

SENATE BILL NO. 69—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 emergencies and  
cybersecurity. (BDR 19-350)

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.

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AN ACT relating to public safety; designating the month of October of each year as “Cybersecurity Awareness Month”; revising requirements relating to emergency response plans for schools, cities, counties and resort hotels; clarifying the authority of the Governor to call members of the Nevada National Guard into state active duty upon a request for assistance from certain governmental entities that have experienced a significant cybersecurity incident; requiring each city or county to adopt and maintain a cybersecurity incident response plan; requiring the Nevada Office of Cyber Defense Coordination of the Department of Public Safety to provide certain training and briefings and submit a quarterly report to the Governor regarding cybersecurity; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Under existing law, various days, weeks and months of observance are  
2 recognized in this State. (NRS 236.018-236.073) **Section 1** of this bill designates  
3 the month of October of each year as “Cybersecurity Awareness Month” in this  
4 State and requires the Governor to issue annually a proclamation encouraging the  
5 observance of Cybersecurity Awareness Month.

6 Existing law requires certain persons or entities to develop an emergency  
7 response plan for a school, a city or county, a resort hotel and a utility. (NRS  
8 239C.250, 239C.270, 388.243, 394.1685, 463.790) **Sections 3 and 8** of this bill



9 standardize the requirements for emergency response plans for a city or county or  
10 resort hotel so that each such entity: (1) is required to annually review the plan and  
11 provide a copy of each updated plan to the Division of Emergency Management of  
12 the Department of Public Safety by a certain date; or (2) is authorized to submit a  
13 written certification in lieu of a revised plan if the plan has not changed. **Sections 4**  
14 **and 5** of this bill similarly require the board of trustees of a school district, the  
15 governing body of a charter school or the development committee of a private  
16 school to annually review and update an emergency response plan for the  
17 applicable school or schools and submit the plan to the Division by a certain date.

18 **Section 8** additionally requires an emergency response plan developed by a  
19 resort hotel to include the name and telephone number of the person responsible for  
20 ensuring that the resort hotel is in compliance with the requirements in existing law  
21 relating to emergency response plans. In addition, **section 8** requires the Nevada  
22 Gaming Control Board to provide a list of resort hotels to the Division upon request  
23 if the Board maintains such a list. **Section 7** of this bill requires the Chief of the  
24 Division to provide notice to certain public officers or bodies regarding whether a  
25 person or entity the officer or body oversees has complied with the requirement that  
26 the person or entity annually submit a revised plan or, if applicable, a written  
27 certification. **Section 7** also requires the Division to: (1) develop a written guide to  
28 assist a person or governmental entity that is required to file an emergency response  
29 plan; and (2) provide the guide to certain persons or governmental entities that are  
30 required to file an emergency response plan.

31 Under existing law, the Governor is authorized to order the Nevada National  
32 Guard into active service of the State for invasions, disasters, riots and other  
33 substantial threats to life or property. (NRS 412.122) **Section 6** of this bill provides  
34 specific authority to the Governor to call members of the Nevada National Guard  
35 into such active service upon a request for assistance from a political subdivision or  
36 governmental utility that has experienced a significant cybersecurity incident.

37 The Nevada Office of Cyber Defense Coordination is created under existing  
38 law in the Department of Public Safety. (NRS 480.920) The Office is required to  
39 perform a variety of duties relating to the security of information systems of  
40 agencies of the Executive Branch of State Government and to prepare and maintain  
41 a statewide strategic plan regarding the security of information systems in Nevada.  
42 (NRS 480.924-480.930)

43 **Section 9** of this bill requires each city or county to adopt and maintain a  
44 cybersecurity incident response plan and file the plan with the Office and the  
45 Division of Emergency Management. **Section 9** requires each city or county to  
46 review this plan at least once each year and, on or before December 31 of each  
47 year, file with the Office and the Division: (1) any revised plan resulting from the  
48 review; or (2) a written certification that the most recent plan filed is the current  
49 plan for the city or county. **Section 9** also makes such plans confidential. **Section 2**  
50 of this bill makes a conforming change.

51 **Section 11** of this bill requires the Office to provide training on cybersecurity  
52 awareness to employees of agencies of the Executive Branch and requires those  
53 employees to complete such training once every calendar quarter. **Section 11** also  
54 requires the Office to: (1) post and maintain on its website a list of countries that  
55 the Office determines to have a high risk of threats to the cybersecurity of visitors;  
56 and (2) provide briefings to employees of the Executive Branch who are scheduled  
57 to travel to such a country on state business relating to the safeguarding of their  
58 electronic devices and other equipment. **Section 12** of this bill requires each agency  
59 of the State Government that has adopted a cybersecurity policy to: (1) test  
60 periodically the adherence of its employees to that policy; and (2) submit the results  
61 of the testing to the Office for consideration in the update of the statewide strategic  
62 plan. Finally, in addition to the annual report that the Office is required to submit in  
63 existing law regarding its activities, **section 13** of this bill requires the Office to



64 submit a quarterly report to the Governor assessing the preparedness of Nevada to  
65 counteract, prevent and respond to potential cybersecurity threats.

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

1     **Section 1.** Chapter 236 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3     *1. The month of October of each year is designated as*  
4 *“Cybersecurity Awareness Month” in this State.*

5     *2. The Governor shall issue annually a proclamation*  
6 *encouraging the observance of Cybersecurity Awareness Month.*  
7 *The proclamation may, without limitation:*

8     *(a) Call upon state and local governmental agencies, private*  
9 *nonprofit groups and foundations, schools, businesses and other*  
10 *public and private entities to work toward the goal of helping all*  
11 *Americans stay safer and more secure online;*

12     *(b) Recognize the danger that cybersecurity threats pose to the*  
13 *economy and public infrastructure of this State; and*

14     *(c) Recognize the importance of collaboration among the*  
15 *departments and agencies in this State, the federal government*  
16 *and the private sector to keep this State safe from cybersecurity*  
17 *threats and to protect the residents of this State in the digital*  
18 *domain.*

19     **Sec. 2.** NRS 239.010 is hereby amended to read as follows:

20     239.010 1. Except as otherwise provided in this section and  
21 NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.071, 49.095, 49.293,  
22 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170,  
23 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152, 80.113,  
24 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200,  
25 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345,  
26 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880,  
27 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280,  
28 119A.653, 119B.370, 119B.382, 120A.690, 125.130, 125B.140,  
29 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130,  
30 127.140, 127.2817, 128.090, 130.312, 130.712, 136.050, 159.044,  
31 159A.044, 172.075, 172.245, 176.01249, 176.015, 176.0625,  
32 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691,  
33 179.495, 179A.070, 179A.165, 179D.160, 200.3771, 200.3772,  
34 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3925,  
35 209.419, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131,  
36 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625,  
37 218F.150, 218G.130, 218G.240, 218G.350, 228.270, 228.450,  
38 228.495, 228.570, 231.069, 231.1473, 233.190, 237.300, 239.0105,  
39 239.0113, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210,



1 239C.230, 239C.250, 239C.270, 240.007, 241.020, 241.030,  
2 241.039, 242.105, 244.264, 244.335, 247.540, 247.550, 247.560,  
3 250.087, 250.130, 250.140, 250.150, 268.095, 268.490, 268.910,  
4 271A.105, 281.195, 281.805, 281A.350, 281A.680, 281A.685,  
5 281A.750, 281A.755, 281A.780, 284.4068, 286.110, 287.0438,  
6 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503,  
7 293.504, 293.558, 293.906, 293.908, 293.910, 293B.135, 293D.510,  
8 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379,  
9 338.1593, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205,  
10 353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247,  
11 360.255, 360.755, 361.044, 361.610, 365.138, 366.160, 368A.180,  
12 370.257, 370.327, 372A.080, 378.290, 378.300, 379.008, 379.1495,  
13 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259,  
14 388.501, 388.503, 388.513, 388.750, 388A.247, 388A.249, 391.035,  
15 391.120, 391.925, 392.029, 392.147, 392.264, 392.271, 392.315,  
16 392.317, 392.325, 392.327, 392.335, 392.850, 394.167, 394.1698,  
17 394.447, 394.460, 394.465, 396.3295, 396.405, 396.525, 396.535,  
18 396.9685, 398A.115, 408.3885, 408.3886, 408.3888, 408.5484,  
19 412.153, 416.070, 422.2749, 422.305, 422A.342, 422A.350,  
20 425.400, 427A.1236, 427A.872, 432.028, 432.205, 432B.175,  
21 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 432B.5902,  
22 433.534, 433A.360, 437.145, 439.840, 439B.420, 440.170,  
23 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735,  
24 445A.665, 445B.570, 449.209, 449.245, 449A.112, 450.140,  
25 453.164, 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050,  
26 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993,  
27 463.240, 463.3403, 463.3407, 463.790, 467.1005, 480.365, 480.940,  
28 481.063, 481.091, 481.093, 482.170, 482.5536, 483.340, 483.363,  
29 483.575, 483.659, 483.800, 484E.070, 485.316, 501.344, 503.452,  
30 522.040, 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964,  
31 598.098, 598A.110, 599B.090, 603.070, 603A.210, 604A.710,  
32 612.265, 616B.012, 616B.015, 616B.315, 616B.350, 618.341,  
33 618.425, 622.310, 623.131, 623A.137, 624.110, 624.265, 624.327,  
34 625.425, 625A.185, 628.418, 628B.230, 628B.760, 629.047,  
35 629.069, 630.133, 630.30665, 630.336, 630A.555, 631.368,  
36 632.121, 632.125, 632.405, 633.283, 633.301, 633.524, 634.055,  
37 634.214, 634A.185, 635.158, 636.107, 637.085, 637B.288, 638.087,  
38 638.089, 639.2485, 639.570, 640.075, 640A.220, 640B.730,  
39 640C.400, 640C.600, 640C.620, 640C.745, 640C.760, 640D.190,  
40 640E.340, 641.090, 641.325, 641A.191, 641A.289, 641B.170,  
41 641B.460, 641C.760, 641C.800, 642.524, 643.189, 644A.870,  
42 645.180, 645.625, 645A.050, 645A.082, 645B.060, 645B.092,  
43 645C.220, 645C.225, 645D.130, 645D.135, 645E.300, 645E.375,  
44 645G.510, 645H.320, 645H.330, 647.0945, 647.0947, 648.033,  
45 648.197, 649.065, 649.067, 652.228, 654.110, 656.105, 661.115,



1 665.130, 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450,  
2 673.480, 675.380, 676A.340, 676A.370, 677.243, 679B.122,  
3 679B.152, 679B.159, 679B.190, 679B.285, 679B.690, 680A.270,  
4 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873, 685A.077,  
5 686A.289, 686B.170, 686C.306, 687A.110, 687A.115, 687C.010,  
6 688C.230, 688C.480, 688C.490, 689A.696, 692A.117, 692C.190,  
7 692C.3507, 692C.3536, 692C.3538, 692C.354, 692C.420,  
8 693A.480, 693A.615, 696B.550, 696C.120, 703.196, 704B.320,  
9 704B.325, 706.1725, 706A.230, 710.159, 711.600, *and section 9 of*  
10 *this act*, sections 35, 38 and 41 of chapter 478, Statutes of Nevada  
11 2011 and section 2 of chapter 391, Statutes of Nevada 2013 and  
12 unless otherwise declared by law to be confidential, all public books  
13 and public records of a governmental entity must be open at all  
14 times during office hours to inspection by any person, and may be  
15 fully copied or an abstract or memorandum may be prepared from  
16 those public books and public records. Any such copies, abstracts or  
17 memoranda may be used to supply the general public with copies,  
18 abstracts or memoranda of the records or may be used in any other  
19 way to the advantage of the governmental entity or of the general  
20 public. This section does not supersede or in any manner affect the  
21 federal laws governing copyrights or enlarge, diminish or affect in  
22 any other manner the rights of a person in any written book or  
23 record which is copyrighted pursuant to federal law.

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

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

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

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

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



1       **Sec. 3.** NRS 239C.250 is hereby amended to read as follows:

2       239C.250 1. Each political subdivision shall adopt and  
3 maintain a response plan. Each new or revised plan must be filed  
4 within 10 days after adoption or revision with:

5       (a) The Division; and

6       (b) Each response agency that provides services to the political  
7 subdivision.

8       2. The response plan required by subsection 1 *and any revised*  
9 *response plan pursuant to subsection 3* must include:

10      (a) A drawing or map of the layout and boundaries of the  
11 political subdivision;

12      (b) A drawing or description of the streets and highways within,  
13 and leading into and out of, the political subdivision, including any  
14 approved routes for evacuation;

15      (c) The location and inventory of emergency response  
16 equipment and resources within the political subdivision;

17      (d) The location of any unusually hazardous substances within  
18 the political subdivision;

19      (e) A telephone number that may be used by residents of the  
20 political subdivision to receive information and to make reports with  
21 respect to an act of terrorism or related emergency;

22      (f) The location of one or more emergency response command  
23 posts that are located within the political subdivision;

24      (g) A depiction of the location of each police station, sheriff's  
25 office and fire station that is located within the political subdivision;

26      (h) Plans for the continuity of the operations and services of the  
27 political subdivision, which plans must be consistent with the  
28 provisions of NRS 239C.260; and

29      (i) Any other information that the Commission may determine  
30 to be relevant.

31       3. *Each political subdivision shall review its response plan at*  
32 *least once each year and, as soon as practicable after the review is*  
33 *completed but not later than December 31 of each year, file with*  
34 *the Division and each response agency that provides services to*  
35 *the political subdivision:*

36      (a) *Any revised response plan resulting from the review; or*

37      (b) *A written certification that the most recent response plan*  
38 *filed pursuant to subsection 1 is the current response plan for the*  
39 *political subdivision.*

40       4. Except as otherwise provided in NRS 239.0115, a plan filed  
41 pursuant to the requirements of this section, including any revisions  
42 adopted thereto, is confidential and must be securely maintained by  
43 the entities with whom it is filed pursuant to subsection 1 ~~1~~ *or 3*.  
44 An officer, employee or other person to whom the plan is entrusted



1 by the entity with whom it is filed shall not disclose the contents of  
2 such a plan except:

- 3 (a) Upon the lawful order of a court of competent jurisdiction;
- 4 (b) As is reasonably necessary in the case of an act of terrorism  
5 or related emergency; or
- 6 (c) Pursuant to the provisions of NRS 239.0115.

7 **Sec. 4.** NRS 388.245 is hereby amended to read as follows:

8 388.245 1. Each development committee shall, at least once  
9 each year, review and update as appropriate the plan that it  
10 developed pursuant to NRS 388.243. In reviewing and updating the  
11 plan, the development committee shall consult with the director of  
12 the local organization for emergency management or, if there is no  
13 local organization for emergency management, with the Chief of the  
14 Division of Emergency Management of the Department of Public  
15 Safety or his or her designee.

16 2. Each development committee shall provide an updated copy  
17 of the plan to the board of trustees of the school district that  
18 established the committee or the governing body of the charter  
19 school that established the committee.

20 3. *On or before July 1 of each year, the board of trustees of*  
21 *the school district that established the committee or the governing*  
22 *body of the charter school that established the committee shall*  
23 *submit for approval to the Division of Emergency Management of*  
24 *the Department of Public Safety the plan updated pursuant to*  
25 *subsection 1.*

26 4. The board of trustees of each school district and the  
27 governing body of each charter school shall:

28 (a) Post a notice of the completion of each review and update  
29 that its development committee performs pursuant to subsection 1 at  
30 each school in its school district or at its charter school;

31 (b) File with the Department a copy of the notice provided  
32 pursuant to paragraph (a);

33 (c) Post a copy of NRS 388.229 to 388.266, inclusive, at each  
34 school in its school district or at its charter school;

35 (d) Retain a copy of each plan developed pursuant to NRS  
36 388.243, each plan updated pursuant to subsection 1 and each  
37 deviation approved pursuant to NRS 388.251;

38 (e) Provide a copy of each plan developed pursuant to NRS  
39 388.243 and each plan updated pursuant to subsection 1 to:

40 (1) Each local public safety agency in the county in which  
41 the school district or charter school is located; *and*

42 (2) ~~[(The Division of Emergency Management of the~~  
43 ~~Department of Public Safety; and~~

44 ~~—(3)]~~ The local organization for emergency management, if  
45 any;



1 (f) Upon request, provide a copy of each plan developed  
2 pursuant to NRS 388.243 and each plan updated pursuant to  
3 subsection 1 to a local agency that is included in the plan and to an  
4 employee of a school who is included in the plan;

5 (g) Provide a copy of each deviation approved pursuant to NRS  
6 388.251 as soon as practicable to:

7 (1) The Department;

8 (2) A local public safety agency in the county in which the  
9 school district or charter school is located;

10 (3) The Division of Emergency Management of the  
11 Department of Public Safety;

12 (4) The local organization for emergency management, if  
13 any;

14 (5) A local agency that is included in the plan; and

15 (6) An employee of a school who is included in the plan; and

16 (h) At least once each year, provide training in responding to a  
17 crisis and training in responding to an emergency to each employee  
18 of the school district or of the charter school, including, without  
19 limitation, training concerning drills for evacuating and securing  
20 schools.

21 ~~4.4~~ 5. The board of trustees of each school district and the  
22 governing body of each charter school may apply for and accept  
23 gifts, grants and contributions from any public or private source to  
24 carry out the provisions of NRS 388.229 to 388.266, inclusive.

25 **Sec. 5.** NRS 394.1688 is hereby amended to read as follows:

26 394.1688 1. Each development committee shall, at least once  
27 each year, review and update as appropriate the plan that it  
28 developed pursuant to NRS 394.1687. In reviewing and updating  
29 the plan, the development committee shall consult with the director  
30 of the local organization for emergency management or, if there is  
31 no local organization for emergency management, with the Chief of  
32 the Division of Emergency Management of the Department of  
33 Public Safety or his or her designee.

34 2. ~~Each~~ *On or before July 1 of each year, each* development  
35 committee shall provide an updated copy of the plan to the  
36 governing body of the school.

37 3. The governing body of each private school shall:

38 (a) Post a notice of the completion of each review and update  
39 that its development committee performs pursuant to subsection 1 at  
40 the school;

41 (b) File with the Department a copy of the notice provided  
42 pursuant to paragraph (a);

43 (c) Post a copy of NRS 388.253 and 394.168 to 394.1699,  
44 inclusive, at the school;



1 (d) Retain a copy of each plan developed pursuant to NRS  
2 394.1687, each plan updated pursuant to subsection 1 and each  
3 deviation approved pursuant to NRS 394.1692;

4 (e) ~~Provide~~ *On or before July 1 of each year, provide* a copy  
5 of each plan developed pursuant to NRS 394.1687 and each plan  
6 updated pursuant to subsection 1 to:

7 (1) Each local public safety agency in the county in which  
8 the school is located;

9 (2) The Division of Emergency Management of the  
10 Department of Public Safety; and

11 (3) The local organization for emergency management, if  
12 any;

13 (f) Upon request, provide a copy of each plan developed  
14 pursuant to NRS 394.1687 and each plan updated pursuant to  
15 subsection 1 to a local agency that is included in the plan and to an  
16 employee of the school who is included in the plan;

17 (g) Upon request, provide a copy of each deviation approved  
18 pursuant to NRS 394.1692 to:

19 (1) The Department;

20 (2) A local public safety agency in the county in which the  
21 school is located;

22 (3) The Division of Emergency Management of the  
23 Department of Public Safety;

24 (4) The local organization for emergency management, if  
25 any;

26 (5) A local agency that is included in the plan; and

27 (6) An employee of the school who is included in the plan;

28 and

29 (h) At least once each year, provide training in responding to a  
30 crisis and training in responding to an emergency to each employee  
31 of the school, including, without limitation, training concerning  
32 drills for evacuating and securing the school.

33 4. As used in this section, "public safety agency" has the  
34 meaning ascribed to it in NRS 388.2345.

35 **Sec. 6.** NRS 412.122 is hereby amended to read as follows:

36 412.122 1. The Governor may in case of invasion, disaster,  
37 insurrection, riot, breach of the peace, or imminent danger thereof,  
38 or other substantial threat to life or property, *or upon a request for*  
39 *assistance from a political subdivision or governmental utility, as*  
40 *defined in NRS 239C.050, that has experienced a significant*  
41 *cybersecurity incident*, order into active service of the State for such  
42 a period, to such an extent and in such a manner as he or she deems  
43 necessary all or any part of the Nevada National Guard. The  
44 authority of the Governor includes the power to order the Nevada  
45 National Guard or any part thereof to function under the operational



1 control of the United States Army, Navy or Air Force commander in  
2 charge of the defense of any area within the State which is invaded  
3 or attacked or is or may be threatened with invasion or attack.

4 2. In case of the absence of the Governor from the State, or if it  
5 is impossible to communicate immediately with the Governor, the  
6 civil officer making a requisition for troops may, if the civil officer  
7 deems the necessity imminent and not admitting of delay, serve a  
8 copy of the requisition, together with a statement of the Governor's  
9 absence or the impossibility of immediately communicating with the  
10 Governor, upon the following officers in this order:

11 (a) Lieutenant Governor;

12 (b) Adjutant General; and

13 (c) Other officers designated in a chain of command prescribed  
14 by Office regulations.

15 ↪ If the call is afterward disapproved by the Governor, the troops  
16 called into service must be disbanded immediately.

17 3. The Governor may order into active service of the State for  
18 such a period, to such an extent and in such a manner as the  
19 Governor deems necessary units or individual members of the  
20 Nevada National Guard when in his or her judgment the services of  
21 the units or members are required for:

22 (a) The furtherance of the organization, maintenance, discipline  
23 or training of the Nevada National Guard;

24 (b) The welfare of the public; or

25 (c) Ceremonial functions of the State Government.

26 4. Whenever any portion of the Nevada National Guard is  
27 employed pursuant to subsection 1, the Governor, if in his or her  
28 judgment the maintenance of law and order will thereby be  
29 promoted, may by proclamation declare the county or city in which  
30 the troops are serving, or any specified portion thereof, to be under  
31 martial law.

32 **Sec. 7.** NRS 414.040 is hereby amended to read as follows:

33 414.040 1. A Division of Emergency Management is hereby  
34 created within the Department of Public Safety. The Chief of  
35 the Division is appointed by and holds office at the pleasure of the  
36 Director of the Department of Public Safety. The Division is the  
37 State Agency for Emergency Management and the State Agency for  
38 Civil Defense for the purposes of the Compact ratified by the  
39 Legislature pursuant to NRS 415.010. The Chief is the State's  
40 Director of Emergency Management and the State's Director of  
41 Civil Defense for the purposes of that Compact.

42 2. The Chief may employ technical, clerical, stenographic and  
43 other personnel as may be required, and may make such  
44 expenditures therefor and for other expenses of his or her office  
45 within the appropriation therefor, or from other money made



1 available to him or her for purposes of emergency management, as  
2 may be necessary to carry out the purposes of this chapter.

3 3. The Chief, subject to the direction and control of the  
4 Director, shall carry out the program for emergency management in  
5 this state. The Chief shall coordinate the activities of all  
6 organizations for emergency management within the State, maintain  
7 liaison with and cooperate with agencies and organizations of other  
8 states and of the Federal Government for emergency management  
9 and carry out such additional duties as may be prescribed by the  
10 Director.

11 4. The Chief shall assist in the development of comprehensive,  
12 coordinated plans for emergency management by adopting an  
13 integrated process, using the partnership of governmental entities,  
14 business and industry, volunteer organizations and other interested  
15 persons, for the mitigation of, preparation for, response to and  
16 recovery from emergencies or disasters. In adopting this process, the  
17 Chief shall conduct activities designed to:

18 (a) Eliminate or reduce the probability that an emergency will  
19 occur or to reduce the effects of unavoidable disasters;

20 (b) Prepare state and local governmental agencies, private  
21 organizations and other persons to be capable of responding  
22 appropriately if an emergency or disaster occurs by fostering the  
23 adoption of plans for emergency operations, conducting exercises to  
24 test those plans, training necessary personnel and acquiring  
25 necessary resources;

26 (c) Test periodically plans for emergency operations to ensure  
27 that the activities of state and local governmental agencies, private  
28 organizations and other persons are coordinated;

29 (d) Provide assistance to victims, prevent further injury or  
30 damage to persons or property and increase the effectiveness of  
31 recovery operations; and

32 (e) Restore the operation of vital community life-support  
33 systems and return persons and property affected by an emergency  
34 or disaster to a condition that is comparable to or better than what  
35 existed before the emergency or disaster occurred.

36 5. In addition to any other requirement concerning the program  
37 of emergency management in this State, the Chief shall:

38 (a) Maintain an inventory of any state or local services,  
39 equipment, supplies, personnel and other resources related to  
40 participation in the Nevada Intrastate Mutual Aid System  
41 established pursuant to NRS 414A.100;

42 (b) Coordinate the provision of resources and equipment within  
43 this State in response to requests for mutual aid pursuant to NRS  
44 414.075 or chapter 414A of NRS; ~~and~~



1 (c) Coordinate with state agencies, local governments, Indian  
2 tribes or nations and special districts to use the personnel and  
3 equipment of those state agencies, local governments, Indian tribes  
4 or nations and special districts as agents of the State during a  
5 response to a request for mutual aid pursuant to NRS 414.075 or  
6 414A.130 ~~(H)~~; and

7 (d) Provide notice:

8 (1) *On or before February 15 of each year to the governing*  
9 *body of each political subdivision of whether the political*  
10 *subdivision has complied with the requirements of NRS 239C.250;*

11 (2) *On or before February 15 of each year to the Chair of*  
12 *the Public Utilities Commission of Nevada of whether each utility*  
13 *that is not a governmental utility has complied with the*  
14 *requirements of NRS 239C.270;*

15 (3) *On or before February 15 of each year to the Governor*  
16 *of whether each governmental utility described in subsection*  
17 *1 of NRS 239C.050 has complied with the requirements of*  
18 *NRS 239C.270;*

19 (4) *On or before February 15 of each year to the governing*  
20 *body of each governmental utility described in subsection 2 of*  
21 *NRS 239C.050 of whether each such governmental utility has*  
22 *complied with the requirements of NRS 239C.270;*

23 (5) *On or before August 15 of each year to the*  
24 *Superintendent of Public Instruction of whether each board of*  
25 *trustees of a school district, governing body of a charter school or*  
26 *governing body of a private school has complied with the*  
27 *requirements of NRS 388.243 or 394.1687, as applicable; and*

28 (6) *On or before November 15 of each year to the Chair of*  
29 *the Nevada Gaming Control Board of whether each resort hotel*  
30 *has complied with the requirements of NRS 463.790.*

31 6. The Division shall perform the duties required pursuant to  
32 chapter 415A of NRS.

33 7. The Division shall perform the duties required pursuant to  
34 NRS 353.2753 at the request of a state agency or local government.

35 8. *The Division shall develop a written guide for the*  
36 *preparation and maintenance of an emergency response plan to*  
37 *assist a person or governmental entity that is required to file a*  
38 *plan pursuant to NRS 239C.250, 239C.270, 388.243, 394.1687 or*  
39 *463.790. The Division shall review the guide on an annual basis*  
40 *and revise the guide if necessary. On or before January 15 of each*  
41 *year, the Division shall provide the guide to:*

42 (a) *Each political subdivision required to adopt a response*  
43 *plan pursuant to NRS 239C.250;*

44 (b) *Each utility required to prepare and maintain an*  
45 *emergency response plan pursuant to NRS 239C.270;*



1 *(c) Each development committee required to develop a plan to*  
2 *be used in responding to a crisis, emergency or suicide by:*

3 *(1) A public school or charter school pursuant to NRS*  
4 *388.243; or*

5 *(2) A private school pursuant to NRS 394.1687; and*

6 *(d) Each resort hotel required to adopt an emergency response*  
7 *plan pursuant to NRS 463.790.*

8 **Sec. 8.** NRS 463.790 is hereby amended to read as follows:

9 463.790 1. Each resort hotel shall adopt and maintain an  
10 emergency response plan. Each new or revised plan must be filed  
11 within 3 days after adoption or revision with each local fire  
12 department and local law enforcement agency whose jurisdiction  
13 includes the area in which the resort hotel is located and with the  
14 Division of Emergency Management of the Department of Public  
15 Safety.

16 2. The emergency response plan required by subsection 1 must  
17 include:

18 (a) A drawing or map of the layout of all areas within the  
19 building or buildings and grounds that constitute a part of the resort  
20 hotel and its support systems and a brief description of the purpose  
21 or use for each area;

22 (b) A drawing or description of the internal and external access  
23 routes;

24 (c) The location and inventory of emergency response  
25 equipment and resources;

26 (d) The location of any unusually hazardous substances;

27 (e) The name and telephone number of ~~the~~ :

28 *(1) The emergency response coordinator for the resort hotel;*  
29 *and*

30 *(2) The person responsible for ensuring that the resort*  
31 *hotel is in compliance with this section;*

32 (f) The location of one or more site emergency response  
33 command posts;

34 (g) A description of any special equipment needed to respond to  
35 an emergency at the resort hotel;

36 (h) An evacuation plan;

37 (i) A description of any public health or safety hazards present  
38 on the site; and

39 (j) Any other information requested by a local fire department or  
40 local law enforcement agency whose jurisdiction includes the area  
41 in which the resort hotel is located or by the Division of Emergency  
42 Management.

43 3. *Each resort hotel shall review its emergency response plan*  
44 *at least once each year and, as soon as practicable after the review*  
45 *is completed but not later than November 1 of each year, file with*



1 *each local fire department and local law enforcement agency*  
2 *whose jurisdiction includes the area in which the resort hotel is*  
3 *located and with the Division of Emergency Management:*

4 (a) *Any revised emergency response plan resulting from the*  
5 *review; or*

6 (b) *A written certification that the most recent emergency*  
7 *response plan filed pursuant to this subsection or subsection 1 is*  
8 *the current emergency response plan for the resort hotel.*

9 4. A plan filed pursuant to the requirements of this section,  
10 including any revisions adopted thereto, is confidential and must be  
11 securely maintained by the department, agency and Division with  
12 whom it is filed. An officer, employee or other person to whom the  
13 plan is entrusted by the department, agency or Division shall not  
14 disclose the contents of such a plan except:

15 (a) Upon the lawful order of a court of competent jurisdiction;  
16 or

17 (b) As is reasonably necessary in the case of an emergency  
18 involving public health or safety.

19 5. *If the Board maintains a list of resort hotels, the Board*  
20 *shall provide a copy of the list to the Division of Emergency*  
21 *Management, upon request, for purposes of this section.*

22 ~~14.~~ 6. As used in this section, the term "local law enforcement  
23 agency" means:

24 (a) The sheriff's office of a county;

25 (b) A metropolitan police department; or

26 (c) A police department of an incorporated city.

27 **Sec. 9.** Chapter 480 of NRS is hereby amended by adding  
28 thereto a new section to read as follows:

29 1. *Each political subdivision shall adopt and maintain a*  
30 *cybersecurity incident response plan. Each new or revised plan*  
31 *must be filed within 10 days after adoption or revision with:*

32 (a) *The Office; and*

33 (b) *The Division of Emergency Management of the*  
34 *Department.*

35 2. *The Office shall, by regulation, prescribe the contents of a*  
36 *cybersecurity incident response plan, which must include, without*  
37 *limitation, a plan:*

38 (a) *To prepare for a cybersecurity threat;*

39 (b) *To detect and analyze a cybersecurity threat;*

40 (c) *To contain, eradicate and recover from a cybersecurity*  
41 *incident; and*

42 (d) *For postincident activity that includes a discussion*  
43 *regarding lessons learned and any analytics associated with the*  
44 *cybersecurity incident.*



1       3. *Each political subdivision shall review its cybersecurity*  
2 *incident response plan at least once each year and, as soon as*  
3 *practicable after the review is completed but not later than*  
4 *December 31 of each year, file with the Office and the Division of*  
5 *Emergency Management:*

6       (a) *Any revised cybersecurity incident response plan resulting*  
7 *from the review; or*

8       (b) *A written certification that the most recent cybersecurity*  
9 *incident response plan filed pursuant to this subsection or*  
10 *subsection I is the current cybersecurity incident response plan*  
11 *for the political subdivision.*

12       4. *Except as otherwise provided in NRS 239.0115, a*  
13 *cybersecurity incident response plan filed pursuant to the*  
14 *requirements of this section, including any revisions adopted*  
15 *thereto, is confidential and must be securely maintained by the*  
16 *Office and the Division of Emergency Management. An officer,*  
17 *employee or other person to whom the plan is entrusted by the*  
18 *Office or the Division of Emergency Management shall not*  
19 *disclose the contents of such a plan except:*

20       (a) *Upon the lawful order of a court of competent jurisdiction;*

21       (b) *As is reasonably necessary in the case of an act of*  
22 *terrorism or related emergency; or*

23       (c) *Pursuant to the provisions of NRS 239.0115.*

24       5. *As used in this section, "political subdivision" means a city*  
25 *or county of this State.*

26       **Sec. 10.** NRS 480.902 is hereby amended to read as follows:

27       480.902 As used in NRS 480.900 to 480.950, inclusive, *and*  
28 *section 9 of this act*, unless the context otherwise requires, the  
29 words and terms defined in NRS 480.904 to 480.912, inclusive,  
30 have the meanings ascribed to them in those sections.

31       **Sec. 11.** NRS 480.924 is hereby amended to read as follows:

32       480.924 1. The Office shall:

33       (a) Periodically review the information systems that are operated  
34 or maintained by state agencies.

35       (b) Identify risks to the security of information systems that are  
36 operated or maintained by state agencies.

37       (c) Develop and update, as necessary, strategies, standards and  
38 guidelines for preparing for and mitigating risks to, and otherwise  
39 protecting, the security of information systems that are operated or  
40 maintained by state agencies.

41       (d) Coordinate performance audits and assessments of the  
42 information systems of state agencies to determine, without  
43 limitation, adherence to the regulations, standards, practices,  
44 policies and conventions of the Division of Enterprise Information



1 Technology Services of the Department of Administration that are  
2 identified by the Division as security-related.

3 (e) Coordinate statewide programs for awareness and training  
4 regarding risks to the security of information systems that are  
5 operated or maintained by state agencies.

6 *(f) Provide training on cybersecurity awareness to employees  
7 of state agencies. A state agency shall require each of its  
8 employees to complete such training once each calendar quarter.*

9 *(g) Post and maintain on the Internet website of the Office a  
10 list of any country that is determined by the Office to have a high  
11 risk of threats to the cybersecurity of visitors and provide briefings  
12 to employees of state agencies that are scheduled to travel on state  
13 business to such a country on the safeguarding of electronic  
14 devices and other equipment that the employees will use in that  
15 country. If an employee of a state agency is scheduled to travel on  
16 state business to such a country, the state agency shall require the  
17 employee to attend such a briefing.*

18 2. Upon review of an information system that is operated or  
19 maintained by a state agency, the Office may make  
20 recommendations to the state agency and the Division of Enterprise  
21 Information Technology Services regarding the security of the  
22 information system.

23 **Sec. 12.** NRS 480.930 is hereby amended to read as follows:

24 480.930 1. The Office shall prepare and make publicly  
25 available a statewide strategic plan that outlines policies,  
26 procedures, best practices and recommendations for preparing for  
27 and mitigating risks to, and otherwise protecting, the security of  
28 information systems in this State and for recovering from and  
29 otherwise responding to threats to or attacks on the security of  
30 information systems in this State.

31 2. The statewide strategic plan must include, without  
32 limitation, policies, procedures, best practices and recommendations  
33 for:

34 (a) Identifying, preventing and responding to threats to and  
35 attacks on the security of information systems in this State;

36 (b) Ensuring the safety of, and the continued delivery of  
37 essential services to, the people of this State in the event of a threat  
38 to or attack on the security of an information system in this State;

39 (c) Protecting the confidentiality of personal information that is  
40 stored on, transmitted to, from or through, or generated by an  
41 information system in this State;

42 (d) Investing in technologies, infrastructure and personnel for  
43 protecting the security of information systems; and

44 (e) Enhancing the voluntary sharing of information and any  
45 other collaboration among state agencies, local governments,



1 agencies of the Federal Government and appropriate private entities  
2 regarding protecting the security of information systems.

3 3. The statewide strategic plan must be updated at least every 2  
4 years.

5 4. A private entity may, in its discretion, make use of the  
6 information set forth in the statewide strategic plan.

7 *5. Each agency of the State Government that has adopted a*  
8 *cybersecurity policy shall test the adherence of its employees to*  
9 *that policy on a periodic basis. Such an agency shall submit the*  
10 *results of the testing to the Office annually for consideration in*  
11 *the update of the statewide strategic plan.*

12 **Sec. 13.** NRS 480.932 is hereby amended to read as follows:

13 480.932 1. *The Office shall quarterly prepare and submit to*  
14 *the Governor a report assessing the preparedness of the State, as*  
15 *of the date of the report, to counteract, prevent and respond to*  
16 *potential cybersecurity threats. The report must be based on*  
17 *information and documents readily available to the Office.*

18 2. The Office shall annually prepare a report that includes,  
19 without limitation:

20 (a) A summary of the progress made by the Office during the  
21 previous year in executing, administering and enforcing the  
22 provisions of NRS 480.900 to 480.950, inclusive, *and section 9 of*  
23 *this act* and performing such duties and exercising such powers as  
24 are conferred upon it pursuant to NRS 480.900 to 480.950,  
25 inclusive, *and section 9 of this act* and any other specific statute;

26 (b) A general description of any threat during the previous year  
27 to the security of an information system that prompted the  
28 Administrator to convene a cybersecurity incident response team  
29 pursuant to NRS 480.928, and a summary of the response to the  
30 threat;

31 (c) A summary of the goals and objectives of the Office for the  
32 upcoming year;

33 (d) A summary of any issues presenting challenges to the  
34 Office; and

35 (e) Any other information that the Administrator determines is  
36 appropriate to include in the report.

37 ~~2.~~ 3. The report required pursuant to subsection ~~H~~ 2 must be  
38 submitted not later than July 1 of each year to the Governor and to  
39 the Nevada Commission on Homeland Security created by  
40 NRS 239C.120.

41 **Sec. 14.** This act becomes effective upon passage and  
42 approval.

