

Amendment No. 191

Senate Amendment to Senate Bill No. 236

(BDR 23-217)

Proposed by: Senate Committee on Judiciary

Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will MAINTAIN the unfunded mandate not requested by the affected local government to S.B. 236 (§§ 1, 17).

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.

MNM/BAW



Date: 4/15/2021

S.B. No. 236—Makes various changes relating to public safety. (BDR 23-217)



SENATE BILL NO. 236—SENATOR D. HARRIS

MARCH 15, 2021

Referred to Committee on Judiciary

SUMMARY—Makes various changes relating to public safety. (BDR 23-217)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§§ 1, 17)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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; requiring law enforcement agencies to establish early warning systems to identify peace officers who display bias indicators or other problematic behavior; authorizing the Peace Officers' Standards and Training Commission to adopt regulations relating to such early warning systems; ~~revising the qualifications for certification as a peace officer by the Commission; imposing liability on peace officers who subject another person or cause another person to be subjected to the deprivation of certain constitutional rights;~~ establishing provisions relating to the recording, collection and review of information concerning traffic stops ~~and other stops~~ made by law enforcement officers; imposing certain duties on the Department of Public Safety and law enforcement agencies regarding the recording, collection and review of such information; authorizing the Department to adopt regulations relating to the recording, collection and review of such information; requiring the Legislative Commission to appoint a committee to conduct an interim study relating to the establishment of crisis response call centers; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law sets forth provisions governing peace officers and establishes the Peace Officers' Standards and Training Commission (hereinafter "POST"), which generally provides for the training and education of peace officers. (Chapter 289 of NRS) **Section 1** of this bill requires every law enforcement agency to establish an early warning system for the purpose of identifying peace officers employed by the law enforcement agency who display bias indicators or other problematic behavior. **Section 1** requires that if a peace officer is identified by the early warning system as displaying bias indicators or other problematic behavior, the law enforcement agency that employs the peace officer is required to increase its supervision of the peace officer and provide additional training and, if appropriate, counseling to the peace officer. If a peace officer is repeatedly identified by the early warning system as

displaying bias indicators or other problematic behavior, the law enforcement agency that employs the peace officer is required to consider the consequences that should be imposed, including transferring the peace officer from any high-profile assignments or subjecting the peace officer to any discipline. **Section 1** also authorizes POST to adopt any regulations necessary to carry out the provisions relating to such early warning systems.

~~Existing law generally requires a person upon whom some or all of the powers of a peace officer are conferred to be certified by POST. (NRS 289.550) Section 2 of this bill provides that before such a person may be certified, the person is required to have: (1) at a minimum, received an associate's degree; or (2) completed at least 2 years of military service. Section 2 also specifies that a person does not need to satisfy such a requirement before he or she participates in any training required as a condition of certification as a peace officer.~~

~~Existing law establishes provisions relating to the liability of and actions against this State, its agencies and its political subdivisions. (NRS 41.0305-41.0309) Section 3 of this bill imposes liability on any peace officer who subjects another person or causes another person to be subjected to the deprivation of any individual constitutional rights that create binding obligations on government actors. Section 3 also provides that in an action brought as a result of a deprivation of such constitutional rights, qualified immunity can only be used as a defense in certain circumstances. Section 3 additionally requires the employer of a peace officer to indemnify the peace officer for any liability incurred by, and any judgment or settlement entered against, the peace officer unless the actions of the peace officer were malicious, wanton or willful.~~

Existing law establishes provisions relating to the rules of the roads in this State. ~~including rules pertaining to pedestrians.~~ (Chapter 484B of NRS) **Sections 7-21** of this bill establish provisions relating to the recording, collection and review of information concerning traffic stops ~~and other stops~~ made by law enforcement officers. **Section 17** of this bill requires the Department of Public Safety to develop and implement, not later than January 1, 2022: (1) a standardized method to be used by law enforcement officers to record certain information concerning ~~any such stop;~~ **traffic stops**, including certain demographic information of the person who was stopped; and (2) training and procedures to facilitate the collection of such information. **Section 17** also requires: (1) law enforcement officers that make a traffic ~~for other~~ stop to record such information beginning on January 1, 2022; and (2) law enforcement agencies that retain such information to report such information for each calendar year to the Department beginning not later than February 1, 2023. **Section 17** additionally requires that any such information be used **by the Department** for statistical purposes only and ~~not contain~~ **provides that** any identifying information ~~relating to~~ of a law enforcement officer who performed a traffic stop ~~for other stop~~ or a person who was stopped ~~Section 17 provides that any information that could reveal the identity of such a law enforcement officer or person~~ **that is collected or held by the Department** is ~~exempt from public disclosure;~~ **confidential.**

Section 18 of this bill authorizes the Department, to the extent that money is available, to contract with a third party to review all public information reported by law enforcement agencies concerning traffic stops ~~and other stops~~ and conduct a statistical analysis of the data to identify patterns or practices of profiling. **Section 18** requires the Department to seek any available gifts, grants or donations to assist in enabling the Department to contract with a third party to conduct such a statistical analysis. **Section 18** also requires such a third party with whom the Department contracts to submit, during the year in which a statistical analysis is conducted, a report of the results of the analysis to the Governor, the Department and the Chairs of the Senate and Assembly Standing Committees on Judiciary. **Section 19** of this bill authorizes the Department, after reviewing the report, to provide advice or technical assistance to any law enforcement agency mentioned in the report and, if such advice or technical assistance is provided, requires the Department to present to POST a summary of the advice or technical assistance given.

Section 20 of this bill requires the Department to : (1) record information collected from law enforcement agencies concerning traffic stops ~~and other stops~~ **that is not confidential** in a central repository created by the Department to track data electronically concerning ~~such~~ **traffic** stops on a statewide basis ~~;~~ **and (2) make such data available to the public.** However, **section 25** of this bill provides that, unless the Department is able to ~~create such a central repository and record~~ **perform** such ~~information~~ **duties** using existing resources, such ~~a requirement~~ **requirements** only ~~becomes~~ **become** effective on the date on which

federal funding is obtained for the recording, collection and review of information concerning traffic stops ~~[and other stops]~~ made by law enforcement officers.

Section 21 of this bill authorizes the Department to adopt any regulations necessary to carry out the provisions relating to the recording, collection and review of information concerning traffic stops ~~[and other stops]~~ made by law enforcement officers.

Section 22 of this bill requires the Legislative Commission to appoint a committee to conduct an interim study relating to the establishment of crisis response call centers. **Section 22** requires that such a study include: (1) an examination of certain proposals relating to responses to non-violent and non-emergency situations; (2) a determination of how information should be provided to the public regarding when to call an emergency number, a non-emergency number or another help line; (3) the consideration of alternative models regarding responses to crises that do not require armed law enforcement officers; and (4) a determination of the feasibility of establishing a pilot program relating to crisis response call centers. **Section 22** requires the interim committee to submit a report of its findings and any recommendations for legislation to the Governor and the Director of the Legislative Counsel Bureau for transmittal to the 82nd Session of the Nevada Legislature.

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

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

1. Each law enforcement agency shall establish an early warning system for the purpose of identifying peace officers employed by the law enforcement agency who:

(a) Display bias indicators by, for example:

- (1) Having a large number of citizen complaints;*
- (2) Being part of a large number of incidents involving the use of force;*
- (3) Making a large number of arrests for resisting an officer;*
- (4) Having a large number of the arrests that he or she has made result in no charges being filed because of issues such as improper searches or detentions; or*
- (5) Having a negative attitude regarding programs that enhance relations between law enforcement and the community.*

(b) Display other problematic behavior by, for example:

- (1) Having a large number of motor vehicle crashes;*
- (2) Abusing sick leave; or*
- (3) Showing any other behavioral signs that are indicative of a decline in performance.*

2. If a peace officer is identified by the early warning system as displaying bias indicators or other problematic behavior, the law enforcement agency that employs the peace officer shall:

(a) Increase its supervision of the peace officer; and

(b) Provide additional training and, if appropriate, counseling to the peace officer.

3. If a peace officer is repeatedly identified by the early warning system as displaying bias indicators or other problematic behavior, the law enforcement agency that employs the peace officer shall consider the consequences that should be imposed, including, without limitation, whether the peace officer should be transferred from any high-profile assignments or subject to any discipline.

4. The Peace Officers' Standards and Training Commission may adopt any regulations necessary to carry out the provisions of this section.

Sec. 2. ~~[NRS 289.550 is hereby amended to read as follows:~~

~~289.550 1. Except as otherwise provided in subsection [2] 3 and NRS 2.310, 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. Before a person may be certified by the Commission pursuant to this section, the person must have, at a minimum, received an associate's degree, or completed not less than 2 years of military service. A person does not need to satisfy such a requirement before he or she participates in any training required as a condition of certification as a peace officer.~~

~~3. 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 and the chiefs of the divisions of the Department other than the Investigation Division and the Nevada Highway Patrol;~~

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

~~(e) Railroad police officers; and~~

~~(f) California correctional officers.] (Deleted by amendment.)~~

Sec. 3. ~~[Chapter 41 of NRS is hereby amended by adding thereto a new section to read as follows:~~

~~1. Any peace officer who subjects another person or causes another person to be subjected to the deprivation of any individual constitutional rights that create binding obligations on government actors is liable to the injured party for legal, equitable or other relief.~~

~~2. Notwithstanding any other provision of law, if an action brought pursuant to this section seeks:~~

~~(a) Only equitable relief, qualified immunity is not a defense to liability pursuant to this section.~~

~~(b) Monetary damages, qualified immunity is a defense only if, at the time of the conduct of the peace officer, the peace officer had a good faith belief that his or her conduct did not violate the law.~~

~~3. Notwithstanding any other provision of law and except as otherwise provided in this subsection, the employer of a peace officer shall indemnify the peace officer for any liability incurred by the peace officer and for any judgment or settlement entered against the peace officer for claims arising pursuant to this section. If any act of the peace officer that resulted in such liability, judgment or settlement was malicious, wanton or willful:~~

~~(a) The employer of the peace officer shall not indemnify the peace officer; and~~

~~(b) The peace officer:~~

~~(1) Is personally liable for the costs associated with an action brought pursuant to this section; and~~

~~(2) Shall reimburse his or her employer for any costs associated with an action brought pursuant to this section that the employer has already paid.~~

~~4. If an employer of a peace officer is required to indemnify the peace officer pursuant to subsection 3, the peace officer must not be required to pay any~~

~~costs associated with the liability, judgment or settlement first and then subsequently be reimbursed by the employer.] (Deleted by amendment.)~~

Sec. 4. ~~[NRS 41.0305 is hereby amended to read as follows:~~

~~41.0305 As used in NRS 41.0305 to 41.039, inclusive, and section 3 of this act, the term "political subdivision" includes an organization that was officially designated as a community action agency pursuant to 42 U.S.C. § 2790 before that section was repealed and is included in the definition of an "eligible entity" pursuant to 42 U.S.C. § 9902, the Nevada Rural Housing Authority, an airport authority created by special act of the Legislature, a regional transportation commission and a fire protection district, an irrigation district, a school district, the governing body of a charter school, any other special district that performs a governmental function, even though it does not exercise general governmental powers, and the governing body of a university school for profoundly gifted pupils.] (Deleted by amendment.)~~

Sec. 5. 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, 178.5691, 179.495, 179A.070, 179A.165, 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3923, 209.3925, 209.419, 209.429, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 226.300, 228.270, 228.450, 228.495, 228.570, 231.069, 231.1473, 233.190, 237.300, 239.0105, 239.0113, 239.014, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 239C.420, 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335, 247.540, 247.550, 247.560, 250.087, 250.130, 250.140, 250.150, 268.095, 268.0978, 268.490, 268.910, 269.174, 271A.105, 281.195, 281.805, 281A.350, 281A.680, 281A.685, 281A.750, 281A.755, 281A.780, 284.4068, 286.110, 286.118, 287.0438, 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503, 293.504, 293.558, 293.5757, 293.870, 293.906, 293.908, 293.910, 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1593, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.2242, 361.610, 365.138, 366.160, 368A.180, 370.257, 370.327, 372A.080, 378.290, 378.300, 379.0075, 379.008, 379.1495, 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503, 388.513, 388.750, 388A.247, 388A.249, 391.033, 391.035, 391.0365, 391.120, 391.925, 392.029, 392.147, 392.264, 392.271, 392.315, 392.317, 392.325, 392.327, 392.335, 392.850, 393.045, 394.167, 394.16975, 394.1698, 394.447, 394.460, 394.465, 396.3295, 396.405, 396.525, 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888, 408.5484, 412.153, 414.280, 416.070, 422.2749, 422.305, 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.028, 432.205, 432B.175, 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 432B.5902, 432C.140, 432C.150, 433.534, 433A.360, 437.145, 437.207, 439.4941, 439.840, 439.914, 439B.420, 439B.754, 439B.760, 440.170, 441A.195, 441A.220,

441A.230, 442.330, 442.395, 442.735, 442.774, 445A.665, 445B.570, 445B.7773,
447.345, 449.209, 449.245, 449.4315, 449A.112, 450.140, 450B.188, 453.164,
453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050, 459.3866, 459.555,
459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403, 463.3407, 463.790,
467.1005, 480.535, 480.545, 480.935, 480.940, 481.063, 481.091, 481.093,
482.170, 482.5536, 483.340, 483.363, 483.575, 483.659, 483.800, 484A.469,
484E.070, 485.316, 501.344, 503.452, 522.040, 534A.031, 561.285, 571.160,
584.655, 587.877, 598.0964, 598.098, 598A.110, 599B.090, 603.070, 603A.210,
604A.303, 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350,
618.341, 618.425, 622.238, 622.310, 623.131, 623A.137, 624.110, 624.265,
624.327, 625.425, 625A.185, 628.418, 628B.230, 628B.760, 629.047, 629.069,
630.133, 630.2673, 630.30665, 630.336, 630A.555, 631.368, 632.121, 632.125,
632.3415, 632.405, 633.283, 633.301, 633.4715, 633.524, 634.055, 634.215,
634A.185, 635.158, 636.107, 637.085, 637B.288, 638.087, 638.089, 639.2485,
639.570, 640.075, 640A.220, 640B.730, 640C.580, 640C.600, 640C.620,
640C.745, 640C.760, 640D.190, 640E.340, 641.090, 641.221, 641.325, 641A.191,
641A.262, 641A.289, 641B.170, 641B.282, 641B.460, 641C.760, 641C.800,
642.524, 643.189, 644A.870, 645.180, 645.625, 645A.050, 645A.082, 645B.060,
645B.092, 645C.220, 645C.225, 645D.130, 645D.135, 645G.510, 645H.320,
645H.330, 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228,
653.900, 654.110, 656.105, 657A.510, 661.115, 665.134, 665.133, 669.275,
669.285, 669A.310, 671.170, 673.450, 673.480, 675.380, 676A.340, 676A.370,
677.243, 678A.470, 678C.710, 678C.800, 679B.122, 679B.124, 679B.152,
679B.159, 679B.190, 679B.285, 679B.690, 680A.270, 681A.440, 681B.260,
681B.410, 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306,
687A.110, 687A.115, 687C.010, 688C.230, 688C.480, 688C.490, 689A.696,
692A.117, 692C.190, 692C.3507, 692C.3536, 692C.3538, 692C.354, 692C.420,
693A.480, 693A.615, 696B.550, 696C.120, 703.196, 704B.325, 706.1725,
706A.230, 710.159, 711.600, *and section 17 of this act*, sections 35, 38 and 41 of
chapter 478, Statutes of Nevada 2011 and section 2 of chapter 391, Statutes of
Nevada 2013 and unless otherwise declared by law to be confidential, all public
books and public records of a governmental entity must be open at all times during
office hours to inspection by any person, and may be fully copied or an abstract or
memorandum may be prepared from those public books and public records. Any
such copies, abstracts or memoranda may be used to supply the general public with
copies, abstracts or memoranda of the records or may be used in any other way to
the advantage of the governmental entity or of the general public. This section does
not supersede or in any manner affect the federal laws governing copyrights or
enlarge, diminish or affect in any other manner the rights of a person in any written
book or record which is copyrighted pursuant to federal law.

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

3. A governmental entity that has legal custody or control of a public book or
record shall not deny a request made pursuant to subsection 1 to inspect or copy or
receive a copy of a public book or record on the basis that the requested public
book or record contains information that is confidential if the governmental entity
can redact, delete, conceal or separate, 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. 6. Chapter 484B of NRS is hereby amended by adding thereto the provisions set forth as sections 7 to 21, inclusive, of this act.

Sec. 7. *As used in sections 7 to 21, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 8 to 16, inclusive, of this act have the meanings ascribed to them in those sections.*

Sec. 8. *“Department” means the Department of Public Safety.*

Sec. 9. *“Disability” means, with respect to a person:*

1. A physical or mental impairment that substantially limits one or more of the major life activities of the person;

2. A record of such an impairment; or

3. Being regarded as having such an impairment.

Sec. 10. *“Gender identity or expression” means a gender-related identity, appearance, expression or behavior of a person, regardless of the person’s assigned sex at birth.*

Sec. 11. *“Law enforcement agency” has the meaning ascribed to it in NRS 289.010.*

Sec. 12. *“Law enforcement officer” means any person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive.*

Sec. 13. ~~*“Other stop” means any occasion when a person, including, without limitation, a pedestrian, is halted by a law enforcement officer for an alleged violation of law, or any other purpose. The term does not include a traffic stop.*~~ *(Deleted by amendment.)*

Sec. 14. *“Profiling” means the targeting of a person by a law enforcement agency or a law enforcement officer, on suspicion of the person having violated a provision of law, based solely on the person’s real or perceived age, race, ethnicity, color, national origin, language, sex, gender identity or expression, sexual orientation, political affiliation, religion, homelessness or disability, unless the law enforcement agency or law enforcement officer is acting on a suspect description or information related to an identified or suspected violation of a provision of law.*

Sec. 15. *“Sexual orientation” means having or being perceived as having an orientation for heterosexuality, homosexuality or bisexuality.*

Sec. 16. *“Traffic stop” means any occasion when the driver of a motor vehicle is halted by a law enforcement officer for an alleged traffic violation or infraction.* ~~*[or any other purpose.]*~~

1 **Sec. 17. 1.** *Not later than January 1, 2022, the Department shall develop*
2 *and implement a standardized method to be used by law enforcement officers to*
3 *record information concerning traffic stops ~~and other stops~~. The standardized*
4 *method must require, and any form developed and used pursuant to the*
5 *standardized method must provide for, the following information to be recorded*
6 *for each stop:*

- 7 (a) *The date and time of the stop;*
8 (b) *The location of the stop;*
9 (c) *The race, ethnicity, age and sex of the person stopped, based on the*
10 *observations of the law enforcement officer responsible for reporting the stop;*
11 (d) *The nature of, and the statutory citation for, the alleged violation that*
12 *caused the stop to be made; and*
13 (e) *The disposition of the stop, including, without limitation, whether:*
14 (1) *A warning, citation or summons was issued;*
15 (2) *A search was conducted and, if so:*
16 (I) *The type of search conducted; and*
17 (II) *Whether anything was found as a result of the search; and*
18 (3) *An arrest was made.*

19 2. *Not later than January 1, 2022, the Department, in consultation with law*
20 *enforcement agencies, shall develop and implement training and procedures to*
21 *facilitate the collection of information concerning traffic stops ~~and other stops~~*
22 *pursuant to subsection 1.*

23 3. *Beginning on January 1, 2022, each law enforcement officer that makes*
24 *a traffic stop ~~for other stop~~ shall record for each stop the information set forth in*
25 *paragraphs (a) to (e), inclusive, of subsection 1, and each law enforcement*
26 *agency shall retain such information.*

27 4. *Each law enforcement agency that engages in traffic stops ~~for other~~*
28 *~~stops~~ shall report to the Department the information recorded for the previous*
29 *calendar year pursuant to subsection 3 not later than February 1, 2023, and at*
30 *least annually thereafter.*

31 5. *Information acquired pursuant to this section must be used by the*
32 *Department only for statistical purposes and not for any other purpose. ~~The~~*
33 *~~information must not contain any identifying information relating to a law~~*
34 *~~enforcement officer who performed a traffic stop or other stop or a person who~~*
35 *~~was stopped.~~ Any identifying information ~~collected by law enforcement agencies~~*
36 *~~or held by the Department pursuant to this section that could reveal the identity~~*
37 *~~of any a law enforcement officer who performed a traffic stop ~~for other stop~~ or~~*
38 *~~any a person who was stopped that is collected or held by the Department is~~*
39 *confidential.*

40 **Sec. 18. 1.** *To the extent that money is available, the Department may*
41 *contract with a third party to review all public information, including, without*
42 *limitation, the prevalence and disposition of traffic stops ~~and other stops~~,*
43 *reported by law enforcement agencies pursuant to section 17 of this act, and*
44 *conduct a statistical analysis of the data for the purpose of identifying patterns or*
45 *practices of profiling.*

46 2. *If a third party with whom the Department contracts pursuant to*
47 *subsection 1 conducts a statistical analysis, the third party must, not later than*
48 *December 31 of the year in which the statistical analysis is conducted, report the*
49 *results of the analysis to the Governor, the Department, the Chair of the Senate*
50 *Standing Committee on Judiciary and the Chair of the Assembly Standing*
51 *Committee on Judiciary.*

3. The Department shall seek any available gifts, grants or donations to assist in enabling the Department to contract with a third party pursuant to subsection 1.

Sec. 19. 1. The Department shall review any reports provided to the Department by the third party with whom the Department contracts pursuant to subsection 1 of section 18 of this act.

2. After reviewing a report, the Department may provide advice or technical assistance to any law enforcement agency mentioned in the report. Any advice or technical assistance provided must be based on best practices in policing as determined by the Peace Officers' Standards and Training Commission.

3. Upon providing advice or technical assistance to a law enforcement agency pursuant to subsection 2, the Department shall, within a reasonable period, present to the Peace Officers' Standards and Training Commission a summary of the advice or technical assistance given. The presentation must be open to the public, feature live testimony by presenters and be held in accordance with chapter 241 of NRS.

Sec. 20. The Department shall ~~record~~ :

1. Record information reported to the Department pursuant to subsection 4 of section 17 of this act , other than any identifying information of a law enforcement officer who performed a traffic stop or a person who was stopped that is confidential pursuant to subsection 5 of section 17 of this act, in a central repository created by the Department to track data electronically concerning traffic stops ~~and other stops~~ on a statewide basis ~~+~~ ; and

2. Make such recorded data available to the public for the purpose of allowing the inspection of statistical information concerning traffic stops, including, without limitation, the race and ethnicity of the driver with regard to all traffic stops made on all public roads other than those classified as local or minor rural roads.

Sec. 21. The Department may adopt any regulations necessary to carry out the provisions of sections 7 to 21, inclusive, of this act.

Sec. 22. 1. The Legislative Commission shall appoint a committee to conduct an interim study relating to the establishment of crisis response call centers.

2. The interim committee must be composed of six Legislators selected as follows:

(a) Two members of the Senate appointed by the Majority Leader of the Senate;

(b) Two members of the Assembly appointed by the Speaker of the Assembly;

(c) One member of the Senate appointed by the Minority Leader of the Senate; and

(d) One member of the Assembly appointed by the Minority Leader of the Assembly.

3. The Legislative Commission shall appoint a Chair and Vice Chair from among the members of the interim committee.

4. The study must include, without limitation:

(a) An examination of the following proposals, including, without limitation, the feasibility of such proposals and any effects thereof:

(1) Pairing peace officers with mental health specialists, social workers or counselors for any mental health calls that address a non-violent situation;

(2) Having community service officers who are not armed respond to non-emergency calls and whether that would require the creation of a new department; and

(3) Expanding existing response teams across the State.

(b) A determination of which situations are considered to be low-risk and which crimes are considered to be non-violent and how best to provide information to the public as to when a person should call an emergency number, a non-emergency number or another help line.

(c) The consideration of alternative models for responses to crises using resources that do not require armed law enforcement officers, including, without limitation, responses to mental health crises, issues relating to homelessness or other situations in which responding with alternative resources is more appropriate than responding with armed law enforcement officers.

(d) A determination of the feasibility of establishing a pilot program relating to crisis response call centers.

5. On or before September 1, 2022, the interim committee shall submit a report of its findings, including, without limitation, any recommendations for legislation, to the Governor and the Director of the Legislative Counsel Bureau for transmittal to the 82nd Session of the Nevada Legislature.

Sec. 23. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 24. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 25. 1. This section and sections 17, 21 and 22 of this act become effective upon passage and approval.

2. Sections 6 to 16, inclusive, and 18 of this act become effective:

(a) Upon passage and approval for the purpose of adopting regulations and performing any other preparatory administrative tasks necessary to carry out the provisions of sections 7 to 19, inclusive, of this act; and

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

3. Sections 1 to 5, inclusive, 23 and 24 of this act become effective on October 1, 2021.

4. Section 20 of this act becomes effective:

(a) On October 1, 2021, if the Department of Public Safety is able to perform its duties under section 20 of this act using existing resources; or

(b) On the date on which federal funding is obtained to carry out the provisions of sections 7 to 21, inclusive, of this act if the Department of Public Safety is not able to perform its duties under section 20 of this act using existing resources.