SENATE BILL NO. 74–COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE ATTORNEY GENERAL)

PREFILED NOVEMBER 17, 2026

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to meetings of public bodies. (BDR 19-550)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: May have Fiscal Impact.
Effect on the State Highway Fund: No.

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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 meetings of public bodies; authorizing a public body to hold a closed meeting to discuss certain matters relating to critical infrastructure and public safety; authorizing, under certain circumstances, an advisory public body to make a video or audio recording of a meeting in lieu of written minutes; providing that the term "deliberate" does not include the discussion of public comment under certain circumstances; revising provisions for notice of certain meetings; providing that disclosure of information to the Attorney General as part of an investigation relating to an alleged violation of the Open Meeting Law does not waive any privilege or waive the confidential status of the information; making various other changes relating to the Open Meeting Law; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under the Open Meeting Law, all meetings of public bodies must be open and public unless a specific statute authorizes a public body to hold a closed meeting. (NRS 241.020) **Section 2** of this bill authorizes a public body to hold a closed meeting to discuss matters within the jurisdiction and control of the public body relating to critical infrastructure or public safety if necessary to protect the public health and welfare.

The legislative intent of the Open Meeting Law is that public bodies are generally required to openly deliberate and take action. (NRS 241.010) With certain

exceptions, the Open Meeting Law requires meetings to be open and public so that public bodies do not deliberate or act outside of an open and public meeting upon a matter over which the public body has supervision, control, jurisdiction or advisory powers. (NRS 241.016, 241.020) **Section 4** of this bill revises the definition of "deliberate" in order to allow a public body to discuss public comment on a matter that is not on the agenda of a meeting so long as the public body does not examine, weigh or reflect upon any action that the public body could take on the matter.

The Open Meeting Law defines a "public body" to include of a subcommittee or working group consisting of at least two persons who are appointed by certain public bodies if: (1) a majority of the membership of the subcommittee or working group are members or staff members of the public body that appointed the subcommittee; or (2) the subcommittee or working group is authorized by the public body to make a recommendation to the public body for the public body to take any action. (NRS 241.015) **Section 4** of this bill provides instead that a public body includes a subcommittee consisting of at least two persons who are appointed by certain public bodies if at least one member of the subcommittee is a member of the public body that appointed the subcommittee.

The Open Meeting Law prohibits a public body from holding a meeting to consider the character, alleged misconduct, professional competence, or physical or mental health of any person or to consider an appeal by a person of the results of an examination conducted by or on behalf of the public body unless it has: (1) given written notice to that person of the time and place of the meeting; and (2) received proof of service of the notice. Such written notice may be: (1) delivered personally; (2) sent by certified mail; (3) delivered to the person's attorney under certain circumstances; or (4) delivered to the person's place of employment under certain circumstances. (NRS 241.033) **Section 5** of this bill provides that such notice may, under certain circumstances, be sent to the person's electronic mail address. **Section 5** deems that a person receives written notice sent by certified mail if the written notice was delivered to the last known address of the person, regardless of whether the person signed for the receipt of the certified mail. **Section 5** also deems that a public body satisfies the notice requirements under certain circumstances if the person intentionally evades receiving written notice by refusing to accept personal service or sign for delivery by certified mail.

The Open Meeting Law prohibits a public body from holding a meeting to consider whether to take administrative action against a person unless the public body has given written notice to that person of the time and place of the meeting. Such written notice may be: (1) delivered personally; (2) sent by certified mail; (3) delivered to the person's attorney under certain circumstances; or (4) delivered to the person's place of employment under certain circumstances. (NRS 241.0333) **Section 6** of this bill provides that such notice may, under certain circumstances, be sent to the person's electronic mail address. **Section 6** deems that a person receives written notice sent by certified mail if the written notice was delivered to the last known address of the person, regardless of whether the person signed for the receipt of the certified mail. **Section 6** also deems that a public body satisfies the notice requirements under certain circumstances if the person intentionally evades receiving written notice by refusing to accept personal service or sign for delivery by certified mail.

The Open Meeting Law requires each public body to keep written minutes of each of its meetings. (NRS 241.035) **Sections 3 and 7** of this bill create an exception to this requirement for an advisory public body if the advisory public body: (1) affirmatively elects, in a manner determined by the public body to which the advisory public body provides recommendations or advice, to comply with provisions of alternative notice; (2) makes a video or audio recording of the meeting; (3) provides in writing certain information relating to items listed on the agenda as "for possible action" or "for possible corrective action"; and (4) posts

the recording and the written material on an Internet website not later than 5 business days after the meeting adjourns.

Existing law provides that when a complaint alleging a violation of the Open Meeting Law by a public body is made to the Office of the Attorney General, the Attorney General may conduct an investigation and issue subpoenas for the production of relevant documents, which are considered confidential until the investigation is closed. (NRS 241.039) **Section 8** of this bill provides that the disclosure of information to the Attorney General as part of such an investigation does not waive any privilege or waive the confidential status of the information.

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

Section 1. Chapter 241 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. ***1. A public body may hold a closed meeting to discuss matters within the jurisdiction and control of the public body relating to critical infrastructure or public safety if necessary to protect the public health and welfare.***

2. A public body may close a meeting pursuant to subsection 1 upon a motion which specifies the nature of the business to be considered.

Sec. 3. ***1. An advisory public body is not required to keep written minutes of a meeting pursuant to subsection 1 of NRS 241.035 if the advisory public body:***

(a) Affirmatively elects, in a manner determined by the public body to which the advisory public body provides recommendations or advice, to comply with the provisions of paragraphs (b), (c) and (d) and the provisions of subsection 2.

(b) Makes a video or audio recording of the meeting.

(c) For each item on the agenda of the meeting listed as "for possible action" or "for possible corrective action," provides in writing the text of any motion made and an indication of whether the motion passed or failed. The provisions of this paragraph do not require a summary of the discussion or public comment made on each agenda item.

(d) Posts the recording made pursuant to paragraph (b) and the written material made pursuant to paragraph (c) not later than 5 business days after the meeting adjourns on the Internet website of:

(1) The advisory public body; or

(2) The public body to which the advisory public body provides recommendations or advice.

2. The recording made pursuant to paragraph (b) of subsection 1 and the written material made pursuant to paragraph (c) of subsection 1:

(a) Must be retained by the advisory public body for at least 3 years after the adjournment of the meeting at which it was recorded;

(b) Is a public record and must be made available for inspection by the public during the time the recording and written material are retained; and

(c) Must be made available to the Attorney General upon request.

3. As used in this section, "advisory public body" means a public body that does not have authority to take final action but provides advice or recommendations to another public body that has final authority to take action. The term does not include any public body whose membership is required to include any elected official.

Sec. 4. NRS 241.015 is hereby amended to read as follows:

241.015 As used in this chapter, unless the context otherwise requires:

1. "Action" means:

(a) A decision made by a majority of the voting members present, whether in person, by use of a remote technology system or by means of electronic communication, during a meeting of a public body;

(b) A commitment or promise made by a majority of the voting members present, whether in person, by use of a remote technology system or by means of electronic communication, during a meeting of a public body;

(c) If a public body may have a member who is not an elected official, an affirmative vote taken by a majority of the voting members present, whether in person, by use of a remote technology system or by means of electronic communication, during a meeting of the public body; or

(d) If all the members of a public body must be elected officials, an affirmative vote taken by a majority of all the members of the public body.

2. "Administrative action against a person" means an action that is uniquely personal to the person and includes, without limitation, the potential for a negative change in circumstances to the person. The term does not include the denial of any application where the denial does not change the present circumstance or situation of the person.

3. "Deliberate" means collectively to examine, weigh and reflect upon the reasons for or against the action. The term ~~[includes,]~~ ***:***

(a) Includes, without limitation, the collective discussion or exchange of facts preliminary to the ultimate decision.

(b) Does not include the discussion of any public comment on a matter that is not on the agenda of the meeting so long as the public body does not examine, weigh or reflect upon any action that the public body could take on the matter.

4. "Meeting":

(a) Except as otherwise provided in paragraphs (b) and (c), means:

(1) The gathering of members of a public body at which a quorum is present, whether in person, by use of a remote technology system or by means of electronic communication, to deliberate toward a decision or to take action on any matter over which the public body has supervision, control, jurisdiction or advisory power.

(2) Any series of gatherings of members of a public body at which:

(I) Less than a quorum is present, whether in person, by use of a remote technology system or by means of electronic communication, at any individual gathering;

(II) The members of the public body attending one or more of the gatherings collectively constitute a quorum; and

(III) The series of gatherings was held with the specific intent to avoid the provisions of this chapter.

(b) Does not include any gathering or series of gatherings of members of a public body if the members do not deliberate toward a decision or take action on any matter over which the public body has supervision, control, jurisdiction or advisory power.

(c) Does not include a gathering or series of gatherings of members of a public body at which a quorum is actually or collectively present, whether in person, by use of a remote technology system or by means of electronic communication, to receive legal advice from the attorney employed or retained by the public body regarding a matter over which the public body has supervision, control, jurisdiction or advisory power and to deliberate on the matter, provided such deliberation is limited to the legal advice.

5. Except as otherwise provided in NRS 241.016, "public body" means:

(a) Any administrative, advisory, executive or legislative body of the State or a local government consisting of at least two persons which expends or disburses or is supported in whole or in part by tax revenue or which advises or makes recommendations to any entity which expends or disburses or is supported in whole or in part by tax revenue, including, but not limited to, any board, commission, committee, subcommittee or other subsidiary thereof and includes a library foundation as defined in NRS 379.0056 and an educational foundation as defined in subsection 3 of

NRS 388.750, if the administrative, advisory, executive or legislative body is created by:

(1) The Constitution of this State;

(2) Any statute of this State;

(3) A city charter and any city ordinance which has been filed or recorded as required by the applicable law;

(4) The Nevada Administrative Code;

(5) A resolution or other formal designation by such a body created by a statute of this State or an ordinance of a local government;

(6) An executive order issued by the Governor; or

(7) A resolution or an action by the governing body of a political subdivision of this State;

(b) Any board, commission or committee consisting of at least two persons appointed by:

(1) The Governor or a public officer who is under the direction of the Governor, if the board, commission or committee has at least two members who are not employees of the Executive Department of the State Government;

(2) An entity in the Executive Department of the State Government, if the board, commission or committee otherwise meets the definition of a public body pursuant to this subsection; or

(3) A public officer who is under the direction of an agency or other entity in the Executive Department of the State Government, if the board, commission or committee has at least two members who are not employed by the public officer or entity;

(c) A limited-purpose association that is created for a rural agricultural residential common-interest community as defined in subsection 6 of NRS 116.1201;

(d) ***A university foundation as defined in subsection 3 of NRS 396.405; and***

(e) A subcommittee ~~[or working group]~~ consisting of at least two persons who are appointed by a public body described in paragraph (a), (b) **,** ~~[or]~~ (c) ***or (d)*** if ~~[:~~

~~(1) A majority of the membership]~~ ***at least one member*** of the subcommittee ~~[or working group are members or staff members]~~ ***is a member*** of the public body that appointed the subcommittee **.** ~~[;~~ ~~or~~

~~(2) The subcommittee or working group is authorized by the public body to make a recommendation to the public body for the public body to take any action; and~~

~~(c) A university foundation as defined in subsection 3 of NRS 396.405.]~~

6. "Quorum" means a simple majority of the voting membership of a public body or another proportion established by law.

7. "Remote technology system" means any system or other means of communication which uses any electronic, digital or other similar technology to enable a person from a remote location to attend, participate, vote or take any other action in a meeting, even though the person is not physically present at the meeting. The term includes, without limitation, teleconference and videoconference systems.

8. "Supporting material" means material that is provided to at least a quorum of the members of a public body by a member of or staff to the public body and that the members of the public body would reasonably rely on to deliberate or take action on a matter contained in a published agenda. The term includes, without limitation, written records, audio recordings, video recordings, photographs and digital data.

9. "Working day" means every day of the week except Saturday, Sunday and any day declared to be a legal holiday pursuant to NRS 236.015.

Sec. 5. NRS 241.033 is hereby amended to read as follows:

241.033 1. Except as otherwise provided in ~~[subsection 7,]~~ ***this section,*** a public body shall not hold a meeting to consider the character, alleged misconduct, professional competence, or physical or mental health of any person or to consider an appeal by a person of the results of an examination conducted by or on behalf of the public body unless it has:

(a) Given written notice to that person of the time and place of the meeting; and

(b) Received proof of service of the notice.

2. The written notice required pursuant to subsection 1:

(a) Except as otherwise provided in subsection ~~[3,]~~ ***4,*** must be given to the person in one of the following manners:

(1) Delivered personally to that person at least 7 calendar days before the meeting;

(2) Sent by certified mail to the last known address of that person at least 14 calendar days before the meeting;

(3) If the person is represented by an attorney in connection with the matter, delivered personally to the attorney of the person at least 7 calendar days before the meeting; or

(4) If the public body makes decisions directly concerning the employment of the person ~~[, delivered]~~ ***:***

(I) Delivered personally to the person at his or her place of employment during a time at which the person is required to be

present at work that is at least 7 calendar days before the meeting ~~[.]~~ ***; or***

(II) By sending an electronic communication to the electronic mail address assigned to the person by the public body at least 7 calendar days before the meeting, so long as the person has access to the electronic mail address.

(b) May, with respect to a meeting to consider the character, alleged misconduct, professional competence, or physical or mental health of a person, include an informational statement setting forth that the public body may, without further notice, take administrative action against the person if the public body determines that such administrative action is warranted after considering the character, alleged misconduct, professional competence, or physical or mental health of the person.

(c) Must include:

(1) A list of the general topics concerning the person that will be considered by the public body during the closed meeting; and

(2) A statement of the provisions of subsection ~~[4,]~~ ***5,*** if applicable.

3. ***For the purposes of subsection 2:***

(a) If written notice is sent by certified mail, it shall be deemed that written notice was received by the person if the written notice was delivered to the last known address of the person, regardless of whether the person signed for the receipt of the certified mail.

(b) If the person intentionally evades receiving written notice, including, without limitation, by refusing to accept personal service or sign for delivery by certified mail, it shall be deemed that a public body satisfied the requirements of subsection 2 so long as the public body makes at least four attempts to accomplish written notice using at least two different attempts of service described in subsection 2.

4. The Nevada Athletic Commission is exempt from the requirements of paragraph (a) of subsection 2, but must give written notice of the time and place of the meeting and must receive proof of service of the notice before the meeting may be held.

~~[4.]~~ ***5.*** If a public body holds a closed meeting or closes a portion of a meeting to consider the character, alleged misconduct, professional competence, or physical or mental health of a person, the public body must allow that person to:

(a) Attend the closed meeting or that portion of the closed meeting during which the character, alleged misconduct, professional competence, or physical or mental health of the person is considered;

(b) Have an attorney or other representative of the person's choosing present with the person during the closed meeting; and

(c) Present written evidence, provide testimony and present witnesses relating to the character, alleged misconduct, professional competence, or physical or mental health of the person to the public body during the closed meeting.

~~[5.]~~ ***6.*** Except as otherwise provided in subsection ~~[4,]~~ ***5,*** with regard to the attendance of persons other than members of the public body and the person whose character, alleged misconduct, professional competence, physical or mental health or appeal of the results of an examination is considered, the chair of the public body may at any time before or during a closed meeting:

(a) Determine which additional persons, if any, are allowed to attend the closed meeting or portion thereof; or

(b) Allow the members of the public body to determine, by majority vote, which additional persons, if any, are allowed to attend the closed meeting or portion thereof.

~~[6.]~~ ***7.*** A public body shall provide a copy of any record of a closed meeting prepared pursuant to NRS 241.035, upon the request of any person who received written notice of the closed meeting pursuant to subsection 1.

~~[7.]~~ ***8.*** For the purposes of this section:

(a) A meeting held to consider an applicant for employment is not subject to the notice requirements otherwise imposed by this section.

(b) Casual or tangential references to a person or the name of a person during a meeting do not constitute consideration of the character, alleged misconduct, professional competence, or physical or mental health of the person.

(c) A meeting held to recognize or award positive achievements of a person, including, without limitation, honors, awards, tenure and commendations, is not subject to the notice requirements otherwise imposed by this section.

Sec. 6. NRS 241.0333 is hereby amended to read as follows:

241.0333 1. Except as otherwise provided in ~~[subsection 5,]~~ ***this section,*** a public body shall not consider at a meeting whether to take administrative action against a person unless the public body has given written notice to that person of the time and place of the meeting.

2. The written notice required pursuant to subsection 1 must be given to the person in one of the following manners:

(a) Delivered personally to that person at least 7 calendar days before the meeting;

(b) Sent by certified mail to the last known address of that person at least 14 calendar days before the meeting;

(c) If the person is represented by an attorney in connection with the matter, delivered personally to the attorney of the person at least 7 calendar days before the meeting; or

(d) If the public body makes decisions directly concerning the employment of the person ~~[, delivered]~~ ***:***

(1) Delivered personally to the person at his or her place of employment during a time at which the person is required to be present at work that is at least 7 calendar days before the meeting ~~[.]~~ ***; or***

(2) By sending an electronic communication to the electronic mail address assigned to the person by the public body at least 7 calendar days before the meeting, so long as the person has access to the electronic mail address.

3. Except as otherwise provided in this ~~[subsection,]~~ ***section,*** a public body must receive proof of service of the written notice provided to a person pursuant to this section before the public body may consider the matter relating to that person at a meeting.

4. ***For the purposes of subsection 2:***

(a) If written notice is sent by certified mail, it shall be deemed that written notice was received by the person if the written notice was delivered to the last known address of the person, regardless of whether the person signed for the receipt of the certified mail.

(b) If a person intentionally evades receiving written notice, including, without limitation, by refusing to accept personal service or sign for delivery by certified mail, it shall be deemed that a public body satisfied the requirements of subsection 2 so long as the public body makes at least four attempts to accomplish written notice using at least two different attempts of service described in subsection 2.

5. The written notice provided in this section is in addition to the notice of the meeting provided pursuant to NRS 241.020.

~~[5.]~~ ***6.*** The written notice otherwise required pursuant to this section is not required:

(a) If the public body provided written notice to the person pursuant to NRS 241.033 before holding a meeting to consider the character, alleged misconduct, professional competence, or physical or mental health of the person, and the written notice provided pursuant to NRS 241.033 included the informational statement described in paragraph (b) of subsection 2 of that section; or

(b) In an emergency.

~~[6.]~~ ***7.*** As used in this section, "emergency" means an unforeseen circumstance which requires the public body to take immediate action and includes, without limitation:

(a) Disasters caused by fire, flood, earthquake or other natural causes; or

(b) Any impairment of the health and safety of the public.

Sec. 7. NRS 241.035 is hereby amended to read as follows:

241.035 1. ~~[Each]~~ ***Except as otherwise provided in section 3 of this act, each*** public body shall keep written minutes of each of its meetings, including:

(a) The date, time and place of the meeting.

(b) Those members of the public body who were present, whether in person, by use of a remote technology system or by means of electronic communication, and those who were absent.

(c) The substance of all matters proposed, discussed or decided and, at the request of any member, a record of each member's vote on any matter decided by vote.

(d) The substance of ~~[remarks]~~ ***comments*** made by any member of the general public who addresses the public body **.** ~~[if the member of the general public requests that the minutes reflect those remarks or, if the member of the general public has prepared written remarks, a copy of the prepared remarks if the member of the general public submits a copy for inclusion.]~~

(e) Any other information which any member of the public body requests to be included or reflected in the minutes.

➥ Unless good cause is shown, a public body shall approve the minutes of a meeting within 45 days after the meeting or at the next meeting of the public body, whichever occurs later.

2. Minutes of public meetings are public records. Minutes or an audio recording of a meeting made in accordance with subsection 4 must be made available for inspection by the public within 30 working days after adjournment of the meeting. A copy of the minutes or audio recording must be made available to a member of the public upon request at no charge. The minutes shall be deemed to have permanent value and must be retained by the public body for at least 5 years. Thereafter, the minutes may be transferred for archival preservation in accordance with NRS 239.080 to 239.125, inclusive. Minutes of meetings closed pursuant to:

(a) Paragraph (a) of subsection 1 of NRS 241.030 become public records when the public body determines that the matters discussed no longer require confidentiality and the person whose character, conduct, competence or health was considered has consented to their disclosure. That person is entitled to a copy of the minutes upon request whether or not they become public records.

(b) Paragraph (b) of subsection 1 of NRS 241.030 become public records when the public body determines that the matters discussed no longer require confidentiality.

(c) Paragraph (c) of subsection 1 of NRS 241.030 become public records when the public body determines that the matters considered no longer require confidentiality and the person who

appealed the results of the examination has consented to their disclosure, except that the public body shall remove from the minutes any references to the real name of the person who appealed the results of the examination. That person is entitled to a copy of the minutes upon request whether or not they become public records.

(d) Section 2 of this act become public records when the public body determines that the matters discussed no longer require confidentiality.

3. All or part of any meeting of a public body may be recorded on audiotape or ***transcribed by*** any other means of sound or video reproduction ***, including, without limitation, audio or video recording or other transcription,*** by a member of the general public if it is a public meeting so long as this ~~[in no way interferes]~~ ***does not substantially interfere*** with the conduct of the meeting. ***This subsection does not limit the authority to remove a person from a public meeting pursuant to NRS 241.030.***

4. Except as otherwise provided in subsection 8, a public body shall, for each of its meetings, whether public or closed, record the meeting on audiotape or another means of sound reproduction or cause the meeting to be transcribed by a court reporter who is certified pursuant to chapter 656 of NRS. If a public body makes an audio recording of a meeting or causes a meeting to be transcribed pursuant to this subsection, the audio recording or transcript:

(a) Must be retained by the public body for at least 3 years after the adjournment of the meeting at which it was recorded or transcribed;

(b) Except as otherwise provided in this section, is a public record and must be made available for inspection by the public during the time the recording or transcript is retained; and

(c) Must be made available to the Attorney General upon request.

5. The requirement set forth in subsection 2 that a public body make available a copy of the minutes or audio recording of a meeting to a member of the public upon request at no charge does not prohibit a court reporter who is certified pursuant to chapter 656 of NRS from charging a fee to the public body for any services relating to the transcription of a meeting.

6. A court reporter who transcribes a meeting is not required to provide a copy of any transcript, minutes or audio recording of the meeting prepared by the court reporter directly to a member of the public at no charge.

7. Except as otherwise provided in subsection 8, any portion of a public meeting which is closed must also be recorded or transcribed and the recording or transcript must be retained and

made available for inspection pursuant to the provisions of subsection 2 relating to records of closed meetings. Any recording or transcript made pursuant to this subsection must be made available to the Attorney General upon request.

8. If a public body makes a good faith effort to comply with the provisions of subsections 4 and 7 but is prevented from doing so because of factors beyond the public body's reasonable control, including, without limitation, a power outage, a mechanical failure or other unforeseen event, such failure does not constitute a violation of the provisions of this chapter.

Sec. 8. NRS 241.039 is hereby amended to read as follows:

241.039 1. A complaint that alleges a violation of this chapter may be filed with the Office of the Attorney General. The Office of the Attorney General shall notify a public body identified in a complaint of the alleged violation not more than 14 days after the complaint is filed.

2. Except as otherwise provided in subsection 3 and NRS 241.0365, the Attorney General:

(a) Shall investigate and prosecute any violation of this chapter alleged in a complaint filed not later than 120 days after the alleged violation with the Office of the Attorney General.

(b) Except as otherwise provided in paragraph (c), shall not investigate and prosecute any violation of this chapter alleged in a complaint filed with the Office of the Attorney General later than 120 days after the alleged violation.

(c) May, at his or her discretion, investigate and prosecute any violation of this chapter alleged in a complaint filed more than 120 days after the alleged violation with the Office of the Attorney General if:

(1) The alleged violation was not discoverable at the time that the alleged violation occurred; and

(2) The complaint is filed not more than 1 year after the alleged violation with the Office of the Attorney General.

3. The Attorney General is not required to investigate or prosecute any alleged violation of this chapter if the Attorney General determines that the interests of the person who filed the complaint are not significantly affected by the action of the public body that is alleged to violate this chapter. For purposes of this subsection, the interests of the person who filed the complaint are not significantly affected by the action of the public body that is alleged to violate this chapter unless:

(a) The person who filed the complaint would have standing to challenge the action of the public body in a court of law; or

(b) The person who filed the complaint:

(1) Is a natural person and resides within the geographic area over which the public body has jurisdiction; or

(2) Is any form of business, a social organization, a labor organization or any other nongovernmental legal entity in this State that has a mission or purpose to foster or protect democratic principles or promote transparency in government.

4. Except as otherwise provided in subsection ~~[7]~~ ***8*** and NRS 239.0115, all documents and other information compiled as a result of an investigation conducted pursuant to subsection 2 are confidential until the investigation is closed.

5. In any investigation conducted pursuant to subsection 2, the Attorney General may issue subpoenas for the production of any relevant documents, records or materials.

6. A person who willfully fails or refuses to comply with a subpoena issued pursuant to this section is guilty of a misdemeanor.

7. ***Disclosure of information to the Attorney General as part of an investigation conducted pursuant to this section does not waive any privilege or waive the confidential status of the information.***

8. The following are public records:

(a) A complaint filed pursuant to subsection 1.

(b) Every finding of fact or conclusion of law made by the Attorney General relating to a complaint filed pursuant to subsection 1.

(c) Any document or information compiled as a result of an investigation conducted pursuant to subsection 2 that may be requested pursuant to NRS 239.0107 from a governmental entity other than the Office of the Attorney General.

~~[8.]~~ ***9.*** Upon completion of an investigation conducted pursuant to subsection 2, the Attorney General shall inform the public body that is the subject of the investigation and issue, as applicable:

(a) A finding that no violation of this chapter occurred; or

(b) A finding that a violation of this chapter occurred, along with findings of fact and conclusions of law that support the finding that a violation of this chapter occurred.

~~[9.]~~ ***10.*** A public body or, if authorized by the public body, an attorney employed or retained by the public body, shall submit a response to the Attorney General not later than 30 days after receipt of any finding that the public body violated this chapter. If the Attorney General does not receive a response within 30 days after receipt of the finding, it shall be deemed that the public body disagrees with the finding of the Attorney General.