

SENATE BILL NO. 115—SENATOR SPEARMAN

FEBRUARY 11, 2021

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to the confidentiality of certain personal information of certain persons. (BDR 20-605)

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; authorizing State Legislators to obtain court orders requiring a county assessor, a county recorder, the Secretary of State or a county or city clerk to maintain certain personal information in a confidential manner; authorizing State Legislators to request the Department of Motor Vehicles to display an alternate address on the person’s driver’s license, commercial driver’s license or identification card; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes certain persons to obtain a court order to require a  
2 county assessor, a county recorder, the Secretary of State or a city or county clerk  
3 to maintain the personal information of the person contained in the records of the  
4 county assessor, county recorder, Secretary of State or city or county clerk in a  
5 confidential manner. The person seeking the order must submit to the court a sworn  
6 affidavit that, among other things, sets forth sufficient justification for the request  
7 for confidentiality. (NRS 247.530, 250.130, 293.906) The persons authorized to  
8 obtain such orders include justices, judges, certain court personnel, certain district  
9 attorneys or attorneys employed by the district attorney, certain state or county  
10 public defenders, certain employees who perform tasks related to child welfare,  
11 county managers and certain employees who perform tasks related to code  
12 enforcement. Existing law also authorizes the spouse, domestic partner or minor  
13 child of any such person and the surviving spouse, domestic partner or minor child  
14 of any such person who was killed in the performance of his or her duties to obtain  
15 such orders. (NRS 247.540, 250.140, 293.908) **Sections 1-3** of this bill further  
16 authorize such orders to be obtained by any State Legislator.

17 Existing law authorizes certain persons to request that the Department of Motor  
18 Vehicles display an alternate address on the person’s driver’s license, commercial



19 driver's license or identification card. (NRS 481.091) **Section 4** of this bill further  
20 authorizes any State Legislator to make such a request.

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

1 **Section 1.** NRS 247.540 is hereby amended to read as follows:  
2 247.540 1. The following persons may request that the  
3 personal information described in subsection 1, 2 or 3 of NRS  
4 247.520 that is contained in the records of a county recorder be kept  
5 confidential:

- 6 (a) Any justice or judge in this State.  
7 (b) Any senior justice or senior judge in this State.  
8 (c) Any court-appointed master in this State.  
9 (d) Any clerk of a court, court administrator or court executive  
10 officer in this State.

11 (e) *Any State Legislator.*

12 (f) Any district attorney or attorney employed by the district  
13 attorney who as part of his or her normal job responsibilities  
14 prosecutes persons for:

- 15 (1) Crimes that are punishable as category A felonies; or  
16 (2) Domestic violence.

17 ~~(g)~~ (g) Any state or county public defender who as part of his  
18 or her normal job responsibilities defends persons for:

- 19 (1) Crimes that are punishable as category A felonies; or  
20 (2) Domestic violence.

21 ~~(g)~~ (h) Any person, including without limitation, a social  
22 worker, employed by this State or a political subdivision of this  
23 State who as part of his or her normal job responsibilities:

- 24 (1) Interacts with the public; and  
25 (2) Performs tasks related to child welfare services or child  
26 protective services or tasks that expose the person to comparable  
27 dangers.

28 ~~(h)~~ (i) Any county manager in this State.

29 ~~(h)~~ (j) Any inspector, officer or investigator employed by this  
30 State or a political subdivision of this State designated by his or her  
31 employer:

- 32 (1) Who possesses specialized training in code enforcement;  
33 (2) Who, as part of his or her normal job responsibilities,  
34 interacts with the public; and  
35 (3) Whose primary duties are the performance of tasks  
36 related to code enforcement.

37 ~~(h)~~ (k) The spouse, domestic partner or minor child of a person  
38 described in paragraphs (a) to ~~(j)~~ (j), inclusive.



1 ~~(k)~~ (l) The surviving spouse, domestic partner or minor child  
2 of a person described in paragraphs (a) to ~~(i)~~ (j), inclusive, who  
3 was killed in the performance of his or her duties.

4 2. Any nonprofit entity in this State that maintains a  
5 confidential location for the purpose of providing shelter to victims  
6 of domestic violence may request that the personal information  
7 described in subsection 4 of NRS 247.520 that is contained in the  
8 records of a county recorder be kept confidential.

9 3. As used in this section:

10 (a) "Child protective services" has the meaning ascribed to it in  
11 NRS 432B.042.

12 (b) "Child welfare services" has the meaning ascribed to it in  
13 NRS 432B.044.

14 (c) "Code enforcement" means the enforcement of laws,  
15 ordinances or codes regulating public nuisances or the public health,  
16 safety and welfare.

17 (d) "Social worker" means any person licensed under chapter  
18 641B of NRS.

19 **Sec. 2.** NRS 250.140 is hereby amended to read as follows:

20 250.140 1. The following persons may request that personal  
21 information described in subsection 1, 2 or 3 of NRS 250.120 that is  
22 contained in the records of a county assessor be kept confidential:

23 (a) Any justice or judge in this State.

24 (b) Any senior justice or senior judge in this State.

25 (c) Any court-appointed master in this State.

26 (d) Any clerk of a court, court administrator or court executive  
27 officer in this State.

28 (e) *Any State Legislator.*

29 (f) Any peace officer or retired peace officer.

30 ~~(f)~~ (g) Any prosecutor.

31 ~~(g)~~ (h) Any state or county public defender.

32 ~~(h)~~ (i) Any person, including without limitation, a social  
33 worker, employed by this State or a political subdivision of this  
34 State who as part of his or her normal job responsibilities interacts  
35 with the public and performs tasks related to child welfare services  
36 or child protective services or tasks that expose the person to  
37 comparable dangers.

38 ~~(i)~~ (j) Any county manager in this State.

39 ~~(j)~~ (k) Any inspector, officer or investigator employed by this  
40 State or a political subdivision of this State designated by his or her  
41 employer who possesses specialized training in code enforcement,  
42 interacts with the public and whose primary duties are the  
43 performance of tasks related to code enforcement.

44 ~~(k)~~ (l) The spouse, domestic partner or minor child of a person  
45 described in paragraphs (a) to ~~(j)~~ (k), inclusive.



1 ~~(j)~~ (m) The surviving spouse, domestic partner or minor child  
2 of a person described in paragraphs (a) to ~~(j)~~ (k), inclusive, who  
3 was killed in the performance of his or her duties.

4 2. Any nonprofit entity in this State that maintains a  
5 confidential location for the purpose of providing shelter to victims  
6 of domestic violence may request that the personal information  
7 described in subsection 4 of NRS 250.120 that is contained in the  
8 records of a county assessor be kept confidential.

9 3. As used in this section:

10 (a) "Child protective services" has the meaning ascribed to it in  
11 NRS 432B.042.

12 (b) "Child welfare services" has the meaning ascribed to it in  
13 NRS 432B.044.

14 (c) "Code enforcement" means the enforcement of laws,  
15 ordinances or codes regulating public nuisances or the public health,  
16 safety and welfare.

17 (d) "Peace officer" means:

18 (1) Any person upon whom some or all of the powers of a  
19 peace officer are conferred pursuant to NRS 289.150 to 289.360,  
20 inclusive; and

21 (2) Any person:

22 (I) Who resides in this State;

23 (II) Whose primary duties are to enforce the law; and

24 (III) Who is employed by a law enforcement agency of  
25 the Federal Government, including, without limitation, a ranger for  
26 the National Park Service and an agent employed by the Federal  
27 Bureau of Investigation, Secret Service, United States Department  
28 of Homeland Security or United States Department of the Treasury.

29 (e) "Prosecutor" has the meaning ascribed to it in  
30 NRS 241A.030.

31 (f) "Social worker" means any person licensed under chapter  
32 641B of NRS.

33 **Sec. 3.** NRS 293.908 is hereby amended to read as follows:

34 293.908 1. The following persons may request that personal  
35 information contained in the records of the Secretary of State or a  
36 county or city clerk be kept confidential:

37 (a) Any justice or judge in this State.

38 (b) Any senior justice or senior judge in this State.

39 (c) Any court-appointed master in this State.

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

42 (e) *Any State Legislator.*

43 (f) Any district attorney or attorney employed by the district  
44 attorney who as part of his or her normal job responsibilities  
45 prosecutes persons for:



- 1 (1) Crimes that are punishable as category A felonies; or
- 2 (2) Domestic violence.

3 ~~[(g)]~~ (g) Any state or county public defender who as part of his  
4 or her normal job responsibilities defends persons for:

- 5 (1) Crimes that are punishable as category A felonies; or
- 6 (2) Domestic violence.

7 ~~[(g)]~~ (h) Any person, including without limitation, a social  
8 worker, employed by this State or a political subdivision of this  
9 State who as part of his or her normal job responsibilities:

- 10 (1) Interacts with the public; and
- 11 (2) Performs tasks related to child welfare services or child  
12 protective services or tasks that expose the person to comparable  
13 dangers.

14 ~~[(h)]~~ (i) Any county manager in this State.

15 ~~[(i)]~~ (j) Any inspector, officer or investigator employed by this  
16 State or a political subdivision of this State designated by his or her  
17 employer:

- 18 (1) Who possess specialized training in code enforcement;
- 19 (2) Who, as part of his or her normal job responsibilities,  
20 interacts with the public; and
- 21 (3) Whose primary duties are the performance of tasks  
22 related to code enforcement.

23 ~~[(j)]~~ (k) The spouse, domestic partner or minor child of a person  
24 described in paragraphs (a) to ~~[(i)]~~ (j), inclusive.

25 ~~[(k)]~~ (l) The surviving spouse, domestic partner or minor child  
26 of a person described in paragraphs (a) to ~~[(i)]~~ (j), inclusive, who  
27 was killed in the performance of his or her duties.

28 2. As used in this section:

29 (a) "Child protective services" has the meaning ascribed to it in  
30 NRS 432B.042.

31 (b) "Child welfare services" has the meaning ascribed to it in  
32 NRS 432B.044.

33 (c) "Code enforcement" means the enforcement of laws,  
34 ordinances or codes regulating public nuisances or the public health,  
35 safety and welfare.

36 (d) "Social worker" means any person licensed under chapter  
37 641B of NRS.

38 **Sec. 4.** NRS 481.091 is hereby amended to read as follows:

39 481.091 1. The following persons may request that the  
40 Department display an alternate address on the person's driver's  
41 license, commercial driver's license or identification card:

- 42 (a) Any justice or judge in this State.
- 43 (b) Any senior justice or senior judge in this State.
- 44 (c) Any court-appointed master in this State.



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

3 (e) *Any State Legislator.*

4 (f) Any prosecutor who as part of his or her normal job  
5 responsibilities prosecutes persons for:

6 (1) Crimes that are punishable as category A felonies; or

7 (2) Domestic violence.

8 ~~(f)~~ (g) Any state or county public defender who as part of his  
9 or her normal job responsibilities defends persons for:

10 (1) Crimes that are punishable as category A felonies; or

11 (2) Domestic violence.

12 ~~(g)~~ (h) Any person, including without limitation, a social  
13 worker, employed by this State or a political subdivision of this  
14 State who as part of his or her normal job responsibilities:

15 (1) Interacts with the public; and

16 (2) Performs tasks related to child welfare services or child  
17 protective services or tasks that expose the person to comparable  
18 dangers.

19 ~~(h)~~ (i) Any county manager in this State.

20 ~~(i)~~ (j) Any inspector, officer or investigator employed by this  
21 State or a political subdivision of this State designated by his or her  
22 employer:

23 (1) Who possesses specialized training in code enforcement;

24 (2) Who, as part of his or her normal job responsibilities,  
25 interacts with the public; and

26 (3) Whose primary duties are the performance of tasks  
27 related to code enforcement.

28 ~~(j)~~ (k) The spouse, domestic partner or minor child of a person  
29 described in paragraphs (a) to ~~(i)~~, (j), inclusive.

30 ~~(k)~~ (l) The surviving spouse, domestic partner or minor child  
31 of a person described in paragraphs (a) to ~~(i)~~, (j), inclusive, who  
32 was killed in the performance of his or her duties.

33 2. A person who wishes to have an alternate address displayed  
34 on his or her driver's license, commercial driver's license or  
35 identification card pursuant to this section must submit to the  
36 Department satisfactory proof:

37 (a) That he or she is a person described in subsection 1; and

38 (b) Of the person's address of principal residence and mailing  
39 address, if different from the address of principal residence.

40 3. A person who obtains a driver's license, commercial driver's  
41 license or identification card that displays an alternate address  
42 pursuant to this section may subsequently submit a request to the  
43 Department to have his or her address of principal residence  
44 displayed on his or her driver's license, commercial driver's license  
45 or identification card instead of the alternate address.



1 4. The Department may adopt regulations to carry out the  
2 provisions of this section.

3 5. As used in this section:

4 (a) "Child protective services" has the meaning ascribed to it in  
5 NRS 432B.042.

6 (b) "Child welfare services" has the meaning ascribed to it in  
7 NRS 432B.044.

8 (c) "Code enforcement" means the enforcement of laws,  
9 ordinances or codes regulating public nuisances or the public health,  
10 safety and welfare.

11 (d) "Social worker" means any person licensed under chapter  
12 641B of NRS.

