

Amendment No. 404

Assembly Amendment to Assembly Bill No. 416

(BDR 34-925)

Proposed by: Assembly Committee on Judiciary

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

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. 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 in public schools. (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, ~~for~~ a school employee or a volunteer and certain persons affiliated with a public library from limiting access to library materials ~~by pupils~~ 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 ~~the members of the board of trustees of a school district, the members of the governing body of a charter school, school employees, pupils and~~ certain ~~other~~ persons which are intended to limit access to library materials ; by pupils; 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 the district
2 court to have an item or material declared obscene and to enjoin owner and possessor of the
3 item or material from selling, renting, exhibiting, reproducing, manufacturing or distributing
4 it. (NRS 201.241) For these purposes, “obscenity” is defined in existing law as any item,
5 material or performance which: (1) an average person applying contemporary community
6 standards would find, taken as a whole, appeals to prurient interest; (2) taken as a whole, lacks
7 serious literary artistic, political or scientific value; and (3) depicts or describes in a patently
8 offensive way certain sexual acts, excretory functions, sadism or masochism or lewdly
9 exhibits the genitals. (NRS 201.235) **Section 2** of this bill: (1) prohibits the board of trustees
10 of a school district, the governing body of a charter school, ~~for~~ a school employee or a
11 volunteer from taking certain actions which limit the access of pupils to library materials of a
12 school library; and (2) sets forth certain circumstances in which access to library materials
13 may be restricted for reasons unrelated to the content of such materials. **Section 2** additionally
14 authorizes a person who meets certain requirements and who objects to the inclusion of any
15 library material in the collection of a school library to petition a court for the removal of the
16 material and authorizes a court to order the removal of such material if the court determines
17 that the material is obscene, based on a definition of obscenity which is substantially similar to
18 the definition of obscenity in existing law. Section 3.7 of this bill creates similar provisions
19 governing access to materials in a public library.

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

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

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

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

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

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

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

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

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

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

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

5 (a) The rule or policy:

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

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

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

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

18 (1) The subject of the library materials;

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

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

21 4. A person who objects to the inclusion of any library material in the
22 collection of a school library may petition a court of competent jurisdiction to
23 order the removal of the library material from circulation. A court may order the
24 library material to be removed from circulation pursuant to this subsection only if
25 the court determines that the material is obscene. A person may only petition a
26 court pursuant to this subsection if the person:

27 (a) Resides in the school district in which the school library which contains
28 the contested library materials is located; and

29 (b) Is the parent or legal guardian of a pupil enrolled in the school in which
30 the school library which contains the contested library materials is located.

31 5. The board of trustees of a school district and the governing body of a
32 charter school shall maintain a list of all of the library materials which have been
33 ordered to be removed from circulation from a school library within the school
34 district or charter school pursuant to subsection 4 and make the list available to
35 any school employee who is involved in the selection and purchase of materials
36 for the collection of a school library within the school district or charter school.

37 6. A school employee or a volunteer shall not be dismissed, disciplined,
38 demoted, involuntarily transferred, retaliated against, investigated, fined or
39 imprisoned for the selection, display or circulation of library materials in
40 accordance with the provisions of this section ~~and~~, including, without limitation,
41 in a library, classroom or other instructional setting.

42 7. As used in this section:

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

45 (b) "Library materials" includes, without limitation, books, periodicals,
46 pamphlets, journals, newspapers, audio materials, audiovisual materials,
47 instructional materials, maps, databases, government documents, records, ~~and~~
48 photographs ~~and~~ and any materials used for instruction.

49 (c) "Obscene" means any material which:

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

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

1 (3) Does one of the following:

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

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

6 (III) Lewdly exhibits the genitals.

7 (d) "School employee" means a licensed or unlicensed person, including,
8 without limitation, a teacher, administrator or school library media specialist,
9 employed by a school, including, without limitation, a charter school.

10 (e) "Volunteer" means any person who, without compensation, works at,
11 assists with or oversees any activity or event conducted or sponsored by a public
12 school during or outside of school hours, including, without limitation, a person
13 who works in or oversees a school library.

14 Sec. 3. 1. It is unlawful for any person to use or threaten or attempt to
15 use any force, intimidation, coercion, violence, restraint or undue influence with
16 the intent to:

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

18 (b) Induce or compel the board of trustees of a school district, the governing
19 body of a charter school, ~~for~~ a school employee or a volunteer to violate the
20 provisions of section 2 of this act.

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

25 3. It is unlawful for a person to disseminate any personal identifying
26 information or sensitive information of a member of the board of trustees of a
27 school district, a member of the governing body of a charter school, a school
28 employee, a volunteer or a pupil without the consent of the member, school
29 employee, volunteer or the parent or legal guardian of the pupil, as applicable,
30 knowing that the member, school employee, volunteer or pupil could be
31 identified by such information, if:

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

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

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

42 (b) The dissemination of the personal identifying information or sensitive
43 information:

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

46 (2) Causes the death, bodily injury or stalking of the member, school
47 employee, volunteer or pupil whose information was disseminated or a close
48 relation of the member, school employee, volunteer or pupil.

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

51 5. As used in this section:

52 (a) "Close relation" means a current or former spouse or domestic partner,
53 parent, child, sibling, stepparent, grandparent or any person who regularly

1 *resides in the household or who, within the immediately preceding 6 months,*
2 *regularly resided in the household.*

3 (b) *“Personal identifying information” has the meaning ascribed to it in*
4 *NRS 205.4617.*

5 (c) *“School employee” means a licensed or unlicensed person , including,*
6 *without limitation, a teacher, administrator or school library media specialist,*
7 *employed by a school, including, without limitation, a charter school.*

8 (d) *“Sensitive information” has the meaning ascribed to it in NRS 41.1347.*

9 (e) *“Stalking” means a violation of NRS 200.575.*

10 (f) *“Volunteer” has the meaning ascribed to it in section 1 of this act.*

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

13 Sec. 3.2. 1. The Board of Regents may adopt a policy that prohibits an
14 institution within the System or an employee of such an institution from limiting
15 the access of students and employees to any library materials of a library at an
16 institution within the System. A policy adopted pursuant to this section:

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

19 (1) Removing library materials from the collection of a library or from
20 circulation;

21 (2) Moving library materials to other sections of the library or premises
22 for the purpose of concealing the presence of the materials;

23 (3) Labeling library materials in a manner that indicates that the Board
24 of Regents, the administration of the institution or an employee of the institution
25 finds the content of the library materials to be objectionable; or

26 (4) Defacing library materials to obscure the contents of the library
27 materials or cause the library materials to be removed from circulation.

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

30 (c) Shall include provisions that allow an institution within the System or an
31 employee of such an institution to limit the access of students to library materials
32 of a library at an institution within the System if:

33 (1) The limitation on access is:

34 (I) A reasonable restriction as to the time, place and manner of
35 accessing library materials;

36 (II) Adopted to preserve the safety and security of library materials;
37 or

38 (III) Pursuant to a maintenance and deaccession policy for the
39 removal of library materials which are damaged, duplicative, unused or rarely
40 used, in a format which is inaccessible due to obsolescence or which are
41 otherwise inconsistent with the collections policy of the library for reasons
42 unrelated to the content of the library material; and

43 (2) The limitation on access is not based on the content of the library
44 materials or the sex, race, national origin, religion, gender identity or expression,
45 sexual orientation, physical or mental disability, political affiliation or any other
46 distinguishing characteristic or background of:

47 (I) The subject of the library materials;

48 (II) The author of the library materials; or

49 (III) The perceived or intended audience for the library materials.

50 (d) Shall provide that the only method for a person who objects to the
51 inclusion of any library material in the collection of a library to obtain the
52 removal of the library material is to follow the procedure set forth in subsection
53 2.

1 (e) Shall require the Board of Regents to maintain a list of all the library
2 materials which have been removed from circulation from a library of an
3 institution within the System pursuant to subsection 2 and make the list available
4 to any employee of such an institution who is involved in the selection and
5 purchase of materials for the collection of a library of an institution within the
6 System.

7 (f) Shall include provisions that prohibit the dismissal, disciplining,
8 involuntary transfer or reassignment of an employee of an institution within the
9 System for the selection, display or circulation of library materials in accordance
10 with the provisions of the policy adopted pursuant to this section.

11 2. A person who objects to the inclusion of any library material in the
12 collection of a library of an institution within the System may petition a court of
13 competent jurisdiction to order the removal of the library material from
14 circulation. A court may order the library material to be removed from
15 circulation pursuant to this subsection only if the court determines that the
16 material is obscene. A person may only petition a court pursuant to this
17 subsection if the person is enrolled in the institution or is an employee of the
18 institution.

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

23 4. As used in this section:

24 (a) "Community" means the area from which a jury is or would be selected
25 for the court in which an action is brought pursuant to subsection 2.

26 (b) "Library employee" means an employee of an institution within the
27 System whose primary duties relate to the management and function of a library
28 of an institution within the System.

29 (c) "Library materials" includes, without limitation, books, periodicals,
30 pamphlets, journals, newspapers, audio materials, audiovisual materials,
31 instructional materials, maps, databases, government documents, records and
32 photographs.

33 (d) "Obscene" means any material which:

34 (I) An average person applying contemporary community standards
35 would find, taken as a whole, appeals to prurient interest;

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

38 (3) Does one of the following:

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

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

43 (III) Lewdly exhibits the genitals.

44 Sec. 3.3. 1. It is unlawful for any person to use or threaten or attempt to
45 use any force, intimidation, coercion, violence, restraint or undue influence with
46 the intent to:

47 (a) Prevent a student or employee of an institution within the System from
48 using or accessing library materials; or

49 (b) Induce or compel the Board of Regents or an employee of an institution
50 within the System to violate the provisions of a policy adopted pursuant to section
51 3.2 of this act.

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

4 3. It is unlawful for a person to disseminate any personal identifying
5 information or sensitive information of a member of the Board of Regents, an
6 employee of an institution within the System or a student without the consent of
7 the member, employee or student, as applicable, knowing that the member,
8 employee or student could be identified by such information if:

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

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

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

18 (b) The dissemination of the personal identifying information or sensitive
19 information:

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

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

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

27 5. As used in this section:

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

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

34 (c) "Sensitive information" has the meaning ascribed to it in 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 thereto the
37 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 governing
39 body of a public library, a library employee or a municipality shall not limit the
40 access of a person to any library materials of a public library by:

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

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

45 (c) Labeling library materials in a manner that indicates that the governing
46 body of the public library, a library employee or a municipality finds the content
47 of the library materials to be objectionable; or

48 (d) Defacing library materials to obscure the contents of the library materials
49 or cause the library materials to be removed from circulation.

50 2. The provisions of subsection 1 do not prohibit a person from checking
51 library materials out of a public library pursuant to the circulation policies of the
52 public library.

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

3 (a) The rule or policy:

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

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

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

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

16 (1) The subject of the library materials;

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

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

19 4. A person who objects to the inclusion of any library material in the
20 collection of a public library may petition a court of competent jurisdiction to
21 order the removal of the library material from circulation. A court may order the
22 library material to be removed from circulation pursuant to this subsection only if
23 the court determines that the material is obscene. A person may only petition a
24 court pursuant to this subsection if the person is a resident of the municipality
25 served by the public library.

26 5. The governing body of a public library shall maintain a list of all the
27 library materials which have been removed from circulation from the public
28 library pursuant to subsection 4 and make the list available to any library
29 employee who is involved in the selection and purchase of materials for the
30 collection of a public library.

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

35 7. As used in this section:

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

38 (b) "Governing body" means the trustees of a consolidated, county or district
39 library, the governing authority of a city library, the regional library board of a
40 regional library or any other executive body which governs the operations of a
41 public library.

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

44 (d) "Library materials" includes, without limitation, books, periodicals,
45 pamphlets, journals, newspapers, audio materials, audiovisual materials,
46 instructional materials, maps, databases, government documents, records and
47 photographs.

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

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

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

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

3 (3) Does one of the following:

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

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

8 (III) Lewdly exhibits the genitals.

9 Sec. 3.8. 1. It is unlawful for any person to use or threaten or attempt to
10 use any force, intimidation, coercion, violence, restraint or undue influence with
11 the intent to:

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

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

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

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

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

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

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

33 (b) The dissemination of the personal identifying information or sensitive
34 information:

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

37 (2) Causes the death, bodily injury or stalking of the member or
38 employee whose information was disseminated or a close relation of the member
39 or employee.

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

42 5. As used in this section:

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

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

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

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

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

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

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