
ASSEMBLY BILL NO. 45—COMMITTEE
ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE ATTORNEY GENERAL)

PREFILED NOVEMBER 19, 2024

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to certain public bodies.
(BDR 18-504)

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

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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 bodies; renaming the Account for Programs Related to Domestic Violence; revising provisions governing the expenditures authorized from the Account; renaming the Committee on Domestic Violence; revising the membership and duties of the Committee; transferring certain duties from the Sexual Assault Kit Working Group to the Committee; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law creates the Committee on Domestic Violence and requires the
2 Committee to carry out certain duties relating to domestic violence, including
3 increasing awareness, reviewing certain programs provided to peace officers for
4 training related to domestic violence and making recommendations regarding such
5 training, providing financial support to certain programs for the prevention of
6 domestic violence under certain circumstances and studying certain issues relating
7 to domestic violence. (NRS 228.470) **Section 4** of this bill requires the Committee
8 to also perform such duties as they relate to sexual assault.
9 **Section 4** also requires the Committee to: (1) make recommendations relating
10 to the need for additional sexual assault victims’ advocates; (2) make
11 recommendations relating to the need for ongoing evaluation of the rights of
12 survivors; and (3) review the effectiveness of the statewide program to track sexual
13 assault forensic evidence kits.
14 **Section 4** further renames the Committee on Domestic Violence to the
15 Committee on Domestic Violence and Sexual Assault to reflect the expansion of
16 duties of the Committee. **Sections 1, 2, 7, 8 and 10-16** of this bill make conforming
17 changes to reflect the renaming of the Committee.



18 Existing law sets forth the membership of the Committee, which consists of: (1)
19 certain persons appointed by the Attorney General, including two survivors of
20 domestic violence; and (2) one member who is a representative of the Division of
21 Public and Behavioral Health of the Department of Health and Human Services
22 who has certain experience and is appointed by the Administrator of the Division.
23 (NRS 228.470) **Section 4** revises the membership of the Committee by reducing the
24 number of survivors of domestic violence who are members of the Committee from
25 two to one and requiring the Attorney General to additionally appoint to the
26 Committee: (1) one staff member of a program for victims of sexual assault; (2)
27 one survivor of sexual assault; and (3) one medical professional with experience in
28 working with sexual assault forensic evidence kits.

29 Existing law requires the Attorney General to designate a department or
30 division of the Executive Department of State Government to establish a statewide
31 program to track sexual assault forensic evidence kits. Existing law further requires
32 such a designation to be made pursuant to the recommendation of the Sexual
33 Assault Kit Working Group, which is the statewide working group led by the
34 Office of the Attorney General to create policies and procedures to address the
35 backlog of sexual assault forensic evidence kits that have not been tested. (NRS
36 200.3788) **Section 9** of this bill requires such a designation to instead be made
37 pursuant to the recommendation of the Committee.

38 Existing law creates the Account for Programs Related to Domestic Violence
39 and authorizes the Ombudsman for Victims of Domestic Violence, Sexual Assault
40 and Human Trafficking to expend money in the Account for certain purposes
41 relating to domestic violence, including training certain persons about domestic
42 violence, assisting victims of domestic violence and educating the public on
43 domestic violence. (NRS 228.460) **Section 3** of this bill authorizes the Ombudsman
44 to expend money in the Account for such purposes as they relate to sexual assault.
45 **Section 3** additionally renames the Account for Programs Related to Domestic
46 Violence as the Account for Programs Related to Domestic Violence and Sexual
47 Assault to reflect the changes made by **section 3** to the scope of authorized
48 expenditures from the Account. **Sections 5 and 6** of this bill make conforming
49 changes to reflect the renaming of the Account.

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

1 **Section 1.** NRS 228.205 is hereby amended to read as follows:

2 228.205 1. There is hereby created in the Office of the
3 Attorney General the Victim Information Notification Everyday
4 System, which consists of a toll-free telephone number and an
5 Internet website through which victims of crime and members of the
6 public may register to receive automated information and
7 notification concerning changes in the custody status of an offender.

8 2. The Committee on Domestic Violence *and Sexual Assault*
9 appointed pursuant to NRS 228.470 shall serve as the Governance
10 Committee for the System.

11 3. The Governance Committee may adopt policies, protocols
12 and regulations for the operation and oversight of the System.

13 4. The Attorney General may apply for and accept gifts, grants
14 and donations for use in carrying out the provisions of this section.



1 5. To the extent of available funding, each sheriff and chief of
2 police, the Department of Corrections, the Department of Public
3 Safety and the State Board of Parole Commissioners shall cooperate
4 with the Attorney General to establish and maintain the System.

5 6. The failure of the System to notify a victim of a crime of a
6 change in the custody status of an offender does not establish a basis
7 for any cause of action by the victim or any other party against the
8 State, its political subdivisions, or the agencies, boards,
9 commissions, departments, officers or employees of the State or its
10 political subdivisions.

11 7. As used in this section:

12 (a) "Custody status" means the transfer of the custody of an
13 offender or the release or escape from custody of an offender.

14 (b) "Offender" means a person convicted of a crime and
15 sentenced to imprisonment in a county jail or in the state prison.

16 **Sec. 2.** NRS 228.427 is hereby amended to read as follows:

17 228.427 "Committee" means the Committee on Domestic
18 Violence *and Sexual Assault* appointed pursuant to NRS 228.470.

19 **Sec. 3.** NRS 228.460 is hereby amended to read as follows:

20 228.460 1. The Account for Programs Related to Domestic
21 Violence *and Sexual Assault* is hereby created in the State General
22 Fund. Any fee imposed and collected pursuant to NRS 176.094
23 must be deposited with the State Controller for credit to the
24 Account.

25 2. The Ombudsman for Victims of Domestic Violence, Sexual
26 Assault and Human Trafficking:

27 (a) Shall administer the Account for Programs Related to
28 Domestic Violence *and Sexual Assault*; and

29 (b) May expend money in the Account only to pay for expenses
30 related to:

31 (1) The Committee;

32 (2) Training law enforcement officers, attorneys and
33 members of the judicial system about domestic violence *and*
34 *sexual assault*;

35 (3) Assisting victims of domestic violence *and sexual*
36 *assault* and educating the public concerning domestic violence *and*
37 *sexual assault*; and

38 (4) Carrying out the duties and functions of his or her office.

39 3. All claims against the Account for Programs Related to
40 Domestic Violence *and Sexual Assault* must be paid as other claims
41 against the State are paid.

42 **Sec. 4.** NRS 228.470 is hereby amended to read as follows:

43 228.470 1. The Committee on Domestic Violence *and*
44 *Sexual Assault* is hereby created. The Committee is comprised of
45 the Attorney General or a designee of the Attorney General and:



1 (a) The following members appointed by the Attorney General:

2 (1) One staff member of a program for victims of domestic
3 violence;

4 (2) *One staff member of a program for victims of sexual
5 assault;*

6 (3) One staff member of a program for the treatment of
7 persons who commit domestic violence;

8 ~~[(3)]~~ (4) One representative from an office of the district
9 attorney with experience in prosecuting criminal offenses;

10 ~~[(4)]~~ (5) One representative from an office of the city
11 attorney with experience in prosecuting criminal offenses;

12 ~~[(5)]~~ (6) One law enforcement officer;

13 ~~[(6)]~~ (7) One provider of mental health care;

14 ~~[(7) Two survivors]~~

15 (8) *One survivor* of domestic violence;

16 ~~[(8)]~~ (9) *One survivor of sexual assault;*

17 (10) One justice of the peace or municipal judge;

18 ~~[(9)]~~ (11) One representative from the Office of Court
19 Administrator; ~~and~~

20 ~~—[(10)]~~ (12) *One medical professional with experience in
21 working with sexual assault forensic evidence kits; and*

22 (13) Any other person appointed by the Attorney General.

23 (b) One member who is a representative of the Division of
24 Public and Behavioral Health of the Department of Health and
25 Human Services, who is appointed by the Administrator of the
26 Division and who has experience related to the certification of
27 programs for the treatment of persons who commit domestic
28 violence.

29 ➔ Each appointed member serves a term of 2 years. Members may
30 be reappointed for additional terms of 2 years. At least two members
31 of the Committee must be residents of a county whose population is
32 less than 100,000.

33 2. The Committee shall:

34 (a) Increase awareness of the existence and unacceptability of
35 domestic violence *and sexual assault* in this State;

36 (b) Review and evaluate existing programs provided to peace
37 officers for training related to domestic violence *and sexual assault*
38 and make recommendations to the Peace Officers' Standards and
39 Training Commission regarding such training;

40 (c) To the extent that money is available, provide financial
41 support to programs for the prevention of domestic violence *and*
42 *sexual assault* in this State;

43 (d) Study and review all appropriate issues related to the
44 administration of the criminal justice system in rural Nevada with
45 respect to offenses involving domestic violence ~~[(3)]~~ *and sexual*



1 **assault**, including, without limitation, the availability of counseling
2 services;

3 (e) Study issues that relate to domestic violence ~~§~~ **and sexual**
4 **assault**, including, without limitation, the intersections between
5 domestic violence and sexual assault and domestic violence and
6 human trafficking;

7 (f) *Make recommendations regarding whether a need exists:*

8 (1) *For additional sexual assault victims' advocates and, if*
9 *such a need exists, create a plan for how the State can provide*
10 *additional sexual assault victims' advocates to meet such a need;*

11 (2) *To provide ongoing evaluation of the implementation of*
12 *the rights of survivors pursuant to the Sexual Assault Survivors'*
13 *Bill of Rights and, if such a need exists, shall:*

14 (I) *Identify the scope and nature of the need; and*

15 (II) *Make recommendations on how to best fill such a*
16 *need, legislatively or otherwise;*

17 (g) *Review the effectiveness of the statewide program to track*
18 *sexual assault forensic evidence kits established pursuant to NRS*
19 *200.3788; and*

20 ~~§~~ (h) Submit on or before March 1 of each odd-numbered
21 year a report to the Director of the Legislative Counsel Bureau for
22 distribution to the regular session of the Legislature. In preparing the
23 report, the Committee shall solicit comments and recommendations
24 from district judges, municipal judges and justices of the peace in
25 rural Nevada. The report must include, without limitation:

26 (1) A summary of the work of the Committee and
27 recommendations for any necessary legislation concerning domestic
28 violence ~~§~~ **and sexual assault**; and

29 (2) All comments and recommendations received by the
30 Committee.

31 3. The Attorney General or the designee of the Attorney
32 General is the Chair of the Committee.

33 4. The Committee shall annually elect a Vice Chair from
34 among its members.

35 5. The Committee shall meet regularly at least three times in
36 each calendar year and may meet at other times upon the call of the
37 Chair.

38 6. At least one meeting in each calendar year must be held at a
39 location within the Fourth Judicial District, Fifth Judicial District,
40 Sixth Judicial District, Seventh Judicial District or Eleventh Judicial
41 District.

42 7. The Attorney General shall provide the Committee with
43 such staff as is necessary to carry out the duties of the Committee.

44 8. While engaged in the business of the Committee, each
45 member and employee of the Committee is entitled to receive the



1 per diem allowance and travel expenses provided for state officers
2 and employees generally.

3 9. The Committee may adopt regulations necessary to carry out
4 its duties pursuant to NRS 228.470 to 228.497, inclusive.

5 **10. As used in this section:**

6 (a) *“Sexual assault forensic evidence kit”* has the meaning
7 ascribed to it in NRS 200.364.

8 (b) *“Sexual assault victims’ advocate”* has the meaning
9 ascribed to it in NRS 178A.120.

10 (c) *“Survivor”* has the meaning ascribed to it in
11 NRS 178A.140.

12 **Sec. 5.** NRS 228.490 is hereby amended to read as follows:

13 228.490 The Committee may apply for and accept gifts, grants,
14 donations and contributions from any source for the purpose of
15 carrying out its duties pursuant to NRS 228.470. Any money that
16 the Committee receives pursuant to this section must be deposited in
17 and accounted for separately in the Account for Programs Related to
18 Domestic Violence *and Sexual Assault* created pursuant to NRS
19 228.460 for use by the Committee in carrying out its duties.

20 **Sec. 6.** NRS 176.094 is hereby amended to read as follows:

21 176.094 In addition to any other fine or penalty, if the court
22 finds that a person is guilty of committing an act which constitutes
23 domestic violence pursuant to NRS 33.018, the court shall:

24 1. Enter a finding of fact in the judgment of conviction.

25 2. Order the person to pay a fee of \$35. Any money so
26 collected must be paid by the clerk of the court to the State
27 Controller on or before the fifth day of each month for the preceding
28 month for credit to the Account for Programs Related to Domestic
29 Violence *and Sexual Assault* established pursuant to NRS 228.460.

30 3. Require for the:

31 (a) First offense within 7 years of any act which constitutes
32 domestic violence, the person to participate in weekly counseling
33 sessions of not less than 1 1/2 hours per week for not less than 6
34 months, but not more than 12 months, at his or her expense, in a
35 program for the treatment of persons who commit domestic violence
36 that has been certified pursuant to NRS 439.258; or

37 (b) Second offense within 7 years of any act which constitutes
38 domestic violence, the person to participate in weekly counseling
39 sessions of not less than 1 1/2 hours per week for 12 months, at his
40 or her expense, in a program for the treatment of persons who
41 commit domestic violence that has been certified pursuant to
42 NRS 439.258.



1 **Sec. 7.** NRS 179A.075 is hereby amended to read as follows:

2 179A.075 1. The Central Repository for Nevada Records of
3 Criminal History is hereby created within the Records,
4 Communications and Compliance Division of the Department.

5 2. Each agency of criminal justice and any other agency
6 dealing with crime shall:

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

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

10 (1) In the manner approved by the Director of the
11 Department; and

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

15 3. Each agency of criminal justice shall submit the information
16 relating to records of criminal history that it creates, issues or
17 collects, and any information in its possession relating to the DNA
18 profile of a person from whom a biological specimen is obtained
19 pursuant to NRS 176.09123 or 176.0913, to the Division. The
20 information must be submitted to the Division:

21 (a) Through an electronic network;

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

23 (c) In the manner prescribed by the Director of the Department,
24 ➔ within 60 days after the date of the disposition of the case. If an
25 agency has submitted a record regarding the arrest of a person who
26 is later determined by the agency not to be the person who
27 committed the particular crime, the agency shall, immediately upon
28 making that determination, so notify the Division. The Division
29 shall delete all references in the Central Repository relating to that
30 particular arrest.

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

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

34 (b) In accordance with the policies, procedures and definitions
35 of the Uniform Crime Reporting Program of the Federal Bureau of
36 Investigation; and

37 (c) Within the time prescribed by the Director of the
38 Department.

39 5. The Division shall, in the manner prescribed by the Director
40 of the Department:

41 (a) Collect, maintain and arrange all information submitted to it
42 relating to:

43 (1) Records of criminal history; and

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



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

4 (c) Upon request, provide, in paper or electronic form, the
5 information that is contained in the Central Repository to the
6 Committee on Domestic Violence *and Sexual Assault* appointed
7 pursuant to NRS 228.470 when, pursuant to NRS 228.495, the
8 Committee is reviewing the death of the victim of a crime that
9 constitutes domestic violence pursuant to NRS 33.018.

10 6. The Division may:

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

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

16 (c) Request of and receive from the Federal Bureau of
17 Investigation information on the background and personal history of
18 any person whose record of fingerprints or other biometric identifier
19 the Central Repository submits to the Federal Bureau of
20 Investigation and:

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

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

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

31 (4) For whom such information is required or authorized to
32 be obtained pursuant to NRS 62B.270, 62G.223, 62G.353, 424.031,
33 432A.170, 432B.198, 433B.183, 449.123 and 449.4329; or

34 (5) About whom any agency of the State of Nevada or any
35 political subdivision thereof is authorized by law to have accurate
36 personal information for the protection of the agency or the persons
37 within its jurisdiction.

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

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

42 (1) Booking the person into a city or county jail or detention
43 facility;

44 (2) Employment;

45 (3) Contractual services; or



- 1 (4) Services related to occupational licensing;
- 2 (b) One or more of the person's fingerprints for the purposes of
- 3 mobile identification by an agency of criminal justice; or
- 4 (c) Any other biometric identifier of the person as it may require
- 5 for the purposes of:
- 6 (1) Arrest; or
- 7 (2) Criminal investigation,
- 8 ↪ from the agency of criminal justice or agency of the State of
- 9 Nevada or any political subdivision thereof and submit the received
- 10 data to the Federal Bureau of Investigation for its report.
- 11 8. The Central Repository shall:
- 12 (a) Collect and maintain records, reports and compilations of
- 13 statistical data submitted by any agency pursuant to subsection 2.
- 14 (b) Tabulate and analyze all records, reports and compilations of
- 15 statistical data received pursuant to this section.
- 16 (c) Disseminate to federal agencies engaged in the collection of
- 17 statistical data relating to crime information which is contained in
- 18 the Central Repository.
- 19 (d) Investigate the criminal history of any person who:
- 20 (1) Has applied to the Superintendent of Public Instruction
- 21 for the issuance or renewal of a license;
- 22 (2) Has applied to a county school district, charter school or
- 23 private school for employment or to serve as a volunteer; or
- 24 (3) Is employed by or volunteers for a county school district,
- 25 charter school or private school,
- 26 ↪ and immediately notify the superintendent of each county school
- 27 district, the governing body of each charter school and the
- 28 Superintendent of Public Instruction, or the administrator of each
- 29 private school, as appropriate, if the investigation of the Central
- 30 Repository indicates that the person has been convicted of a
- 31 violation of NRS 200.508, 201.230, 453.3385, 453.3387 or 453.339,
- 32 or convicted of a felony or any offense involving moral turpitude.
- 33 (e) Upon discovery, immediately notify the superintendent of
- 34 each county school district, the governing body of each charter
- 35 school or the administrator of each private school, as appropriate, by
- 36 providing the superintendent, governing body or administrator with
- 37 a list of all persons:
- 38 (1) Investigated pursuant to paragraph (d); or
- 39 (2) Employed by or volunteering for a county school district,
- 40 charter school or private school whose fingerprints were sent
- 41 previously to the Central Repository for investigation,
- 42 ↪ who the Central Repository's records indicate have been
- 43 convicted of a violation of NRS 200.508, 201.230, 453.3385,
- 44 453.3387 or 453.339, or convicted of a felony or any offense
- 45 involving moral turpitude since the Central Repository's initial



1 investigation. The superintendent of each county school district, the
2 governing body of a charter school or the administrator of each
3 private school, as applicable, shall determine whether further
4 investigation or action by the district, charter school or private
5 school, as applicable, is appropriate.

6 (f) Investigate the criminal history of each person who submits
7 one or more fingerprints or other biometric identifier or has such
8 data submitted pursuant to NRS 62B.270, 62G.223, 62G.353,
9 424.031, 432A.170, 432B.198, 433B.183, 449.122, 449.123 or
10 449.4329.

11 (g) Provide an electronic means to access on the Central
12 Repository's Internet website statistical data relating to crime.

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

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

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

24 (1) Their collection, use, safeguarding, handling, retention,
25 storage, dissemination and destruction; and

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

30 9. The Central Repository may:

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

34 (b) Charge a reasonable fee for any publication or special report
35 it distributes relating to data collected pursuant to this section. The
36 Central Repository may not collect such a fee from an agency of
37 criminal justice or any other agency dealing with crime which is
38 required to submit information pursuant to subsection 2. All money
39 collected pursuant to this paragraph must be used to pay for the cost
40 of operating the Central Repository or for any other purpose
41 authorized by the Legislature, and any balance of the money
42 remaining at the end of a fiscal year reverts to the State General
43 Fund.

44 (c) In the manner prescribed by the Director of the Department,
45 use electronic means to receive and disseminate information



1 contained in the Central Repository that it is authorized to
2 disseminate pursuant to the provisions of this chapter.

3 10. As used in this section:

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

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

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

14 (2) A biometric identifier of a person.

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

17 **Sec. 8.** NRS 179A.100 is hereby amended to read as follows:

18 179A.100 1. The following records of criminal history may
19 be disseminated by an agency of criminal justice without any
20 restriction pursuant to this chapter:

21 (a) Any which reflect records of conviction only; and

22 (b) Any which pertain to an incident for which a person is
23 currently within the system of criminal justice, including parole or
24 probation.

25 2. Without any restriction pursuant to this chapter, a record of
26 criminal history or the absence of such a record may be:

27 (a) Disclosed among agencies which maintain a system for the
28 mutual exchange of criminal records.

29 (b) Furnished by one agency to another to administer the system
30 of criminal justice, including the furnishing of information by a
31 police department to a district attorney.

32 (c) Reported to the Central Repository.

33 3. An agency of criminal justice shall disseminate to a
34 prospective employer, upon request, records of criminal history
35 concerning a prospective employee or volunteer which are the result
36 of a name-based inquiry and which:

37 (a) Reflect convictions only; or

38 (b) Pertain to an incident for which the prospective employee or
39 volunteer is currently within the system of criminal justice,
40 including parole or probation.

41 4. Records of criminal history must be disseminated by an
42 agency of criminal justice, upon request, to the following persons or
43 governmental entities:

44 (a) The person who is the subject of the record of criminal
45 history for the purposes of NRS 179A.150.



1 (b) The person who is the subject of the record of criminal
2 history when the subject is a party in a judicial, administrative,
3 licensing, disciplinary or other proceeding to which the information
4 is relevant.

5 (c) The Nevada Gaming Control Board.

6 (d) The State Board of Nursing.

7 (e) The Private Investigator's Licensing Board to investigate an
8 applicant for a license.

9 (f) A public administrator or a person employed or contracted
10 with pursuant to NRS 253.125, as applicable, to carry out the duties
11 as prescribed in chapter 253 of NRS.

12 (g) A public guardian to investigate a protected person or
13 proposed protected person or persons who may have knowledge of
14 assets belonging to a protected person or proposed protected person.

15 (h) Any agency of criminal justice of the United States or of
16 another state or the District of Columbia.

17 (i) Any public utility subject to the jurisdiction of the Public
18 Utilities Commission of Nevada when the information is necessary
19 to conduct a security investigation of an employee or prospective
20 employee or to protect the public health, safety or welfare.

21 (j) Persons and agencies authorized by statute, ordinance,
22 executive order, court rule, court decision or court order as
23 construed by appropriate state or local officers or agencies.

24 (k) Any person or governmental entity which has entered into a
25 contract to provide services to an agency of criminal justice relating
26 to the administration of criminal justice, if authorized by the
27 contract, and if the contract also specifies that the information will
28 be used only for stated purposes and that it will be otherwise
29 confidential in accordance with state and federal law and regulation.

30 (l) Any reporter or editorial employee who is employed or
31 affiliated with a newspaper, press association or commercially
32 operated, federally licensed radio or television station who requests
33 a record of a named person or aggregate information for statistical
34 purposes, excluding any personal identifying information, in a
35 professional capacity for communication to the public.

36 (m) Prospective employers if the person who is the subject of
37 the information has given written consent to the release of that
38 information by the agency which maintains it.

39 (n) For the express purpose of research, evaluative or statistical
40 programs pursuant to an agreement with an agency of criminal
41 justice.

42 (o) An agency which provides child welfare services, as defined
43 in NRS 432B.030.

44 (p) The Division of Welfare and Supportive Services of the
45 Department of Health and Human Services or its designated



1 representative, as needed to ensure the safety of investigators and
2 caseworkers.

3 (q) The Aging and Disability Services Division of the
4 Department of Health and Human Services or its designated
5 representative, as needed to ensure the safety of investigators and
6 caseworkers.

7 (r) An agency of this or any other state or the Federal
8 Government that is conducting activities pursuant to Part D of
9 Subchapter IV of Chapter 7 of Title 42 of the Social Security Act,
10 42 U.S.C. §§ 651 et seq.

11 (s) The Commissioner of Insurance.

12 (t) The Board of Medical Examiners.

13 (u) The State Board of Osteopathic Medicine.

14 (v) The Board of Massage Therapy and its Executive Director.

15 (w) The Board of Examiners for Social Workers.

16 (x) The State Board of Cosmetology and its Executive Director.

17 (y) The Committee on Domestic Violence *and Sexual Assault*
18 appointed pursuant to NRS 228.470 when, pursuant to NRS
19 228.495, the Committee is reviewing the death of the victim of a
20 crime that constitutes domestic violence pursuant to NRS 33.018.

21 (z) A county coroner or medical examiner, as needed to conduct
22 an investigation of the death of a person.

23 5. Agencies of criminal justice in this State which receive
24 information from sources outside this State concerning transactions
25 involving criminal justice which occur outside Nevada shall treat the
26 information as confidentially as is required by the provisions of this
27 chapter.

28 **Sec. 9.** NRS 200.3788 is hereby amended to read as follows:

29 200.3788 1. A statewide program to track sexual assault
30 forensic evidence kits must be established in this State. The
31 Attorney General shall, pursuant to the recommendation of the
32 ~~[Sexual Assault Kit Working Group,]~~ *Committee on Domestic*
33 *Violence and Sexual Assault appointed pursuant to NRS 228.470,*
34 designate a department or division of the Executive Department of
35 State Government to establish the program. The designated
36 department or division may contract with any appropriate public or
37 private agency, organization or institution to carry out the provisions
38 of this section.

39 2. The program to track sexual assault forensic evidence kits
40 must:

41 (a) Track the location and status of sexual assault forensic
42 evidence kits, including, without limitation, the initial forensic
43 medical examination, receipt by a law enforcement agency and
44 receipt and genetic marker analysis at a forensic laboratory.



1 (b) Allow providers of health care who perform forensic medical
2 examinations, law enforcement agencies, prosecutors, forensic
3 laboratories and any other entities having sexual assault forensic
4 evidence kits in their custody to track the status and location of
5 sexual assault forensic evidence kits.

6 (c) Allow a victim of sexual assault to anonymously track or
7 receive, by telephone or on an Internet website, updates regarding
8 the status and location of his or her sexual assault forensic evidence
9 kit.

10 3. The department or division designated pursuant to
11 subsection 1 shall, on or before January 1 and July 1 of each year,
12 submit to the Governor and the Director of the Legislative Counsel
13 Bureau for transmittal to the Joint Interim Standing Committee on
14 the Judiciary and post on the Internet website maintained by the
15 department or division a report concerning the statewide program to
16 track sexual assault forensic evidence kits. The report must include:

17 (a) The number of sexual assault forensic evidence kits in the
18 program in each county.

19 (b) The number of sexual assault forensic evidence kits for
20 which genetic marker analysis has been completed for each county
21 for the last 6 months.

22 (c) The number of sexual assault forensic evidence kits added to
23 the program in each county during the last 6 months.

24 (d) The number of sexual assault forensic evidence kits for
25 which genetic marker analysis has been requested but not completed
26 for each county.

27 (e) For this State as a whole and each county, the average and
28 median time between a forensic medical examination and receipt of
29 a sexual assault forensic evidence kit by a forensic laboratory for
30 genetic marker analysis, overall and for the last 6 months.

31 (f) For this State as a whole and each county, the average and
32 median time between receipt of a sexual assault forensic evidence
33 kit by a forensic laboratory and genetic marker analysis, overall and
34 for the last 6 months.

35 (g) The number of sexual assault forensic evidence kits in each
36 county awaiting genetic marker analysis for more than 1 year and 6
37 months after forensic medical examination.

38 4. Each law enforcement agency, prosecutor, forensic
39 laboratory and provider of health care who performs forensic
40 medical examinations in this State shall participate in the statewide
41 program to track sexual assault forensic evidence kits for the
42 purpose of tracking the status of any sexual assault forensic
43 evidence kits in the custody of the agency, prosecutor, laboratory or
44 provider, or a third party under contract with such agency,
45 prosecutor, laboratory or provider.



1 5. Any agency or person who acts pursuant to this section in
2 good faith and without gross negligence is immune from civil
3 liability for those acts.

4 6. The department or division designated pursuant to
5 subsection 1 may apply for and accept any gift, donation, bequest,
6 grant or other source of money to carry out the provisions of this
7 section.

8 ~~[7. As used in this section, "Sexual Assault Kit Working~~
9 ~~Group" means the statewide working group led by the Office of the~~
10 ~~Attorney General to create policies and procedures to address the~~
11 ~~backlog of sexual assault forensic evidence kits that have not been~~
12 ~~tested.]~~

13 **Sec. 10.** NRS 217.475 is hereby amended to read as follows:

14 217.475 1. A court or an agency of a local government may
15 organize or sponsor one or more multidisciplinary teams to review
16 the death of the victim of a crime that constitutes domestic violence
17 pursuant to NRS 33.018.

18 2. If a multidisciplinary team is organized or sponsored
19 pursuant to subsection 1, the court or agency shall review the death
20 of a victim upon receiving a written request from a person related to
21 the victim within the third degree of consanguinity, if the request is
22 received by the court or agency within 1 year after the date of death
23 of the victim.

24 3. Members of a team that is organized or sponsored pursuant
25 to subsection 1 serve at the pleasure of the court or agency that
26 organizes or sponsors the team and must include, without limitation,
27 representatives of organizations concerned with law enforcement,
28 issues related to physical or mental health, or the prevention of
29 domestic violence and assistance to victims of domestic violence.

30 4. Each organization represented on such a team may share
31 with other members of the team information in its possession
32 concerning the victim who is the subject of the review or any person
33 who was in contact with the victim and any other information
34 deemed by the organization to be pertinent to the review. Any
35 information shared by an organization with other members of a team
36 is confidential.

37 5. A team organized or sponsored pursuant to this section may,
38 upon request, provide a report concerning its review to a person
39 related to the victim within the third degree of consanguinity.

40 6. Before establishing a team to review the death of a victim
41 pursuant to this section, a court or an agency shall adopt a written
42 protocol describing its objectives and the structure of the team.

43 7. A team organized or sponsored pursuant to this section may
44 request any person, agency or organization that is in possession of
45 information or records concerning the victim who is the subject of



1 the review or any person who was in contact with the victim to
2 provide the team with any information or records that are relevant to
3 the team's review. Any information or records provided to a team
4 pursuant to this subsection are confidential.

5 8. A team organized or sponsored pursuant to this section may,
6 if appropriate, meet with any person, agency or organization that the
7 team believes may have information relevant to the review
8 conducted by the team, including, without limitation:

9 (a) A multidisciplinary team to review the death of a child
10 organized pursuant to NRS 432B.405;

11 (b) A multidisciplinary team to oversee the review of the death
12 of a child organized pursuant to NRS 432B.4075; or

13 (c) The Committee on Domestic Violence *and Sexual Assault*
14 appointed pursuant to NRS 228.470.

15 9. Except as otherwise provided in subsection 10, each member
16 of a team organized or sponsored pursuant to this section is immune
17 from civil or criminal liability for an activity related to the review of
18 the death of a victim.

19 10. Each member of a team organized or sponsored pursuant to
20 this section who discloses any confidential information concerning
21 the death of a child is personally liable for a civil penalty of not
22 more than \$500.

23 11. The Attorney General:

24 (a) May bring an action to recover a civil penalty imposed
25 pursuant to subsection 10 against a member of a team organized or
26 sponsored pursuant to this section; and

27 (b) Shall deposit any money received from the civil penalty with
28 the State Treasurer for credit to the State General Fund.

29 12. The results of the review of the death of a victim pursuant
30 to this section are not admissible in any civil action or proceeding.

31 **Sec. 11.** NRS 427A.940 is hereby amended to read as follows:
32 427A.940 1. The Committee is entitled to access to:

33 (a) All final investigative information of law enforcement
34 agencies regarding a death that may have been caused by or related
35 to adult maltreatment or other incident of adult maltreatment being
36 investigated by the Committee for which the investigation by the
37 law enforcement agency has been closed;

38 (b) Any autopsy and coroner's investigative records relating to a
39 death of an older person or a vulnerable person that may have been
40 caused by or related to adult maltreatment;

41 (c) Any medical or mental health records of a decedent or other
42 victim of adult maltreatment;

43 (d) Any records of the Division or any other agency which has
44 provided services to a decedent or other victim of adult
45 maltreatment; and



1 (e) Any other records determined by the Committee to be
2 necessary to perform its duties, except for records of a law
3 enforcement agency not described in paragraph (a).

4 2. The Committee may, if appropriate, meet and share
5 information with:

6 (a) A multidisciplinary team to review the death of the victim of
7 a crime that constitutes domestic violence organized or sponsored
8 pursuant to NRS 217.475;

9 (b) The Committee on Domestic Violence *and Sexual Assault*
10 appointed pursuant to NRS 228.470; or

11 (c) The Unit for the Investigation and Prosecution of Crimes
12 Against Older Persons or Vulnerable Persons in the Office of the
13 Attorney General created by NRS 228.265.

14 3. The Committee may petition the district court for the
15 issuance of, and the district court may issue, a subpoena to compel
16 the production of any books, records or papers described in
17 subsection 1 that are relevant to the cause of any death or incident of
18 adult maltreatment being investigated by the Committee. Except as
19 otherwise provided in NRS 239.0115, any books, records or papers
20 received by the Committee pursuant to a subpoena issued pursuant
21 to this subsection shall be deemed confidential and privileged and
22 not subject to disclosure.

23 4. The Committee may use data collected concerning a death
24 that is known or suspected to have been caused by or be related to
25 adult maltreatment for the purpose of research or to prevent future
26 adult maltreatment if the data is aggregated and does not allow for
27 the identification of any person.

28 5. Except as otherwise provided in this section, information
29 acquired by, and the records of, the Committee are confidential, are
30 not public records, must not be disclosed and are not subject to
31 subpoena, discovery or introduction into evidence in any civil or
32 criminal proceeding. The disclosure of information or records to the
33 Committee does not make such information or records confidential
34 with respect to the person or entity that disclosed the records if the
35 information or records are not otherwise confidential.

36 6. The meetings of the Committee are closed to the public.

37 **Sec. 12.** NRS 432B.290 is hereby amended to read as follows:

38 432B.290 1. Information maintained by an agency which
39 provides child welfare services must be maintained by the agency
40 which provides child welfare services as required by federal law as a
41 condition of the allocation of federal money to this State.

42 2. Except as otherwise provided in this section and NRS
43 432B.165, 432B.175 and 432B.513, information maintained by an
44 agency which provides child welfare services may, at the discretion



1 of the agency which provides child welfare services, be made
2 available only to:

3 (a) A physician, if the physician has before him or her a child
4 who the physician has reasonable cause to believe has been abused
5 or neglected;

6 (b) A person authorized to place a child in protective custody, if
7 the person has before him or her a child who the person has
8 reasonable cause to believe has been abused or neglected and the
9 person requires the information to determine whether to place the
10 child in protective custody;

11 (c) An agency, including, without limitation, an agency in
12 another jurisdiction, responsible for or authorized to undertake the
13 care, treatment or supervision of:

14 (1) The child; or

15 (2) The person responsible for the welfare of the child;

16 (d) A district attorney or other law enforcement officer who
17 requires the information in connection with an investigation or
18 prosecution of the abuse or neglect of a child;

19 (e) Except as otherwise provided in paragraph (f), a court other
20 than a juvenile court, for in camera inspection only, unless the court
21 determines that public disclosure of the information is necessary for
22 the determination of an issue before it;

23 (f) A court, as defined in NRS 159A.015, to determine whether
24 a guardian or successor guardian of a child should be appointed
25 pursuant to chapter 159A of NRS or NRS 432B.466 to 432B.468,
26 inclusive;

27 (g) A person engaged in bona fide research or an audit, but
28 information identifying the subjects of a report must not be made
29 available to the person;

30 (h) The attorney and the guardian ad litem of the child, if the
31 information is reasonably necessary to promote the safety,
32 permanency and well-being of the child;

33 (i) A person who files or intends to file a petition for the
34 appointment of a guardian or successor guardian of a child pursuant
35 to chapter 159A of NRS or NRS 432B.466 to 432B.468, inclusive,
36 if the identity of the person responsible for reporting the abuse or
37 neglect of the child to a public agency is kept confidential and the
38 information is reasonably necessary to promote the safety,
39 permanency and well-being of the child;

40 (j) The proposed guardian or proposed successor guardian of a
41 child over whom a guardianship is sought pursuant to chapter 159A
42 of NRS or NRS 432B.466 to 432B.468, inclusive, if the identity of
43 the person responsible for reporting the abuse or neglect of the child
44 to a public agency is kept confidential and the information is



1 reasonably necessary to promote the safety, permanency and well-
2 being of the child;

3 (k) A grand jury upon its determination that access to these
4 records and the information is necessary in the conduct of its official
5 business;

6 (l) A federal, state or local governmental entity, or an agency of
7 such an entity, or a juvenile court, that needs access to the
8 information to carry out its legal responsibilities to protect children
9 from abuse and neglect;

10 (m) A person or an organization that has entered into a written
11 agreement with an agency which provides child welfare services to
12 provide assessments or services and that has been trained to make
13 such assessments or provide such services;

14 (n) A team organized pursuant to NRS 432B.350 for the
15 protection of a child;

16 (o) A team organized pursuant to NRS 432B.405 to review the
17 death of a child;

18 (p) A multidisciplinary team, as defined in NRS 432B.4014;

19 (q) A parent or legal guardian of the child and an attorney of a
20 parent or legal guardian of the child, including, without limitation,
21 the parent or guardian of a child over whom a guardianship is
22 sought pursuant to chapter 159A of NRS or NRS 432B.466 to
23 432B.468, inclusive, if the identity of the person responsible for
24 reporting the abuse or neglect of the child to a public agency is kept
25 confidential and the information is reasonably necessary to promote
26 the safety, permanency and well-being of the child and is limited to
27 information concerning that parent or guardian;

28 (r) The child over whom a guardianship is sought pursuant to
29 chapter 159A of NRS or NRS 432B.466 to 432B.468, inclusive, if:

30 (1) The child is 14 years of age or older; and

31 (2) The identity of the person responsible for reporting the
32 abuse or neglect of the child to a public agency is kept confidential
33 and the information is reasonably necessary to promote the safety,
34 permanency and well-being of the child;

35 (s) The persons or agent of the persons who are the subject of a
36 report, if the information is reasonably necessary to promote the
37 safety, permanency and well-being of the child and is limited to
38 information concerning those persons;

39 (t) An agency that is authorized by law to license foster homes
40 or facilities for children or to investigate persons applying for
41 approval to adopt a child, if the agency has before it an application
42 for that license or is investigating an applicant to adopt a child;

43 (u) Upon written consent of the parent, any officer of this State
44 or a city or county thereof or Legislator authorized by the agency or
45 department having jurisdiction or by the Legislature, acting within



1 its jurisdiction, to investigate the activities or programs of an agency
2 which provides child welfare services if:

3 (1) The identity of the person making the report is kept
4 confidential; and

5 (2) The officer, Legislator or a member of the family of the
6 officer or Legislator is not the person alleged to have committed the
7 abuse or neglect;

8 (v) The Division of Parole and Probation of the Department of
9 Public Safety for use pursuant to NRS 176.135 in making a
10 presentence investigation and report to the district court or pursuant
11 to NRS 176.151 in making a general investigation and report;

12 (w) Any person who is required pursuant to NRS 432B.220 to
13 make a report to an agency which provides child welfare services or
14 to a law enforcement agency;

15 (x) A local advisory board to expedite proceedings for the
16 placement of children created pursuant to NRS 432B.604;

17 (y) The panel established pursuant to NRS 432B.396 to evaluate
18 agencies which provide child welfare services;

19 (z) An employer in accordance with subsection 3 of
20 NRS 432.100;

21 (aa) A team organized or sponsored pursuant to NRS 217.475 or
22 228.495 to review the death of the victim of a crime that constitutes
23 domestic violence;

24 (bb) The Committee on Domestic Violence *and Sexual Assault*
25 appointed pursuant to NRS 228.470; or

26 (cc) The Committee to Review Suicide Fatalities created by
27 NRS 439.5104.

28 3. An agency investigating a report of the abuse or neglect of a
29 child shall, upon request, provide to a person named in the report as
30 allegedly causing the abuse or neglect of the child:

31 (a) A copy of:

32 (1) Any statement made in writing to an investigator for the
33 agency by the person named in the report as allegedly causing the
34 abuse or neglect of the child; or

35 (2) Any recording made by the agency of any statement
36 made orally to an investigator for the agency by the person named in
37 the report as allegedly causing the abuse or neglect of the child; or

38 (b) A written summary of the allegations made against the
39 person who is named in the report as allegedly causing the abuse or
40 neglect of the child. The summary must not identify the person
41 responsible for reporting the alleged abuse or neglect or any
42 collateral sources and reporting parties.

43 4. Except as otherwise provided by subsection 6, before
44 releasing any information maintained by an agency which provides
45 child welfare services pursuant to this section, an agency which



1 provides child welfare services shall take whatever precautions it
2 determines are reasonably necessary to protect the identity and
3 safety of any person who reports child abuse or neglect and to
4 protect any other person if the agency which provides child welfare
5 services reasonably believes that disclosure of the information
6 would cause a specific and material harm to an investigation of the
7 alleged abuse or neglect of a child or the life or safety of any person.

8 5. The provisions of this section must not be construed to
9 require an agency which provides child welfare services to disclose
10 information maintained by the agency which provides child welfare
11 services if, after consultation with the attorney who represents the
12 agency, the agency determines that such disclosure would cause a
13 specific and material harm to a criminal investigation.

14 6. A person who is the subject of a report of child abuse or
15 neglect made pursuant to this chapter that is assigned a disposition
16 other than substantiated pursuant to NRS 432B.305 and who
17 believes that the report was made in bad faith or with malicious
18 intent may petition a district court to order the agency which
19 provides child welfare services to release information maintained by
20 the agency which provides child welfare services. The petition must
21 specifically set forth the reasons supporting the belief that the report
22 was made in bad faith or with malicious intent. The petitioner shall
23 provide notice to the agency which provides child welfare services
24 so that the agency may participate in the action through its counsel.
25 The district court shall review the information which the petitioner
26 requests to be released and the petitioner shall be allowed to present
27 evidence in support of the petition. If the court determines that there
28 is a reasonable question of fact as to whether the report was made in
29 bad faith or with malicious intent and that the disclosure of the
30 identity of the person who made the report would not be likely to
31 endanger the life or safety of the person who made the report, the
32 court shall provide a copy of the information to the petitioner and
33 the original information is subject to discovery in a subsequent civil
34 action regarding the making of the report.

35 7. If an agency which provides child welfare services receives
36 any information that is deemed confidential by law, the agency
37 which provides child welfare services shall maintain the
38 confidentiality of the information as prescribed by applicable law.

39 8. Pursuant to this section, a person may authorize the release
40 of information maintained by an agency which provides child
41 welfare services about himself or herself, but may not waive the
42 confidentiality of such information concerning any other person.

43 9. An agency which provides child welfare services may
44 provide a summary of the outcome of an investigation of the alleged



1 abuse or neglect of a child to the person who reported the suspected
2 abuse or neglect.

3 10. Except as otherwise provided in this subsection, any person
4 who is provided with information maintained by an agency which
5 provides child welfare services and who further disseminates the
6 information or makes the information public is guilty of a gross
7 misdemeanor. This subsection does not apply to:

8 (a) A district attorney or other law enforcement officer who uses
9 the information solely for the purpose of initiating legal
10 proceedings;

11 (b) An employee of the Division of Parole and Probation of the
12 Department of Public Safety making a presentence investigation and
13 report to the district court pursuant to NRS 176.135 or making a
14 general investigation and report pursuant to NRS 176.151; or

15 (c) An employee of a juvenile justice agency who provides the
16 information to the juvenile court.

17 11. An agency which provides child welfare services may
18 charge a fee for processing costs reasonably necessary to prepare
19 information maintained by the agency which provides child welfare
20 services for release pursuant to this section.

21 12. An agency which provides child welfare services shall
22 adopt rules, policies or regulations to carry out the provisions of this
23 section.

24 13. As used in this section, "juvenile justice agency" means the
25 Youth Parole Bureau or a director of juvenile services.

26 **Sec. 13.** NRS 432B.407 is hereby amended to read as follows:

27 432B.407 1. A multidisciplinary team to review the death of
28 a child is entitled to access to:

29 (a) All investigative information of law enforcement agencies
30 regarding the death;

31 (b) Any autopsy and coroner's investigative records relating to
32 the death;

33 (c) Any medical or mental health records of the child; and

34 (d) Any records of social and rehabilitative services or of any
35 other social service agency which has provided services to the child
36 or the child's family.

37 2. Each organization represented on a multidisciplinary team to
38 review the death of a child shall share with other members of the
39 team information in its possession concerning the child who is the
40 subject of the review, any siblings of the child, any person who was
41 responsible for the welfare of the child and any other information
42 deemed by the organization to be pertinent to the review.

43 3. A multidisciplinary team to review the death of a child may,
44 if appropriate, meet and share information with:



1 (a) A multidisciplinary team to review the death of the victim of
2 a crime that constitutes domestic violence organized or sponsored
3 pursuant to NRS 217.475; or

4 (b) The Committee on Domestic Violence *and Sexual Assault*
5 appointed pursuant to NRS 228.470.

6 4. A multidisciplinary team to review the death of a child may
7 petition the district court for the issuance of, and the district court
8 may issue, a subpoena to compel the production of any books,
9 records or papers relevant to the cause of any death being
10 investigated by the team. Except as otherwise provided in NRS
11 239.0115, any books, records or papers received by the team
12 pursuant to the subpoena shall be deemed confidential and
13 privileged and not subject to disclosure.

14 5. A multidisciplinary team to review the death of a child may
15 use data collected concerning the death of a child for the purpose of
16 research or to prevent future deaths of children if the data is
17 aggregated and does not allow for the identification of any person.

18 6. Except as otherwise provided in this section, information
19 acquired by, and the records of, a multidisciplinary team to review
20 the death of a child are confidential, must not be disclosed, and are
21 not subject to subpoena, discovery or introduction into evidence in
22 any civil or criminal proceeding.

23 **Sec. 14.** NRS 439.5106 is hereby amended to read as follows:

24 439.5106 1. The Committee:

25 (a) Except as otherwise provided in this paragraph, shall adopt a
26 written protocol setting forth the suicide fatalities in this State which
27 must be reported to the Committee and screened for review by the
28 Committee and the suicide fatalities in this State which the
29 Committee may reject for review. The Committee shall not review
30 any case in which litigation is pending.

31 (b) May review any accidental death which the Committee
32 determines may assist in suicide prevention efforts in this State.

33 (c) May establish differing levels of review, including, without
34 limitation, a comprehensive or limited review depending upon the
35 nature of the incident or the purpose of the review.

36 2. The Committee shall obtain and use any data or other
37 information to:

38 (a) Review suicide fatalities in this State to determine trends,
39 risk factors and strategies for prevention;

40 (b) Determine and prepare reports concerning trends and
41 patterns of suicide fatalities in this State;

42 (c) Identify and evaluate the prevalence of risk factors for
43 preventable suicide fatalities in this State;

44 (d) Evaluate and prepare reports concerning high-risk factors,
45 current practices, lapses in systematic responses and barriers to the



1 safety and well-being of persons who are at risk of suicide in this
2 State; and

3 (e) Recommend any improvement in sources of information
4 relating to investigating reported suicide fatalities and preventing
5 suicide in this State.

6 3. In conducting a review of a suicide fatality in this State, the
7 Committee shall, to the greatest extent practicable, consult and
8 cooperate with:

9 (a) The Coordinator of the Statewide Program for Suicide
10 Prevention employed pursuant to NRS 439.511;

11 (b) Each trainer for suicide prevention employed pursuant to
12 NRS 439.513;

13 (c) The Committee on Domestic Violence *and Sexual Assault*
14 appointed pursuant to NRS 228.470; and

15 (d) A multidisciplinary team:

16 (1) To review the death of the victim of a crime that
17 constitutes domestic violence organized or sponsored pursuant to
18 NRS 217.475;

19 (2) To review the death of a child organized pursuant to NRS
20 432B.405; and

21 (3) To oversee the review of the death of a child organized
22 pursuant to NRS 432B.4075.

23 4. Any review conducted by the Committee pursuant to NRS
24 439.5102 to 439.5108, inclusive, is separate from, independent of
25 and in addition to any investigation or review which is required or
26 authorized by law to be conducted, including, without limitation,
27 any investigation conducted by a coroner or coroner's deputy
28 pursuant to NRS 259.050.

29 5. To conduct a review pursuant to NRS 439.5102 to 439.5108,
30 inclusive, the Committee may access information, including,
31 without limitation:

32 (a) Any investigative information obtained by a law
33 enforcement agency relating to a death;

34 (b) Any records from an autopsy or an investigation conducted
35 by a coroner or coroner's deputy relating to a death;

36 (c) Any medical or mental health records of a decedent;

37 (d) Any records relating to social or rehabilitative services
38 provided to a decedent; and

39 (e) Any records of a social services agency which has provided
40 services to a decedent.

41 **Sec. 15.** NRS 440.170 is hereby amended to read as follows:

42 440.170 1. All certificates in the custody of the State
43 Registrar are open to inspection subject to the provisions of this
44 chapter. It is unlawful for any employee of the State to disclose data



1 contained in vital statistics, except as authorized by this chapter or
2 by the Board.

3 2. Information in vital statistics indicating that a birth occurred
4 out of wedlock must not be disclosed except upon order of a court of
5 competent jurisdiction.

6 3. The Board:

7 (a) Shall allow the use of data contained in vital statistics to
8 carry out the provisions of NRS 442.300 to 442.330, inclusive;

9 (b) Shall allow the use of certificates of death by a
10 multidisciplinary team:

11 (1) To review the death of the victim of a crime that
12 constitutes domestic violence organized or sponsored pursuant to
13 NRS 217.475; and

14 (2) To review the death of a child established pursuant to
15 NRS 432B.405 and 432B.406;

16 (c) Shall allow the use of certificates of death by the:

17 (1) Committee on Domestic Violence *and Sexual Assault*
18 appointed pursuant to NRS 228.470; and

19 (2) Committee to Review Suicide Fatalities created by NRS
20 439.5104; and

21 (d) May allow the use of data contained in vital statistics for
22 other research purposes, but without identifying the persons to
23 whom the records relate.

24 **Sec. 16.** NRS 442.774 is hereby amended to read as follows:

25 442.774 1. The Committee is entitled to access to:

26 (a) All final investigative information of law enforcement
27 agencies regarding a maternal death or incident of severe maternal
28 morbidity being investigated by the Committee for which the
29 investigation by the law enforcement agency has been closed;

30 (b) Any autopsy and coroner's investigative records relating to
31 the death or incident;

32 (c) Any medical or mental health records of the person who
33 gave birth to a child;

34 (d) Any records of social and rehabilitative services or of any
35 other social service agency which has provided services to the
36 person who gave birth to a child or the family of the person who
37 gave birth to a child;

38 (e) The system for the reporting of information on cancer and
39 other neoplasms established pursuant to NRS 457.230; and

40 (f) Any other records determined by the Committee to be
41 necessary to perform its duties, except for records of a law
42 enforcement agency not described in paragraph (a).

43 2. The Committee may, if appropriate, meet and share
44 information with:



1 (a) A multidisciplinary team to review the death of the victim of
2 a crime that constitutes domestic violence organized or sponsored
3 pursuant to NRS 217.475; or

4 (b) The Committee on Domestic Violence *and Sexual Assault*
5 appointed pursuant to NRS 228.470.

6 3. The Committee may petition the district court for the
7 issuance of, and the district court may issue, a subpoena to compel
8 the production of any books, records or papers described in
9 subsection 1 that are relevant to the cause of any death or incident of
10 severe maternal morbidity being investigated by the Committee.
11 Except as otherwise provided in NRS 239.0115, any books, records
12 or papers received by the Committee pursuant to the subpoena shall
13 be deemed confidential and privileged and not subject to disclosure.

14 4. The Committee may use data collected concerning a
15 maternal death or incident of severe maternal morbidity for the
16 purpose of research or to prevent future maternal mortality and
17 severe maternal morbidity if the data is aggregated and does not
18 allow for the identification of any person.

19 5. Except as otherwise provided in this section, information
20 acquired by, and the records of, the Committee are confidential, are
21 not public records, must not be disclosed, and are not subject to
22 subpoena, discovery or introduction into evidence in any civil or
23 criminal proceeding.

24 6. The meetings of the Committee are closed to the public.

25 **Sec. 17.** The provisions of subsection 1 of NRS 218D.380 do
26 not apply to any provisions of this act which adds or revises a
27 requirement to submit a report to the Legislature.

28 **Sec. 18.** 1. The Legislative Counsel shall, in preparing
29 supplements to the Nevada Administrative Code, appropriately
30 change any references to an officer, agency or other entity whose
31 name is changed or whose responsibilities are transferred pursuant
32 to the provisions of this act to refer to the appropriate officer,
33 agency or other entity.

34 2. Any administrative regulations adopted by an officer or an
35 agency whose name has been changed or whose responsibilities
36 have been transferred pursuant to the provisions of this act to
37 another officer or agency remain in force until amended by the
38 officer or agency to which the responsibility for the adoption of the
39 regulations has been transferred.

40 3. Any contracts or other agreements entered into by an officer
41 or agency whose name has been changed or whose responsibilities
42 have been transferred pursuant to the provisions of this act to
43 another officer or agency are binding upon the officer or agency to
44 which the responsibility for the administration of the provisions of
45 the contract or other agreement has been transferred. Such contracts



1 and other agreements may be enforced by the officer or agency to
2 which the responsibility for the enforcement of the provisions of the
3 contract or other agreement has been transferred.

4 4. Any action taken by an officer or agency whose name has
5 been changed or whose responsibilities have been transferred
6 pursuant to the provisions of this act to another officer or agency
7 remains in effect as if taken by the officer or agency to which the
8 responsibility for the enforcement of such actions has been
9 transferred.



