

SENATE BILL No. 70—COMMITTEE ON EDUCATION

(ON BEHALF OF THE JOINT INTERIM STANDING
COMMITTEE ON EDUCATION)

PREFILED JANUARY 23, 2023

Referred to Committee on Education

SUMMARY—Revises provisions governing name, image or likeness contracts for student athletes. (BDR 34-378)

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

~

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

AN ACT relating to intercollegiate athletics; requiring certain persons and entities who facilitate name, image or likeness contracts to register with the Secretary of State; authorizing the Secretary of State to take certain actions to carry out provisions governing such contracts; authorizing the imposition of administrative sanctions for certain violations; revising requirements related to the disclosure of such contracts; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes a student athlete to enter into contracts to be compensated for the use of his or her name, image or likeness. (NRS 398.300, 398.310) **Section 2** of this bill defines “name, image or likeness contract” to refer to such a contract. **Section 9** of this bill makes a conforming change to indicate the proper placement of **section 2** in the Nevada Revised Statutes. **Sections 10-12** of this bill make conforming changes to substitute the newly defined term where appropriate.

Section 3 of this bill requires a person or entity, including, without limitation, a collective, booster, vendor or other third-party agent, to register annually with the Secretary of State if the person or entity: (1) regularly facilitates name, image or likeness contracts for student athletes who are enrolled in or who have signed letters of intent to enroll in institutions in this State; or (2) is located in this State and regularly facilitates name, image or likeness contracts. **Section 3** requires the Secretary of State to adopt regulations concerning such registration, including



regulations prescribing the circumstances under which a person or entity is deemed to be regularly facilitating name, image or likeness contracts. **Sections 4 and 5** of this bill enact certain provisions necessary to comply with federal law governing the collection of child support from natural persons holding a professional credential.

Existing law requires a student athlete to disclose to the educational institution in which he or she is enrolled any name, image or likeness contract into which he or she enters. (NRS 398.310) Existing law also requires a prospective student athlete, before signing a letter of intent to enroll in an educational institution, to disclose to the institution any previous or existing name, image or likeness contract held by the student athlete. (NRS 398.330) **Sections 11 and 16** of this bill repeal the requirement that a student athlete or a prospective student athlete disclose any such contract. **Section 11** requires instead that a person or entity that enters into a name, image or likeness contract with a student athlete, including a prospective student athlete, disclose the contract to: (1) the institution in which the student athlete is enrolled or with which the student athlete has signed a letter of intent to enroll; and (2) the Secretary of State. **Section 11** requires such a person or entity to disclose certain additional information concerning previous name, image or likeness contracts as part of the first disclosure made by the person or entity. **Section 11** also: (1) requires the Secretary of State to keep and make public all such disclosures; and (2) exempts from those required disclosures a person or entity whose name, image and likeness contracts have an aggregate value of less than \$10,000.

Sections 6-8 of this bill authorize the Secretary of State to take certain measures to enforce provisions governing name, image or likeness contracts. Specifically, **section 6** authorizes the Secretary of State to investigate any violation of those provisions, and **sections 6 and 13** of this bill provide for the confidentiality of such an investigation. **Section 7** of this bill authorizes the Secretary of State to hold hearings concerning such violations and issue subpoenas in furtherance of such an investigation. **Section 8** authorizes the Secretary of State to issue an order to cease and desist from such violations. **Section 8** also authorizes the Secretary of State, after notice and the opportunity for a hearing, to impose sanctions for such violations, including: (1) where applicable, the suspension, revocation or refusal to renew registration as a facilitator of name, image or likeness contracts; and (2) an administrative fine for a willful violation.

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

Section 1. Chapter 398 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 8, inclusive, of this act.

Sec. 2. *“Name, image or likeness contract” means a contract entered into by a student athlete that provides for the student athlete to be compensated in any form for the use of the name, image or likeness of the student athlete.*

Sec. 3. 1. *A person or entity, including, without limitation, a collective, booster, vendor or other third-party agent, must register annually with the Secretary of State if the person or entity:*



(a) Regularly facilitates name, image or likeness contracts for student athletes who are enrolled in or have signed letters of intent to enroll in institutions in this State; or

(b) Is located in this State and regularly facilitates name, image or likeness contracts.

2. The Secretary of State shall adopt regulations to carry out the provisions of NRS 398.300, 398.310 and 398.320, and sections 3 to 8, inclusive, of this act. The regulations must establish, without limitation:

(a) The circumstances under which a person or entity shall be deemed to be regularly facilitating name, image or likeness contracts for student athletes for the purposes of subsection 1.

(b) Any requirements for obtaining and renewing a registration pursuant to this section.

(c) The fees for an initial application for registration and an application for the renewal of registration.

3. A registration that is issued pursuant to this section and any regulations adopted thereto expires 1 year after the date on which the registration is issued and may be renewed.

Sec. 4. 1. In addition to any other requirements set forth in this chapter:

(a) A natural person who applies for registration or the renewal of registration pursuant to section 3 of this act must include the social security number of the applicant in the application submitted to the Secretary of State.

(b) An applicant described in paragraph (a) shall submit to the Secretary of State the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant.

2. The Secretary of State shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the registration; or

(b) A separate form prescribed by the Secretary of State.

3. A registration may not be issued or renewed by the Secretary of State if the applicant:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.



4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Secretary of State shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

Sec. 5. 1. If the Secretary of State receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is registered pursuant to section 3 of this act, the Secretary of State shall deem the registration issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Secretary of State receives a letter issued to the holder of the registration by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the registration has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

2. The Secretary of State shall reinstate a registration that has been suspended by a district court pursuant to NRS 425.540 if the Secretary of State receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose registration was suspended stating that the person whose registration was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

Sec. 6. 1. The Secretary of State may, within or outside this State:

(a) Investigate any violation of:

(1) A provision of NRS 398.300, 398.310 or 398.320, and sections 3 to 8, inclusive, of this act;

(2) A regulation adopted by the Secretary of State pursuant to NRS 398.300, 398.310 or 398.320, and sections 3 to 8, inclusive, of this act; or

(3) An order denying, suspending or revoking the effectiveness of a registration issued pursuant to section 3 of this act, or an order to cease and desist, issued by the Secretary of State pursuant to section 8 of this act.

(b) Conduct such other investigations as the Secretary of State finds necessary to aid in the enforcement of NRS 398.300, 398.310 or 398.320, and sections 3 to 8, inclusive, of this act and any



1 *regulation or order adopted or issued by the Secretary of State*
2 *pursuant thereto.*

3 2. *Except as otherwise provided in subsections 3 and 4 and*
4 *NRS 239.0115, information or documents obtained by the*
5 *Secretary of State in connection with an investigation conducted*
6 *pursuant to this section are confidential and exempt from the*
7 *provisions of NRS 239.010.*

8 3. *The Secretary of State may submit any information or*
9 *evidence obtained in connection with an investigation conducted*
10 *pursuant to this section to the Attorney General or appropriate*
11 *district attorney for the purpose of prosecuting a criminal action*
12 *pursuant to this chapter.*

13 4. *The Secretary of State may disclose any information*
14 *obtained in connection with an investigation conducted pursuant*
15 *to this section to any other governmental agency if the disclosure*
16 *is provided for the purpose of a civil, administrative or criminal*
17 *investigation or proceeding and the receiving agency represents in*
18 *writing that, under applicable law, protections exist to preserve the*
19 *integrity, confidentiality and security of the information.*

20 **Sec. 7. 1.** *For the purposes of an investigation or*
21 *proceeding pursuant to NRS 398.300, 398.310 or 398.320, and*
22 *sections 3 to 8, inclusive, of this act, the Secretary of State or any*
23 *officer or employee designated by the Secretary of State by*
24 *regulation, order or written direction may conduct hearings,*
25 *administer oaths and affirmations, render findings of fact and*
26 *conclusions of law, subpoena witnesses and compel their*
27 *attendance, take evidence and require the production, by subpoena*
28 *or otherwise, of books, papers, correspondence, memoranda,*
29 *agreements or other documents or records which the Secretary of*
30 *State or the Secretary of State's designated officer or employee*
31 *determines to be relevant or material to the investigation or*
32 *proceeding. A person or entity whom the Secretary of State or a*
33 *designated officer or employee does not consider to be the subject*
34 *of an investigation is entitled to reimbursement at the rate of 25*
35 *cents per page for copies of documents which he or she is required*
36 *by subpoena to produce. The Secretary of State or a designated*
37 *officer or employee may require or permit a person to file a*
38 *statement, under oath or otherwise as the Secretary of State or a*
39 *designated officer or employee determines, as to the facts and*
40 *circumstances concerning the matter to be investigated.*

41 2. *If the activities constituting an alleged violation for which*
42 *the information is sought would be a violation of NRS 398.300,*
43 *398.310 or 398.320, and sections 3 to 8, inclusive, of this act had*
44 *the activities occurred in this State, the Secretary of State may*



1 *issue and apply to enforce subpoenas in this State at the request of*
2 *an agency or Secretary of State of another state.*

3 3. *If a person or entity does not testify or produce the*
4 *documents required by the Secretary of State or a designated*
5 *officer or employee pursuant to subpoena, the Secretary of State*
6 *or designated officer or employee may apply to the court for an*
7 *order compelling compliance. A request for an order of*
8 *compliance may be addressed to:*

9 (a) *The district court in and for the county where service may*
10 *be obtained on the person or entity refusing to testify or produce*
11 *the documents, if the person or entity is subject to service of*
12 *process in this State; or*

13 (b) *A court of another state having jurisdiction over the person*
14 *or entity refusing to testify or produce the documents, if the person*
15 *or entity is not subject to service of process in this State.*

16 **Sec. 8.** 1. *If the Secretary of State reasonably believes,*
17 *whether or not based upon an investigation conducted pursuant to*
18 *section 6 of this act, that a person or entity has violated, or is*
19 *about to violate, any provision of NRS 398.300, 398.310 or*
20 *398.320, and sections 3 to 8, inclusive, of this act or any regulation*
21 *or order of the Secretary of State adopted or issued pursuant*
22 *thereto, the Secretary of State, in addition to any specific power*
23 *granted by this chapter may, without a prior hearing, issue a*
24 *summary order against the person or entity, directing the person*
25 *or entity to cease and desist from any further acts that constitute*
26 *or would constitute such a violation until the person or entity is in*
27 *compliance with the provisions of NRS 398.300, 398.310 and*
28 *398.320, and sections 3 to 8, inclusive, of this act. The summary*
29 *order to cease and desist must specify the section of this chapter or*
30 *the regulation or order of the Secretary of State adopted or issued*
31 *pursuant thereto which the Secretary of State reasonably believes*
32 *has been or is about to be violated.*

33 2. *If the Secretary of State reasonably believes, whether or*
34 *not based upon an investigation conducted pursuant to section 6*
35 *of this act, that a person or entity has violated any provision of*
36 *NRS 398.300, 398.310 or 398.320, and sections 3 to 8, inclusive, of*
37 *this act or any regulation or order of the Secretary of State*
38 *adopted or issued pursuant thereto, the Secretary of State, in*
39 *addition to any specific power granted by this chapter may, after*
40 *giving notice by registered or certified mail and conducting a*
41 *hearing in an administrative proceeding, unless the right to notice*
42 *and hearing is waived by the person or entity against whom the*
43 *sanction is imposed:*

44 (a) *Issue an order against the person or entity to cease and*
45 *desist;*



(b) Censure the person or entity if the person or entity is registered pursuant to section 3 of this act and any regulations adopted thereto;

(c) Suspend, revoke or refuse to renew the registration of the person or entity if the person or entity is registered pursuant to section 3 of this act and any regulations adopted thereto; or

(d) If the Secretary of State determines that the violation was willful, issue an order imposing an administrative fine of not more than \$50,000 against the person or entity.

3. If the person or entity to whom notice is given pursuant to subsection 2 does not request a hearing within 45 days after receipt of the notice, the person or entity waives the right to a hearing and the Secretary of State shall issue a permanent order. If the person or entity requests a hearing, the Secretary of State shall set the matter for hearing not less than 15 or more than 60 days after the Secretary of State receives the request for a hearing. The Secretary of State shall promptly notify the parties by registered or certified mail of the time and place set for the hearing.

4. The imposition of the sanctions provided in this section is limited as follows:

(a) If the Secretary of State revokes the registration of a person or entity who is registered pursuant to section 3 of this act and any regulations adopted thereto, the imposition of that sanction precludes the imposition of an administrative fine pursuant to subsection 2; and

(b) The imposition by the Secretary of State of one or more sanctions pursuant to subsection 2 with respect to a specific violation precludes the Secretary of State from later imposing any other sanction pursuant to subsection 2 with respect to that violation.

5. For the purpose of determining any sanction to be imposed pursuant to subsection 2, the Secretary of State shall consider, among other factors, how recently the conduct occurred, the nature of the conduct and the context in which it occurred, and any other relevant conduct of the applicant.

6. If the Secretary of State imposes a sanction pursuant to this section, the Secretary of State may recover the costs of the proceeding, including, without limitation, investigative costs and attorney's fees, from the person or entity against whom the sanction is imposed.

Sec. 9. NRS 398.005 is hereby amended to read as follows:

398.005 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 398.011 to 398.071,



inclusive, *and section 2 of this act* have the meanings ascribed to them in those sections.

Sec. 10. NRS 398.300 is hereby amended to read as follows:

398.300 1. An institution shall not:

(a) Uphold or enforce any rule of a national collegiate athletic association that prevents a student athlete enrolled in the institution from being compensated for the use of the name, image or likeness of the student athlete by an organization other than the institution or a national collegiate athletic association;

(b) Except as otherwise provided by subsection 2, prevent a student athlete from being compensated for the use of the name, image or likeness of the student athlete;

(c) Compensate a prospective or current student athlete of the institution for the use of the name, image or likeness of the student athlete;

(d) Prevent a student athlete from obtaining professional services; or

(e) Alter, withhold or otherwise reduce the amount of a scholarship awarded to a student athlete solely because a student athlete is compensated for the use of the name, image or likeness of the student athlete by an organization other than the institution or a national collegiate athletic association or because the student athlete obtains professional services.

2. An institution may:

(a) Adopt a policy that imposes reasonable restrictions on a student athlete entering into a *name, image or likeness* contract ~~[pursuant to NRS 398.310 that provides for the student athlete to be compensated for the use of the name, image or likeness of the student athlete]~~ with an organization or person whose goods, services or mission are contrary to the mission of the institution; and

(b) Prohibit a student athlete from being compensated for the use of the name, image or likeness of the student athlete if the use of the name, image or likeness is related to official activities of the institution or intercollegiate sports at the institution.

3. A national collegiate athletic association shall not:

(a) Prevent a student athlete enrolled at an institution from participating in intercollegiate sports solely because the student athlete is compensated for the use of the name, image or likeness of the student athlete by an organization other than the institution or the national collegiate athletic association;

(b) Prevent an institution from being a member of or participating in the activities of the national collegiate athletic association solely because a student athlete who is enrolled at the institution is compensated for the use of the name, image or likeness



of the student athlete by an organization other than the institution or the national collegiate athletic association;

(c) Compensate a prospective or current student athlete of an institution for the use of the name, image or likeness of the student athlete; or

(d) Prevent a student athlete from obtaining professional services.

4. As used in this section, "professional services" includes, without limitation, representation regarding contracts or other legal matters, including, without limitation, representation provided by an attorney or an athlete agent registered pursuant to chapter 398A of NRS.

Sec. 11. NRS 398.310 is hereby amended to read as follows:

398.310 1. A student athlete may enter into a *name, image or likeness* contract with an organization other than an institution or a national collegiate athletic association . ~~{that provides for the student athlete to be compensated for the use of the name, image or likeness of the student athlete.}~~ A *name, image or likeness* contract entered into pursuant to this subsection may not conflict with any provision of a contract between the student athlete and the institution in which the student athlete is enrolled.

2. ~~{A}~~ *Except as otherwise provided in subsection 4, not later than 30 days after entering into a name, image or likeness contract with a* student athlete who ~~{enters into a contract pursuant to subsection 1 must disclose the}~~ *is enrolled in or has signed a letter of intent to enroll in an institution in this State, a person or entity described in subsection 3 shall:*

(a) *Disclose the name, image or likeness* contract to ~~{the}~~ :

(1) *The* institution in which the student athlete is enrolled ~~{}~~ *or with which the student athlete has signed a letter of intent to enroll; and*

(2) *The Secretary of State; and*

(b) *If the provisions of subsection 3 apply, disclose the information required by that subsection to the entities described in that subsection.*

3. *Except as otherwise provided in subsection 4, a person or entity that is subject to the requirements of subsection 2 and has not previously made a disclosure pursuant to that subsection shall additionally disclose:*

(a) *Each name, image or likeness contract previously entered into with a student athlete who is currently enrolled in or has signed a letter of intent to enroll in an institution in this State to that institution, regardless of whether the contract remains effective; and*



(b) *Each name, image or likeness contract previously entered into with a student athlete who, at the time the contract was executed, was enrolled in or had signed a letter of intent to enroll in an institution in this State to the Secretary of State, regardless of whether the contract remains effective.*

4. *A person or entity is not subject to the requirements of subsections 2 and 3 if the value of the relevant name, image or likeness contract, combined with the aggregate value of all other name, image or likeness contracts into which the person or entity has entered with student athletes who, at the time the contracts were executed, were enrolled in or had signed letters of intent to enroll in institutions located in this State, is less than \$10,000.*

5. *The Secretary of State shall keep, make available for public inspection and post on the official Internet website of the Secretary of State all disclosures made to the Secretary of State pursuant to this section.*

6. If the institution in which the student athlete is enrolled alleges that a provision of a contract entered into pursuant to subsection 1 conflicts with a provision of a contract between the student athlete and the institution, the institution shall inform the student athlete and, if the student athlete has legal representation, the attorney of the student athlete of the alleged conflict.

Sec. 12. NRS 398.320 is hereby amended to read as follows:

398.320 An institution may require a student athlete to take courses or receive education or training in contracts, financial literacy or any other subject the institution deems necessary to prepare a student athlete to enter into *name, image or likeness* contracts.

Sec. 13. 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, 41.0397, 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.640, 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, 176.015, 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,



1 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464,
2 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240,
3 218G.350, 224.240, 226.300, 228.270, 228.450, 228.495, 228.570,
4 231.069, 231.1473, 232.1369, 233.190, 237.300, 239.0105,
5 239.0113, 239.014, 239B.026, 239B.030, 239B.040, 239B.050,
6 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 239C.420,
7 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335,
8 247.540, 247.550, 247.560, 250.087, 250.130, 250.140, 250.150,
9 268.095, 268.0978, 268.490, 268.910, 269.174, 271A.105, 281.195,
10 281.805, 281A.350, 281A.680, 281A.685, 281A.750, 281A.755,
11 281A.780, 284.4068, 284.4086, 286.110, 286.118, 287.0438,
12 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503,
13 293.504, 293.558, 293.5757, 293.870, 293.906, 293.908, 293.910,
14 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335,
15 338.070, 338.1379, 338.1593, 338.1725, 338.1727, 348.420,
16 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100,
17 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.2242,
18 361.610, 365.138, 366.160, 368A.180, 370.257, 370.327, 372A.080,
19 378.290, 378.300, 379.0075, 379.008, 379.1495, 385A.830,
20 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503,
21 388.513, 388.750, 388A.247, 388A.249, 391.033, 391.035,
22 391.0365, 391.120, 391.925, 392.029, 392.147, 392.264, 392.271,
23 392.315, 392.317, 392.325, 392.327, 392.335, 392.850, 393.045,
24 394.167, 394.16975, 394.1698, 394.447, 394.460, 394.465,
25 396.1415, 396.1425, 396.143, 396.159, 396.3295, 396.405, 396.525,
26 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888,
27 408.5484, 412.153, 414.280, 416.070, 422.2749, 422.305,
28 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.028,
29 432.205, 432B.175, 432B.280, 432B.290, 432B.4018, 432B.407,
30 432B.430, 432B.560, 432B.5902, 432C.140, 432C.150, 433.534,
31 433A.360, 439.4941, 439.4988, 439.840, 439.914, 439A.116,
32 439A.124, 439B.420, 439B.754, 439B.760, 439B.845, 440.170,
33 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735,
34 442.774, 445A.665, 445B.570, 445B.7773, 447.345, 449.209,
35 449.245, 449.4315, 449A.112, 450.140, 450B.188, 450B.805,
36 453.164, 453.720, 458.055, 458.280, 459.050, 459.3866, 459.555,
37 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403,
38 463.3407, 463.790, 467.1005, 480.535, 480.545, 480.935, 480.940,
39 481.063, 481.091, 481.093, 482.170, 482.368, 482.5536, 483.340,
40 483.363, 483.575, 483.659, 483.800, 484A.469, 484B.830,
41 484B.833, 484E.070, 485.316, 501.344, 503.452, 522.040,
42 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098,
43 598A.110, 598A.420, 599B.090, 603.070, 603A.210, 604A.303,
44 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350,
45 618.341, 618.425, 622.238, 622.310, 623.131, 623A.137, 624.110,



1 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230,
2 628B.760, 629.047, 629.069, 630.133, 630.2671, 630.2672,
3 630.2673, 630.30665, 630.336, 630A.327, 630A.555, 631.332,
4 631.368, 632.121, 632.125, 632.3415, 632.3423, 632.405, 633.283,
5 633.301, 633.4715, 633.4716, 633.4717, 633.524, 634.055,
6 634.1303, 634.214, 634A.169, 634A.185, 635.111, 635.158,
7 636.262, 636.342, 637.085, 637.145, 637B.192, 637B.288, 638.087,
8 638.089, 639.183, 639.2485, 639.570, 640.075, 640.152, 640A.185,
9 640A.220, 640B.405, 640B.730, 640C.580, 640C.600, 640C.620,
10 640C.745, 640C.760, 640D.135, 640D.190, 640E.225, 640E.340,
11 641.090, 641.221, 641.2215, 641.325, 641A.191, 641A.217,
12 641A.262, 641B.170, 641B.281, 641B.282, 641C.455, 641C.760,
13 641D.260, 641D.320, 642.524, 643.189, 644A.870, 645.180,
14 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220,
15 645C.225, 645D.130, 645D.135, 645G.510, 645H.320, 645H.330,
16 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.126,
17 652.228, 653.900, 654.110, 656.105, 657A.510, 661.115, 665.130,
18 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480,
19 675.380, 676A.340, 676A.370, 677.243, 678A.470, 678C.710,
20 678C.800, 679B.122, 679B.124, 679B.152, 679B.159, 679B.190,
21 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410,
22 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306,
23 687A.060, 687A.115, 687B.404, 687C.010, 688C.230, 688C.480,
24 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536,
25 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550,
26 696C.120, 703.196, 704B.325, 706.1725, 706A.230, 710.159,
27 711.600, *and section 6 of this act*, sections 35, 38 and 41 of chapter
28 478, Statutes of Nevada 2011 and section 2 of chapter 391, Statutes
29 of Nevada 2013 and unless otherwise declared by law to be
30 confidential, all public books and public records of a governmental
31 entity must be open at all times during office hours to inspection by
32 any person, and may be fully copied or an abstract or memorandum
33 may be prepared from those public books and public records. Any
34 such copies, abstracts or memoranda may be used to supply the
35 general public with copies, abstracts or memoranda of the records or
36 may be used in any other way to the advantage of the governmental
37 entity or of the general public. This section does not supersede or in
38 any manner affect the federal laws governing copyrights or enlarge,
39 diminish or affect in any other manner the rights of a person in any
40 written book or record which is copyrighted pursuant to federal law.
41 2. A governmental entity may not reject a book or record
42 which is copyrighted solely because it is copyrighted.
43 3. A governmental entity that has legal custody or control of a
44 public book or record shall not deny a request made pursuant to
45 subsection 1 to inspect or copy or receive a copy of a public book or



record on the basis that the requested public book or record contains information that is confidential if the governmental entity can redact, delete, conceal or separate, including, without limitation, electronically, the confidential information from the information included in the public book or record that is not otherwise confidential.

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

(a) The public record:

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

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

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

(1) Give access to proprietary software; or

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

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

(a) Shall not refuse to provide a copy of that public record in the medium that is requested because the officer, employee or agent has already prepared or would prefer to provide the copy in a different medium.

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

Sec. 14. 1. Any disclosure made pursuant to subsection 3 of NRS 398.310, as amended by section 11 of this act, must include any name, image or likeness contract to which the provisions of that subsection apply that was entered into before, on or after January 1, 2024.

2. The aggregate value prescribed by subsection 4 of NRS 398.310, as amended by section 11 of this act, includes the value of any name, image or likeness contract that was entered into before, on or after January 1, 2024.

3. As used in this section, “name, image or likeness contract” has the meaning ascribed to it in section 2 of this act.

Sec. 15. 1. Notwithstanding the amendatory provisions of this act, a person or entity that engages in activity for which registration with the Secretary of State is required by section 3 of



1 this act on or before December 31, 2023, may continue such activity
2 without registering with the Secretary of State until July 1, 2024.

3 2. As used in this section, “name, image or likeness contract”
4 has the meaning ascribed to it in section 2 of this act.

5 **Sec. 16.** NRS 398.330 is hereby repealed.

6 **Sec. 17.** 1. This section becomes effective upon passage and
7 approval.

8 2. Sections 1 to 16, inclusive, of this act become effective:

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

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

13 3. Sections 4 and 5 of this act expire by limitation on the date
14 on which the provisions of 42 U.S.C. § 666 requiring each state to
15 establish procedures under which the state has authority to withhold
16 or suspend, or to restrict the use of professional, occupational and
17 recreational licenses of persons who:

18 (a) Have failed to comply with a subpoena or warrant relating to
19 a proceeding to determine the paternity of a child or to establish or
20 enforce an obligation for the support of a child; or

21 (b) Are in arrears in the payment for the support of one or more
22 children,

23 ➤ are repealed by the Congress of the United States.

TEXT OF REPEALED SECTION

398.330 Disclosure of contracts by prospective student athlete. A prospective student athlete shall disclose any previous or existing contract held by the student athlete that provided or provides for the student athlete to be compensated for the use of the name, image or likeness of the student athlete to an institution before signing a letter of intent with the institution.

