

SENATE BILL NO. 31—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE RECORDS, COMMUNICATIONS
AND COMPLIANCE DIVISION OF THE
DEPARTMENT OF PUBLIC SAFETY)

PREFILED NOVEMBER 18, 2020

Referred to Committee on Judiciary

SUMMARY—Makes various changes relating to public safety.
(BDR 14-337)

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 public safety; authorizing the Central Repository for Nevada Records of Criminal History to monitor the agencies of criminal justice in this State for compliance with certain requirements relating to the submission or transmission of certain information and records concerning public safety; providing that if the Central Repository chooses to perform such monitoring, the Central Repository must prepare and post on its Internet website an annual report relating to the compliance of such agencies of criminal justice in this State with such requirements; revising the definition of a record of criminal history; revising the requirements for publication of certain statistical data; revising provisions relating to the information provided to an authorized participant of a service to conduct a name-based search of records of criminal history; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law creates the Central Repository for Nevada Records of Criminal
2 History to collect and maintain certain information relating to records of criminal
3 history. (NRS 179A.075) Existing law requires a court, within 5 business days, to
4 transmit to the Central Repository any record concerning the appointment of a
5 guardian for a person with a mental defect, plea or finding of guilty but mentally ill,



6 verdict acquitting a person by reason of insanity, finding that a person is
7 incompetent to stand trial or involuntary admission of a person to a mental health
8 facility, along with a statement that the record is being transmitted for inclusion in
9 each appropriate database of the National Instant Criminal Background Check
10 System. (NRS 159.0593, 174.035, 175.533, 175.539, 178.425, 433A.310) Existing
11 law also provides that, upon receiving such a record, the Central Repository: (1)
12 must take reasonable steps to ensure that the information reported in the record is
13 included in each appropriate database of the National Instant Criminal Background
14 Check System; and (2) may take reasonable steps to ensure that the information
15 reported in the record is included in each appropriate database of the National
16 Crime Information Center. (NRS 179A.163)

17 Additionally, existing law requires: (1) each agency of criminal justice to
18 submit information to the Central Repository relating to records of criminal history
19 that it creates, issues or collects and certain information in the agency's possession
20 relating to the DNA profile of certain persons; (2) each state and local law
21 enforcement agency to submit Uniform Crime Reports. (NRS 179A.075) Finally,
22 any time that a court issues a temporary or extended order for protection against
23 domestic violence, an ex parte or extended order for protection against high-risk
24 behavior, a temporary or extended order for protection against a person alleged to
25 have committed the crime of sexual assault or a temporary or extended order for
26 protection against stalking, aggravated stalking or harassment and any time that a
27 person serves such an order, registers such an order or takes certain other actions
28 relating to such orders, existing law requires the person to transmit certain
29 information to the Central Repository. (NRS 33.095, 33.650, 200.37835, 200.599)

30 **Section 1** of this bill: (1) authorizes the Central Repository to monitor the
31 agencies of criminal justice in this State for compliance with the statutory
32 requirements relating to the submission or transmission of certain information
33 relating to mental health records and certain other records, reports, compilations
34 and information; and (2) if the Central Repository chooses to perform such
35 monitoring, requires the Central Repository to prepare an annual report regarding
36 such compliance and post the report on its Internet website. **Section 1** also
37 authorizes the Central Repository to contact the agencies of criminal justice in this
38 State to coordinate efforts to ensure the timely submission or transmission of such
39 information and records.

40 Under existing law, the term "record of criminal history" includes decisions of
41 a district attorney not to prosecute a person. (NRS 179A.070) **Section 1.5** of this
42 bill revises the definition of "record of criminal history" to refer to decisions of a
43 prosecuting attorney, rather than a district attorney, which expands the definition to
44 include other types of prosecuting attorneys, such as city attorneys.

45 Existing law requires the Central Repository to prepare and post on its Internet
46 website certain reports containing statistical data relating to crime and domestic
47 violence. (NRS 179A.075) **Section 2** of this bill eliminates the requirement to
48 prepare and post such reports and instead requires the Central Repository to provide
49 an electronic means to access on the Central Repository's Internet website
50 statistical data relating to crime and domestic violence.

51 Existing law establishes within the Central Repository a service to conduct a
52 name-based search of records of criminal history of an employee, prospective
53 employee, volunteer or prospective volunteer and provides that the Central
54 Repository shall disseminate to an authorized participant of the service information
55 which: (1) reflects convictions only; or (2) pertains to an incident for which an
56 employee, prospective employee, volunteer or prospective volunteer is currently
57 within the system of criminal justice, including parole or probation. (NRS
58 179A.103) Existing law also defines the term "record of criminal history" to
59 include information contained in records collected and maintained by agencies of
60 criminal justice, such as warrants, arrests, citations, detentions, decisions not to



61 prosecute, indictments, charges and dispositions of charges. (NRS 179A.070)
62 **Section 3** of this bill provides that in conducting a name-based search of records of
63 criminal history of an employee, prospective employee, volunteer or prospective
64 volunteer, the Central Repository shall disseminate to an authorized participant
65 information which reflects convictions only.

66 Existing law creates the Repository for Information Concerning Orders for
67 Protection, which contains a record of all: (1) temporary and extended orders for
68 protection against domestic violence issued or registered in this State and all
69 Canadian domestic-violence protection orders registered in this State; (2) temporary
70 and extended orders for protection against stalking, aggravated stalking or
71 harassment issued in this State; and (3) temporary and extended orders for
72 protection against a person alleged to have committed the crime of sexual assault
73 issued in this State. Existing law also requires the Director of the Department of
74 Public Safety, on or before July 1 of each year, to submit to the Director of the
75 Legislative Counsel Bureau a written report concerning all temporary and extended
76 orders for protection against domestic violence, sexual assault, stalking, aggravated
77 stalking or harassment issued during the previous calendar year that were
78 transmitted to the Repository for Information Concerning Orders for Protection.
79 (NRS 179A.350) **Section 4** of this bill eliminates the requirement to submit such a
80 report and instead requires the Director of the Department of Public Safety to
81 provide an electronic means to access on the Central Repository's Internet website
82 statistical data concerning such orders for protection.

83 Existing law creates the Repository for Information Concerning Crimes Against
84 Older Persons or Vulnerable Persons, which contains a record of all reports of the
85 abuse, neglect, exploitation, isolation or abandonment of older persons or
86 vulnerable persons in this State. Existing law also requires the Director of the
87 Department of Public Safety, on or before July 1 of each year, to prepare and
88 submit to the Director of the Legislative Counsel Bureau for transmittal to the
89 Legislature a report on the abuse, neglect, exploitation, isolation or abandonment of
90 older persons or vulnerable persons. (NRS 179A.450) **Section 5** of this bill
91 eliminates the requirement to submit such a report and instead requires the Director
92 of the Department of Public Safety to provide an electronic means to access on the
93 Central Repository's Internet website statistical data on the abuse, neglect,
94 exploitation, isolation or abandonment of older persons or vulnerable persons.

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

1 **Section 1.** Chapter 179A of NRS is hereby amended by
2 adding thereto a new section to read as follows:

3 *1. The Central Repository may:*

4 *(a) Monitor the agencies of criminal justice in this State, at*
5 *such times as the Central Repository deems necessary, to ensure*
6 *that the agencies of criminal justice are compliant with all*
7 *applicable provisions of NRS 33.095, 33.650, 159.0593, 174.035,*
8 *175.533, 175.539, 178.425, subsections 2, 3 and 4 of NRS*
9 *179A.075, NRS 200.37835, 200.599 and 433A.310; and*

10 *(b) According to a schedule established by the Director of the*
11 *Department, contact the agencies of criminal justice in this State*
12 *to coordinate efforts to ensure the timely submission or*



1 *transmission of information and records pursuant to NRS 33.095,*
2 *33.650, 159.0593, 174.035, 175.533, 175.539, 178.425, subsections*
3 *2, 3 and 4 of NRS 179A.075, NRS 200.37835, 200.599 and*
4 *433A.310.*

5 *2. The Central Repository may adopt policies and procedures*
6 *to carry out its duties pursuant to this section.*

7 *3. To carry out its duties pursuant to this section, the Central*
8 *Repository may request that an agency of criminal justice provide*
9 *information to the Central Repository. An agency of criminal*
10 *justice shall provide information requested by the Central*
11 *Repository in the manner and within the time prescribed by any*
12 *policies and procedures adopted by the Central Repository*
13 *pursuant to subsection 2.*

14 *4. If the Central Repository chooses to monitor the agencies*
15 *of criminal justice in this State pursuant to this section, the*
16 *Central Repository must:*

17 *(a) Prepare an annual report for the preceding calendar year*
18 *indicating whether the agencies of criminal justice in this State*
19 *were in compliance with the requirements regarding the*
20 *submission or transmission of information and records set forth in*
21 *NRS 33.095, 33.650, 159.0593, 174.035, 175.533, 175.539,*
22 *178.425, subsections 2, 3 and 4 of NRS 179A.075, NRS 200.37835,*
23 *200.599 and 433A.310; and*

24 *(b) On or before March 31 of each year, post the annual report*
25 *on its Internet website.*

26 **Sec. 1.5.** NRS 179A.070 is hereby amended to read as
27 follows:

28 179A.070 1. "Record of criminal history" means information
29 contained in records collected and maintained by agencies of
30 criminal justice, the subject of which is a natural person, consisting
31 of descriptions which identify the subject and notations of summons
32 in a criminal action, warrants, arrests, citations for misdemeanors
33 issued pursuant to NRS 171.1773, citations issued for violations of
34 NRS 484C.110, 484C.120, 484C.130 and 484C.430, detentions,
35 decisions of a ~~district~~ **prosecuting** attorney or the Attorney
36 General not to prosecute the subject, indictments, informations or
37 other formal criminal charges and dispositions of charges, including,
38 without limitation, dismissals, acquittals, convictions, sentences,
39 information set forth in NRS 209.353 concerning an offender in
40 prison, any postconviction relief, correctional supervision occurring
41 in Nevada, information concerning the status of an offender on
42 parole or probation, and information concerning a convicted person
43 who has registered as such pursuant to chapter 179C of NRS. The
44 term includes only information contained in a record, maintained in
45 written or electronic form, of a formal transaction between a person



1 and an agency of criminal justice in this State, including, without
2 limitation, the fingerprints and other biometric identifiers of a
3 person who is arrested and taken into custody and of a person who is
4 placed on parole or probation and supervised by the Division of
5 Parole and Probation of the Department.

6 2. "Record of criminal history" does not include:

7 (a) Investigative or intelligence information, reports of crime or
8 other information concerning specific persons collected in the
9 course of the enforcement of criminal laws;

10 (b) Information concerning juveniles;

11 (c) Posters, announcements or lists intended to identify fugitives
12 or wanted persons and aid in their apprehension;

13 (d) Original records of entry maintained by agencies of criminal
14 justice if the records are chronological and not cross-indexed;

15 (e) Records of application for and issuance, suspension,
16 revocation or renewal of occupational licenses, including, without
17 limitation, permits to work in the gaming industry;

18 (f) Except as otherwise provided in subsection 1, court indexes
19 and records of public judicial proceedings, court decisions and
20 opinions, and information disclosed during public judicial
21 proceedings;

22 (g) Except as otherwise provided in subsection 1, records of
23 traffic violations constituting misdemeanors;

24 (h) Records of traffic offenses maintained by the Department to
25 regulate the issuance, suspension, revocation or renewal of drivers'
26 or other operators' licenses;

27 (i) Announcements of actions by the State Board of Pardons
28 Commissioners and the State Board of Parole Commissioners,
29 except information concerning the status of an offender on parole or
30 probation; or

31 (j) Records which originated in an agency other than an agency
32 of criminal justice in this State.

33 **Sec. 2.** NRS 179A.075 is hereby amended to read as follows:

34 179A.075 1. The Central Repository for Nevada Records of
35 Criminal History is hereby created within the Records,
36 Communications and Compliance Division of the Department.

37 2. Each agency of criminal justice and any other agency
38 dealing with crime shall:

39 (a) Collect and maintain records, reports and compilations of
40 statistical data required by the Department; and

41 (b) Submit the information collected to the Central Repository:

42 (1) In the manner approved by the Director of the
43 Department; and



1 (2) In accordance with the policies, procedures and
2 definitions of the Uniform Crime Reporting Program of the Federal
3 Bureau of Investigation.

4 3. Each agency of criminal justice shall submit the information
5 relating to records of criminal history that it creates, issues or
6 collects, and any information in its possession relating to the DNA
7 profile of a person from whom a biological specimen is obtained
8 pursuant to NRS 176.09123 or 176.0913, to the Division. The
9 information must be submitted to the Division:

10 (a) Through an electronic network;

11 (b) On a medium of magnetic storage; or

12 (c) In the manner prescribed by the Director of the Department,
13 ↪ within 60 days after the date of the disposition of the case. If an
14 agency has submitted a record regarding the arrest of a person who
15 is later determined by the agency not to be the person who
16 committed the particular crime, the agency shall, immediately upon
17 making that determination, so notify the Division. The Division
18 shall delete all references in the Central Repository relating to that
19 particular arrest.

20 4. Each state and local law enforcement agency shall submit
21 Uniform Crime Reports to the Central Repository:

22 (a) In the manner prescribed by the Director of the Department;

23 (b) In accordance with the policies, procedures and definitions
24 of the Uniform Crime Reporting Program of the Federal Bureau of
25 Investigation; and

26 (c) Within the time prescribed by the Director of the
27 Department.

28 5. The Division shall, in the manner prescribed by the Director
29 of the Department:

30 (a) Collect, maintain and arrange all information submitted to it
31 relating to:

32 (1) Records of criminal history; and

33 (2) The DNA profile of a person from whom a biological
34 specimen is obtained pursuant to NRS 176.09123 or 176.0913.

35 (b) When practicable, use a record of the personal identifying
36 information of a subject as the basis for any records maintained
37 regarding him or her.

38 (c) Upon request, provide, in paper or electronic form, the
39 information that is contained in the Central Repository to the
40 Committee on Domestic Violence appointed pursuant to NRS
41 228.470 when, pursuant to NRS 228.495, the Committee is
42 reviewing the death of the victim of a crime that constitutes
43 domestic violence pursuant to NRS 33.018.

44 6. The Division may:



1 (a) Disseminate any information which is contained in the
2 Central Repository to any other agency of criminal justice;

3 (b) Enter into cooperative agreements with repositories of the
4 United States and other states to facilitate exchanges of information
5 that may be disseminated pursuant to paragraph (a); and

6 (c) Request of and receive from the Federal Bureau of
7 Investigation information on the background and personal history of
8 any person whose record of fingerprints or other biometric identifier
9 the Central Repository submits to the Federal Bureau of
10 Investigation and:

11 (1) Who has applied to any agency of the State of Nevada or
12 any political subdivision thereof for a license which it has the power
13 to grant or deny;

14 (2) With whom any agency of the State of Nevada or any
15 political subdivision thereof intends to enter into a relationship of
16 employment or a contract for personal services;

17 (3) Who has applied to any agency of the State of Nevada or
18 any political subdivision thereof to attend an academy for training
19 peace officers approved by the Peace Officers' Standards and
20 Training Commission;

21 (4) For whom such information is required or authorized to
22 be obtained pursuant to NRS 62B.270, 62G.223, 62G.353, 424.031,
23 432A.170, 432B.198, 433B.183, 449.123 and 449.4329; or

24 (5) About whom any agency of the State of Nevada or any
25 political subdivision thereof is authorized by law to have accurate
26 personal information for the protection of the agency or the persons
27 within its jurisdiction.

28 7. To request and receive information from the Federal Bureau
29 of Investigation concerning a person pursuant to subsection 6, the
30 Central Repository must receive:

31 (a) The person's complete set of fingerprints for the purposes of:

32 (1) Booking the person into a city or county jail or detention
33 facility;

34 (2) Employment;

35 (3) Contractual services; or

36 (4) Services related to occupational licensing;

37 (b) One or more of the person's fingerprints for the purposes of
38 mobile identification by an agency of criminal justice; or

39 (c) Any other biometric identifier of the person as it may require
40 for the purposes of:

41 (1) Arrest; or

42 (2) Criminal investigation,

43 ↪ from the agency of criminal justice or agency of the State of
44 Nevada or any political subdivision thereof and submit the received
45 data to the Federal Bureau of Investigation for its report.



1 8. The Central Repository shall:

2 (a) Collect and maintain records, reports and compilations of
3 statistical data submitted by any agency pursuant to subsection 2.

4 (b) Tabulate and analyze all records, reports and compilations of
5 statistical data received pursuant to this section.

6 (c) Disseminate to federal agencies engaged in the collection of
7 statistical data relating to crime information which is contained in
8 the Central Repository.

9 (d) Investigate the criminal history of any person who:

10 (1) Has applied to the Superintendent of Public Instruction
11 for the issuance or renewal of a license;

12 (2) Has applied to a county school district, charter school or
13 private school for employment or to serve as a volunteer; or

14 (3) Is employed by or volunteers for a county school district,
15 charter school or private school,

16 ↪ and immediately notify the superintendent of each county school
17 district, the governing body of each charter school and the
18 Superintendent of Public Instruction, or the administrator of each
19 private school, as appropriate, if the investigation of the Central
20 Repository indicates that the person has been convicted of a
21 violation of NRS 200.508, 201.230, 453.3385 or 453.339, or
22 convicted of a felony or any offense involving moral turpitude.

23 (e) Upon discovery, immediately notify the superintendent of
24 each county school district, the governing body of each charter
25 school or the administrator of each private school, as appropriate, by
26 providing the superintendent, governing body or administrator with
27 a list of all persons:

28 (1) Investigated pursuant to paragraph (d); or

29 (2) Employed by or volunteering for a county school district,
30 charter school or private school whose fingerprints were sent
31 previously to the Central Repository for investigation,

32 ↪ who the Central Repository's records indicate have been
33 convicted of a violation of NRS 200.508, 201.230, 453.3385 or
34 453.339, or convicted of a felony or any offense involving moral
35 turpitude since the Central Repository's initial investigation. The
36 superintendent of each county school district, the governing body of
37 a charter school or the administrator of each private school, as
38 applicable, shall determine whether further investigation or action
39 by the district, charter school or private school, as applicable, is
40 appropriate.

41 (f) Investigate the criminal history of each person who submits
42 one or more fingerprints or other biometric identifier or has such
43 data submitted pursuant to NRS 62B.270, 62G.223, 62G.353,
44 424.031, 432A.170, 432B.198, 433B.183, 449.122, 449.123 or
45 449.4329.



1 (g) ~~[On or before July 1 of each year, prepare and post on the~~
2 ~~Central Repository's Internet website an annual report containing~~
3 ~~the] Provide an electronic means to access on the Central~~
4 ~~Repository's Internet website~~ statistical data relating to crime .
5 ~~[received during the preceding calendar year. Additional reports~~
6 ~~may be posted to the Central Repository's Internet website~~
7 ~~throughout the year regarding specific areas of crime if they are~~
8 ~~approved by the Director of the Department.~~

9 ~~—(h) On or before July 1 of each year, prepare and post on the~~
10 ~~Central Repository's Internet website a report containing]~~

11 (h) Provide an electronic means to access on the Central
12 Repository's Internet website statistical data about domestic
13 violence in this State.

14 (i) Identify and review the collection and processing of
15 statistical data relating to criminal justice by any agency identified
16 in subsection 2 and make recommendations for any necessary
17 changes in the manner of collecting and processing statistical data
18 by any such agency.

19 (j) Adopt regulations governing biometric identifiers and the
20 information and data derived from biometric identifiers, including,
21 without limitation:

22 (1) Their collection, use, safeguarding, handling, retention,
23 storage, dissemination and destruction; and

24 (2) The methods by which a person may request the removal
25 of his or her biometric identifiers from the Central Repository and
26 any other agency where his or her biometric identifiers have been
27 stored.

28 9. The Central Repository may:

29 (a) In the manner prescribed by the Director of the Department,
30 disseminate compilations of statistical data and publish statistical
31 reports relating to crime.

32 (b) Charge a reasonable fee for any publication or special report
33 it distributes relating to data collected pursuant to this section. The
34 Central Repository may not collect such a fee from an agency of
35 criminal justice or any other agency dealing with crime which is
36 required to submit information pursuant to subsection 2. All money
37 collected pursuant to this paragraph must be used to pay for the cost
38 of operating the Central Repository.

39 (c) In the manner prescribed by the Director of the Department,
40 use electronic means to receive and disseminate information
41 contained in the Central Repository that it is authorized to
42 disseminate pursuant to the provisions of this chapter.

43 10. As used in this section:



1 (a) "Mobile identification" means the collection, storage,
2 transmission, reception, search, access or processing of a biometric
3 identifier using a handheld device.

4 (b) "Personal identifying information" means any information
5 designed, commonly used or capable of being used, alone or in
6 conjunction with any other information, to identify a person,
7 including, without limitation:

8 (1) The name, driver's license number, social security
9 number, date of birth and photograph or computer-generated image
10 of a person; and

11 (2) A biometric identifier of a person.

12 (c) "Private school" has the meaning ascribed to it in
13 NRS 394.103.

14 **Sec. 3.** NRS 179A.103 is hereby amended to read as follows:

15 179A.103 1. There is hereby established within the Central
16 Repository a service to conduct a name-based search of records of
17 criminal history of an employee, prospective employee, volunteer or
18 prospective volunteer.

19 2. An eligible person that wishes to participate in the service
20 must enter into a contract with the Central Repository. The elements
21 of a contract entered into pursuant to this section must be limited to
22 requiring the eligible person to:

23 (a) Pay a fee pursuant to subsection 3, if applicable; and

24 (b) Comply with applicable law.

25 3. The Central Repository may charge a reasonable fee for
26 participation in the service.

27 4. An authorized participant of the service may inquire about
28 the records of criminal history of an employee, prospective
29 employee, volunteer or prospective volunteer to determine the
30 suitability of the employee or prospective employee for employment
31 or the suitability of the volunteer or prospective volunteer for
32 volunteering.

33 5. The Central Repository shall disseminate to an authorized
34 participant of the service information which ~~is~~

35 ~~—(a) Reflects]~~ *reflects* convictions only. ~~is or~~

36 ~~—(b) Pertains to an incident for which an employee, prospective~~
37 ~~employee, volunteer or prospective volunteer is currently within the~~
38 ~~system of criminal justice, including parole or probation.]~~

39 6. An employee, prospective employee, volunteer or
40 prospective volunteer who is proposed to be the subject of a name-
41 based search must provide his or her written consent directly to the
42 authorized participant or, if the authorized participant is a screening
43 service, directly to the eligible person designating the screening
44 service to receive records of criminal history, for the Central



1 Repository to perform the search and to release the information to
2 an authorized participant. The written consent form may be:

3 (a) A form designated by the Central Repository; or

4 (b) If the authorized participant is a screening service, a form
5 that complies with the provisions of 15 U.S.C. § 1681b(b)2 for the
6 procurement of a consumer report.

7 7. A screening service that is designated to receive records of
8 criminal history on behalf of an eligible person may provide such
9 records of criminal history to the eligible person upon request of the
10 eligible person if the screening service maintains records of its
11 dissemination of the records of criminal history.

12 8. The Central Repository may audit an authorized participant,
13 at such times as the Central Repository deems necessary, to ensure
14 that records of criminal history are securely maintained.

15 9. The Central Repository may terminate participation in the
16 service if an authorized participant fails:

17 (a) To pay the fees required to participate in the service; or

18 (b) To address, within a reasonable period, deficiencies
19 identified in an audit conducted pursuant to subsection 8.

20 10. As used in this section:

21 (a) "Authorized participant" means an eligible person who has
22 entered into a contract with the Central Repository to participate in
23 the service established pursuant to subsection 1.

24 (b) "Consumer report" has the meaning ascribed to it in 15
25 U.S.C. § 1681a(d).

26 (c) "Eligible person" means:

27 (1) An employer.

28 (2) A volunteer organization.

29 (3) A screening service.

30 (d) "Employer" means a person that:

31 (1) Employs an employee or makes employment decisions;

32 (2) Enters into a contract with an independent contractor or
33 makes the determination whether to enter into a contract with an
34 independent contractor; or

35 (3) Enters into a contract with a person, business or
36 organization for the provision, directly or indirectly, of labor,
37 services or materials by an independent contractor, subcontractor or
38 a third party.

39 (e) "Employment" includes performing services, directly or
40 indirectly, for an employer as an independent contractor,
41 subcontractor or a third party pursuant to a contract.

42 (f) "Screening service" means a person or entity designated,
43 directly or indirectly, by an eligible person to provide employment
44 or volunteer screening services to the eligible person.

45 (g) "Written consent" means:



1 (1) An electronic signature pursuant to 15 U.S.C. § 7006(5),
2 and any regulations adopted pursuant thereto;

3 (2) Completion of the form designated by the Central
4 Repository pursuant to paragraph (a) of subsection 6; or

5 (3) Consent by means of mail, the Internet, other electronic
6 means or other means pursuant to 15 U.S.C. § 1681b(b)(2), and any
7 regulations adopted pursuant thereto.

8 **Sec. 4.** NRS 179A.350 is hereby amended to read as follows:

9 179A.350 1. The Repository for Information Concerning
10 Orders for Protection is hereby created within the Central
11 Repository.

12 2. Except as otherwise provided in subsection 10, the
13 Repository for Information Concerning Orders for Protection must
14 contain a complete and systematic record of all:

15 (a) Temporary and extended orders for protection against
16 domestic violence issued or registered in the State of Nevada and all
17 Canadian domestic-violence protection orders registered in the State
18 of Nevada, including, without limitation, any information received
19 pursuant to NRS 33.095;

20 (b) Temporary and extended orders for protection against
21 stalking, aggravated stalking or harassment issued in this State
22 pursuant to NRS 200.599; and

23 (c) Temporary and extended orders for protection against a
24 person alleged to have committed the crime of sexual assault issued
25 in this State pursuant to NRS 200.37835.

26 3. The records contained in the Repository for Information
27 Concerning Orders for Protection must be kept in accordance with
28 the regulations adopted by the Director of the Department.

29 4. Information received by the Central Repository pursuant to
30 NRS 33.095, 200.37835 and 200.599 must be entered in the
31 Repository for Information Concerning Orders for Protection.

32 5. The information in the Repository for Information
33 Concerning Orders for Protection must be accessible by computer at
34 all times to each agency of criminal justice.

35 6. The Repository for Information Concerning Orders for
36 Protection shall retain all records of an expired temporary or
37 extended order for protection unless such an order is sealed by a
38 court of competent jurisdiction.

39 7. The existence of a record of an expired temporary or
40 extended order for protection in the Repository for Information
41 Concerning Orders for Protection does not prohibit a person from
42 obtaining a firearm or a permit to carry a concealed firearm unless
43 such conduct violates:

44 (a) A court order; or

45 (b) Any provision of federal or state law.



1 8. ~~[On or before July 1 of each year, the]~~ *The* Director of the
2 Department shall ~~[submit to the Director of the Legislative Counsel~~
3 ~~Bureau a written report]~~ *provide an electronic means to access on*
4 *the Central Repository's Internet website statistical data*
5 concerning all temporary and extended orders for protection issued
6 pursuant to NRS 33.020, 200.378 and 200.591 during the previous
7 calendar year that were transmitted to the Repository for
8 Information Concerning Orders for Protection. The ~~[report]~~ *data*
9 must include, without limitation, information for each court that
10 issues temporary or extended orders for protection pursuant to NRS
11 33.020, 200.378 and 200.591, respectively, concerning:

12 (a) The total number of temporary and extended orders that were
13 granted by the court during the calendar year to which the ~~[report]~~
14 *data* pertains;

15 (b) The number of temporary and extended orders that were
16 granted to women;

17 (c) The number of temporary and extended orders that were
18 granted to men;

19 (d) The number of temporary and extended orders that were
20 vacated or expired;

21 (e) The number of temporary orders that included a grant of
22 temporary custody of a minor child; and

23 (f) The number of temporary and extended orders that were
24 served on the adverse party.

25 9. The information provided pursuant to subsection 8 must
26 include only aggregate information for statistical purposes and must
27 exclude any identifying information relating to a particular person.

28 10. The Repository for Information Concerning Orders for
29 Protection must not contain any information concerning an event
30 that occurred before October 1, 1998.

31 11. As used in this section, "Canadian domestic-violence
32 protection order" has the meaning ascribed to it in NRS 33.119.

33 **Sec. 5.** NRS 179A.450 is hereby amended to read as follows:

34 179A.450 1. The Repository for Information Concerning
35 Crimes Against Older Persons or Vulnerable Persons is hereby
36 created within the Central Repository.

37 2. The Repository for Information Concerning Crimes Against
38 Older Persons or Vulnerable Persons must contain a complete and
39 systematic record of all reports of the abuse, neglect, exploitation,
40 isolation or abandonment of older persons or vulnerable persons in
41 this State. The record must be prepared in a manner approved by the
42 Director of the Department and must include, without limitation, the
43 following information:



1 (a) All incidents that are reported to state and local law
2 enforcement agencies and the Aging and Disability Services
3 Division of the Department of Health and Human Services.

4 (b) All cases that were investigated and the type of such cases.

5 3. ~~{On or before July 1 of each year, the}~~ *The* Director of the
6 Department shall ~~{prepare and submit a report to the Director of the~~
7 ~~Legislative Counsel Bureau for transmittal to the Legislature that~~
8 ~~sets forth}~~ *provide an electronic means to access on the Central*
9 *Repository's Internet website* statistical data on the abuse, neglect,
10 exploitation, isolation or abandonment of older persons or
11 vulnerable persons.

12 4. The data and findings generated pursuant to this section
13 must not contain information that may reveal the identity of an
14 individual victim or a person accused of the abuse, neglect,
15 exploitation, isolation or abandonment of older persons or
16 vulnerable persons.

17 5. As used in this section:

18 (a) "Abandonment" has the meaning ascribed to it in
19 NRS 200.5092.

20 (b) "Abuse" has the meaning ascribed to it in NRS 200.5092.

21 (c) "Exploitation" has the meaning ascribed to it in
22 NRS 200.5092.

23 (d) "Isolation" has the meaning ascribed to it in NRS 200.5092.

24 (e) "Neglect" has the meaning ascribed to it in NRS 200.5092.

25 (f) "Older person" means a person who is 60 years of age or
26 older.

27 (g) "Vulnerable person" has the meaning ascribed to it in
28 NRS 200.5092.

29 **Sec. 6.** The provisions of subsection 1 of NRS 218D.380 do
30 not apply to any provision of this act which adds or revises a
31 requirement to submit a report to the Legislature.

32 **Sec. 7.** 1. This section and sections 1.5 to 6, inclusive, of this
33 act become effective upon passage and approval.

34 2. Section 1 of this act becomes effective on January 1, 2022.



