

SENATE BILL NO. 236—SENATORS D. HARRIS; AND SPEARMAN

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; establishing provisions relating to the recording, collection and review of information concerning traffic 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:

- 1 Existing law sets forth provisions governing peace officers and establishes the
- 2 Peace Officers' Standards and Training Commission (hereinafter "POST"), which
- 3 generally provides for the training and education of peace officers. (Chapter 289 of
- 4 NRS) **Section 1** of this bill requires every law enforcement agency to establish an
- 5 early warning system for the purpose of identifying peace officers employed by the



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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 establishes provisions relating to the rules of the roads in this State. (Chapter 484B of NRS) **Sections 7-21** of this bill establish provisions relating to the recording, collection and review of information concerning traffic 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 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 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 provides that any identifying information of a law enforcement officer who performed a traffic stop or a person who was stopped that is collected or held by the Department is 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 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 that is not confidential in a central repository created by the Department to track data electronically concerning 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 perform such duties using existing resources, such requirements only become effective on the date on which federal funding is obtained for the recording, collection and review of information concerning traffic 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 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. (Deleted by amendment.)

Sec. 3. (Deleted by amendment.)

Sec. 4. (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,



1 379.1495, 385A.830, 385B.100, 387.626, 387.631, 388.1455,
2 388.259, 388.501, 388.503, 388.513, 388.750, 388A.247, 388A.249,
3 391.033, 391.035, 391.0365, 391.120, 391.925, 392.029, 392.147,
4 392.264, 392.271, 392.315, 392.317, 392.325, 392.327, 392.335,
5 392.850, 393.045, 394.167, 394.16975, 394.1698, 394.447, 394.460,
6 394.465, 396.3295, 396.405, 396.525, 396.535, 396.9685,
7 398A.115, 408.3885, 408.3886, 408.3888, 408.5484, 412.153,
8 414.280, 416.070, 422.2749, 422.305, 422A.342, 422A.350,
9 425.400, 427A.1236, 427A.872, 432.028, 432.205, 432B.175,
10 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 432B.5902,
11 432C.140, 432C.150, 433.534, 433A.360, 437.145, 437.207,
12 439.4941, 439.840, 439.914, 439B.420, 439B.754, 439B.760,
13 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395,
14 442.735, 442.774, 445A.665, 445B.570, 445B.7773, 447.345,
15 449.209, 449.245, 449.4315, 449A.112, 450.140, 450B.188,
16 453.164, 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050,
17 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993,
18 463.240, 463.3403, 463.3407, 463.790, 467.1005, 480.535, 480.545,
19 480.935, 480.940, 481.063, 481.091, 481.093, 482.170, 482.5536,
20 483.340, 483.363, 483.575, 483.659, 483.800, 484A.469, 484E.070,
21 485.316, 501.344, 503.452, 522.040, 534A.031, 561.285, 571.160,
22 584.655, 587.877, 598.0964, 598.098, 598A.110, 599B.090,
23 603.070, 603A.210, 604A.303, 604A.710, 612.265, 616B.012,
24 616B.015, 616B.315, 616B.350, 618.341, 618.425, 622.238,
25 622.310, 623.131, 623A.137, 624.110, 624.265, 624.327, 625.425,
26 625A.185, 628.418, 628B.230, 628B.760, 629.047, 629.069,
27 630.133, 630.2673, 630.30665, 630.336, 630A.555, 631.368,
28 632.121, 632.125, 632.3415, 632.405, 633.283, 633.301, 633.4715,
29 633.524, 634.055, 634.214, 634A.185, 635.158, 636.107, 637.085,
30 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075,
31 640A.220, 640B.730, 640C.580, 640C.600, 640C.620, 640C.745,
32 640C.760, 640D.190, 640E.340, 641.090, 641.221, 641.325,
33 641A.191, 641A.262, 641A.289, 641B.170, 641B.282, 641B.460,
34 641C.760, 641C.800, 642.524, 643.189, 644A.870, 645.180,
35 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220,
36 645C.225, 645D.130, 645D.135, 645G.510, 645H.320, 645H.330,
37 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228,
38 653.900, 654.110, 656.105, 657A.510, 661.115, 665.130, 665.133,
39 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480, 675.380,
40 676A.340, 676A.370, 677.243, 678A.470, 678C.710, 678C.800,
41 679B.122, 679B.124, 679B.152, 679B.159, 679B.190, 679B.285,
42 679B.690, 680A.270, 681A.440, 681B.260, 681B.410, 681B.540,
43 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306, 687A.110,
44 687A.115, 687C.010, 688C.230, 688C.480, 688C.490, 689A.696,
45 692A.117, 692C.190, 692C.3507, 692C.3536, 692C.3538,



1 692C.354, 692C.420, 693A.480, 693A.615, 696B.550, 696C.120,
2 703.196, 704B.325, 706.1725, 706A.230, 710.159, 711.600, *and*
3 *section 17 of this act*, sections 35, 38 and 41 of chapter 478,
4 Statutes of Nevada 2011 and section 2 of chapter 391, Statutes of
5 Nevada 2013 and unless otherwise declared by law to be
6 confidential, all public books and public records of a governmental
7 entity must be open at all times during office hours to inspection by
8 any person, and may be fully copied or an abstract or memorandum
9 may be prepared from those public books and public records. Any
10 such copies, abstracts or memoranda may be used to supply the
11 general public with copies, abstracts or memoranda of the records or
12 may be used in any other way to the advantage of the governmental
13 entity or of the general public. This section does not supersede or in
14 any manner affect the federal laws governing copyrights or enlarge,
15 diminish or affect in any other manner the rights of a person in any
16 written book or record which is copyrighted pursuant to federal law.

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

19 3. A governmental entity that has legal custody or control of a
20 public book or record shall not deny a request made pursuant to
21 subsection 1 to inspect or copy or receive a copy of a public book or
22 record on the basis that the requested public book or record contains
23 information that is confidential if the governmental entity can
24 redact, delete, conceal or separate, including, without limitation,
25 electronically, the confidential information from the information
26 included in the public book or record that is not otherwise
27 confidential.

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

33 (a) The public record:

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

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

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

38 (1) Give access to proprietary software; or

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

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

44 (a) Shall not refuse to provide a copy of that public record in the
45 medium that is requested because the officer, employee or agent has



1 already prepared or would prefer to provide the copy in a different
2 medium.

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

7 **Sec. 6.** Chapter 484B of NRS is hereby amended by adding
8 thereto the provisions set forth as sections 7 to 21, inclusive, of this
9 act.

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

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

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

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

19 *2. A record of such an impairment; or*

20 *3. Being regarded as having such an impairment.*

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

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

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

29 **Sec. 13.** (Deleted by amendment.)

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

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

42 **Sec. 16.** *“Traffic stop” means any occasion when the driver*
43 *of a motor vehicle is halted by a law enforcement officer for an*
44 *alleged traffic violation or infraction.*



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

(a) The date and time of the stop;
(b) The location of the stop;
(c) The race, ethnicity, age and sex of the person stopped, based on the observations of the law enforcement officer responsible for reporting the stop;

(d) The nature of, and the statutory citation for, the alleged violation that caused the stop to be made; and

(e) The disposition of the stop, including, without limitation, whether:

(1) A warning, citation or summons was issued;

(2) A search was conducted and, if so:

(I) The type of search conducted; and

(II) Whether anything was found as a result of the search; and

(3) An arrest was made.

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

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

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

5. *Information acquired pursuant to this section must be used by the Department only for statistical purposes and not for any other purpose. Any identifying information of a law enforcement officer who performed a traffic stop or a person who was stopped that is collected or held by the Department is confidential.*

Sec. 18. 1. *To the extent that money is available, the Department may contract with a third party to review all public information, including, without limitation, the prevalence and disposition of traffic stops reported by law enforcement agencies pursuant to section 17 of this act, and conduct a statistical analysis*



1 of the data for the purpose of identifying patterns or practices of
2 profiling.

3 2. If a third party with whom the Department contracts
4 pursuant to subsection 1 conducts a statistical analysis, the third
5 party must, not later than December 31 of the year in which the
6 statistical analysis is conducted, report the results of the analysis
7 to the Governor, the Department, the Chair of the Senate Standing
8 Committee on Judiciary and the Chair of the Assembly Standing
9 Committee on Judiciary.

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

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

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

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

29 **Sec. 20.** The Department shall:

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

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

43 **Sec. 21.** The Department may adopt any regulations
44 necessary to carry out the provisions of sections 7 to 21, inclusive,
45 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.

