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FIRST REPRINT

A.B. 416

ASSEMBLY BILL NO. 416—ASSEMBLYMEMBERS MILLER, LA RUE
HATCH, ANDERSON, CONSIDINE; GONZÁLEZ AND MOORE

MARCH 12, 2025

Referred to Committee on Judiciary

SUMMARY—Revises provisions concerning access to certain library materials. (BDR 34-925)

FISCAL NOTE: Effect on Local Government: No.
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 education; prohibiting the board of trustees of a school district, the governing body of a charter school, a school employee or a volunteer and certain persons affiliated with a public library from limiting access to library materials under certain circumstances; authorizing the Board of Regents of the University of Nevada to adopt a policy containing such a prohibition; prohibiting certain actions against certain persons which are intended to limit access to library materials; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes a district attorney or city attorney to file a complaint in
2 the district court to have an item or material declared obscene and to enjoin owner
3 and possessor of the item or material from selling, renting, exhibiting, reproducing,
4 manufacturing or distributing it. (NRS 201.241) For these purposes, “obscenity” is
5 defined in existing law as any item, material or performance which: (1) an average
6 person applying contemporary community standards would find, taken as a whole,
7 appeals to prurient interest; (2) taken as a whole, lacks serious literary artistic,
8 political or scientific value; and (3) depicts or describes in a patently offensive way
9 certain sexual acts, excretory functions, sadism or masochism or lewdly exhibits the
10 genitals. (NRS 201.235) **Section 2** of this bill: (1) prohibits the board of trustees of
11 a school district, the governing body of a charter school, a school employee or a
12 volunteer from taking certain actions which limit the access of pupils to library
13 materials of a school library; and (2) sets forth certain circumstances in which
14 access to library materials may be restricted for reasons unrelated to the content of
15 such materials. **Section 2** additionally authorizes a person who meets certain
16 requirements and who objects to the inclusion of any library material in the
17 collection of a school library to petition a court for the removal of the material and



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18 authorizes a court to order the removal of such material if the court determines that
19 the material is obscene, based on a definition of obscenity which is substantially
20 similar to the definition of obscenity in existing law. **Section 3.7** of this bill creates
21 similar provisions governing access to materials in a public library.

22 The Nevada Constitution requires the Nevada Legislature to provide for the
23 establishment of a State University that is controlled by a Board of Regents whose
24 duties are prescribed by law. (Nev. Const. Art. 11, § 4) **Section 3.2** of this bill
25 authorizes the Board of Regents to adopt a policy that prohibits an institution within
26 the Nevada System of Higher Education or an employee of such an institution from
27 limiting the access of students and employees to any library materials of a library at
28 such an institution. **Section 3.2** additionally provides requirements that are similar
29 to those set forth in **section 2** with which such a policy must comply.

30 **Section 3** of this bill makes it a crime, punishable as a category E felony, for
31 any person to use or threaten or attempt to use any force, intimidation, coercion,
32 violence, restraint or undue influence with the intent to: (1) prevent a pupil from
33 using or accessing library materials; or (2) induce or compel the board of trustees of
34 a school district, the governing body of a charter school, a school employee or a
35 volunteer to violate the provisions of **section 2**. **Section 3** further makes it a crime,
36 punishable as a category E felony, for any person to disseminate any personal
37 identifying information or sensitive information of a member of the board of
38 trustees of a school district, a member of the governing body of a charter school, a
39 school employee, a volunteer or a pupil without consent, knowing that the member,
40 employee, volunteer or pupil could be identified by such information, if: (1) the
41 person disseminates such personal identifying information or sensitive information
42 in retaliation for the victim accessing or allowing a pupil to access library materials
43 from a school library with the intent to aid, assist, encourage, facilitate, further or
44 promote any criminal offense which would be reasonably likely to cause death,
45 bodily injury or stalking or with the intent to cause harm to the member, school
46 employee, volunteer or pupil and with knowledge of or reckless disregard for the
47 reasonable likelihood that the dissemination of the information may cause death,
48 bodily injury or stalking; and (2) the dissemination of the personal identifying
49 information or sensitive information would cause a reasonable person to fear the
50 death, bodily injury or stalking of himself or herself or a close relation or causes the
51 death, bodily injury or stalking of the victim whose information was disseminated
52 or a close relation of the victim. **Sections 3.3 and 3.8** of this bill create similar
53 protections for a member of the Board of Regents, an employee of an institution
54 within the System or a student and a member of a governing body of a public
55 library or a library employee, respectively.

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

1 **Section 1.** Chapter 388 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 and 3 of this act.

3 **Sec. 2. 1. Except as otherwise provided in this section, the**
4 **board of trustees of a school district, the governing body of a**
5 **charter school, a school employee or a volunteer shall not limit the**
6 **access of pupils to any library materials of a school library by:**

7 **(a) Removing library materials from the collection of a school**
8 **library or from circulation;**



1 (b) *Moving library materials to other sections of the library or*
2 *school premises for the purpose of concealing the presence of the*
3 *materials;*

4 (c) *Labeling library materials in a manner that indicates that*
5 *the board of trustees of a school district, the governing body of a*
6 *charter school, a school employee or a volunteer finds the content*
7 *of the library materials to be objectionable; or*

8 (d) *Defacing library materials to obscure the contents of the*
9 *library materials or cause the library materials to be removed from*
10 *circulation.*

11 2. *The provisions of subsection 1 do not prohibit a person*
12 *from checking library materials out of a school library pursuant to*
13 *the circulation policies of the school library.*

14 3. *The board of trustees of a school district, the governing*
15 *body of a charter school or an administrator or school library*
16 *media specialist of a school may adopt a rule or policy which has*
17 *the effect of limiting access to library materials by a pupil if:*

18 (a) *The rule or policy:*

19 (1) *Imposes a reasonable restriction as to the time, place*
20 *and manner of accessing library materials;*

21 (2) *Is adopted to preserve the safety and security of library*
22 *materials; or*

23 (3) *Is a maintenance or deaccession policy for the removal*
24 *of library materials which are damaged, duplicative, unused or*
25 *rarely used, in a format which is inaccessible due to obsolescence*
26 *or which are otherwise inconsistent with the collections policy of*
27 *the school library for reasons unrelated to the content of the*
28 *library material; and*

29 (b) *The rule or policy is not based on the content of the library*
30 *materials or the sex, race, national origin, religion, gender identity*
31 *or expression, sexual orientation, physical or mental disability,*
32 *political affiliation or any other distinguishing characteristic or*
33 *background of:*

34 (1) *The subject of the library materials;*

35 (2) *The author of the library materials; or*

36 (3) *The perceived or intended audience for the library*
37 *materials.*

38 4. *A person who objects to the inclusion of any library*
39 *material in the collection of a school library may petition a court*
40 *of competent jurisdiction to order the removal of the library*
41 *material from circulation. A court may order the library material*
42 *to be removed from circulation pursuant to this subsection only if*
43 *the court determines that the material is obscene. A person may*
44 *only petition a court pursuant to this subsection if the person:*



1 (a) *Resides in the school district in which the school library*
2 *which contains the contested library materials is located; and*

3 (b) *Is the parent or legal guardian of a pupil enrolled in the*
4 *school in which the school library which contains the contested*
5 *library materials is located.*

6 5. *The board of trustees of a school district and the governing*
7 *body of a charter school shall maintain a list of all of the library*
8 *materials which have been ordered to be removed from circulation*
9 *from a school library within the school district or charter school*
10 *pursuant to subsection 4 and make the list available to any school*
11 *employee who is involved in the selection and purchase of*
12 *materials for the collection of a school library within the school*
13 *district or charter school.*

14 6. *A school employee or a volunteer shall not be dismissed,*
15 *disciplined, demoted, involuntarily transferred, retaliated against,*
16 *investigated, fined or imprisoned for the selection, display or*
17 *circulation of library materials in accordance with the provisions*
18 *of this section, including, without limitation, in a library,*
19 *classroom or other instructional setting.*

20 7. *As used in this section:*

21 (a) *“Community” means the area from which a jury is or*
22 *would be selected for the court in which an action is brought*
23 *pursuant to subsection 4.*

24 (b) *“Library materials” includes, without limitation, books,*
25 *periodicals, pamphlets, journals, newspapers, audio materials,*
26 *audiovisual materials, instructional materials, maps, databases,*
27 *government documents, records, photographs and any materials*
28 *used for instruction.*

29 (c) *“Obscene” means any material which:*

30 (1) *An average person applying contemporary community*
31 *standards would find, taken as a whole, appeals to prurient*
32 *interest;*

33 (2) *Taken as a whole, lacks serious literary, artistic,*
34 *political or scientific value; and*

35 (3) *Does one of the following:*

36 (I) *Depicts or describes in a patently offensive way*
37 *ultimate sexual acts, normal or perverted, actual or simulated.*

38 (II) *Depicts or describes in a patently offensive way*
39 *masturbation, excretory functions, sadism or masochism.*

40 (III) *Lewdly exhibits the genitals.*

41 (d) *“School employee” means a licensed or unlicensed person,*
42 *including, without limitation, a teacher, administrator or school*
43 *library media specialist, employed by a school, including, without*
44 *limitation, a charter school.*



1 (e) "Volunteer" means any person who, without
2 compensation, works at, assists with or oversees any activity or
3 event conducted or sponsored by a public school during or outside
4 of school hours, including, without limitation, a person who works
5 in or oversees a school library.

6 **Sec. 3. 1.** It is unlawful for any person to use or threaten or
7 attempt to use any force, intimidation, coercion, violence, restraint
8 or undue influence with the intent to:

9 (a) Prevent a pupil from using or accessing library materials;
10 or

11 (b) Induce or compel the board of trustees of a school district,
12 the governing body of a charter school, a school employee or a
13 volunteer to violate the provisions of section 2 of this act.

14 2. The provisions of subsection 1 apply regardless of whether
15 a person uses or threatens or attempts to use force, intimidation,
16 coercion, violence, restraint or undue influence on school property
17 or at a location other than on school property.

18 3. It is unlawful for a person to disseminate any personal
19 identifying information or sensitive information of a member of
20 the board of trustees of a school district, a member of the
21 governing body of a charter school, a school employee, a volunteer
22 or a pupil without the consent of the member, school employee,
23 volunteer or the parent or legal guardian of the pupil, as
24 applicable, knowing that the member, school employee, volunteer
25 or pupil could be identified by such information, if:

26 (a) The person disseminates such personal identifying
27 information in retaliation for the victim accessing or allowing a
28 pupil to access library materials from a school library and:

29 (1) With the intent to aid, assist, encourage, facilitate,
30 further or promote any criminal offense which would be
31 reasonably likely to cause death, bodily injury or stalking; or

32 (2) With the intent to cause harm to the member, school
33 employee, volunteer or pupil and with knowledge of or reckless
34 disregard for the reasonable likelihood that the dissemination of
35 the information may cause death, bodily injury or stalking; and

36 (b) The dissemination of the personal identifying information
37 or sensitive information:

38 (1) Would cause a reasonable person to fear the death,
39 bodily injury or stalking of himself or herself or a close relation;
40 or

41 (2) Causes the death, bodily injury or stalking of the
42 member, school employee, volunteer or pupil whose information
43 was disseminated or a close relation of the member, school
44 employee, volunteer or pupil.



1 4. A person who violates the provisions of subsection 1 or 3 is
2 guilty of a category E felony and shall be punished as provided in
3 NRS 193.130.

4 5. As used in this section:

5 (a) "Close relation" means a current or former spouse or
6 domestic partner, parent, child, sibling, stepparent, grandparent or
7 any person who regularly resides in the household or who, within
8 the immediately preceding 6 months, regularly resided in the
9 household.

10 (b) "Personal identifying information" has the meaning
11 ascribed to it in NRS 205.4617.

12 (c) "School employee" means a licensed or unlicensed person,
13 including, without limitation, a teacher, administrator or school
14 library media specialist, employed by a school, including, without
15 limitation, a charter school.

16 (d) "Sensitive information" has the meaning ascribed to it in
17 NRS 41.1347.

18 (e) "Stalking" means a violation of NRS 200.575.

19 (f) "Volunteer" has the meaning ascribed to it in section 1 of
20 this act.

21 **Sec. 3.1.** Chapter 396 of NRS is hereby amended by adding
22 thereto the provisions set forth as sections 3.2 and 3.3 of this act.

23 **Sec. 3.2. 1.** *The Board of Regents may adopt a policy that*
24 *prohibits an institution within the System or an employee of such*
25 *an institution from limiting the access of students and employees*
26 *to any library materials of a library at an institution within the*
27 *System. A policy adopted pursuant to this section:*

28 (a) *Shall, except as otherwise provided in this section, provide*
29 *that such access may not be limited by:*

30 (1) *Removing library materials from the collection of a*
31 *library or from circulation;*

32 (2) *Moving library materials to other sections of the library*
33 *or premises for the purpose of concealing the presence of the*
34 *materials;*

35 (3) *Labeling library materials in a manner that indicates*
36 *that the Board of Regents, the administration of the institution or*
37 *an employee of the institution finds the content of the library*
38 *materials to be objectionable; or*

39 (4) *Defacing library materials to obscure the contents of the*
40 *library materials or cause the library materials to be removed from*
41 *circulation.*

42 (b) *Shall not prohibit a person from checking library materials*
43 *out of a library pursuant to the circulation policies of the library.*

44 (c) *Shall include provisions that allow an institution within the*
45 *System or an employee of such an institution to limit the access of*



1 *students to library materials of a library at an institution within*
2 *the System if:*

3 (1) *The limitation on access is:*

4 (I) *A reasonable restriction as to the time, place and*
5 *manner of accessing library materials;*

6 (II) *Adopted to preserve the safety and security of*
7 *library materials; or*

8 (III) *Pursuant to a maintenance and deaccession policy*
9 *for the removal of library materials which are damaged,*
10 *duplicative, unused or rarely used, in a format which is*
11 *inaccessible due to obsolescence or which are otherwise*
12 *inconsistent with the collections policy of the library for reasons*
13 *unrelated to the content of the library material; and*

14 (2) *The limitation on access is not based on the content of*
15 *the library materials or the sex, race, national origin, religion,*
16 *gender identity or expression, sexual orientation, physical or*
17 *mental disability, political affiliation or any other distinguishing*
18 *characteristic or background of:*

19 (I) *The subject of the library materials;*

20 (II) *The author of the library materials; or*

21 (III) *The perceived or intended audience for the library*
22 *materials.*

23 (d) *Shall provide that the only method for a person who objects*
24 *to the inclusion of any library material in the collection of a*
25 *library to obtain the removal of the library material is to follow the*
26 *procedure set forth in subsection 2.*

27 (e) *Shall require the Board of Regents to maintain a list of all*
28 *the library materials which have been removed from circulation*
29 *from a library of an institution within the System pursuant to*
30 *subsection 2 and make the list available to any employee of such*
31 *an institution who is involved in the selection and purchase of*
32 *materials for the collection of a library of an institution within the*
33 *System.*

34 (f) *Shall include provisions that prohibit the dismissal,*
35 *disciplining, involuntary transfer or reassignment of an employee*
36 *of an institution within the System for the selection, display or*
37 *circulation of library materials in accordance with the provisions*
38 *of the policy adopted pursuant to this section.*

39 2. *A person who objects to the inclusion of any library*
40 *material in the collection of a library of an institution within the*
41 *System may petition a court of competent jurisdiction to order the*
42 *removal of the library material from circulation. A court may*
43 *order the library material to be removed from circulation pursuant*
44 *to this subsection only if the court determines that the material is*
45 *obscene. A person may only petition a court pursuant to this*



1 *subsection if the person is enrolled in the institution or is an*
2 *employee of the institution.*

3 3. *An employee of an institution within the System shall not*
4 *be fined or imprisoned for the selection, display or circulation of*
5 *library materials in accordance with any policy adopted by the*
6 *Board of Regents pursuant to this section.*

7 4. *As used in this section:*

8 (a) *“Community” means the area from which a jury is or*
9 *would be selected for the court in which an action is brought*
10 *pursuant to subsection 2.*

11 (b) *“Library employee” means an employee of an institution*
12 *within the System whose primary duties relate to the management*
13 *and function of a library of an institution within the System.*

14 (c) *“Library materials” includes, without limitation, books,*
15 *periodicals, pamphlets, journals, newspapers, audio materials,*
16 *audiovisual materials, instructional materials, maps, databases,*
17 *government documents, records and photographs.*

18 (d) *“Obscene” means any material which:*

19 (1) *An average person applying contemporary community*
20 *standards would find, taken as a whole, appeals to prurient*
21 *interest;*

22 (2) *Taken as a whole, lacks serious literary, artistic,*
23 *political or scientific value; and*

24 (3) *Does one of the following:*

25 (I) *Depicts or describes in a patently offensive way*
26 *ultimate sexual acts, normal or perverted, actual or simulated.*

27 (II) *Depicts or describes in a patently offensive way*
28 *masturbation, excretory functions, sadism or masochism.*

29 (III) *Lewdly exhibits the genitals.*

30 **Sec. 3.3.** 1. *It is unlawful for any person to use or threaten*
31 *or attempt to use any force, intimidation, coercion, violence,*
32 *restraint or undue influence with the intent to:*

33 (a) *Prevent a student or employee of an institution within the*
34 *System from using or accessing library materials; or*

35 (b) *Induce or compel the Board of Regents or an employee of*
36 *an institution within the System to violate the provisions of a*
37 *policy adopted pursuant to section 3.2 of this act.*

38 2. *The provisions of subsection 1 apply regardless of whether*
39 *a person uses or threatens or attempts to use force, intimidation,*
40 *coercion, violence, restraint or undue influence on property owned*
41 *or used by the System or at another location.*

42 3. *It is unlawful for a person to disseminate any personal*
43 *identifying information or sensitive information of a member of*
44 *the Board of Regents, an employee of an institution within the*
45 *System or a student without the consent of the member, employee*



1 or student, as applicable, knowing that the member, employee or
2 student could be identified by such information if:

3 (a) The person disseminates such personal identifying
4 information in retaliation for the victim accessing or allowing a
5 student or employee to access library materials from the library of
6 an institution within the System and:

7 (1) With the intent to aid, assist, encourage, facilitate,
8 further or promote any criminal offense which would be
9 reasonably likely to cause death, bodily injury or stalking; or

10 (2) With the intent to cause harm to the member, employee
11 or student and with knowledge or reckless disregard for the
12 reasonable likelihood that the dissemination of the information
13 may cause death, bodily injury or stalking; and

14 (b) The dissemination of the personal identifying information
15 or sensitive information:

16 (1) Would cause a reasonable person to fear the death,
17 bodily injury or stalking of himself or herself or a close relation;
18 or

19 (2) Causes the death, bodily injury or stalking of the
20 member, employee or student whose information was disseminated
21 or a close relation of the member, employee or student.

22 4. A person who violates the provisions of subsection 1 or 3 is
23 guilty of a category E felony and shall be punished as provided in
24 NRS 193.130.

25 5. As used in this section:

26 (a) "Close relation" means a current or former spouse or
27 domestic partner, parent, child, sibling, stepparent, grandparent or
28 any person who regularly resides in the household or who, within
29 the immediately preceding 6 months, regularly resided in the
30 household.

31 (b) "Personal identifying information" has the meaning
32 ascribed to it in NRS 205.4617.

33 (c) "Sensitive information" has the meaning ascribed to it in
34 NRS 41.1347.

35 (d) "Stalking" means a violation of NRS 200.575.

36 **Sec. 3.6.** Chapter 379 of NRS is hereby amended by adding
37 thereto the provisions set forth as sections 3.7 and 3.8 of this act.

38 **Sec. 3.7.** 1. Except as otherwise provided in this section, the
39 governing body of a public library, a library employee or a
40 municipality shall not limit the access of a person to any library
41 materials of a public library by:

42 (a) Removing library materials from the collection of a library
43 or from circulation;

44 (b) Moving library materials to other sections of the library for
45 the purpose of concealing the presence of the materials;



1 (c) Labeling library materials in a manner that indicates that the
2 governing body of the public library, a library employee or a
3 municipality finds the content of the library materials to be
4 objectionable; or

5 (d) Defacing library materials to obscure the contents of the
6 library materials or cause the library materials to be removed from
7 circulation.

8 2. The provisions of subsection 1 do not prohibit a person from
9 checking library materials out of a public library pursuant to the
10 circulation policies of the public library.

11 3. The governing body of a public library may adopt a rule or
12 policy which has the effect of limiting access to library materials by
13 a person if:

14 (a) The rule or policy:

15 (1) Imposes a reasonable restriction as to the time, place and
16 manner of accessing library materials;

17 (2) Is adopted to preserve the safety and security of library
18 materials; or

19 (3) Is a maintenance or deaccession policy for the removal of
20 library materials which are damaged, duplicative, unused or rarely
21 used, in a format which is inaccessible due to obsolescence or which
22 are otherwise inconsistent with the collections policy of the public
23 library for reasons unrelated to the content of the library material;
24 and

25 (b) The rule or policy is not based on the content of the library
26 materials or the sex, race, national origin, religion, gender identity
27 or expression, sexual orientation, physical or mental disability,
28 political affiliation or any other distinguishing characteristic or
29 background of:

30 (1) The subject of the library materials;

31 (2) The author of the library materials; or

32 (3) The perceived or intended audience for the library
33 materials.

34 4. A person who objects to the inclusion of any library material
35 in the collection of a public library may petition a court of
36 competent jurisdiction to order the removal of the library material
37 from circulation. A court may order the library material to be
38 removed from circulation pursuant to this subsection only if the
39 court determines that the material is obscene. A person may only
40 petition a court pursuant to this subsection if the person is a resident
41 of the municipality served by the public library.

42 5. The governing body of a public library shall maintain a list
43 of all the library materials which have been removed from
44 circulation from the public library pursuant to subsection 4 and
45 make the list available to any library employee who is involved in



1 the selection and purchase of materials for the collection of a public
2 library.

3 6. A library employee shall not be dismissed, disciplined,
4 demoted, involuntarily transferred, retaliated against, investigated,
5 fined or imprisoned for the selection, display or circulation of
6 library materials in accordance with the provisions of this section.

7 7. As used in this section:

8 (a) "Community" means the area from which a jury is or would
9 be selected for the court in which an action is brought pursuant to
10 subsection 4.

11 (b) "Governing body" means the trustees of a consolidated,
12 county or district library, the governing authority of a city library,
13 the regional library board of a regional library or any other
14 executive body which governs the operations of a public library.

15 (c) "Library employee" means a librarian employed by the
16 public library or a staff member employed by a public library who is
17 not a librarian.

18 (d) "Library materials" includes, without limitation, books,
19 periodicals, pamphlets, journals, newspapers, audio materials,
20 audiovisual materials, instructional materials, maps, databases,
21 government documents, records and photographs.

22 (e) "Municipality" means a county, district, city, town or other
23 political subdivision served by a public library.

24 (f) "Obscene" means any material which:

25 (1) An average person applying contemporary community
26 standards would find, taken as a whole, appeals to prurient interest;

27 (2) Taken as a whole, lacks serious literary, artistic, political
28 or scientific value; and

29 (3) Does one of the following:

30 (I) Depicts or describes in a patently offensive way
31 ultimate sexual acts, normal or perverted, actual or simulated.

32 (II) Depicts or describes in a patently offensive way
33 masturbation, excretory functions, sadism or masochism.

34 (III) Lewdly exhibits the genitals.

35 **Sec. 3.8.** 1. It is unlawful for any person to use or threaten or
36 attempt to use any force, intimidation, coercion, violence, restraint
37 or undue influence with the intent to:

38 (a) Prevent a person from using or accessing library materials;
39 or

40 (b) Induce or compel the governing body of a public library or a
41 library employee to violate the provisions of section 3.7 of this act.

42 2. The provisions of subsection 1 apply regardless of whether a
43 person uses or threatens or attempts to use force, intimidation,
44 coercion, violence, restraint or undue influence on property owned
45 or used by the public library or at another location.



1 3. It is unlawful for a person to disseminate any personal
2 identifying information or sensitive information of a member of the
3 governing body of a public library or a library employee without
4 the consent of the member or employee, as applicable, knowing that
5 the member or employee could be identified by such information if:

6 (a) The person disseminates such personal identifying
7 information in retaliation for the victim accessing or allowing a
8 person to access library materials from the public library and:

9 (1) With the intent to aid, assist, encourage, facilitate, further
10 or promote any criminal offense which would be reasonably likely
11 to cause death, bodily injury or stalking; or

12 (2) With the intent to cause harm to the member or employee
13 and with knowledge or reckless disregard for the reasonable
14 likelihood that the dissemination of the information may cause
15 death, bodily injury or stalking; and

16 (b) The dissemination of the personal identifying information or
17 sensitive information:

18 (1) Would cause a reasonable person to fear the death, bodily
19 injury or stalking of himself or herself or a close relation; or

20 (2) Causes the death, bodily injury or stalking of the member
21 or employee whose information was disseminated or a close relation
22 of the member or employee.

23 4. A person who violates the provisions of subsection 1 or 3 is
24 guilty of a category E felony and shall be punished as provided in
25 NRS 193.130.

26 5. As used in this section:

27 (a) "Close relation" means a current or former spouse or
28 domestic partner, parent, child, sibling, stepparent, grandparent or
29 any person who regularly resides in the household or who, within
30 the immediately preceding 6 months, regularly resided in the
31 household.

32 (b) "Governing body" has the meaning ascribed to it in section
33 3.7 of this act.

34 (c) "Library employee" means a librarian employed by the
35 public library or a staff member employed by a public library who is
36 not a librarian.

37 (d) "Personal identifying information" has the meaning ascribed
38 to it in NRS 205.4617.

39 (e) "Sensitive information" has the meaning ascribed to it in
40 NRS 41.1347.

41 (f) "Stalking" means a violation of NRS 200.575.

42 **Sec. 4.** This act becomes effective upon passage and approval.

