

SENATE BILL NO. 243—SENATORS BUCK; HARDY, PICKARD,
SEEVERS GANSERT AND SETTELMAYER

MARCH 15, 2021

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing the confidentiality of the personal information of certain persons. (BDR 20-938)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to confidential information; authorizing certain teachers, instructors and professors and certain retired teachers, instructors and professors to request that certain personal information be kept in a confidential manner; authorizing such persons to request the Department of Motor Vehicles to display an alternate address on a 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, county recorder, the Secretary of State or a city or county clerk to
3 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 court order is required to submit to the
6 court a sworn affidavit that, among other things, sets forth sufficient justification
7 for the request for confidentiality. (NRS 247.530, 250.130, 293.906) The persons
8 authorized to obtain such court orders include justices, judges, certain court
9 personnel, certain peace officers, certain district attorneys or attorneys employed by
10 the district attorney, certain state or county public defenders, certain employees
11 who perform tasks related to child welfare or protective services, county managers
12 and certain employees who perform tasks related to code enforcement. Existing law
13 also authorizes the spouse, domestic partner or minor child of any such person and
14 the surviving spouse, domestic partner or minor child of any such person who was
15 killed in the performance of his or her duties to obtain such court orders. (NRS
16 247.540, 250.140, 293.908) **Sections 1-3** of this bill additionally authorize any
17 teacher, instructor or professor who teaches, or any retired teacher, instructor or



18 professor who previously taught, in a program of general education, vocational
19 education or rehabilitation for offenders in an institution or facility of the
20 Department of Corrections to obtain such court orders.

21 Existing law authorizes certain persons to request that the Department of Motor
22 Vehicles display an alternate address on the person's driver's license, commercial
23 driver's license or identification card. (NRS 481.091) **Section 4** of this bill
24 additionally authorizes any teacher, instructor or professor who teaches, or any
25 retired teacher, instructor or professor who previously taught, in a program of
26 general education, vocational education or rehabilitation for offenders in an
27 institution or facility of the Department of Corrections to make such requests.

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

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

15 (2) Domestic violence.

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

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

19 (2) Domestic violence.

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

23 (1) Interacts with the public; and

24 (2) Performs tasks related to child welfare services or child
25 protective services or tasks that expose the person to comparable
26 dangers.

27 (h) Any county manager in this State.

28 (i) Any inspector, officer or investigator employed by this State
29 or a political subdivision of this State designated by his or her
30 employer:

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



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

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

5 (j) *Any teacher, instructor or professor who teaches, or any*
6 *retired teacher, instructor or professor who previously taught, in a*
7 *program of general education, vocational education or*
8 *rehabilitation for offenders in an institution or facility of the*
9 *Department of Corrections.*

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

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

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

20 3. As used in this section:

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

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

25 (c) "Code enforcement" means the enforcement of laws,
26 ordinances or codes regulating public nuisances or the public health,
27 safety and welfare.

28 (d) *"Facility" has the meaning ascribed to it in NRS 209.065.*

29 (e) *"Institution" has the meaning ascribed to it in*
30 *NRS 209.071.*

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

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

34 250.140 1. The following persons may request that personal
35 information described in subsection 1, 2 or 3 of NRS 250.120 that is
36 contained in the records of a county assessor 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 peace officer or retired peace officer.

43 (f) Any prosecutor.

44 (g) Any state or county public defender.



1 (h) Any person, including without limitation, a social worker,
2 employed by this State or a political subdivision of this State who as
3 part of his or her normal job responsibilities interacts with the public
4 and performs tasks related to child welfare services or child
5 protective services or tasks that expose the person to comparable
6 dangers.

7 (i) Any county manager in this State.

8 (j) Any inspector, officer or investigator employed by this State
9 or a political subdivision of this State designated by his or her
10 employer who possesses specialized training in code enforcement,
11 interacts with the public and whose primary duties are the
12 performance of tasks related to code enforcement.

13 (k) *Any teacher, instructor or professor who teaches, or any*
14 *retired teacher, instructor or professor who previously taught, in a*
15 *program of general education, vocational education or*
16 *rehabilitation for offenders in an institution or facility of the*
17 *Department of Corrections.*

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

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

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

28 3. 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) *"Facility" has the meaning ascribed to it in NRS 209.065.*

37 (e) *"Institution" has the meaning ascribed to it in*
38 *NRS 209.071.*

39 (f) "Peace officer" means:

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

43 (2) Any person:

44 (I) Who resides in this State;

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



1 (III) Who is employed by a law enforcement agency of
2 the Federal Government, including, without limitation, a ranger for
3 the National Park Service and an agent employed by the Federal
4 Bureau of Investigation, Secret Service, United States Department
5 of Homeland Security or United States Department of the Treasury.

6 ~~(e)~~ (g) “Prosecutor” has the meaning ascribed to it in
7 NRS 241A.030.

8 ~~(f)~~ (h) “Social worker” means any person licensed under
9 chapter 641B of NRS.

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

11 293.908 1. The following persons may request that personal
12 information contained in the records of the Secretary of State or a
13 county or city clerk be kept confidential:

- 14 (a) Any justice or judge in this State.
15 (b) Any senior justice or senior judge in this State.
16 (c) Any court-appointed master in this State.
17 (d) Any clerk of a court, court administrator or court executive
18 officer in this State.

19 (e) Any district attorney or attorney employed by the district
20 attorney who as part of his or her normal job responsibilities
21 prosecutes persons for:

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

24 (f) Any state or county public defender who as part of his or her
25 normal job responsibilities defends persons for:

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

28 (g) Any person, including without limitation, a social worker,
29 employed by this State or a political subdivision of this State who as
30 part of his or her normal job responsibilities:

- 31 (1) Interacts with the public; and
32 (2) Performs tasks related to child welfare services or child
33 protective services or tasks that expose the person to comparable
34 dangers.

35 (h) Any county manager in this State.

36 (i) Any inspector, officer or investigator employed by this State
37 or a political subdivision of this State designated by his or her
38 employer:

- 39 (1) Who possess specialized training in code enforcement;
40 (2) Who, as part of his or her normal job responsibilities,
41 interacts with the public; and
42 (3) Whose primary duties are the performance of tasks
43 related to code enforcement.

44 (j) *Any teacher, instructor or professor who teaches, or any*
45 *retired teacher, instructor or professor who previously taught, in a*



1 *program of general education, vocational education or*
2 *rehabilitation for offenders in an institution or facility of the*
3 *Department of Corrections.*

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

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

9 2. 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) *"Facility" has the meaning ascribed to it in NRS 209.065.*

18 (e) *"Institution" has the meaning ascribed to it in*
19 *NRS 209.071.*

20 (f) "Social worker" means any person licensed under chapter
21 641B of NRS.

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

23 481.091 1. The following persons may request that the
24 Department display an alternate address on the person's driver's
25 license, commercial driver's license or identification card:

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

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

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

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

31 (e) Any prosecutor who as part of his or her normal job
32 responsibilities prosecutes persons for:

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

34 (2) Domestic violence.

35 (f) Any state or county public defender who as part of his or her
36 normal job responsibilities defends persons for:

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

38 (2) Domestic violence.

39 (g) Any person, including without limitation, a social worker,
40 employed by this State or a political subdivision of this State who as
41 part of his or her normal job responsibilities:

42 (1) Interacts with the public; and

43 (2) Performs tasks related to child welfare services or child
44 protective services or tasks that expose the person to comparable
45 dangers.



1 (h) Any county manager in this State.

2 (i) Any inspector, officer or investigator employed by this State
3 or a political subdivision of this State designated by his or her
4 employer:

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

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

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

10 (j) *Any teacher, instructor or professor who teaches, or any*
11 *retired teacher, instructor or professor who previously taught, in a*
12 *program of general education, vocational education or*
13 *rehabilitation for offenders in an institution or facility of the*
14 *Department of Corrections.*

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

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

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

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

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

27 3. A person who obtains a driver's license, commercial driver's
28 license or identification card that displays an alternate address
29 pursuant to this section may subsequently submit a request to the
30 Department to have his or her address of principal residence
31 displayed on his or her driver's license, commercial driver's license
32 or identification card instead of the alternate address.

33 4. The Department may adopt regulations to carry out the
34 provisions of this section.

35 5. As used in this section:

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

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

40 (c) "Code enforcement" means the enforcement of laws,
41 ordinances or codes regulating public nuisances or the public health,
42 safety and welfare.

43 (d) *"Facility" has the meaning ascribed to it in NRS 209.065.*

44 (e) *"Institution" has the meaning ascribed to it in*
45 *NRS 209.071.*



1 (f) “Social worker” means any person licensed under chapter
2 641B of NRS.

Ⓢ

