

SENATE BILL NO. 46—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE ATTORNEY GENERAL)

PREFILED NOVEMBER 18, 2020

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to the Office of the Attorney General. (BDR 20-410)

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

~

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

AN ACT relating to the Office of the Attorney General; authorizing certain employees of the Office of the Attorney General to request that certain personal information be kept in a confidential manner; authorizing such persons to request the Department of Motor Vehicles to display an alternate address on his or her driver’s license, commercial driver’s license or identification card; designating certain vehicles owned and operated by the Office of the Attorney General as emergency vehicles; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law authorizes certain persons to obtain a court order to require a  
2 county assessor, county recorder, the Secretary of State or a city or county clerk to  
3 maintain the personal information of the person contained in the records of the  
4 county assessor, county recorder, Secretary of State or city or county clerk in a  
5 confidential manner. The person seeking the court order must submit to the court a  
6 sworn affidavit that, among other things, sets forth sufficient justification for the  
7 request for confidentiality. (NRS 247.530, 250.130, 293.906) The persons  
8 authorized to obtain such court orders include justices, judges, certain court  
9 personnel, certain peace officers, certain district attorneys or attorneys employed by  
10 the district attorney, certain state or county public defenders, certain employees  
11 who perform tasks related to child welfare or protective services, county managers  
12 and certain employees who perform tasks related to code enforcement. Existing law  
13 also authorizes the spouse, domestic partner or minor child of any such person and  
14 the surviving spouse, domestic partner or minor child of any such person who was  
15 killed in the performance of his or her duties to obtain such court orders. (NRS  
16 247.540, 250.140, 293.908) **Sections 1-3** of this bill further authorize any person



17 employed by the Office of the Attorney General who prosecutes or defends actions  
18 on behalf of the State of Nevada or any agency in the Executive Department of the  
19 State Government to obtain such court orders.

20 Existing law authorizes certain persons to request that the Department of Motor  
21 Vehicles display an alternate address on the person's driver's license, commercial  
22 driver's license or identification card. (NRS 481.091) **Section 4** of this bill further  
23 authorizes any person employed by the Office of the Attorney General who  
24 prosecutes or defends actions on behalf of the State of Nevada or any agency in the  
25 Executive Department of the State Government to make such requests.

26 Under existing law, certain state and local agencies are expressly authorized to  
27 obtain permits from the Department of Public Safety to own and operate emergency  
28 vehicles in the performance of their duties. (NRS 484A.480, 484A.490) **Section 5**  
29 of this bill expressly authorizes the issuance of such permits for vehicles owned and  
30 operated by the Office of the Attorney General.

---

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

1 **Section 1.** NRS 247.540 is hereby amended to read as follows:

2 247.540 1. The following persons may request that the  
3 personal information described in subsection 1, 2 or 3 of NRS  
4 247.520 that is contained in the records of a county recorder be kept  
5 confidential:

- 6 (a) Any justice or judge in this State.
- 7 (b) Any senior justice or senior judge in this State.
- 8 (c) Any court-appointed master in this State.
- 9 (d) Any clerk of a court, court administrator or court executive  
10 officer in this State.

11 (e) Any district attorney or attorney employed by the district  
12 attorney who as part of his or her normal job responsibilities  
13 prosecutes persons for:

- 14 (1) Crimes that are punishable as category A felonies; or
- 15 (2) Domestic violence.

16 (f) Any state or county public defender who as part of his or her  
17 normal job responsibilities defends persons for:

- 18 (1) Crimes that are punishable as category A felonies; or
- 19 (2) Domestic violence.

20 (g) *Any person employed by the Office of the Attorney General*  
21 *who prosecutes or defends actions on behalf of the State of*  
22 *Nevada or any agency in the Executive Department of the State*  
23 *Government.*

24 (h) Any person, including without limitation, a social worker,  
25 employed by this State or a political subdivision of this State who as  
26 part of his or her normal job responsibilities:

- 27 (1) Interacts with the public; and



1 (2) Performs tasks related to child welfare services or child  
2 protective services or tasks that expose the person to comparable  
3 dangers.

4 ~~[(h)]~~ (i) Any county manager in this State.

5 ~~[(i)]~~ (j) Any inspector, officer or investigator employed by this  
6 State or a political subdivision of this State designated by his or her  
7 employer:

8 (1) Who possesses specialized training in code enforcement;

9 (2) Who, as part of his or her normal job responsibilities,  
10 interacts with the public; and

11 (3) Whose primary duties are the performance of tasks  
12 related to code enforcement.

13 ~~[(j)]~~ (k) The spouse, domestic partner or minor child of a person  
14 described in paragraphs (a) to ~~[(i)]~~ (j), inclusive.

15 ~~[(k)]~~ (l) The surviving spouse, domestic partner or minor child  
16 of a person described in paragraphs (a) to ~~[(i)]~~ (j), inclusive, who  
17 was killed in the performance of his or her duties.

18 2. Any nonprofit entity in this State that maintains a  
19 confidential location for the purpose of providing shelter to victims  
20 of domestic violence may request that the personal information  
21 described in subsection 4 of NRS 247.520 that is contained in the  
22 records of a county recorder be kept confidential.

23 3. As used in this section:

24 (a) "Child protective services" has the meaning ascribed to it in  
25 NRS 432B.042.

26 (b) "Child welfare services" has the meaning ascribed to it in  
27 NRS 432B.044.

28 (c) "Code enforcement" means the enforcement of laws,  
29 ordinances or codes regulating public nuisances or the public health,  
30 safety and welfare.

31 (d) "Social worker" means any person licensed under chapter  
32 641B of NRS.

33 **Sec. 2.** NRS 250.140 is hereby amended to read as follows:

34 250.140 1. The following persons may request that personal  
35 information described in subsection 1, 2 or 3 of NRS 250.120 that is  
36 contained in the records of a county assessor be kept confidential:

37 (a) Any justice or judge in this State.

38 (b) Any senior justice or senior judge in this State.

39 (c) Any court-appointed master in this State.

40 (d) Any clerk of a court, court administrator or court executive  
41 officer in this State.

42 (e) Any peace officer or retired peace officer.

43 (f) Any prosecutor.

44 (g) Any state or county public defender.



1 (h) *Any person employed by the Office of the Attorney General*  
2 *who prosecutes or defends actions on behalf of the State of*  
3 *Nevada or any agency in the Executive Department of the State*  
4 *Government.*

5 (i) Any person, including without limitation, a social worker,  
6 employed by this State or a political subdivision of this State who as  
7 part of his or her normal job responsibilities interacts with the public  
8 and performs tasks related to child welfare services or child  
9 protective services or tasks that expose the person to comparable  
10 dangers.

11 ~~(j)~~ (j) Any county manager in this State.

12 ~~(k)~~ (k) Any inspector, officer or investigator employed by this  
13 State or a political subdivision of this State designated by his or her  
14 employer who possesses specialized training in code enforcement,  
15 interacts with the public and whose primary duties are the  
16 performance of tasks related to code enforcement.

17 ~~(l)~~ (l) The spouse, domestic partner or minor child of a person  
18 described in paragraphs (a) to ~~(j)~~ (k), inclusive.

19 ~~(m)~~ (m) The surviving spouse, domestic partner or minor child  
20 of a person described in paragraphs (a) to ~~(j)~~ (k), inclusive, who  
21 was killed in the performance of his or her duties.

22 2. Any nonprofit entity in this State that maintains a  
23 confidential location for the purpose of providing shelter to victims  
24 of domestic violence may request that the personal information  
25 described in subsection 4 of NRS 250.120 that is contained in the  
26 records of a county assessor be kept confidential.

27 3. As used in this section:

28 (a) "Child protective services" has the meaning ascribed to it in  
29 NRS 432B.042.

30 (b) "Child welfare services" has the meaning ascribed to it in  
31 NRS 432B.044.

32 (c) "Code enforcement" means the enforcement of laws,  
33 ordinances or codes regulating public nuisances or the public health,  
34 safety and welfare.

35 (d) "Peace officer" means:

36 (1) Any person upon whom some or all of the powers of a  
37 peace officer are conferred pursuant to NRS 289.150 to 289.360,  
38 inclusive; and

39 (2) Any person:

40 (I) Who resides in this State;

41 (II) Whose primary duties are to enforce the law; and

42 (III) Who is employed by a law enforcement agency of  
43 the Federal Government, including, without limitation, a ranger for  
44 the National Park Service and an agent employed by the Federal



1 Bureau of Investigation, Secret Service, United States Department  
2 of Homeland Security or United States Department of the Treasury.

3 (e) "Prosecutor" has the meaning ascribed to it in  
4 NRS 241A.030.

5 (f) "Social worker" means any person licensed under chapter  
6 641B of NRS.

7 **Sec. 3.** NRS 293.908 is hereby amended to read as follows:

8 293.908 1. The following persons may request that personal  
9 information contained in the records of the Secretary of State or a  
10 county or city clerk be kept confidential:

11 (a) Any justice or judge in this State.

12 (b) Any senior justice or senior judge in this State.

13 (c) Any court-appointed master in this State.

14 (d) Any clerk of a court, court administrator or court executive  
15 officer in this State.

16 (e) Any district attorney or attorney employed by the district  
17 attorney who as part of his or her normal job responsibilities  
18 prosecutes persons for:

19 (1) Crimes that are punishable as category A felonies; or

20 (2) Domestic violence.

21 (f) Any state or county public defender who as part of his or her  
22 normal job responsibilities defends persons for:

23 (1) Crimes that are punishable as category A felonies; or

24 (2) Domestic violence.

25 (g) *Any person employed by the Office of the Attorney General*  
26 *who prosecutes or defends actions on behalf of the State of*  
27 *Nevada or any agency in the Executive Department of the State*  
28 *Government.*

29 (h) Any person, including without limitation, a social worker,  
30 employed by this State or a political subdivision of this State who as  
31 part of his or her normal job responsibilities:

32 (1) Interacts with the public; and

33 (2) Performs tasks related to child welfare services or child  
34 protective services or tasks that expose the person to comparable  
35 dangers.

36 ~~(h)~~ (i) Any county manager in this State.

37 ~~(h)~~ (j) Any inspector, officer or investigator employed by this  
38 State or a political subdivision of this State designated by his or her  
39 employer:

40 (1) Who possess specialized training in code enforcement;

41 (2) Who, as part of his or her normal job responsibilities,  
42 interacts with the public; and

43 (3) Whose primary duties are the performance of tasks  
44 related to code enforcement.



1 ~~[(k)]~~ (k) The spouse, domestic partner or minor child of a person  
2 described in paragraphs (a) to ~~[(j)]~~ (j), inclusive.

3 ~~[(l)]~~ (l) The surviving spouse, domestic partner or minor child  
4 of a person described in paragraphs (a) to ~~[(j)]~~ (j), inclusive, who  
5 was killed in the performance of his or her duties.

6 2. As used in this section:

7 (a) "Child protective services" has the meaning ascribed to it in  
8 NRS 432B.042.

9 (b) "Child welfare services" has the meaning ascribed to it in  
10 NRS 432B.044.

11 (c) "Code enforcement" means the enforcement of laws,  
12 ordinances or codes regulating public nuisances or the public health,  
13 safety and welfare.

14 (d) "Social worker" means any person licensed under chapter  
15 641B of NRS.

16 **Sec. 4.** NRS 481.091 is hereby amended to read as follows:

17 481.091 1. The following persons may request that the  
18 Department display an alternate address on the person's driver's  
19 license, commercial driver's license or identification card:

20 (a) Any justice or judge in this State.

21 (b) Any senior justice or senior judge in this State.

22 (c) Any court-appointed master in this State.

23 (d) Any clerk of the court, court administrator or court executive  
24 officer in this State.

25 (e) Any prosecutor who as part of his or her normal job  
26 responsibilities prosecutes persons for:

27 (1) Crimes that are punishable as category A felonies; or

28 (2) Domestic violence.

29 (f) Any state or county public defender who as part of his or her  
30 normal job responsibilities defends persons for:

31 (1) Crimes that are punishable as category A felonies; or

32 (2) Domestic violence.

33 (g) *Any person employed by the Office of the Attorney General*  
34 *who prosecutes or defends actions on behalf of the State of*  
35 *Nevada or any agency in the Executive Department of the State*  
36 *Government.*

37 (h) Any person, including without limitation, a social worker,  
38 employed by this State or a political subdivision of this State who as  
39 part of his or her normal job responsibilities:

40 (1) Interacts with the public; and

41 (2) Performs tasks related to child welfare services or child  
42 protective services or tasks that expose the person to comparable  
43 dangers.

44 ~~[(h)]~~ (i) Any county manager in this State.



1 ~~(i)~~ (j) Any inspector, officer or investigator employed by this  
2 State or a political subdivision of this State designated by his or her  
3 employer:

4 (1) Who possesses specialized training in code enforcement;

5 (2) Who, as part of his or her normal job responsibilities,  
6 interacts with the public; and

7 (3) Whose primary duties are the performance of tasks  
8 related to code enforcement.

9 ~~(i)~~ (k) The spouse, domestic partner or minor child of a person  
10 described in paragraphs (a) to ~~(i)~~ (j), inclusive.

11 ~~(k)~~ (l) The surviving spouse, domestic partner or minor child  
12 of a person described in paragraphs (a) to ~~(i)~~ (j), inclusive, who  
13 was killed in the performance of his or her duties.

14 2. A person who wishes to have an alternate address displayed  
15 on his or her driver's license, commercial driver's license or  
16 identification card pursuant to this section must submit to the  
17 Department satisfactory proof:

18 (a) That he or she is a person described in subsection 1; and

19 (b) Of the person's address of principal residence and mailing  
20 address, if different from the address of principal residence.

21 3. A person who obtains a driver's license, commercial driver's  
22 license or identification card that displays an alternate address  
23 pursuant to this section may subsequently submit a request to the  
24 Department to have his or her address of principal residence  
25 displayed on his or her driver's license, commercial driver's license  
26 or identification card instead of the alternate address.

27 4. The Department may adopt regulations to carry out the  
28 provisions of this section.

29 5. As used in this section:

30 (a) "Child protective services" has the meaning ascribed to it in  
31 NRS 432B.042.

32 (b) "Child welfare services" has the meaning ascribed to it in  
33 NRS 432B.044.

34 (c) "Code enforcement" means the enforcement of laws,  
35 ordinances or codes regulating public nuisances or the public health,  
36 safety and welfare.

37 (d) "Social worker" means any person licensed under chapter  
38 641B of NRS.

39 **Sec. 5.** NRS 484A.480 is hereby amended to read as follows:

40 484A.480 1. Except as otherwise provided in NRS  
41 484A.490, authorized emergency vehicles are vehicles publicly  
42 owned and operated in the performance of the duty of:

43 (a) A police or fire department.

44 (b) A sheriff's office.

45 (c) The Department of Public Safety, for vehicles that are:



1 (1) Operated in the performance of the duty of the Capitol  
2 Police Division, the Investigation Division, the Nevada Highway  
3 Patrol Division, the State Fire Marshal Division, the Training  
4 Division and the Office of the Director of the Department of Public  
5 Safety; or

6 (2) Designated an authorized emergency vehicle by the  
7 Director of the Department of Public Safety.

8 (d) *The Office of the Attorney General.*

9 (e) The Division of Forestry of the State Department of  
10 Conservation and Natural Resources in responding to a fire.

11 ~~(e)~~ (f) The Section for the Control of Emissions From Vehicles  
12 and the Enforcement of Matters Related to the Use of Special Fuel  
13 in the Department of Motor Vehicles.

14 ~~(f)~~ (g) A public ambulance agency.

15 ~~(g)~~ (h) A public lifeguard or lifesaving agency.

16 2. A vehicle publicly maintained in whole or in part by the  
17 State, or by a city or county, and privately owned and operated by a  
18 regularly salaried member of a police department, sheriff's office or  
19 traffic law enforcement department, is an authorized emergency  
20 vehicle if:

21 (a) The vehicle has a permit, pursuant to NRS 484A.490, from  
22 the Department of Public Safety;

23 (b) The person operates the vehicle in responding to emergency  
24 calls or fire alarms, or at the request of the Nevada Highway Patrol  
25 or in the pursuit of actual or suspected violators of the law; and

26 (c) The State, county or city does not furnish a publicly owned  
27 vehicle for the purposes stated in paragraph (b).

28 3. Every authorized emergency vehicle must be equipped with  
29 at least one flashing red warning lamp visible from the front and a  
30 siren for use as provided in chapters 484A to 484E, inclusive, of  
31 NRS, which lamp and siren must be in compliance with standards  
32 approved by the Department of Public Safety. In addition, an  
33 authorized emergency vehicle may display revolving, flashing or  
34 steady red or blue warning lights to the front, sides or rear of the  
35 vehicle.

36 4. An authorized emergency vehicle may be equipped with a  
37 system or device that causes the upper-beam headlamps of the  
38 vehicle to continue to flash alternately while the system or device is  
39 activated. The driver of a vehicle that is so equipped may use the  
40 system or device when responding to an emergency call or fire  
41 alarm, while escorting a funeral procession, or when in pursuit of an  
42 actual or suspected violator of the law. As used in this subsection,  
43 "upper-beam headlamp" means a headlamp or that part of a  
44 headlamp which projects a distribution of light or composite beam  
45 meeting the requirements of subsection 1 of NRS 484D.210.



1 5. Except as otherwise provided in subsection 4, a person shall  
2 not operate a motor vehicle with any system or device that causes  
3 the headlamps of the vehicle to continue to flash alternately or  
4 simultaneously while the system or device is activated. This  
5 subsection does not prohibit the operation of a motorcycle equipped  
6 with any system or device that modulates the intensity of light  
7 produced by the headlamp of the motorcycle, if the system or device  
8 is used only during daylight hours and conforms to the requirements  
9 of 49 C.F.R. § 571.108.

10 6. A person shall not operate a vehicle with any lamp or device  
11 displaying a red light visible from directly in front of the center of  
12 the vehicle except an authorized emergency vehicle, a school bus or  
13 an official vehicle of a regulatory agency.

14 7. A person shall not operate a vehicle with any lamp or device  
15 displaying a blue light, except a motorcycle pursuant to NRS  
16 486.261 or an authorized emergency vehicle.

