

SENATE BILL NO. 84—SENATOR BUCK

PREFILED JANUARY 26, 2023

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing the confidentiality of the personal information of certain persons. (BDR 20-28)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 confidential information; authorizing certain teachers, instructors and professors and certain retired teachers, instructors and professors to request that certain personal information be kept in a confidential manner; authorizing such persons to request that the Department of Motor Vehicles display an alternate address on a driver's license, commercial driver's license or identification card; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes certain persons 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) The persons authorized to obtain such court orders include justices, judges, certain court personnel, certain peace officers, certain clerks or registrars of voters who perform tasks related to elections, certain district attorneys or attorneys employed by the district attorney or the Office of the Attorney General, certain state or county public defenders, certain employees who perform tasks related to child welfare or child protective services, county managers and certain employees who perform tasks related to code enforcement. Existing law also authorizes the spouse, domestic partner or minor child of any such person and the surviving spouse, domestic partner or minor child of any such person who was killed in the performance of his or her duties to obtain such court orders. (NRS 247.540, 250.140, 293.908) **Sections 1-3** of this bill additionally authorize any teacher, instructor or professor who teaches, or any retired teacher, instructor or professor who previously taught,



in a program of general education, vocational education or rehabilitation for offenders in an institution or facility of the Department of Corrections to obtain such court orders.

Existing law authorizes certain persons to request that the Department of Motor Vehicles display an alternate address on the person's driver's license, commercial driver's license or identification card. (NRS 481.091) **Section 4** of this bill additionally authorizes any teacher, instructor or professor who teaches, or any retired teacher, instructor or professor who previously taught, in a program of general education, vocational education or rehabilitation for offenders in an institution or facility of the Department of Corrections to make such requests.

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

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

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

(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.

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

(e) Any county or city clerk or registrar of voters charged with the powers and duties relating to elections and any deputy appointed by such county or city clerk or registrar of voters in the elections division of the county or city.

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

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

(2) Domestic violence.

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

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

(2) Domestic violence.

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

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

(1) Interacts with the public; and



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

(j) Any county manager in this State.

(k) Any inspector, officer or investigator employed by this State or a political subdivision of this State designated by his or her employer:

(1) Who possesses specialized training in code enforcement;

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

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

(l) *Any teacher, instructor or professor who teaches, or any retired teacher, instructor or professor who previously taught, in a program of general education, vocational education or rehabilitation for offenders in an institution or facility of the Department of Corrections.*

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

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

~~(n)~~ (o) Any person for whom a fictitious address has been issued pursuant to NRS 217.462 to 217.471, inclusive.

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

3. As used in this section:

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

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

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

(d) *"Facility" has the meaning ascribed to it in NRS 209.065.*

(e) *"Institution" has the meaning ascribed to it in NRS 209.071.*

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



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

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

(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.

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

(e) Any county or city clerk or registrar of voters charged with the powers and duties relating to elections and any deputy appointed by such county or city clerk or registrar of voters in the elections division of the county or city.

(f) Any peace officer or retired peace officer.

(g) Any prosecutor.

(h) Any state or county public defender.

(i) Any person employed by the Office of the Attorney General who prosecutes or defends actions on behalf of the State of Nevada or any agency in the Executive Department of the State Government.

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

(k) Any county manager in this State.

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

(m) Any teacher, instructor or professor who teaches, or any retired teacher, instructor or professor who previously taught, in a program of general education, vocational education or rehabilitation for offenders in an institution or facility of the Department of Corrections.

~~(m)~~ (n) The spouse, domestic partner or minor child of a person described in paragraphs (a) to ~~(d)~~ (m), inclusive.

~~(n)~~ (o) The surviving spouse, domestic partner or minor child of a person described in paragraphs (a) to ~~(d)~~ (m), inclusive, who was killed in the performance of his or her duties.

~~(o)~~ (p) Any person for whom a fictitious address has been issued pursuant to NRS 217.462 to 217.471, inclusive.



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

3. As used in this section:

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

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

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

(d) *"Facility" has the meaning ascribed to it in NRS 209.065.*

(e) "Institution" has the meaning ascribed to it in NRS 209.071.

(f) "Peace officer" means:

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

(2) Any person:

(I) Who resides in this State;

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

(III) Who is employed by a law enforcement agency of the Federal Government, including, without limitation, a ranger for the National Park Service and an agent employed by the Federal Bureau of Investigation, Secret Service, United States Department of Homeland Security or United States Department of the Treasury.

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

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

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

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

(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.

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

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

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



1 (2) Domestic violence.

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

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

5 (2) Domestic violence.

6 (g) Any person employed by the Office of the Attorney General
7 who prosecutes or defends actions on behalf of the State of Nevada
8 or any agency in the Executive Department of the State
9 Government.

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

13 (1) Interacts with the public; and

14 (2) Performs tasks related to child welfare services or child
15 protective services or tasks that expose the person to comparable
16 dangers.

17 (i) Any county manager in this State.

18 (j) Any inspector, officer or investigator employed by this State
19 or a political subdivision of this State designated by his or her
20 employer:

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

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

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

26 (k) Any county or city clerk or registrar of voters charged with
27 the powers and duties relating to elections and any deputy appointed
28 by the county or city clerk or registrar of voters in the elections
29 division of the county or city.

30 *(l) Any teacher, instructor or professor who teaches, or any*
31 *retired teacher, instructor or professor who previously taught, in a*
32 *program of general education, vocational education or*
33 *rehabilitation for offenders in an institution or facility of the*
34 *Department of Corrections.*

35 ~~(((m))~~ (m) The spouse, domestic partner or minor child of a person
36 described in paragraphs (a) to ~~(((k))~~ (l), inclusive.

37 ~~(((m))~~ (n) The surviving spouse, domestic partner or minor child
38 of a person described in paragraphs (a) to ~~(((k))~~ (l), inclusive, who
39 was killed in the performance of his or her duties.

40 2. As used in this section:

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

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



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

(d) *"Facility" has the meaning ascribed to it in NRS 209.065.*

(e) *"Institution" has the meaning ascribed to it in NRS 209.071.*

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

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

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

(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.

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

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

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

(2) Domestic violence.

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

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

(2) Domestic violence.

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

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

(1) Interacts with the public; and

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

(i) Any county manager in this State.

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

(1) Who possesses specialized training in code enforcement;

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

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



(k) Any county or city clerk or registrar of voters charged with the powers and duties relating to elections and any deputy appointed by the county or city clerk or registrar of voters in the elections division of the county or city.

(l) Any teacher, instructor or professor who teaches, or any retired teacher, instructor or professor who previously taught, in a program of general education, vocational education or rehabilitation for offenders in an institution or facility of the Department of Corrections.

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

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

~~[(n)]~~ (o) Any person for whom a fictitious address has been issued pursuant to NRS 217.462 to 217.471, inclusive.

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

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

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

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

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

5. As used in this section:

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

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

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

(d) *"Facility" has the meaning ascribed to it in NRS 209.065.*

(e) "Institution" has the meaning ascribed to it in NRS 209.071.

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



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

