

SENATE BILL NO. 279—SENATOR CARE

MARCH 16, 2009

Referred to Committee on Government Affairs

SUMMARY—Makes various changes relating to public records. (BDR 19-82)

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 records; revising provisions relating to the records of certain regulatory agencies; requiring state officers and employees to provide notice of certain contracts or agreements; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 **Section 1** of this bill provides that the records of agencies which regulate
- 2 professions, occupations, trades and business are public records with certain limited
- 3 exceptions.
- 4 **Section 2** of this bill requires state officers and employees who have entered
- 5 into professional services contracts or agreements with a person or governmental
- 6 entity other than their employer to provide certain notice of the contract or
- 7 agreement to their employer. Such notice is a public record.

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

- 1 **Section 1.** Chapter 239 of NRS is hereby amended by adding
- 2 thereto a new section to read as follows:
- 3 *1. Notwithstanding any other provision of law, all records*
- 4 *kept by a regulatory agency are public records, except as otherwise*
- 5 *provided in subsection 2 and NRS 239.0115.*
- 6 *2. The following records are confidential:*
- 7 *(a) Records containing medical or other personal information;*
- 8 *(b) Records containing proprietary or privileged information;*
- 9 *and*



1 (c) *Any complaint, documents and other information filed with*
2 *a complaint and all documents and other information compiled as*
3 *a result of an investigation conducted to determine whether to*
4 *initiate disciplinary action against a person, unless the person has*
5 *requested in writing that such documents and information be*
6 *made public records.*

7 3. *As used in this section, "regulatory agency" means any*
8 *board, commission or other political subdivision of this State that*
9 *is authorized to issue a license, certificate, registration, permit or*
10 *other similar type of authorization to engage in a profession,*
11 *occupation, trade or business.*

12 **Sec. 2.** Chapter 281 of NRS is hereby amended by adding
13 thereto a new section to read as follows:

14 1. *If a state officer or employee enters into a contract or other*
15 *agreement to provide his professional services to a person or*
16 *governmental entity other than his employer, including, without*
17 *limitation, a contract that complies with the policies established by*
18 *the Board of Regents of the University of Nevada pursuant to NRS*
19 *396.255, the state officer or employee shall file a notice of the*
20 *contract or agreement with his employer as soon as practicable*
21 *after entering into the contract or agreement.*

22 2. *The notice required pursuant to subsection 1:*

23 (a) *Must include, without limitation:*

24 (1) *The names of the parties to the contract or agreement;*

25 (2) *A brief description of the work to be performed under*
26 *the contract or agreement; and*

27 (3) *The estimated time involved to complete the work to be*
28 *performed under the contract or agreement.*

29 (b) *Is a public record.*

30 **Sec. 3.** This act becomes effective on July 1, 2009.

