

Amendment No. 534

Assembly Amendment to Senate Bill No. 31	(BDR 14-337)
Proposed by: Assembly Committee on Judiciary	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

DAN/BAW



Date: 5/14/2021

S.B. No. 31—Makes various changes relating to public safety. (BDR 14-337)



SENATE BILL NO. 31—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE RECORDS, COMMUNICATIONS
AND COMPLIANCE DIVISION OF THE
DEPARTMENT OF PUBLIC SAFETY)

PREFILED NOVEMBER 18, 2020

Referred to Committee on Judiciary

SUMMARY—Makes various changes relating to public safety. (BDR 14-337)

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

~

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

AN ACT relating to public safety; authorizing the Central Repository for Nevada Records of Criminal History to monitor the agencies of criminal justice in this State for compliance with certain requirements relating to the submission or transmission of certain information and records concerning public safety; providing that if the Central Repository chooses to perform such monitoring, the Central Repository must prepare and post on its Internet website an annual report relating to the compliance of such agencies of criminal justice in this State with such requirements; revising the definition of a record of criminal history; revising the requirements for publication of certain statistical data; revising provisions relating to the information provided to an authorized participant of a service to conduct a name-based search of records of criminal history; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Central Repository for Nevada Records of Criminal History to collect and maintain certain information relating to records of criminal history. (NRS 179A.075) Existing law requires a court, within 5 business days, to transmit to the Central Repository any record concerning the appointment of a guardian for a person with a mental defect, plea or finding of guilty but mentally ill, verdict acquitting a person by reason of insanity, finding that a person is incompetent to stand trial or involuntary admission of a person to a mental health facility, along with a statement that the record is being transmitted for inclusion in each appropriate database of the National Instant Criminal Background Check System. (NRS 159.0593, 174.035, 175.533, 175.539, 178.425, 433A.310) Existing law also provides that, upon receiving such a record, the Central Repository: (1) must take reasonable steps to ensure that the information reported in the record is included in each appropriate database of the National Instant Criminal Background Check System; and (2) may take reasonable

steps to ensure that the information reported in the record is included in each appropriate database of the National Crime Information Center. (NRS 179A.163)

Additionally, existing law requires: (1) each agency of criminal justice to submit information to the Central Repository relating to records of criminal history that it creates, issues or collects and certain information in the agency's possession relating to the DNA profile of certain persons; (2) each state and local law enforcement agency to submit Uniform Crime Reports. (NRS 179A.075) Finally, any time that a court issues a temporary or extended order for protection against domestic violence, an ex parte or extended order for protection against high-risk behavior, a temporary or extended order for protection against a person alleged to have committed the crime of sexual assault or a temporary or extended order for protection against stalking, aggravated stalking or harassment and any time that a person serves such an order, registers such an order or takes certain other actions relating to such orders, existing law requires the person to transmit certain information to the Central Repository. (NRS 33.095, 33.650, 200.37835, 200.599)

Section 1 of this bill: (1) authorizes the Central Repository to monitor the agencies of criminal justice in this State for compliance with the statutory requirements relating to the submission or transmission of certain information relating to mental health records and certain other records, reports, compilations and information; and (2) if the Central Repository chooses to perform such monitoring, requires the Central Repository to prepare an annual report regarding such compliance and post the report on its Internet website. Section 1 also authorizes the Central Repository to contact the agencies of criminal justice in this State to coordinate efforts to ensure the timely submission or transmission of such information and records.

Under existing law, the term "record of criminal history" includes decisions of a district attorney not to prosecute a person. (NRS 179A.070) Section ~~1~~ 1.5 of this bill revises the definition of "record of criminal history" to refer to decisions of a prosecuting attorney, rather than a district attorney, which expands the definition to include other types of prosecuting attorneys, such as city attorneys.

Existing law requires the Central Repository to prepare and post on its Internet website certain reports containing statistical data relating to crime and domestic violence. (NRS 179A.075) Section 2 of this bill eliminates the requirement to prepare and post such reports and instead requires the Central Repository to provide an electronic means to access on the Central Repository's Internet website statistical data relating to crime and domestic violence.

Existing law establishes within the Central Repository a service to conduct a name-based search of records of criminal history of an employee, prospective employee, volunteer or prospective volunteer and provides that the Central Repository shall disseminate to an authorized participant of the service information which: (1) reflects convictions only; or (2) pertains to an incident for which an employee, prospective employee, volunteer or prospective volunteer is currently within the system of criminal justice, including parole or probation. (NRS 179A.103) Existing law also defines the term "record of criminal history" to include information contained in records collected and maintained by agencies of criminal justice, such as warrants, arrests, citations, detentions, decisions not to prosecute, indictments, charges and dispositions of charges. (NRS 179A.070) Section 3 of this bill provides that in conducting a name-based search of records of criminal history of an employee, prospective employee, volunteer or prospective volunteer, the Central Repository shall disseminate to an authorized participant information ~~[pertaining to records of criminal history generally, rather than information]~~ which reflects convictions only. ~~[or pertains to an incident for which an employee, prospective employee, volunteer or prospective volunteer is currently within the system of criminal justice.]~~

Existing law creates the Repository for Information Concerning Orders for Protection, which contains a record of all: (1) temporary and extended orders for protection against domestic violence issued or registered in this State and all Canadian domestic-violence protection orders registered in this State; (2) temporary and extended orders for protection against stalking, aggravated stalking or harassment issued in this State; and (3) temporary and extended orders for protection against a person alleged to have committed the crime of sexual assault issued in this State. Existing law also requires the Director of the Department of Public Safety, on or before July 1 of each year, to submit to the Director of the Legislative Counsel Bureau a written report concerning all temporary and extended orders for protection against

domestic violence, sexual assault, stalking, aggravated stalking or harassment issued during the previous calendar year that were transmitted to the Repository for Information Concerning Orders for Protection. (NRS 179A.350) **Section 4** of this bill eliminates the requirement to submit such a report and instead requires the Director of the Department of Public Safety to provide an electronic means to access on the Central Repository's Internet website statistical data concerning such orders for protection.

Existing law creates the Repository for Information Concerning Crimes Against Older Persons or Vulnerable Persons, which contains a record of all reports of the abuse, neglect, exploitation, isolation or abandonment of older persons or vulnerable persons in this State. Existing law also requires the Director of the Department of Public Safety, on or before July 1 of each year, to prepare and submit to the Director of the Legislative Counsel Bureau for transmittal to the Legislature a report on the abuse, neglect, exploitation, isolation or abandonment of older persons or vulnerable persons. (NRS 179A.450) **Section 5** of this bill eliminates the requirement to submit such a report and instead requires the Director of the Department of Public Safety to provide an electronic means to access on the Central Repository's Internet website statistical data on the abuse, neglect, exploitation, isolation or abandonment of older persons or vulnerable persons.

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

Section 1. Chapter 179A of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Central Repository may:

(a) Monitor the agencies of criminal justice in this State, at such times as the Central Repository deems necessary, to ensure that the agencies of criminal justice are compliant with all applicable provisions of NRS 33.095, 33.650, 159.0593, 174.035, 175.533, 175.539, 178.425, subsections 2, 3 and 4 of NRS 179A.075, NRS 200.37835, 200.599 and 433A.310; and

(b) According to a schedule established by the Director of the Department, contact the agencies of criminal justice in this State to coordinate efforts to ensure the timely submission or transmission of information and records pursuant to NRS 33.095, 33.650, 159.0593, 174.035, 175.533, 175.539, 178.425, subsections 2, 3 and 4 of NRS 179A.075, NRS 200.37835, 200.599 and 433A.310.

2. The Central Repository may adopt policies and procedures to carry out its duties pursuant to this section.

3. To carry out its duties pursuant to this section, the Central Repository may request that an agency of criminal justice provide information to the Central Repository. An agency of criminal justice shall provide information requested by the Central Repository in the manner and within the time prescribed by any policies and procedures adopted by the Central Repository pursuant to subsection 2.

4. If the Central Repository chooses to monitor the agencies of criminal justice in this State pursuant to this section, the Central Repository must:

(a) Prepare an annual report for the preceding calendar year indicating whether the agencies of criminal justice in this State were in compliance with the requirements regarding the submission or transmission of information and records set forth in NRS 33.095, 33.650, 159.0593, 174.035, 175.533, 175.539, 178.425, subsections 2, 3 and 4 of NRS 179A.075, NRS 200.37835, 200.599 and 433A.310; and

(b) On or before March 31 of each year, post the annual report on its Internet website.

~~Section 1.1~~ **Sec. 1.5.** NRS 179A.070 is hereby amended to read as follows:

179A.070 1. "Record of criminal history" means information contained in records collected and maintained by agencies of criminal justice, the subject of which is a natural person, consisting of descriptions which identify the subject and notations of summons in a criminal action, warrants, arrests, citations for misdemeanors issued pursuant to NRS 171.1773, citations issued for violations of NRS 484C.110, 484C.120, 484C.130 and 484C.430, detentions, decisions of a ~~district~~ **prosecuting** attorney or the Attorney General not to prosecute the subject, indictments, informations or other formal criminal charges and dispositions of charges, including, without limitation, dismissals, acquittals, convictions, sentences, information set forth in NRS 209.353 concerning an offender in prison, any postconviction relief, correctional supervision occurring in Nevada, information concerning the status of an offender on parole or probation, and information concerning a convicted person who has registered as such pursuant to chapter 179C of NRS. The term includes only information contained in a record, maintained in written or electronic form, of a formal transaction between a person and an agency of criminal justice in this State, including, without limitation, the fingerprints and other biometric identifiers of a person who is arrested and taken into custody and of a person who is placed on parole or probation and supervised by the Division of Parole and Probation of the Department.

2. "Record of criminal history" does not include:

(a) Investigative or intelligence information, reports of crime or other information concerning specific persons collected in the course of the enforcement of criminal laws;

(b) Information concerning juveniles;

(c) Posters, announcements or lists intended to identify fugitives or wanted persons and aid in their apprehension;

(d) Original records of entry maintained by agencies of criminal justice if the records are chronological and not cross-indexed;

(e) Records of application for and issuance, suspension, revocation or renewal of occupational licenses, including, without limitation, permits to work in the gaming industry;

(f) Except as otherwise provided in subsection 1, court indexes and records of public judicial proceedings, court decisions and opinions, and information disclosed during public judicial proceedings;

(g) Except as otherwise provided in subsection 1, records of traffic violations constituting misdemeanors;

(h) Records of traffic offenses maintained by the Department to regulate the issuance, suspension, revocation or renewal of drivers' or other operators' licenses;

(i) Announcements of actions by the State Board of Pardons Commissioners and the State Board of Parole Commissioners, except information concerning the status of an offender on parole or probation; or

(j) Records which originated in an agency other than an agency of criminal justice in this State.

Sec. 2. NRS 179A.075 is hereby amended to read as follows:

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

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

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

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

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

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

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

(a) Through an electronic network;

(b) On a medium of magnetic storage; or

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

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

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

(a) In the manner prescribed by the Director of the Department;

(b) In accordance with the policies, procedures and definitions of the Uniform Crime Reporting Program of the Federal Bureau of Investigation; and

(c) Within the time prescribed by the Director of the Department.

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

(a) Collect, maintain and arrange all information submitted to it relating to:

(1) Records of criminal history; and

(2) The DNA profile of a person from whom a biological specimen is obtained pursuant to NRS 176.09123 or 176.0913.

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

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

6. The Division may:

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

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

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

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

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

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

4 (4) For whom such information is required or authorized to be obtained
5 pursuant to NRS 62B.270, 62G.223, 62G.353, 424.031, 432A.170, 432B.198,
6 433B.183, 449.123 and 449.4329; or

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

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

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

14 (1) Booking the person into a city or county jail or detention facility;

15 (2) Employment;

16 (3) Contractual services; or

17 (4) Services related to occupational licensing;

18 (b) One or more of the person's fingerprints for the purposes of mobile
19 identification by an agency of criminal justice; or

20 (c) Any other biometric identifier of the person as it may require for the
21 purposes of:

22 (1) Arrest; or

23 (2) Criminal investigation,

24 ➤ from the agency of criminal justice or agency of the State of Nevada or any
25 political subdivision thereof and submit the received data to the Federal Bureau of
26 Investigation for its report.

27 8. The Central Repository shall:

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

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

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

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

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

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

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

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

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

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

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

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

11 (f) Investigate the criminal history of each person who submits one or more
12 fingerprints or other biometric identifier or has such data submitted pursuant to
13 NRS 62B.270, 62G.223, 62G.353, 424.031, 432A.170, 432B.198, 433B.183,
14 449.122, 449.123 or 449.4329.

15 (g) ~~{On or before July 1 of each year, prepare and post on the Central~~
16 ~~Repository's Internet website an annual report containing the}~~ *Provide an*
17 *electronic means to access on the Central Repository's Internet website* statistical
18 data relating to crime . ~~{received during the preceding calendar year. Additional~~
19 ~~reports may be posted to the Central Repository's Internet website throughout the~~
20 ~~year regarding specific areas of crime if they are approved by the Director of the~~
21 ~~Department.~~

22 ~~—(h) On or before July 1 of each year, prepare and post on the Central~~
23 ~~Repository's Internet website a report containing}~~

24 *(h) Provide an electronic means to access on the Central Repository's*
25 *Internet website* statistical data about domestic violence in this State.

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

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

32 (1) Their collection, use, safeguarding, handling, retention, storage,
33 dissemination and destruction; and

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

37 9. The Central Repository may:

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

40 (b) Charge a reasonable fee for any publication or special report it distributes
41 relating to data collected pursuant to this section. The Central Repository may not
42 collect such a fee from an agency of criminal justice or any other agency dealing
43 with crime which is required to submit information pursuant to subsection 2. All
44 money collected pursuant to this paragraph must be used to pay for the cost of
45 operating the Central Repository.

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

49 10. As used in this section:

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

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

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

6 (2) A biometric identifier of a person.

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

8 **Sec. 3.** NRS 179A.103 is hereby amended to read as follows:

9 179A.103 1. There is hereby established within the Central Repository a
10 service to conduct a name-based search of records of criminal history of an
11 employee, prospective employee, volunteer or prospective volunteer.

12 2. An eligible person that wishes to participate in the service must enter into a
13 contract with the Central Repository. The elements of a contract entered into
14 pursuant to this section must be limited to requiring the eligible person to:

15 (a) Pay a fee pursuant to subsection 3, if applicable; and

16 (b) Comply with applicable law.

17 3. The Central Repository may charge a reasonable fee for participation in the
18 service.

19 4. An authorized participant of the service may inquire about the records of
20 criminal history of an employee, prospective employee, volunteer or prospective
21 volunteer to determine the suitability of the employee or prospective employee for
22 employment or the suitability of the volunteer or prospective volunteer for
23 volunteering.

24 5. The Central Repository shall disseminate to an authorized participant of the
25 service information which is:

26 ~~— (a) Reflects~~ reflects convictions only. ~~is:~~

27 ~~— (b) Pertains to an incident for which an employee, prospective employee,~~
28 ~~volunteer or prospective volunteer is currently within the system of criminal justice,~~
29 ~~including parole or probation. pertaining to records of criminal history.]~~

30 6. An employee, prospective employee, volunteer or prospective volunteer
31 who is proposed to be the subject of a name-based search must provide his or her
32 written consent directly to the authorized participant or, if the authorized participant
33 is a screening service, directly to the eligible person designating the screening
34 service to receive records of criminal history, for the Central Repository to perform
35 the search and to release the information to an authorized participant. The written
36 consent form may be:

37 (a) A form designated by the Central Repository; or

38 (b) If the authorized participant is a screening service, a form that complies
39 with the provisions of 15 U.S.C. § 1681b(b)2 for the procurement of a consumer
40 report.

41 7. A screening service that is designated to receive records of criminal history
42 on behalf of an eligible person may provide such records of criminal history to the
43 eligible person upon request of the eligible person if the screening service maintains
44 records of its dissemination of the records of criminal history.

45 8. The Central Repository may audit an authorized participant, at such times
46 as the Central Repository deems necessary, to ensure that records of criminal
47 history are securely maintained.

48 9. The Central Repository may terminate participation in the service if an
49 authorized participant fails:

50 (a) To pay the fees required to participate in the service; or

51 (b) To address, within a reasonable period, deficiencies identified in an audit
52 conducted pursuant to subsection 8.

53 10. As used in this section:

1 (a) "Authorized participant" means an eligible person who has entered into a
2 contract with the Central Repository to participate in the service established
3 pursuant to subsection 1.

4 (b) "Consumer report" has the meaning ascribed to it in 15 U.S.C. § 1681a(d).

5 (c) "Eligible person" means:

6 (1) An employer.

7 (2) A volunteer organization.

8 (3) A screening service.

9 (d) "Employer" means a person that:

10 (1) Employs an employee or makes employment decisions;

11 (2) Enters into a contract with an independent contractor or makes the
12 determination whether to enter into a contract with an independent contractor; or

13 (3) Enters into a contract with a person, business or organization for the
14 provision, directly or indirectly, of labor, services or materials by an independent
15 contractor, subcontractor or a third party.

16 (e) "Employment" includes performing services, directly or indirectly, for an
17 employer as an independent contractor, subcontractor or a third party pursuant to a
18 contract.

19 (f) "Screening service" means a person or entity designated, directly or
20 indirectly, by an eligible person to provide employment or volunteer screening
21 services to the eligible person.

22 (g) "Written consent" means:

23 (1) An electronic signature pursuant to 15 U.S.C. § 7006(5), and any
24 regulations adopted pursuant thereto;

25 (2) Completion of the form designated by the Central Repository pursuant
26 to paragraph (a) of subsection 6; or

27 (3) Consent by means of mail, the Internet, other electronic means or other
28 means pursuant to 15 U.S.C. § 1681b(b)(2), and any regulations adopted pursuant
29 thereto.

30 **Sec. 4.** NRS 179A.350 is hereby amended to read as follows:

31 179A.350 1. The Repository for Information Concerning Orders for
32 Protection is hereby created within the Central Repository.

33 2. Except as otherwise provided in subsection 10, the Repository for
34 Information Concerning Orders for Protection must contain a complete and
35 systematic record of all:

36 (a) Temporary and extended orders for protection against domestic violence
37 issued or registered in the State of Nevada and all Canadian domestic-violence
38 protection orders registered in the State of Nevada, including, without limitation,
39 any information received pursuant to NRS 33.095;

40 (b) Temporary and extended orders for protection against stalking, aggravated
41 stalking or harassment issued in this State pursuant to NRS 200.599; and

42 (c) Temporary and extended orders for protection against a person alleged to
43 have committed the crime of sexual assault issued in this State pursuant to NRS
44 200.37835.

45 3. The records contained in the Repository for Information Concerning
46 Orders for Protection must be kept in accordance with the regulations adopted by
47 the Director of the Department.

48 4. Information received by the Central Repository pursuant to NRS 33.095,
49 200.37835 and 200.599 must be entered in the Repository for Information
50 Concerning Orders for Protection.

51 5. The information in the Repository for Information Concerning Orders for
52 Protection must be accessible by computer at all times to each agency of criminal
53 justice.

6. The Repository for Information Concerning Orders for Protection shall retain all records of an expired temporary or extended order for protection unless such an order is sealed by a court of competent jurisdiction.

7. The existence of a record of an expired temporary or extended order for protection in the Repository for Information Concerning Orders for Protection does not prohibit a person from obtaining a firearm or a permit to carry a concealed firearm unless such conduct violates:

- (a) A court order; or
- (b) Any provision of federal or state law.

8. ~~[On or before July 1 of each year, the]~~ *The* Director of the Department shall ~~[submit to the Director of the Legislative Counsel Bureau a written report]~~ *provide an electronic means to access on the Central Repository's Internet website statistical data* concerning all temporary and extended orders for protection issued pursuant to NRS 33.020, 200.378 and 200.591 during the previous calendar year that were transmitted to the Repository for Information Concerning Orders for Protection. The ~~[report]~~ *data* must include, without limitation, information for each court that issues temporary or extended orders for protection pursuant to NRS 33.020, 200.378 and 200.591, respectively, concerning:

- (a) The total number of temporary and extended orders that were granted by the court during the calendar year to which the ~~[report]~~ *data* pertains;
- (b) The number of temporary and extended orders that were granted to women;
- (c) The number of temporary and extended orders that were granted to men;
- (d) The number of temporary and extended orders that were vacated or expired;
- (e) The number of temporary orders that included a grant of temporary custody of a minor child; and
- (f) The number of temporary and extended orders that were served on the adverse party.

9. The information provided pursuant to subsection 8 must include only aggregate information for statistical purposes and must exclude any identifying information relating to a particular person.

10. The Repository for Information Concerning Orders for Protection must not contain any information concerning an event that occurred before October 1, 1998.

11. As used in this section, "Canadian domestic-violence protection order" has the meaning ascribed to it in NRS 33.119.

Sec. 5. NRS 179A.450 is hereby amended to read as follows:

179A.450 1. The Repository for Information Concerning Crimes Against Older Persons or Vulnerable Persons is hereby created within the Central Repository.

2. The Repository for Information Concerning Crimes Against Older Persons or Vulnerable Persons must contain a complete and systematic record of all reports of the abuse, neglect, exploitation, isolation or abandonment of older persons or vulnerable persons in this State. The record must be prepared in a manner approved by the Director of the Department and must include, without limitation, the following information:

- (a) All incidents that are reported to state and local law enforcement agencies and the Aging and Disability Services Division of the Department of Health and Human Services.

- (b) All cases that were investigated and the type of such cases.

3. ~~[On or before July 1 of each year, the]~~ *The* Director of the Department shall ~~[prepare and submit a report to the Director of the Legislative Counsel Bureau for transmittal to the Legislature that sets forth]~~ *provide an electronic means to*

1 *access on the Central Repository's Internet website* statistical data on the abuse,
2 neglect, exploitation, isolation or abandonment of older persons or vulnerable
3 persons.

4 4. The data and findings generated pursuant to this section must not contain
5 information that may reveal the identity of an individual victim or a person accused
6 of the abuse, neglect, exploitation, isolation or abandonment of older persons or
7 vulnerable persons.

8 5. As used in this section:

9 (a) "Abandonment" has the meaning ascribed to it in NRS 200.5092.

10 (b) "Abuse" has the meaning ascribed to it in NRS 200.5092.

11 (c) "Exploitation" has the meaning ascribed to it in NRS 200.5092.

12 (d) "Isolation" has the meaning ascribed to it in NRS 200.5092.

13 (e) "Neglect" has the meaning ascribed to it in NRS 200.5092.

14 (f) "Older person" means a person who is 60 years of age or older.

15 (g) "Vulnerable person" has the meaning ascribed to it in NRS 200.5092.

16 **Sec. 6.** The provisions of subsection 1 of NRS 218D.380 do not apply to any
17 provision of this act which adds or revises a requirement to submit a report to the
18 Legislature.

19 **Sec. 7.** 1. This ~~act becomes~~ section and sections 1.5 to 6, inclusive, of
20 this act become effective upon passage and approval.

21 2. Section 1 of this act becomes effective on January 1, 2022.