
ASSEMBLY BILL NO. 131—ASSEMBLYMEN FLORES, GONZÁLEZ;
ANDERSON, BROWN-MAY, CONSIDINE, DURAN, MARTINEZ,
SUMMERS-ARMSTRONG, THOMAS AND TORRES

FEBRUARY 15, 2021

JOINT SPONSOR: SENATOR DONATE

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to the use of portable event recording devices by peace officers. (BDR 23-241)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 peace officers; revising provisions requiring certain peace officers to wear a portable event recording device under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires certain peace officers who routinely interact with the
2 public to wear a portable event recording device while on duty. (NRS 289.830)
3 This bill expands the types of peace officers who are required to wear a portable
4 event recording device to include peace officers who are: (1) in uniform; and (2) on
5 duty that may involve interaction with a member of the public.

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

1 **Section 1.** NRS 289.830 is hereby amended to read as follows:
2 289.830 1. A law enforcement agency shall require
3 ~~uniformed~~ *any* peace ~~officers~~ *officer* that it employs ~~and who~~
4 ~~routinely interact with the public~~ to wear a portable event recording
5 device while ~~on~~ :
6 *(a) In uniform; and*



1 (b) On duty ~~[1]~~ that may involve interaction with a member of
2 the public.

3 2. Each law enforcement agency shall adopt policies and
4 procedures governing the use of portable event recording devices,
5 which must include, without limitation:

6 (a) Except as otherwise provided in paragraph (d), requiring
7 activation of a portable event recording device whenever a peace
8 officer is responding to a call for service or at the initiation of any
9 other law enforcement or investigative encounter between a
10 ~~[uniformed]~~ peace officer *while in uniform* and a member of the
11 public;

12 (b) Except as otherwise provided in paragraph (d), prohibiting
13 deactivation of a portable event recording device until the
14 conclusion of a law enforcement or investigative encounter;

15 (c) Prohibiting the recording of general activity;

16 (d) Protecting the privacy of persons:

17 (1) In a private residence;

18 (2) Seeking to report a crime or provide information
19 regarding a crime or ongoing investigation anonymously; or

20 (3) Claiming to be a victim of a crime;

21 (e) Requiring that any video recorded by a portable event
22 recording device must be retained by the law enforcement agency
23 for not less than 15 days; and

24 (f) Establishing disciplinary rules for peace officers who:

25 (1) Fail to operate a portable event recording device in
26 accordance with any departmental policies;

27 (2) Intentionally manipulate a video recorded by a portable
28 event recording device; or

29 (3) Prematurely erase a video recorded by a portable event
30 recording device.

31 ~~[2]~~ 3. Any record made by a portable event recording device
32 pursuant to this section is a public record which may be:

33 (a) Requested only on a per incident basis; and

34 (b) Available for inspection only at the location where the
35 record is held if the record contains confidential information that
36 may not otherwise be redacted.

37 ~~[3]~~ 4. As used in this section:

38 (a) "Law enforcement agency" means:

39 (1) The sheriff's office of a county;

40 (2) A metropolitan police department;

41 (3) A police department of an incorporated city;

42 (4) A department, division or municipal court of a city or
43 town that employs marshals;

44 (5) The Nevada Highway Patrol; or



1 (6) A board of trustees of any county school district that
2 employs or appoints school police officers.

3 (b) "Portable event recording device" means a device issued to a
4 peace officer by a law enforcement agency to be worn on his or her
5 body and which records both audio and visual events occurring
6 during an encounter with a member of the public while performing
7 his or her duties as a peace officer.

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