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THIRD REPRINT

A.B. 119

ASSEMBLY BILL NO. 119—COMMITTEE ON
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE JOINT INTERIM STANDING
COMMITTEE ON JUDICIARY)

PREFILED FEBRUARY 3, 2023

Referred to Committee on Health and Human Services

SUMMARY—Creates the Vulnerable Adult Fatality Review
Committee. (BDR 38-311)

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 adult maltreatment; creating the Vulnerable
Adult Fatality Review Committee; providing for the
review of deaths resulting from or relating to adult
maltreatment; requiring the Committee to develop certain
reports and perform certain other duties relating to the
investigation and prevention of adult maltreatment;
providing access for the Committee to certain documents;
and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law makes it a crime to abuse, neglect, isolate, abandon or exploit an
2 older person or a vulnerable person. (NRS 200.5099) **Section 3** of this bill defines
3 the term “adult maltreatment” to refer to such crimes. **Sections 4-7** of this bill
4 define certain other terms. **Section 8** of this bill creates the Vulnerable Adult
5 Fatality Review Committee within the Department of Health and Human Services
6 and prescribes the membership of the Committee. **Section 8** also prescribes certain
7 rules governing the operation of the Committee. **Section 8** immunizes the members,
8 employees, agents and consultants of the Committee from civil liability for acts
9 performed in good faith and within the scope of duties of the Committee. **Section 8**
10 authorizes the Director of the Department to: (1) apply for and accept gifts, grants
11 and donations to support the activities of the Committee; and (2) adopt regulations
12 governing the activities of the Committee.

13 **Section 9** of this bill requires the Committee to review each death in this State
14 that is known or suspected to have been caused by or be related to adult
15 maltreatment and is referred to the Committee by certain governmental entities or
16 relatives of the decedent. **Section 9** additionally authorizes the Committee to



17 review any other death that the Committee reasonably believes may have been
18 caused by or related to adult maltreatment. **Section 10** of this bill prescribes other
19 duties of the Committee relating to the investigation and prevention of adult
20 maltreatment. **Section 10** requires the Committee to: (1) biennially publish on an
21 Internet website maintained by the Department a report that consists of data
22 concerning adult maltreatment in this State; and (2) annually submit to the
23 Legislature a separate report containing certain information and recommendations
24 about adult maltreatment. **Section 10** requires a representative of the Committee or
25 the Aging and Disability Services Division of the Department to biennially present
26 such information and recommendations at a meeting of the Legislative Committee
27 on Senior Citizens, Veterans and Adults With Special Needs. **Section 11** of this bill
28 authorizes the Committee to take certain measures necessary to perform its duties,
29 including consulting with experts and other interested persons and entering into
30 contracts. **Section 12** of this bill entitles the Committee to access certain records it
31 determines necessary to perform its duties and authorizes the Committee to petition
32 the district court for a subpoena to compel the production of such records. **Section**
33 **12** also provides that information acquired by and records of the Committee are
34 confidential and not subject to subpoena, discovery or introduction into evidence in
35 any civil or criminal proceeding. **Sections 12 and 14** of this bill provide that such
36 records are not public records. **Sections 12 and 15** of this bill provide that meetings
37 of the Committee are closed to the public.

38 Existing law creates in the Office of the Attorney General the Unit for the
39 Investigation and Prosecution of Crimes Against Older Persons or Vulnerable
40 Persons. (NRS 228.265) Existing law authorizes the Unit to investigate and
41 prosecute deaths resulting from adult maltreatment. (NRS 228.270) **Section 10**
42 authorizes the Attorney General to review any cases referred to the Committee to
43 determine the need for further investigation. **Section 12** authorizes the Committee
44 to meet and share information with the Unit and certain entities that investigate
45 domestic violence.

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

1 **Section 1.** Chapter 427A of NRS is hereby amended by
2 adding thereto the provisions set forth as sections 2 to 12, inclusive,
3 of this act.

4 **Sec. 2.** *As used in sections 2 to 12, inclusive, of this act,*
5 *unless the context otherwise requires, the words and terms defined*
6 *in sections 3 to 7, inclusive, of this act have the meanings ascribed*
7 *to them in those sections.*

8 **Sec. 3.** *“Adult maltreatment” means the abuse, neglect,*
9 *exploitation, isolation or abandonment of an older person or a*
10 *vulnerable person in violation of NRS 200.5099.*

11 **Sec. 4.** *“Committee” means the Vulnerable Adult Fatality*
12 *Review Committee established by section 8 of this act.*

13 **Sec. 5.** *“Facility or service provider” means:*

14 1. *Any facility or other entity licensed or certified pursuant to*
15 *chapter 435 or 449 of NRS.*

16 2. *A provider of emergency medical services.*



1 3. A facility for long-term rehabilitation.

2 4. Any unlicensed establishment that provides food, shelter,
3 assistance and limited supervision to an older person or a
4 vulnerable person.

5 Sec. 6. "Older person" has the meaning ascribed to it in
6 NRS 228.255.

7 Sec. 7. "Vulnerable person" has the meaning ascribed to it
8 in NRS 228.262.

9 Sec. 8. 1. The Vulnerable Adult Fatality Review Committee
10 is hereby established within the Department.

11 2. The Director shall appoint to the Committee:

12 (a) One member who is a licensed social worker who is
13 actively providing services to clients in this State who are
14 vulnerable persons;

15 (b) One member who is an attorney and is:

16 (1) Licensed to practice law in this State; and

17 (2) Employed by the Office of the Attorney General; and

18 (c) At least 4 but not more than 10 members who:

19 (1) Are providers of health care, representatives of
20 nonprofit organizations whose work is related to adult
21 maltreatment, issues of older persons or issues of vulnerable
22 persons, representatives of agencies involved in vital statistics and
23 law enforcement and other persons the Director determines to be
24 appropriate for membership on the Committee; and

25 (2) Represent the racial, ethnic, linguistic and geographic
26 diversity of this State.

27 3. The members of the Committee serve:

28 (a) At the pleasure of the Director; and

29 (b) Without compensation but are entitled to receive the per
30 diem allowance and travel expenses provided for state officers and
31 employees generally.

32 4. A majority of the members of the Committee constitutes a
33 quorum for the transaction of business, and a majority of a
34 quorum present at any meeting is sufficient for any official action
35 taken by the Committee.

36 5. A member of the Committee who is an officer or employee
37 of this State or a political subdivision of this State must be relieved
38 from his or her duties without loss of regular compensation to
39 prepare for and attend meetings of the Committee and perform
40 any work necessary to carry out the duties of the Committee in the
41 most timely manner practicable. A state agency or political
42 subdivision of this State shall not require an officer or employee
43 who is a member of the Committee to:

44 (a) Make up the time he or she is absent from work to carry
45 out his or her duties as a member of the Committee; or



1 (b) *Take annual leave or compensatory time for the absence.*
2 6. *At the first meeting of the Committee and annually*
3 *thereafter:*

4 (a) *The Director shall appoint a Chair of the Committee;*

5 (b) *The Committee shall elect a Secretary from among its*
6 *members; and*

7 (c) *The Committee shall adopt rules for its own management*
8 *and government.*

9 7. *The Committee shall meet at least twice each year and may*
10 *meet at such further times as determined necessary by the Chair.*

11 8. *A member of the Committee or an employee, agent or*
12 *consultant of the Committee is not liable in a civil action for any*
13 *act performed in good faith and within the scope of the duties of*
14 *the Committee. For the purposes of this subsection, any act which*
15 *violates a provision of law concerning the privacy of information*
16 *shall be deemed to be outside the scope of the duties of the*
17 *Committee.*

18 9. *The Director may:*

19 (a) *Apply for and accept gifts, grants or donations from any*
20 *source for the purpose of carrying out the provisions of sections 2*
21 *to 12, inclusive, of this act; and*

22 (b) *Adopt any regulations necessary to carry out the provisions*
23 *of sections 2 to 12, inclusive, of this act.*

24 **Sec. 9. 1. The Committee:**

25 (a) *Shall review each death in this State that is known or*
26 *suspected to have been caused by or be related to adult*
27 *maltreatment and is referred to the Committee by the Division, a*
28 *law enforcement agency or an adult related to the decedent within*
29 *the third degree of consanguinity; and*

30 (b) *May, within the limits of available resources, review any*
31 *other death that the Committee reasonably believes may have been*
32 *caused by or related to adult maltreatment.*

33 2. *A review pursuant to subsection 1 must include, without*
34 *limitation, and to the extent that such records exist, a review of*
35 *relevant medical records, death certificates, records of an autopsy,*
36 *records created by a facility or provider, records of the Division,*
37 *records of a social services agency, mental health records*
38 *and records of a law enforcement agency described in section 12*
39 *of this act.*

40 **Sec. 10. 1. In addition to conducting reviews pursuant to**
41 **section 9 of this act, the Committee shall:**

42 (a) *Within the limits of available resources:*

43 (1) *Cross-reference databases maintained by the Division*
44 *with databases maintained by coroners and medical examiners in*
45 *this State to identify deaths that may have been caused by or*



1 *related to adult maltreatment and review such deaths in*
2 *accordance with section 9 of this act.*

3 *(2) Review incidents and trends in adult maltreatment in*
4 *this State.*

5 *(3) Identify and review disparities in the incidence of adult*
6 *maltreatment in this State by analyzing:*

7 *(I) The race, ethnicity and age of persons who*
8 *experience adult maltreatment;*

9 *(II) The geographic region of the residence of persons*
10 *who experience adult maltreatment; and*

11 *(III) Any other variables identified by the Committee.*

12 *(b) Based on the reviews conducted pursuant to paragraph (a)*
13 *and section 9 of this act, develop findings and recommendations to*
14 *prevent adult maltreatment and address the needs of victims of*
15 *adult maltreatment.*

16 *(c) Disseminate the findings and recommendations developed*
17 *pursuant to paragraph (b) to the Division, providers of health*
18 *care, agencies and organizations that provide social services,*
19 *facilities or service providers, law enforcement agencies,*
20 *organizations that provide services to victims of adult*
21 *maltreatment, other persons and entities the Committee*
22 *determines to be appropriate and the public.*

23 *(d) On or before December 31 of each even-numbered year,*
24 *compile and publish on an Internet website maintained by the*
25 *Department a report that consists of data concerning adult*
26 *maltreatment in this State during the immediately preceding 24*
27 *months. Such data must be aggregated and presented in a manner*
28 *that does not allow for the identification of any person.*

29 *(e) On or before December 31 of each year:*

30 *(1) Develop, in collaboration with the Division, a report*
31 *that includes, without limitation:*

32 *(I) A description of the deaths resulting from adult*
33 *maltreatment and other incidents of adult maltreatment reviewed*
34 *pursuant to paragraph (a) of subsection 1 and section 9 of this act,*
35 *respectively, during the immediately preceding 12 months,*
36 *provided in a manner that does not allow for the identification of*
37 *any person;*

38 *(II) A summary of the disparities identified and reviewed*
39 *pursuant to subparagraph (3) of paragraph (a) of subsection 1;*

40 *(III) Plans for corrective action to reduce adult*
41 *maltreatment in this State; and*

42 *(IV) Recommendations for any legislation or other*
43 *changes to policy to reduce adult maltreatment or otherwise*
44 *improve the well-being of older persons and vulnerable persons in*
45 *this State; and*



1 (2) *Submit the report developed pursuant to subparagraph*
2 *(1) to the Director of the Legislative Counsel Bureau for*
3 *transmittal to:*

4 (I) *For a report submitted on or before December 31 of*
5 *an odd-numbered year, the Legislative Committee on Senior*
6 *Citizens, Veterans and Adults With Special Needs created by NRS*
7 *218E.750; and*

8 (II) *For a report submitted on or before December 31 of*
9 *an even-numbered year, the next regular session of the*
10 *Legislature.*

11 2. *The Committee may, within the limits of available*
12 *resources:*

13 (a) *Conduct any other research into issues relating to adult*
14 *maltreatment or the well-being of older persons and vulnerable*
15 *persons in this State;*

16 (b) *Promote changes in policy in the public and private sectors*
17 *to reduce adult maltreatment or address the effects of adult*
18 *maltreatment;*

19 (c) *Take measures to improve the services provided to victims*
20 *of adult maltreatment, including, without limitation, identifying*
21 *gaps in services provided to victims of adult maltreatment and*
22 *reducing barriers to service for victims of adult maltreatment; and*

23 (d) *Engage in activities to increase public awareness regarding*
24 *adult maltreatment.*

25 3. *On or before August 1 of each odd-numbered year, a*
26 *representative of the Committee or the Division shall present the*
27 *findings, plans for corrective action and recommendations for*
28 *changes to policy contained in the reports developed pursuant to*
29 *paragraph (e) of subsection 1 for the immediately preceding 2*
30 *years at a meeting of the Legislative Committee on Senior*
31 *Citizens, Veterans and Adults With Special Needs created by*
32 *NRS 218E.750.*

33 4. *Within the limits of available resources, the Attorney*
34 *General may review any case referred to or reviewed by the*
35 *Committee to determine the need for further investigation of the*
36 *case.*

37 **Sec. 11.** *The Committee may take any action necessary to*
38 *carry out its duties, including, without limitation:*

39 1. *Consulting with experts and other interested persons to*
40 *ensure the data collected is of the highest quality;*

41 2. *Entering into a contract or other agreement with any*
42 *person or entity, including, without limitation, a college or*
43 *university, to:*

44 (a) *Assist the Committee with its organization and meetings;*

45 (b) *Collect, analyze and disseminate information; or*



1 (c) Assist in carrying out any other duty of the Committee;
2 3. Establishing subcommittees consisting of members of the
3 Committee; and

4 4. Employing such persons as it deems necessary to carry out
5 its duties.

6 **Sec. 12. 1. The Committee is entitled to access to:**

7 (a) All final investigative information of law enforcement
8 agencies regarding a death that may have been caused by or
9 related to adult maltreatment or other incident of adult
10 maltreatment being investigated by the Committee for which the
11 investigation by the law enforcement agency has been closed;

12 (b) Any autopsy and coroner's investigative records relating to
13 a death of an older person or a vulnerable person that may have
14 been caused by or related to adult maltreatment;

15 (c) Any medical or mental health records of a decedent or
16 other victim of adult maltreatment;

17 (d) Any records of the Division or any other agency which has
18 provided services to a decedent or other victim of adult
19 maltreatment; and

20 (e) Any other records determined by the Committee to be
21 necessary to perform its duties, except for records of a law
22 enforcement agency not described in paragraph (a).

23 2. The Committee may, if appropriate, meet and share
24 information with:

25 (a) A multidisciplinary team to review the death of the victim
26 of a crime that constitutes domestic violence organized or
27 sponsored pursuant to NRS 217.475;

28 (b) The Committee on Domestic Violence appointed pursuant
29 to NRS 228.470; or

30 (c) The Unit for the Investigation and Prosecution of Crimes
31 Against Older Persons or Vulnerable Persons in the Office of the
32 Attorney General created by NRS 228.265.

33 3. The Committee may petition the district court for the
34 issuance of, and the district court may issue, a subpoena to compel
35 the production of any books, records or papers described in
36 subsection 1 that are relevant to the cause of any death or incident
37 of adult maltreatment being investigated by the Committee. Except
38 as otherwise provided in NRS 239.0115, any books, records or
39 papers received by the Committee pursuant to a subpoena issued
40 pursuant to this subsection shall be deemed confidential and
41 privileged and not subject to disclosure.

42 4. The Committee may use data collected concerning a death
43 that is known or suspected to have been caused by or be related to
44 adult maltreatment for the purpose of research or to prevent



1 *future adult maltreatment if the data is aggregated and does not*
2 *allow for the identification of any person.*

3 *5. Except as otherwise provided in this section, information*
4 *acquired by, and the records of, the Committee are confidential,*
5 *are not public records, must not be disclosed and are not subject to*
6 *subpoena, discovery or introduction into evidence in any civil or*
7 *criminal proceeding. The disclosure of information or records to*
8 *the Committee does not make such information or records*
9 *confidential with respect to the person or entity that disclosed the*
10 *records if the information or records are not otherwise*
11 *confidential.*

12 *6. The meetings of the Committee are closed to the public.*

13 **Sec. 13.** (Deleted by amendment.)

14 **Sec. 14.** NRS 239.010 is hereby amended to read as follows:

15 239.010 1. Except as otherwise provided in this section and
16 NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.0397, 41.071, 49.095,
17 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030,
18 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152,
19 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413,
20 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345,
21 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270,
22 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280,
23 119A.280, 119A.653, 119A.677, 119B.370, 119B.382, 120A.640,
24 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730,
25 127.007, 127.057, 127.130, 127.140, 127.2817, 128.090, 130.312,
26 130.712, 136.050, 159.044, 159A.044, 172.075, 172.245, 176.015,
27 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715,
28 178.5691, 179.495, 179A.070, 179A.165, 179D.160, 200.3771,
29 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392,
30 209.3923, 209.3925, 209.419, 209.429, 209.521, 211A.140,
31 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464,
32 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240,
33 218G.350, 224.240, 226.300, 228.270, 228.450, 228.495, 228.570,
34 231.069, 231.1473, 232.1369, 233.190, 237.300, 239.0105,
35 239.0113, 239.014, 239B.026, 239B.030, 239B.040, 239B.050,
36 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 239C.420,
37 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335,
38 247.540, 247.550, 247.560, 250.087, 250.130, 250.140, 250.150,
39 268.095, 268.0978, 268.490, 268.910, 269.174, 271A.105, 281.195,
40 281.805, 281A.350, 281A.680, 281A.685, 281A.750, 281A.755,
41 281A.780, 284.4068, 284.4086, 286.110, 286.118, 287.0438,
42 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503,
43 293.504, 293.558, 293.5757, 293.870, 293.906, 293.908, 293.910,
44 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335,
45 338.070, 338.1379, 338.1593, 338.1725, 338.1727, 348.420,



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3 361.610, 365.138, 366.160, 368A.180, 370.257, 370.327, 372A.080,
4 378.290, 378.300, 379.0075, 379.008, 379.1495, 385A.830,
5 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503,
6 388.513, 388.750, 388A.247, 388A.249, 391.033, 391.035,
7 391.0365, 391.120, 391.925, 392.029, 392.147, 392.264, 392.271,
8 392.315, 392.317, 392.325, 392.327, 392.335, 392.850, 393.045,
9 394.167, 394.16975, 394.1698, 394.447, 394.460, 394.465,
10 396.1415, 396.1425, 396.143, 396.159, 396.3295, 396.405, 396.525,
11 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888,
12 408.5484, 412.153, 414.280, 416.070, 422.2749, 422.305,
13 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.028,
14 432.205, 432B.175, 432B.280, 432B.290, 432B.4018, 432B.407,
15 432B.430, 432B.560, 432B.5902, 432C.140, 432C.150, 433.534,
16 433A.360, 439.4941, 439.4988, 439.840, 439.914, 439A.116,
17 439A.124, 439B.420, 439B.754, 439B.760, 439B.845, 440.170,
18 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735,
19 442.774, 445A.665, 445B.570, 445B.7773, 447.345, 449.209,
20 449.245, 449.4315, 449A.112, 450.140, 450B.188, 450B.805,
21 453.164, 453.720, 458.055, 458.280, 459.050, 459.3866, 459.555,
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23 463.3407, 463.790, 467.1005, 480.535, 480.545, 480.935, 480.940,
24 481.063, 481.091, 481.093, 482.170, 482.368, 482.5536, 483.340,
25 483.363, 483.575, 483.659, 483.800, 484A.469, 484B.830,
26 484B.833, 484E.070, 485.316, 501.344, 503.452, 522.040,
27 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098,
28 598A.110, 598A.420, 599B.090, 603.070, 603A.210, 604A.303,
29 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350,
30 618.341, 618.425, 622.238, 622.310, 623.131, 623A.137, 624.110,
31 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230,
32 628B.760, 629.047, 629.069, 630.133, 630.2671, 630.2672,
33 630.2673, 630.30665, 630.336, 630A.327, 630A.555, 631.332,
34 631.368, 632.121, 632.125, 632.3415, 632.3423, 632.405, 633.283,
35 633.301, 633.4715, 633.4716, 633.4717, 633.524, 634.055,
36 634.1303, 634.214, 634A.169, 634A.185, 635.111, 635.158,
37 636.262, 636.342, 637.085, 637.145, 637B.192, 637B.288, 638.087,
38 638.089, 639.183, 639.2485, 639.570, 640.075, 640.152, 640A.185,
39 640A.220, 640B.405, 640B.730, 640C.580, 640C.600, 640C.620,
40 640C.745, 640C.760, 640D.135, 640D.190, 640E.225, 640E.340,
41 641.090, 641.221, 641.2215, 641.325, 641A.191, 641A.217,
42 641A.262, 641B.170, 641B.281, 641B.282, 641C.455, 641C.760,
43 641D.260, 641D.320, 642.524, 643.189, 644A.870, 645.180,
44 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220,
45 645C.225, 645D.130, 645D.135, 645G.510, 645H.320, 645H.330,



1 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.126,
2 652.228, 653.900, 654.110, 656.105, 657A.510, 661.115, 665.130,
3 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480,
4 675.380, 676A.340, 676A.370, 677.243, 678A.470, 678C.710,
5 678C.800, 679B.122, 679B.124, 679B.152, 679B.159, 679B.190,
6 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410,
7 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306,
8 687A.060, 687A.115, 687B.404, 687C.010, 688C.230, 688C.480,
9 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536,
10 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550,
11 696C.120, 703.196, 704B.325, 706.1725, 706A.230, 710.159,
12 711.600, *and section 12 of this act*, sections 35, 38 and 41 of
13 chapter 478, Statutes of Nevada 2011 and section 2 of chapter 391,
14 Statutes of Nevada 2013 and unless otherwise declared by law to be
15 confidential, all public books and public records of a governmental
16 entity must be open at all times during office hours to inspection by
17 any person, and may be fully copied or an abstract or memorandum
18 may be prepared from those public books and public records. Any
19 such copies, abstracts or memoranda may be used to supply the
20 general public with copies, abstracts or memoranda of the records or
21 may be used in any other way to the advantage of the governmental
22 entity or of the general public. This section does not supersede or in
23 any manner affect the federal laws governing copyrights or enlarge,
24 diminish or affect in any other manner the rights of a person in any
25 written book or record which is copyrighted pursuant to federal law.

26 2. A governmental entity may not reject a book or record
27 which is copyrighted solely because it is copyrighted.

28 3. A governmental entity that has legal custody or control of a
29 public book or record shall not deny a request made pursuant to
30 subsection 1 to inspect or copy or receive a copy of a public book or
31 record on the basis that the requested public book or record contains
32 information that is confidential if the governmental entity can
33 redact, delete, conceal or separate, including, without limitation,
34 electronically, the confidential information from the information
35 included in the public book or record that is not otherwise
36 confidential.

37 4. If requested, a governmental entity shall provide a copy of a
38 public record in an electronic format by means of an electronic
39 medium. Nothing in this subsection requires a governmental entity
40 to provide a copy of a public record in an electronic format or by
41 means of an electronic medium if:

42 (a) The public record:

- 43 (1) Was not created or prepared in an electronic format; and
44 (2) Is not available in an electronic format; or



1 (b) Providing the public record in an electronic format or by
2 means of an electronic medium would:

3 (1) Give access to proprietary software; or

4 (2) Require the production of information that is confidential
5 and that cannot be redacted, deleted, concealed or separated from
6 information that is not otherwise confidential.

7 5. An officer, employee or agent of a governmental entity who
8 has legal custody or control of a public record:

9 (a) Shall not refuse to provide a copy of that public record in the
10 medium that is requested because the officer, employee or agent has
11 already prepared or would prefer to provide the copy in a different
12 medium.

13 (b) Except as otherwise provided in NRS 239.030, shall, upon
14 request, prepare the copy of the public record and shall not require
15 the person who has requested the copy to prepare the copy himself
16 or herself.

17 **Sec. 15.** NRS 241.016 is hereby amended to read as follows:

18 241.016 1. The meetings of a public body that are quasi-
19 judicial in nature are subject to the provisions of this chapter.

20 2. The following are exempt from the requirements of this
21 chapter:

22 (a) The Legislature of the State of Nevada.

23 (b) Judicial proceedings, including, without limitation,
24 proceedings before the Commission on Judicial Selection and,
25 except as otherwise provided in NRS 1.4687, the Commission on
26 Judicial Discipline.

27 (c) Meetings of the State Board of Parole Commissioners when
28 acting to grant, deny, continue or revoke the parole of a prisoner or
29 to establish or modify the terms of the parole of a prisoner.

30 3. Any provision of law, including, without limitation, NRS
31 91.270, 219A.210, 228.495, 239C.140, 239C.420, 241.028,
32 281A.350, 281A.690, 281A.735, 281A.760, 284.3629, 286.150,
33 287.0415, 287.04345, 287.338, 288.220, 288.590, 289.387, 295.121,
34 315.98425, 360.247, 388.261, 388.385, 388A.495, 388C.150,
35 388D.355, 388G.710, 388G.730, 392.147, 392.466, 392.467,
36 392.4671, 394.1699, 396.1415, 396.3295, 414.270, 422.405,
37 433.534, 435.610, 442.774, 463.110, 480.545, 622.320, 622.340,
38 630.311, 630.336, 631.3635, 639.050, 642.518, 642.557, 686B.170,
39 696B.550, 703.196 and 706.1725, *and section 12 of this act*, which:

40 (a) Provides that any meeting, hearing or other proceeding is not
41 subject to the provisions of this chapter; or

42 (b) Otherwise authorizes or requires a closed meeting, hearing
43 or proceeding,

44 ↪ prevails over the general provisions of this chapter.



1 4. The exceptions provided to this chapter, and electronic
2 communication, must not be used to circumvent the spirit or letter of
3 this chapter to deliberate or act, outside of an open and public
4 meeting, upon a matter over which the public body has supervision,
5 control, jurisdiction or advisory powers.

6 **Sec. 16.** Notwithstanding the provisions of paragraphs (d) and
7 (e) of subsection 1 of section 10 of this act, the first reports required
8 by those paragraphs must be published on an Internet website
9 maintained by the Department of Health and Human Services or
10 submitted to the Director of the Legislative Counsel Bureau on or
11 before December 31, 2026.

12 **Sec. 16.5.** The amendatory provisions of this act apply only to
13 a contract entered into between the Department of Health and
14 Human Services and a district attorney on or after July 1, 2023.

15 **Sec. 17.** The provisions of subsection 1 of NRS 218D.380 do
16 not apply to any provision of this act which adds or revises a
17 requirement to submit a report to the Legislature.

18 **Sec. 18.** This act becomes effective on July 1, 2023.

