

Amendment No. 890

Assembly Amendment to Assembly Bill No. 139 (BDR 19-122)

Proposed by: Assembly Committee on Ways and Means

Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will:
(1) MAINTAIN the unfunded mandate not requested by the affected local government to A.B. 139 (§ 1).
(2) ADD an appropriation where one does not currently exist in A.B. 139.

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.



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)

~

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

AN ACT relating to governmental agencies; ~~requiring a governmental agency~~
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 requires governmental agencies that collect~~ 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 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.

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:

~~14~~ *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~~ 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.

Sec. 3. 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. 4. 1. This section becomes effective upon passage and approval.

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

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

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

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