS 480.120.

(d) The sworn personnel of the Department of Public Safety.

~~[(e) Members of the State Disaster Identification Team of the Division of Emergency Management of the Department of Public Safety who are, pursuant to NRS 414.270, activated by the Chief of the Division to perform the duties of the State Disaster Identification Team have the powers of peace officers in carrying out those duties.]~~

2. Administrators and investigators of the Division of Compliance Enforcement of the Department of Motor Vehicles have the powers of a peace officer to enforce any law of the State of Nevada in carrying out their duties pursuant to NRS 481.048.

3. Officers and investigators of the Section for the Control of Emissions From Vehicles and the Enforcement of Matters Related to the Use of Special Fuel of the Department of Motor Vehicles, appointed pursuant to NRS 481.0481, have the powers of peace officers in carrying out their duties under that section.

Sec. 11. NRS 289.550 is hereby amended to read as follows:

289.550 1. Except as otherwise provided in subsection 2 and NRS 3.310, 4.353, 258.007 and 258.060, a person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive, must be certified by the Commission within 1 year after the date on which the person commences employment as a peace officer unless the Commission, for good cause shown, grants in writing an extension of time, which must not exceed 6 months, by which the person must become certified. A person who fails to become certified within the required time shall not exercise any of the powers of a peace officer after the time for becoming certified has expired.

2. The following persons are not required to be certified by the Commission:

(a) The Chief Parole and Probation Officer;

(b) The Director of the Department of Corrections;

(c) The Director of the Department of Public Safety, the deputy directors of the Department ~~[(c)]~~ and the chiefs of the divisions of the Department other than the Investigation Division and the Nevada Highway Patrol ~~[(c)]~~; ~~[(c)] and the members of the State Disaster Identification Team of the Division of Emergency Management of the Department;~~

(d) The Commissioner of Insurance and the chief deputy of the Commissioner of Insurance;

(e) Railroad police officers; and

(f) California correctional officers.

Sec. 12. NRS 289.800 is hereby amended to read as follows:

289.800 In addition to the compensation required by NRS 281.121, a state agency that employs a person:

1. Upon whom some or all of the powers of a peace officer are conferred pursuant to:

(a) Subsection 1 of NRS 289.180 ~~[(c)]~~ or subsection 1 of NRS 289.220 ~~[(c)]~~; ~~[(c)]~~ or paragraph (c) of subsection 1 of NRS 289.270; or

(b) Paragraph (d) of subsection 1 of NRS 289.270 and who is employed by the Nevada Highway Patrol; and

2. Who is required to purchase and wear a uniform or other clothing, accessories or safety equipment while performing the person's duties for the State as a peace officer,

may, after first obtaining the written approval of the Director of the Office of Finance, reimburse that person for the cost to repair or replace the person's required uniform or other clothing, accessories or safety equipment if it is damaged or destroyed, by means other than ordinary wear and tear, while the person is performing the person's duties for the State as a peace officer.

Sec. 13. NRS 432.170 is hereby amended to read as follows:

432.170 1. The Attorney General shall:

(a) Establish a program to coordinate activities and information in this State concerning missing or exploited children; and

(b) Appoint a Director to administer the provisions of the program.

2. The Director is in the unclassified service of the State. To assist the Director in carrying out the provisions of NRS 432.150 to 432.220, inclusive, the Attorney General may appoint such assistants or investigators as deemed necessary by the Attorney General.

3. The Director may:

(a) Assist any public or private school in establishing a program of information about missing or exploited children by providing, free of charge, materials, publications and instructional aids relating to:

(1) Offenses under federal and state law regarding missing or exploited children and the abuse or neglect of children.

(2) Governmental and private agencies and programs for locating and identifying missing or exploited children, preventing the abduction or disappearance of children and preventing the abuse or neglect of children.

(3) Methods of preventing the abduction or disappearance of children.

(4) Techniques for the investigation of cases involving missing or exploited children.

(5) Any other issue involving missing or exploited children.

(b) Develop and maintain a system of information concerning missing or exploited children, including information concerning public or private resources which may be available to such children and their families.

(c) Accept gifts or donations on behalf of the Clearinghouse which must be accounted for separately and used by the Director in carrying out the provisions of NRS 432.150 to 432.220, inclusive.

(d) Enter into agreements with regional and national organizations for assistance and exchange of information concerning missing or exploited children.

(e) Assist in the investigation of children who are reported missing in this State or who are reported abducted or taken from this State.

4. The Director may provide the materials, publications and instructional aids identified in paragraph (a) of subsection 3 to any other person or governmental agency for a reasonable fee not to exceed the cost of preparing the materials.

~~[5. The Director shall, upon request, provide records regarding a missing child to the State Disaster Identification Team of the Division of Emergency Management of the Department of Public Safety.]~~

Sec. 14. Chapter 629 of NRS is hereby amended by adding thereto a new section to read as follows:

1. To the extent feasible, every provider of health care to whom any person comes or is brought for the treatment of an injury which ~~appears to have been~~ the provider concludes was inflicted during the existence of a state of emergency or declaration of disaster pursuant to NRS 414.070 or an illness which ~~appears to have been~~ the provider concludes was contracted during a public health

1 *emergency or other health event pursuant to NRS 439.970 shall submit a written*
2 *report electronically to the State Disaster Identification Coordination Committee*
3 *on a form prescribed by the State Disaster Identification Coordination*
4 *Committee.*

5 *2. The report required by subsection 1 must include, without limitation:*

6 *(a) The name, address, telephone number and electronic mail address of the*
7 *person treated, if known;*

8 *(b) The location where the person was treated; and*

9 *(c) The character or extent of the injuries or illness of the person treated.*

10 *3. A provider of health care and his or her agents and employees are*
11 *immune from any civil action for any disclosures made in good faith in*
12 *accordance with the provisions of this section. ~~for any consequential damages.~~*

13 **Sec. 15.** The provisions of subsection 1 of NRS 218D.380 do not apply to
14 any provision of this act which adds or revises a requirement to submit a report to
15 the Legislature.

16 **Sec. 16.** NRS 414.290 is hereby repealed.

17 **Sec. 17.** This act becomes effective upon passage and approval.

TEXT OF REPEALED SECTION

414.290 Access to certain records and information when carrying out duties. In carrying out its duties pursuant to NRS 414.280, the State Disaster Identification Team may have access to:

1. The information that is contained in the Central Repository for Nevada Records of Criminal History pursuant to NRS 179A.075.

2. The records of criminal history maintained by an agency of criminal justice pursuant to NRS 179A.100.

3. The records of missing children maintained by the Attorney General pursuant to NRS 432.170.