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Office of the Governor

June 16, 2023

The Honorable Francisco Aguilar
Nevada Secretary of State
101 North Carson Street
Carson City, Nevada 89701

Re: Assembly Bill 258 of the 82nd Legislative Session

Dear Secretary of State Aguilar:

I am forwarding to you, for filing within the time limit set forth in the Nevada Constitution and without my approval, Assembly Bill 258 ("AB 258") which is titled as follows:

AN ACT relating to governmental administration; requiring, with certain exceptions, a governmental entity to keep confidential certain personal information regarding donors, members or volunteers of a nonprofit organization; prohibiting, with certain exceptions, a governmental entity from requesting or releasing certain personal information regarding donors, members or volunteers of a nonprofit organization; making an appropriation to the Interim Finance Committee for allocation to the Office of the Attorney General to fund certain positions; providing a penalty; and providing other matters properly relating thereto.

Though it is an admirable goal for the government to keep the type of information in AB 258 confidential, this bill goes too far in attempting to ensure this end is accomplished. The bill stipulates a \$2,500 minimum and a \$7,500 maximum damage award for those who allege the government violated the provisions of Section 2, subsections 1 or 2. This is problematic because there is not necessarily any rational relation between the "damages" mandated in the bill and the harm suffered by the complainant. Moreover, and most critically, the bill contains no requirement that the claimant, his or herself, has suffered *any* actual harm as a result of the government's alleged failure to comply with those provisions.

Since this bill stipulates arbitrary damages awards and allows virtually anybody to pursue a claim under its provisions, I cannot support it.

For these reasons, I veto this bill and return it to you without my signature or approval.

Respectfully submitted,



JOE LOMBARDO
Governor of Nevada

Enclosure

cc: The Honorable Stavros Anthony, President of the Senate (without enclosure)
The Honorable Nicole Cannizzaro, Senate Majority Leader (without enclosure)
The Honorable Steve Yeager, Speaker of the Assembly (without enclosure)
Brendan Bucy, Secretary of the Senate (without enclosure)
Susan Furlong, Chief Clerk of the Assembly (without enclosure)
Brenda Erdoes, Esq., Legislative Counsel Bureau, Director (without enclosure)
Bryan Fernley, Esq., Legislative Counsel (without enclosure)