

ASSEMBLY BILL NO. 379—COMMITTEE
ON GOVERNMENT AFFAIRS

MARCH 22, 2023

Referred to Committee on Government Affairs

SUMMARY—Revises provisions concerning the confidentiality of certain personal information of certain persons. (BDR 20-976)

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

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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 confidential information; revising provisions related to the manner in which certain members of the judiciary and court personnel may request certain personal information be kept in a confidential manner; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes certain persons including, without limitation, justices, judges and certain court personnel of this State, to obtain a court order to require a county assessor, a county recorder, the Secretary of State or a city or county clerk to maintain the personal information of the person contained in the records of the county assessor, county recorder, Secretary of State or city or county clerk in a confidential manner. The person seeking the court order is required to submit to the court a sworn affidavit that, among other things, sets forth sufficient justification for the request for confidentiality. (NRS 247.530, 250.130, 293.906) **Sections 1-3** of this bill authorize justices, judges and certain court personnel of this State to submit a written request, instead of obtaining a court order, to a county assessor, a county recorder, the Secretary of State or a city or county clerk to maintain their personal information in a confidential manner.

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

Section 1. NRS 247.530 is hereby amended to read as follows:
247.530 1. Except as otherwise provided in ~~subsection~~
subsections 2 and 3, any person or entity listed in NRS 247.540



1 who wishes to have the personal information of the person or entity
2 that is contained in the records of a county recorder be kept
3 confidential must obtain an order of a court that requires the county
4 recorder to maintain the personal information of the person or entity
5 in a confidential manner. Such an order must be based on a sworn
6 affidavit by the person or, if an entity, a person authorized to sign on
7 behalf of the entity, which affidavit:

8 (a) States that the affiant qualifies as a person listed in NRS
9 247.540 or that the entity on behalf of whom the person is signing
10 qualifies as an entity listed in NRS 247.540;

11 (b) Sets forth sufficient justification for the request for
12 confidentiality; and

13 (c) Sets forth the document numbers of all records of a county
14 recorder that contain confidential information.

15 2. A person for whom a fictitious address has been issued
16 pursuant to NRS 217.462 to 217.471, inclusive, may request the
17 county recorder to maintain the personal information of the person
18 in a confidential manner without obtaining a court order pursuant to
19 subsection 1 by submitting to the county recorder:

20 (a) A sworn affidavit which:

21 (1) States that the affiant has been issued a fictitious address
22 pursuant to NRS 217.462 to 217.471, inclusive; and

23 (2) Sets forth the document numbers of all records of a
24 county recorder that contain confidential information; and

25 (b) Proof that the person has been issued a fictitious address
26 pursuant to NRS 217.462 to 217.471, inclusive, including, without
27 limitation, a confirmation letter and a copy of the enrollment card if
28 such documents are issued by the Division of Child and Family
29 Services of the Department of Health and Human Services.

30 ➡ Upon request of the county recorder, the Division shall verify
31 whether a person who has submitted a request pursuant to this
32 subsection has been issued a fictitious address pursuant to NRS
33 217.462 to 217.471, inclusive.

34 3. *The following persons may request the county recorder to*
35 *maintain the personal information of the person in a confidential*
36 *manner without obtaining a court order pursuant to subsection 1*
37 *by submitting a written request to the county recorder:*

38 (a) *Any justice or judge in this State;*

39 (b) *Any senior justice or senior judge in this State;*

40 (c) *Any court-appointed master in this State; and*

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

43 4. Upon receipt of an order obtained pursuant to subsection 1
44 or a request made pursuant to subsection 2 ~~H~~ or 3, a county
45 recorder shall keep such information confidential and shall not:



(a) Disclose the confidential information to anyone, unless disclosure is specifically authorized in writing by that person or entity; or

(b) Post the confidential information on the Internet or its successor, if any, or make the information available to others in any other way.

Sec. 2. NRS 250.130 is hereby amended to read as follows:

250.130 1. Except as otherwise provided in ~~subsection~~ **subsections 2 ~~1~~ and 3**, any person or entity listed in NRS 250.140 who wishes to have the personal information of the person or entity that is contained in the records of a county assessor be kept confidential must obtain an order of a court that requires the county assessor to maintain the personal information of the person or entity in a confidential manner. Such an order must be based on a sworn affidavit by the person or, if an entity, a person authorized to sign on behalf of the entity, which affidavit:

(a) States that the affiant qualifies as a person listed in NRS 250.140 or that the entity on behalf of whom the person is signing qualifies as an entity listed in NRS 250.140; and

(b) Sets forth sufficient justification for the request for confidentiality.

2. A person for whom a fictitious address has been issued pursuant to NRS 217.462 to 217.471, inclusive, may request a county assessor to maintain the personal information of the person in a confidential manner without obtaining a court order pursuant to subsection 1 by submitting to the county assessor:

(a) A sworn affidavit which states that the affiant has been issued a fictitious address pursuant to NRS 217.462 to 217.471, inclusive; and

(b) Proof that the person has been issued a fictitious address pursuant to NRS 217.462 to 217.471, inclusive, including, without limitation, a confirmation letter and a copy of the enrollment card if such documents are issued by the Division of Child and Family Services of the Department of Health and Human Services.

➡ Upon request of the county assessor, the Division shall verify whether a person who has submitted a request pursuant to this subsection has been issued a fictitious address pursuant to NRS 217.462 to 217.471, inclusive.

3. ***The following persons may request a county assessor to maintain the personal information of the person in a confidential manner without obtaining a court order pursuant to subsection 1 by submitting a written request to the county assessor:***

(a) Any justice or judge in this State;

(b) Any senior justice or senior judge in this State;

(c) Any court-appointed master in this State; and



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

4. Upon receipt of an order obtained pursuant to subsection 1 or a request made pursuant to subsection 2 ~~or 3~~, a county assessor shall keep such information confidential and shall not:

(a) Disclose the confidential information to anyone, unless disclosure is specifically authorized in writing by that person or entity; or

(b) Post the confidential information on the Internet or its successor, if any, or make the information available to others in any other way.

Sec. 3. NRS 293.906 is hereby amended to read as follows:

293.906 1. ~~Any~~ *Except as otherwise provided in subsection 2, any* person listed in NRS 293.908 who wishes to have personal information about himself or herself that is contained in the records of the Secretary of State or a county or city clerk be kept confidential must obtain an order of a court that requires the Secretary of State or the county clerk or city clerk to maintain the personal information of the person in a confidential manner. Such an order must be based on a sworn affidavit by the person, which affidavit:

(a) States that the affiant qualifies as a person listed in NRS 293.908; and

(b) Sets forth sufficient justification for the request for confidentiality.

2. *The following persons may request the Secretary of State or a county or city clerk to maintain the personal information of the person in a confidential manner without obtaining a court order pursuant to subsection 1 by submitting a written request to the Secretary of State or the county or city clerk:*

(a) Any justice or judge in this State;

(b) Any senior justice or senior judge in this State;

(c) Any court-appointed master in this State; and

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

3. Upon receipt of ~~such~~ an order ~~or~~ *obtained pursuant to subsection 1 or a request made pursuant to subsection 2*, the Secretary of State or a county or city clerk shall keep such information confidential and shall not:

(a) Disclose the confidential information to anyone, unless disclosure is specifically authorized in writing by that person; or

(b) Post the confidential information on the Internet or its successor, if any, or make the information available to others in any other way.



1 **Sec. 4.** This act becomes effective on July 1, 2023.

