

(Reprinted with amendments adopted on June 2, 2023)

FIRST REPRINT

A.B. 139

ASSEMBLY BILL NO. 139—ASSEMBLYMEN BRITTNEY MILLER;  
D’SILVA, GONZÁLEZ, MOSCA, NGUYEN AND TORRES

FEBRUARY 9, 2023

JOINT SPONSOR: SENATOR NGUYEN

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing certain demographic information collected by governmental agencies. (BDR 19-122)

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

CONTAINS UNFUNDED MANDATE (§ 1)  
(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 governmental agencies; authorizing an agency of criminal justice that collects demographic information on race or ethnicity to include a category for persons of Middle Eastern or North African descent; requiring any other governmental agency that collects demographic information on race or ethnicity to include a category for persons of Middle Eastern or North African descent; making an appropriation; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law authorizes certain governmental agencies to collect certain personal information. (Chapter 239B of NRS) **Section 1** of this bill authorizes an agency of criminal justice that collects demographic information on race or ethnicity to include a separate category for persons of Middle Eastern or North African descent. **Section 1** requires any other governmental agency that collects demographic information on race or ethnicity to include a separate category for persons of Middle Eastern or North African descent.

**Section 1** defines “agency of criminal justice” to mean: (1) any court; and (2) any governmental agency or subunit of any governmental agency which performs a function in the administration of criminal justice pursuant to a statute or executive



\* A B 1 3 9 R 1 \*

order, and which allocates a substantial part of its budget to a function in the administration of criminal justice, including, without limitation, a local law enforcement agency, the Nevada Highway Patrol, the Division of Parole and Probation of the Department of Public Safety and the Department of Corrections. (NRS 179A.030)

**Section 2** of this bill makes a conforming change to apply the relevant definition of governmental agency to **section 1**.

**Section 2.5** of this bill makes an appropriation to the Division of Welfare and Supportive Services of the Department of Health and Human Services for computer programming to carry out the provisions of this bill.

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

**Section 1.** Chapter 239B of NRS is hereby amended by adding thereto a new section to read as follows:

*An agency of criminal justice, as defined in NRS 179A.030, that collects information from a person related to the race or ethnicity of the person may include a separate category for persons of Middle Eastern or North African descent. Any other governmental agency that collects information from a person related to the race or ethnicity of the person shall include a separate category for persons of Middle Eastern or North African descent.*

**Sec. 2.** NRS 239B.024 is hereby amended to read as follows:

239B.024 As used in NRS 239B.022 and 239B.026 ~~§~~ *and section 1 of this act*, “governmental agency” means an officer, board, commission, department, division, bureau, district or any other unit of government of the State or a local government.

**Sec. 2.5.** 1. There is hereby appropriated from the State General Fund to the Division of Welfare and Supportive Services of the Department of Health and Human Services the sum of \$140,400 for the cost of computer programming to carry out the provisions of this act.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2024, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 20, 2024, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 20, 2024.



\* A B 1 3 9 R 1 \*

1       **Sec. 3.** The provisions of NRS 354.599 do not apply to any  
2 additional expenses of a local government that are related to the  
3 provisions of this act.

4       **Sec. 4.** 1. This section becomes effective upon passage and  
5 approval.

6       2. Section 2.5 of this act becomes effective on July 1, 2023.

7       3. Sections 1, 2 and 3 of this act become effective:

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

11       (b) On January 1, 2024, for all other purposes.

