

ASSEMBLY BILL NO. 228—ASSEMBLYWOMEN BRITTNEY MILLER,  
GORELOW; MONROE-MORENO AND THOMAS

MARCH 10, 2021

Referred to Committee on Health and Human Services

SUMMARY—Establishes provisions relating to children's  
advocacy centers. (BDR 38-358)

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 child welfare; prescribing the requirements governing the credentialing and operation of children's advocacy centers; providing that certain persons are immune from civil liability for certain actions or omissions in duties performed on behalf of or through a children's advocacy center; requiring the governing body of each county and each agency which provides child welfare services to ensure access to a children's advocacy center for certain children; creating an account to support children's advocacy centers; authorizing the disclosure of certain information to a multidisciplinary team of a children's advocacy center; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law provides for the reporting and investigation of the abuse and neglect of children and the placement of children who are victims of abuse or neglect into safe living situations. (Chapter 432B of NRS) **Section 3** of this bill defines the term "children's advocacy center" to mean a public or private entity that provides an environment friendly to children where multidisciplinary teams made up of law enforcement officers, representatives of agencies which provide child welfare services, providers of health care, district attorneys or their deputies and victims' advocates work to: (1) investigate and help children recover from abuse and neglect; and (2) hold perpetrators of abuse and neglect of children accountable. **Sections 2, 4 and 5** of this bill define certain other terms related to children's advocacy centers. **Section 6** of this bill requires a children's advocacy center to hold certain membership with the National Children's Alliance and adhere to the standards prescribed by that organization, to the extent that those standards do not



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conflict with federal or state law, to operate in this State. **Section 6** provides that an employee or officer of a children's advocacy center or a member of a multidisciplinary team is immune from civil liability for certain actions or omissions in the performance of his or her duties if he or she acts in good faith. **Sections 6, 8 and 9** of this bill provide that information maintained by a children's advocacy center is generally confidential and may only be disclosed under the same circumstances as information maintained by an agency which provides child welfare services. **Section 8.5** of this bill authorizes the disclosure of information maintained by an agency which provides child welfare services to a multidisciplinary team. **Section 6** requires: (1) a children's advocacy center to convene a multidisciplinary team to develop standards for the acceptance of cases by the children's advocacy center; and (2) the governing body of each county and each agency which provides child welfare services to ensure, to the extent that money is available, that children whose cases meet those standards have access to the services of the children's advocacy center. **Section 7** of this bill creates an account to support the establishment and operation of children's advocacy centers and authorizes the Division of Child and Family Services of the Department of Health and Human Services to accept gifts, grants, bequests and other contributions for this account.

WHEREAS, Children's advocacy centers are essential to the health, safety and well-being of children in this State who are victims of child abuse and neglect; and

WHEREAS, Victims of child abuse and neglect and their families should be assured that children's advocacy centers in this State are adhering to best practices; and

WHEREAS, Sustainable and reliable funding is necessary for the creation and operation of children's advocacy centers; now, therefore,

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

**Section 1.** Chapter 432B of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 7, inclusive, of this act.

**Sec. 2.** *As used in sections 2 to 7, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3, 4 and 5 of this act have the meanings ascribed to them in those sections.*

**Sec. 3.** *"Children's advocacy center" means a public or private entity that provides an environment friendly to children where multidisciplinary teams work to:*

*1. Investigate and help children recover from abuse and neglect; and*

*2. Hold perpetrators of abuse and neglect of children accountable.*



1       **Sec. 4.** *“Multidisciplinary team” means a team of different*  
2 *types of professionals convened by a children’s advocacy center to*  
3 *respond to the abuse or neglect of a child or develop standards*  
4 *pursuant to subsection 5 of section 6 of this act. Such a team may*  
5 *include, without limitation, law enforcement officers,*  
6 *representatives of agencies which provide child welfare services,*  
7 *district attorneys or their deputies, providers of health care and*  
8 *advocates for victims of abuse or neglect of children.*

9       **Sec. 5.** *“Provider of health care” has the meaning ascribed*  
10 *to it in NRS 629.031.*

11       **Sec. 6. 1.** *To operate in this State, a children’s advocacy*  
12 *center must:*

13       (a) *Be recognized by the National Children’s Alliance, or its*  
14 *successor organization, as an accredited member, an*  
15 *associate/developing member or an affiliate member; and*

16       (b) *Operate in accordance with the standards prescribed by the*  
17 *National Children’s Alliance, or its successor organization, to the*  
18 *extent that those standards do not conflict with federal or state*  
19 *law.*

20       2. *An employee or officer of a children’s advocacy center is*  
21 *immune from civil liability for any action or omission in the*  
22 *performance of his or her duties on behalf of or through the*  
23 *children’s advocacy center if he or she acts in good faith.*

24       3. *A member of a multidisciplinary team is immune from civil*  
25 *liability for any act or omission with regard to communications*  
26 *with another member of a multidisciplinary team as part of the*  
27 *performance of his or her duties on behalf of or through a*  
28 *children’s advocacy center if he or she acts in good faith.*

29       4. *Except as otherwise provided in this subsection and NRS*  
30 *239.0115, 432B.165, 432B.175, 432B.513 and 439.538 or as*  
31 *ordered by a court, information maintained by a children’s*  
32 *advocacy center, including, without limitation, reports and*  
33 *investigations made pursuant to this chapter, is confidential. Such*  
34 *information may, at the discretion of the children’s advocacy*  
35 *center, be made available only to the persons described in*  
36 *subsection 2 of NRS 432B.290.*

37       5. *Each children’s advocacy center shall convene a*  
38 *multidisciplinary team to develop standards for the acceptance of*  
39 *cases by the children’s advocacy center. To the extent that money*  
40 *is available, the governing body of each county and each agency*  
41 *which provides child welfare services shall ensure that children*  
42 *whose cases meet those standards have access to services available*  
43 *through the children’s advocacy center.*



**Sec. 7. 1. *The Account to Support Children's Advocacy Centers is hereby created in the State General Fund. The Division of Child and Family Services shall administer the Account.***

**2. *The interest and income earned on the money in the Account, after deducting any applicable charges, must be credited to the Account.***

**3. *The Division of Child and Family Services may use the money in the Account to provide monetary support for the establishment and operation of children's advocacy centers.***

**4. *The Division of Child and Family Services may accept gifts, grants, bequests and other contributions from any source for the purpose of carrying out the provisions of this section.***

**5. *Any money remaining in the Account at the end of a fiscal year does not revert to the State General Fund, and the balance in the Account must be carried forward to the next fiscal year.***

**Sec. 8.** NRS 432B.165 is hereby amended to read as follows:

**432B.165 1.** For purposes of assisting in locating a missing child who is the subject of an investigation of abuse or neglect and who is in the protective custody of an agency which provides child welfare services or in the custody of another entity pursuant to an order of the juvenile court, an agency which provides child welfare services ***or a children's advocacy center*** may provide the following information to a federal, state or local governmental entity, or an agency of such an entity, that needs access to the information to carry out its legal responsibilities to protect children from abuse or neglect:

- (a) The name of the child;
- (b) The age of the child;
- (c) A physical description of the child; and
- (d) A photograph of the child.

**2.** Information provided pursuant to subsection 1 is not confidential and may be disclosed to any member of the general public upon request.

**3.** An agency which provides child welfare services that receives information concerning a child who has been placed in the custody of the agency who is missing, including, without limitation, a child who has run away or has been abducted, shall report the information to the appropriate law enforcement agency as soon as practicable, but not later than 24 hours after receiving such information, for investigation pursuant to NRS 432.200.

**4. *As used in this section, "children's advocacy center" has the meaning ascribed to it in section 3 of this act.***

**Sec. 8.5.** NRS 432B.290 is hereby amended to read as follows:

**432B.290 1.** Information maintained by an agency which provides child welfare services must be maintained by the agency



1 which provides child welfare services as required by federal law as a  
2 condition of the allocation of federal money to this State.

3 2. Except as otherwise provided in this section and NRS  
4 432B.165, 432B.175 and 432B.513, information maintained by an  
5 agency which provides child welfare services may, at the discretion  
6 of the agency which provides child welfare services, be made  
7 available only to:

8 (a) A physician, if the physician has before him or her a child  
9 who the physician has reasonable cause to believe has been abused  
10 or neglected;

11 (b) A person authorized to place a child in protective custody, if  
12 the person has before him or her a child who the person has  
13 reasonable cause to believe has been abused or neglected and the  
14 person requires the information to determine whether to place the  
15 child in protective custody;

16 (c) An agency, including, without limitation, an agency in  
17 another jurisdiction, responsible for or authorized to undertake the  
18 care, treatment or supervision of:

19 (1) The child; or

20 (2) The person responsible for the welfare of the child;

21 (d) A district attorney or other law enforcement officer who  
22 requires the information in connection with an investigation or  
23 prosecution of the abuse or neglect of a child;

24 (e) Except as otherwise provided in paragraph (f), a court other  
25 than a juvenile court, for in camera inspection only, unless the court  
26 determines that public disclosure of the information is necessary for  
27 the determination of an issue before it;

28 (f) A court, as defined in NRS 159A.015, to determine whether  
29 a guardian or successor guardian of a child should be appointed  
30 pursuant to chapter 159A of NRS or NRS 432B.466 to 432B.468,  
31 inclusive;

32 (g) A person engaged in bona fide research or an audit, but  
33 information identifying the subjects of a report must not be made  
34 available to the person;

35 (h) The attorney and the guardian ad litem of the child, if the  
36 information is reasonably necessary to promote the safety,  
37 permanency and well-being of the child;

38 (i) A person who files or intends to file a petition for the  
39 appointment of a guardian or successor guardian of a child pursuant  
40 to chapter 159A of NRS or NRS 432B.466 to 432B.468, inclusive,  
41 if the identity of the person responsible for reporting the abuse or  
42 neglect of the child to a public agency is kept confidential and the  
43 information is reasonably necessary to promote the safety,  
44 permanency and well-being of the child;



(j) The proposed guardian or proposed successor guardian of a child over whom a guardianship is sought pursuant to chapter 159A of NRS or NRS 432B.466 to 432B.468, inclusive, if the identity of the person responsible for reporting the abuse or neglect of the child to a public agency is kept confidential and the information is reasonably necessary to promote the safety, permanency and well-being of the child;

(k) A grand jury upon its determination that access to these records and the information is necessary in the conduct of its official business;

(l) A federal, state or local governmental entity, or an agency of such an entity, or a juvenile court, that needs access to the information to carry out its legal responsibilities to protect children from abuse and neglect;

(m) A person or an organization that has entered into a written agreement with an agency which provides child welfare services to provide assessments or services and that has been trained to make such assessments or provide such services;

(n) A team organized pursuant to NRS 432B.350 for the protection of a child;

(o) A team organized pursuant to NRS 432B.405 to review the death of a child;

(p) *A multidisciplinary team, as defined in section 4 of this act;*

(q) A parent or legal guardian of the child and an attorney of a parent or guardian of the child, including, without limitation, the parent or guardian of a child over whom a guardianship is sought pursuant to chapter 159A of NRS or NRS 432B.466 to 432B.468, inclusive, if the identity of the person responsible for reporting the abuse or neglect of the child to a public agency is kept confidential and the information is reasonably necessary to promote the safety, permanency and well-being of the child and is limited to information concerning that parent or guardian;

~~(q)~~ (r) The child over whom a guardianship is sought pursuant to chapter 159A of NRS or NRS 432B.466 to 432B.468, inclusive, if:

(1) The child is 14 years of age or older; and

(2) The identity of the person responsible for reporting the abuse or neglect of the child to a public agency is kept confidential and the information is reasonably necessary to promote the safety, permanency and well-being of the child;

~~(q)~~ (s) The persons or agent of the persons who are the subject of a report, if the information is reasonably necessary to promote the safety, permanency and well-being of the child and is limited to information concerning those persons;



~~[(t)]~~ (t) An agency that is authorized by law to license foster homes or facilities for children or to investigate persons applying for approval to adopt a child, if the agency has before it an application for that license or is investigating an applicant to adopt a child;

~~[(u)]~~ (u) Upon written consent of the parent, any officer of this State or a city or county thereof or Legislator authorized by the agency or department having jurisdiction or by the Legislature, acting within its jurisdiction, to investigate the activities or programs of an agency which provides child welfare services if:

(1) The identity of the person making the report is kept confidential; and

(2) The officer, Legislator or a member of the family of the officer or Legislator is not the person alleged to have committed the abuse or neglect;

~~[(v)]~~ (v) The Division of Parole and Probation of the Department of Public Safety for use pursuant to NRS 176.135 in making a presentence investigation and report to the district court or pursuant to NRS 176.151 in making a general investigation and report;

~~[(w)]~~ (w) Any person who is required pursuant to NRS 432B.220 to make a report to an agency which provides child welfare services or to a law enforcement agency;

~~[(x)]~~ (x) A local advisory board to expedite proceedings for the placement of children created pursuant to NRS 432B.604;

~~[(y)]~~ (y) The panel established pursuant to NRS 432B.396 to evaluate agencies which provide child welfare services;

~~[(z)]~~ (z) An employer in accordance with subsection 3 of NRS 432.100;

~~[(aa)]~~ (aa) A team organized or sponsored pursuant to NRS 217.475 or 228.495 to review the death of the victim of a crime that constitutes domestic violence;

~~[(ab)]~~ (bb) The Committee on Domestic Violence appointed pursuant to NRS 228.470; or

~~[(bb)]~~ (cc) The Committee to Review Suicide Fatalities created by NRS 439.5104.

3. An agency investigating a report of the abuse or neglect of a child shall, upon request, provide to a person named in the report as allegedly causing the abuse or neglect of the child:

(a) A copy of:

(1) Any statement made in writing to an investigator for the agency by the person named in the report as allegedly causing the abuse or neglect of the child; or

(2) Any recording made by the agency of any statement made orally to an investigator for the agency by the person named in the report as allegedly causing the abuse or neglect of the child; or



(b) A written summary of the allegations made against the person who is named in the report as allegedly causing the abuse or neglect of the child. The summary must not identify the person responsible for reporting the alleged abuse or neglect or any collateral sources and reporting parties.

4. Except as otherwise provided by subsection 6, before releasing any information maintained by an agency which provides child welfare services pursuant to this section, an agency which provides child welfare services shall take whatever precautions it determines are reasonably necessary to protect the identity and safety of any person who reports child abuse or neglect and to protect any other person if the agency which provides child welfare services reasonably believes that disclosure of the information would cause a specific and material harm to an investigation of the alleged abuse or neglect of a child or the life or safety of any person.

5. The provisions of this section must not be construed to require an agency which provides child welfare services to disclose information maintained by the agency which provides child welfare services if, after consultation with the attorney who represents the agency, the agency determines that such disclosure would cause a specific and material harm to a criminal investigation.

6. A person who is the subject of an unsubstantiated report of child abuse or neglect made pursuant to this chapter and who believes that the report was made in bad faith or with malicious intent may petition a district court to order the agency which provides child welfare services to release information maintained by the agency which provides child welfare services. The petition must specifically set forth the reasons supporting the belief that the report was made in bad faith or with malicious intent. The petitioner shall provide notice to the agency which provides child welfare services so that the agency may participate in the action through its counsel. The district court shall review the information which the petitioner requests to be released and the petitioner shall be allowed to present evidence in support of the petition. If the court determines that there is a reasonable question of fact as to whether the report was made in bad faith or with malicious intent and that the disclosure of the identity of the person who made the report would not be likely to endanger the life or safety of the person who made the report, the court shall provide a copy of the information to the petitioner and the original information is subject to discovery in a subsequent civil action regarding the making of the report.

7. If an agency which provides child welfare services receives any information that is deemed confidential by law, the agency which provides child welfare services shall maintain the confidentiality of the information as prescribed by applicable law.



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8. Pursuant to this section, a person may authorize the release of information maintained by an agency which provides child welfare services about himself or herself, but may not waive the confidentiality of such information concerning any other person.

9. An agency which provides child welfare services may provide a summary of the outcome of an investigation of the alleged abuse or neglect of a child to the person who reported the suspected abuse or neglect.

10. Except as otherwise provided in this subsection, any person who is provided with information maintained by an agency which provides child welfare services and who further disseminates the information or makes the information public is guilty of a gross misdemeanor. This subsection does not apply to:

(a) A district attorney or other law enforcement officer who uses the information solely for the purpose of initiating legal proceedings;

(b) An employee of the Division of Parole and Probation of the Department of Public Safety making a presentence investigation and report to the district court pursuant to NRS 176.135 or making a general investigation and report pursuant to NRS 176.151; or

(c) An employee of a juvenile justice agency who provides the information to the juvenile court.

11. An agency which provides child welfare services may charge a fee for processing costs reasonably necessary to prepare information maintained by the agency which provides child welfare services for release pursuant to this section.

12. An agency which provides child welfare services shall adopt rules, policies or regulations to carry out the provisions of this section.

13. As used in this section, "juvenile justice agency" means the Youth Parole Bureau or a director of juvenile services.

**Sec. 9.** 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, 119A.677, 119B.370, 119B.382, 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817, 128.090, 130.312, 130.712, 136.050, 159.044, 159A.044, 172.075, 172.245, 176.01249, 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715,



1 178.5691, 179.495, 179A.070, 179A.165, 179D.160, 200.3771,  
2 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392,  
3 209.3923, 209.3925, 209.419, 209.429, 209.521, 211A.140,  
4 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464,  
5 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240,  
6 218G.350, 226.300, 228.270, 228.450, 228.495, 228.570, 231.069,  
7 231.1473, 233.190, 237.300, 239.0105, 239.0113, 239.014,  
8 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230,  
9 239C.250, 239C.270, 239C.420, 240.007, 241.020, 241.030,  
10 241.039, 242.105, 244.264, 244.335, 247.540, 247.550, 247.560,  
11 250.087, 250.130, 250.140, 250.150, 268.095, 268.0978, 268.490,  
12 268.910, 269.174, 271A.105, 281.195, 281.805, 281A.350,  
13 281A.680, 281A.685, 281A.750, 281A.755, 281A.780, 284.4068,  
14 286.110, 286.118, 287.0438, 289.025, 289.080, 289.387, 289.830,  
15 293.4855, 293.5002, 293.503, 293.504, 293.558, 293.5757, 293.870,  
16 293.906, 293.908, 293.910, 293B.135, 293D.510, 331.110, 332.061,  
17 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1593, 338.1725,  
18 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049,  
19 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255,  
20 360.755, 361.044, 361.2242, 361.610, 365.138, 366.160, 368A.180,  
21 370.257, 370.327, 372A.080, 378.290, 378.300, 379.0075, 379.008,  
22 379.1495, 385A.830, 385B.100, 387.626, 387.631, 388.1455,  
23 388.259, 388.501, 388.503, 388.513, 388.750, 388A.247, 388A.249,  
24 391.033, 391.035, 391.0365, 391.120, 391.925, 392.029, 392.147,  
25 392.264, 392.271, 392.315, 392.317, 392.325, 392.327, 392.335,  
26 392.850, 393.045, 394.167, 394.16975, 394.1698, 394.447, 394.460,  
27 394.465, 396.3295, 396.405, 396.525, 396.535, 396.9685,  
28 398A.115, 408.3885, 408.3886, 408.3888, 408.5484, 412.153,  
29 414.280, 416.070, 422.2749, 422.305, 422A.342, 422A.350,  
30 425.400, 427A.1236, 427A.872, 432.028, 432.205, 432B.175,  
31 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 432B.5902,  
32 432C.140, 432C.150, 433.534, 433A.360, 437.145, 437.207,  
33 439.4941, 439.840, 439.914, 439B.420, 439B.754, 439B.760,  
34 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395,  
35 442.735, 442.774, 445A.665, 445B.570, 445B.7773, 447.345,  
36 449.209, 449.245, 449.4315, 449A.112, 450.140, 450B.188,  
37 453.164, 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050,  
38 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993,  
39 463.240, 463.3403, 463.3407, 463.790, 467.1005, 480.535, 480.545,  
40 480.935, 480.940, 481.063, 481.091, 481.093, 482.170, 482.5536,  
41 483.340, 483.363, 483.575, 483.659, 483.800, 484A.469, 484E.070,  
42 485.316, 501.344, 503.452, 522.040, 534A.031, 561.285, 571.160,  
43 584.655, 587.877, 598.0964, 598.098, 598A.110, 599B.090,  
44 603.070, 603A.210, 604A.303, 604A.710, 612.265, 616B.012,  
45 616B.015, 616B.315, 616B.350, 618.341, 618.425, 622.238,



1 622.310, 623.131, 623A.137, 624.110, 624.265, 624.327, 625.425,  
2 625A.185, 628.418, 628B.230, 628B.760, 629.047, 629.069,  
3 630.133, 630.2673, 630.30665, 630.336, 630A.555, 631.368,  
4 632.121, 632.125, 632.3415, 632.405, 633.283, 633.301, 633.4715,  
5 633.524, 634.055, 634.214, 634A.185, 635.158, 636.107, 637.085,  
6 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075,  
7 640A.220, 640B.730, 640C.580, 640C.600, 640C.620, 640C.745,  
8 640C.760, 640D.190, 640E.340, 641.090, 641.221, 641.325,  
9 641A.191, 641A.262, 641A.289, 641B.170, 641B.282, 641B.460,  
10 641C.760, 641C.800, 642.524, 643.189, 644A.870, 645.180,  
11 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220,  
12 645C.225, 645D.130, 645D.135, 645G.510, 645H.320, 645H.330,  
13 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228,  
14 653.900, 654.110, 656.105, 657A.510, 661.115, 665.130, 665.133,  
15 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480, 675.380,  
16 676A.340, 676A.370, 677.243, 678A.470, 678C.710, 678C.800,  
17 679B.122, 679B.124, 679B.152, 679B.159, 679B.190, 679B.285,  
18 679B.690, 680A.270, 681A.440, 681B.260, 681B.410, 681B.540,  
19 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306, 687A.110,  
20 687A.115, 687C.010, 688C.230, 688C.480, 688C.490, 689A.696,  
21 692A.117, 692C.190, 692C.3507, 692C.3536, 692C.3538,  
22 692C.354, 692C.420, 693A.480, 693A.615, 696B.550, 696C.120,  
23 703.196, 704B.325, 706.1725, 706A.230, 710.159, 711.600, *and*  
24 *section 6 of this act*, sections 35, 38 and 41 of chapter 478, Statutes  
25 of Nevada 2011 and section 2 of chapter 391, Statutes of Nevada  
26 2013 and unless otherwise declared by law to be confidential, all  
27 public books and public records of a governmental entity must be  
28 open at all times during office hours to inspection by any person,  
29 and may be fully copied or an abstract or memorandum may be  
30 prepared from those public books and public records. Any such  
31 copies, abstracts or memoranda may be used to supply the general  
32 public with copies, abstracts or memoranda of the records or may be  
33 used in any other way to the advantage of the governmental entity or  
34 of the general public. This section does not supersede or in any  
35 manner affect the federal laws governing copyrights or enlarge,  
36 diminish or affect in any other manner the rights of a person in any  
37 written book or record which is copyrighted pursuant to federal law.

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

40 3. A governmental entity that has legal custody or control of a  
41 public book or record shall not deny a request made pursuant to  
42 subsection 1 to inspect or copy or receive a copy of a public book or  
43 record on the basis that the requested public book or record contains  
44 information that is confidential if the governmental entity can  
45 redact, delete, conceal or separate, including, without limitation,



electronically, the confidential information from the information included in the public book or record that is not otherwise confidential.

4. If requested, a governmental entity shall provide a copy of a public record in an electronic format by means of an electronic medium. Nothing in this subsection requires a governmental entity to provide a copy of a public record in an electronic format or by means of an electronic medium if:

(a) The public record:

(1) Was not created or prepared in an electronic format; and

(2) Is not available in an electronic format; or

(b) Providing the public record in an electronic format or by means of an electronic medium would:

(1) Give access to proprietary software; or

(2) Require the production of information that is confidential and that cannot be redacted, deleted, concealed or separated from information that is not otherwise confidential.

5. An officer, employee or agent of a governmental entity who has legal custody or control of a public record:

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

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

**Sec. 10.** 1. This section becomes effective upon passage and approval.

2. Sections 1 to 9, inclusive, of this act become effective:

(a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On July 1, 2021, for all other purposes.

