

(Reprinted with amendments adopted on April 19, 2021)

FIRST REPRINT

A.B. 220

ASSEMBLY BILL NO. 220—ASSEMBLYMEN FRIERSON, YEAGER,
BENITEZ-THOMPSON; BILBRAY-AXELROD, COHEN,
FLORES, JAUREGUI, BRITTNEY MILLER, NGUYEN AND
WATTS

MARCH 9, 2021

Referred to Committee on Government Affairs

SUMMARY—Establishes provisions relating to the use of mobile devices by peace officers. (BDR 23-924)

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

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to peace officers; requiring each law enforcement agency to adopt a written policy establishing standards of conduct for the use of mobile devices by peace officers employed by the law enforcement agency; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law defines a "law enforcement agency" as any agency, office, bureau,
2 department, unit or division created by any statute, ordinance or rule which has a
3 duty to enforce the law and which employs any peace officer or officers. (NRS
4 289.010) This bill: (1) requires each law enforcement agency to adopt a written
5 policy establishing standards of conduct for the use of a mobile device issued by
6 the law enforcement agency to any peace officer employed by the agency; and (2)
7 sets forth specific requirements relating to the policy.

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

1 **Section 1.** Chapter 289 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 ***1. Each law enforcement agency shall adopt a written policy***
4 ***setting forth standards of conduct for the use of any mobile device***
5 ***issued by the law enforcement agency to any peace officer***



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1 *employed by the agency for use by the peace officer while*
2 *performing official duties.*

3 *2. In addition to including rules for the appropriate use of a*
4 *mobile device by a peace officer while performing official duties,*
5 *the written policy adopted by a law enforcement agency pursuant*
6 *to this section must:*

7 *(a) Establish which mobile applications are approved for*
8 *official use on a mobile device; and*

9 *(b) Prohibit the use of any mobile application that is not*
10 *approved for official use on a mobile device.*

11 *3. A law enforcement agency may not approve for official use*
12 *on a mobile device any mobile application that uses end-to-end*
13 *encryption or any other means with the intent to avoid the*
14 *creation, retention or lawful discovery of records or data relating*
15 *to the communications of a peace officer.*

