

ASSEMBLY BILL NO. 379—COMMITTEE
ON GOVERNMENT AFFAIRS

MARCH 22, 2023

Referred to Committee on Government Affairs

SUMMARY—Revises provisions concerning the confidentiality of certain personal information of certain persons. (BDR 20-976)

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 confidential information; revising provisions related to the manner in which certain members of the judiciary and court personnel may request certain personal information be kept in a confidential manner; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes certain persons including, without limitation, justices,
2 judges and certain court personnel of this State, to obtain a court order to require a
3 county assessor, a county recorder, the Secretary of State or a city or county clerk
4 to maintain the personal information of the person contained in the records of the
5 county assessor, county recorder, Secretary of State or city or county clerk in a
6 confidential manner. The person seeking the court order is required to submit to the
7 court a sworn affidavit that, among other things, sets forth sufficient justification
8 for the request for confidentiality. (NRS 247.530, 250.130, 293.906) **Sections 1-3**
9 of this bill authorize justices, judges and certain court personnel of this State to
10 submit a written request, instead of obtaining a court order, to a county assessor, a
11 county recorder, the Secretary of State or a city or county clerk to maintain their
12 personal information in a confidential manner.

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

1 **Section 1.** NRS 247.530 is hereby amended to read as follows:
2 247.530 1. Except as otherwise provided in ~~subsection~~
3 *subsections 2 ~~1~~ and 3*, any person or entity listed in NRS 247.540



1 who wishes to have the personal information of the person or entity
2 that is contained in the records of a county recorder be kept
3 confidential must obtain an order of a court that requires the county
4 recorder to maintain the personal information of the person or entity
5 in a confidential manner. Such an order must be based on a sworn
6 affidavit by the person or, if an entity, a person authorized to sign on
7 behalf of the entity, which affidavit:

8 (a) States that the affiant qualifies as a person listed in NRS
9 247.540 or that the entity on behalf of whom the person is signing
10 qualifies as an entity listed in NRS 247.540;

11 (b) Sets forth sufficient justification for the request for
12 confidentiality; and

13 (c) Sets forth the document numbers of all records of a county
14 recorder that contain confidential information.

15 2. A person for whom a fictitious address has been issued
16 pursuant to NRS 217.462 to 217.471, inclusive, may request the
17 county recorder to maintain the personal information of the person
18 in a confidential manner without obtaining a court order pursuant to
19 subsection 1 by submitting to the county recorder:

20 (a) A sworn affidavit which:

21 (1) States that the affiant has been issued a fictitious address
22 pursuant to NRS 217.462 to 217.471, inclusive; and

23 (2) Sets forth the document numbers of all records of a
24 county recorder that contain confidential information; and

25 (b) Proof that the person has been issued a fictitious address
26 pursuant to NRS 217.462 to 217.471, inclusive, including, without
27 limitation, a confirmation letter and a copy of the enrollment card if
28 such documents are issued by the Division of Child and Family
29 Services of the Department of Health and Human Services.

30 ➤ Upon request of the county recorder, the Division shall verify
31 whether a person who has submitted a request pursuant to this
32 subsection has been issued a fictitious address pursuant to NRS
33 217.462 to 217.471, inclusive.

34 3. *The following persons may request the county recorder to*
35 *maintain the personal information of the person in a confidential*
36 *manner without obtaining a court order pursuant to subsection 1*
37 *by submitting a written request to the county recorder:*

38 (a) *Any justice or judge in this State;*

39 (b) *Any senior justice or senior judge in this State;*

40 (c) *Any court-appointed master in this State; and*

41 (d) *Any clerk of a court, court administrator or court executive*
42 *officer in this State.*

43 4. Upon receipt of an order obtained pursuant to subsection 1
44 or a request made pursuant to subsection 2 ~~1~~ **or 3**, a county
45 recorder shall keep such information confidential and shall not:



1 (a) Disclose the confidential information to anyone, unless
2 disclosure is specifically authorized in writing by that person or
3 entity; or

4 (b) Post the confidential information on the Internet or its
5 successor, if any, or make the information available to others in any
6 other way.

7 **Sec. 2.** NRS 250.130 is hereby amended to read as follows:

8 250.130 1. Except as otherwise provided in ~~[subsection]~~
9 *subsections 2 ~~1~~ and 3*, any person or entity listed in NRS 250.140
10 who wishes to have the personal information of the person or entity
11 that is contained in the records of a county assessor be kept
12 confidential must obtain an order of a court that requires the county
13 assessor to maintain the personal information of the person or entity
14 in a confidential manner. Such an order must be based on a sworn
15 affidavit by the person or, if an entity, a person authorized to sign on
16 behalf of the entity, which affidavit:

17 (a) States that the affiant qualifies as a person listed in NRS
18 250.140 or that the entity on behalf of whom the person is signing
19 qualifies as an entity listed in NRS 250.140; and

20 (b) Sets forth sufficient justification for the request for
21 confidentiality.

22 2. A person for whom a fictitious address has been issued
23 pursuant to NRS 217.462 to 217.471, inclusive, may request a
24 county assessor to maintain the personal information of the person
25 in a confidential manner without obtaining a court order pursuant to
26 subsection 1 by submitting to the county assessor:

27 (a) A sworn affidavit which states that the affiant has been
28 issued a fictitious address pursuant to NRS 217.462 to 217.471,
29 inclusive; and

30 (b) Proof that the person has been issued a fictitious address
31 pursuant to NRS 217.462 to 217.471, inclusive, including, without
32 limitation, a confirmation letter and a copy of the enrollment card if
33 such documents are issued by the Division of Child and Family
34 Services of the Department of Health and Human Services.

35 ➤ Upon request of the county assessor, the Division shall verify
36 whether a person who has submitted a request pursuant to this
37 subsection has been issued a fictitious address pursuant to NRS
38 217.462 to 217.471, inclusive.

39 3. *The following persons may request a county assessor to*
40 *maintain the personal information of the person in a confidential*
41 *manner without obtaining a court order pursuant to subsection 1*
42 *by submitting a written request to the county assessor:*

43 (a) *Any justice or judge in this State;*

44 (b) *Any senior justice or senior judge in this State;*

45 (c) *Any court-appointed master in this State; and*



1 *(d) Any clerk of a court, court administrator or court executive*
2 *officer in this State.*

3 **4.** Upon receipt of an order obtained pursuant to subsection 1
4 or a request made pursuant to subsection 2 ~~[]~~ *or 3*, a county assessor
5 shall keep such information confidential and shall not:

6 (a) Disclose the confidential information to anyone, unless
7 disclosure is specifically authorized in writing by that person or
8 entity; or

9 (b) Post the confidential information on the Internet or its
10 successor, if any, or make the information available to others in any
11 other way.

12 **Sec. 3.** NRS 293.906 is hereby amended to read as follows:

13 293.906 1. ~~[Any]~~ *Except as otherwise provided in*
14 *subsection 2, any* person listed in NRS 293.908 who wishes to have
15 personal information about himself or herself that is contained in the
16 records of the Secretary of State or a county or city clerk be kept
17 confidential must obtain an order of a court that requires the
18 Secretary of State or the county clerk or city clerk to maintain the
19 personal information of the person in a confidential manner. Such an
20 order must be based on a sworn affidavit by the person, which
21 affidavit:

22 (a) States that the affiant qualifies as a person listed in NRS
23 293.908; and

24 (b) Sets forth sufficient justification for the request for
25 confidentiality.

26 2. *The following persons may request the Secretary of State*
27 *or a county or city clerk to maintain the personal information of*
28 *the person in a confidential manner without obtaining a court*
29 *order pursuant to subsection 1 by submitting a written request to*
30 *the Secretary of State or the county or city clerk:*

31 (a) *Any justice or judge in this State;*

32 (b) *Any senior justice or senior judge in this State;*

33 (c) *Any court-appointed master in this State; and*

34 (d) *Any clerk of a court, court administrator or court executive*
35 *officer in this State.*

36 3. Upon receipt of ~~[such]~~ an order ~~[]~~ *obtained pursuant to*
37 *subsection 1 or a request made pursuant to subsection 2*, the
38 Secretary of State or a county or city clerk shall keep such
39 information confidential and shall not:

40 (a) Disclose the confidential information to anyone, unless
41 disclosure is specifically authorized in writing by that person; or

42 (b) Post the confidential information on the Internet or its
43 successor, if any, or make the information available to others in any
44 other way.



1 **Sec. 4.** This act becomes effective on July 1, 2023.

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