

SUNSET SUBCOMMITTEE OF THE LEGISLATIVE COMMISSION REVIEW FORM #1 ALL BOARDS

(Required by *Nevada Revised Statutes* [NRS] [232B.230](#))

INSTRUCTIONS

- Save the form to your personal computer. Please do not change the format of the form as it complies with the [Web Content Accessibility Guidelines](#) to make content more accessible to users in general and to a wider range of people with disabilities.
- Fill in the content control or text box for each item requested. If an item does not apply to your board, commission, or entity, please state "Not Applicable."
- Save the completed form to your personal computer.
- When submitting additional documents, identify the electronic name clearly and in the order you want them presented to the Subcommittee.
- Email the saved form and any additional documents in **PDF format** to Patrick Guinan, Chief Principal Policy Analyst, Research Division, Legislative Counsel Bureau (LCB), at pguinan@lcb.state.nv.us. For any questions, contact Mr. Guinan at (775) 684-6825.

REQUIRED INFORMATION TO BE SUBMITTED BY ALL BOARDS, COMMISSIONS, OR ENTITIES

1. Board, commission, or entity name

(Identify the statutory name of the board, commission, or entity.)

Technological Crimes Advisory Board.

NRS 205A.030 "Technological crime" defined. "Technological crime" means the commission of, attempt to commit or conspiracy to commit any crime that involves, directly or indirectly, any component, device, equipment, system or network that, alone or in conjunction with any other component, device, equipment, system or network, is designed or has the capability to:

1. Be programmed; or
2. Generate, process, store, retrieve, convey, emit, transmit, receive, relay, record or reproduce any data, information, image, program, signal or sound in a technological format, including, without limitation, a format that involves analog, digital, electronic, electromagnetic, magnetic or optical technology.

2. Members' names with expiration date of term and number of vacancies

(List the names of the current members and the expiration date of each member's term; contact information is not necessary. Indicate the number of vacancies and the length of time the vacancy has existed.)

The advisory committee may not have more than thirteen members, a quorum is reached with seven members, appointed members serve 4 years terms:

- Attorney General Aaron Ford.
- Administrator of the Division of Enterprise Information Technology Service - Timothy Galluzi, State Chief Informational Officer.
- One member of the Senate appointed by the Majority Leader of the Senate- Senate Majority Leader Nicole Cannizaro, term expires October 9, 2027.
- One member of the Assembly appointed by the Speaker of the Assembly- Speaker Yeager, term expires October 9, 2027.
- Two or more persons who represent major sectors of the economy of the state impacted significantly by technological crimes, appointed by the Governor: Ron Egles Term ends 6/30/2024.
- One or more persons who are employees of a law enforcement agency of this state: Allen Larsen, term ends 6/30/2027, Michael Kilpatrick Morton, term ends 1/31/2026,
- One or more persons who are employees of a public educational institution within the state, appointed by the Governor: Vacant.
- One or more persons who are residents of the state and who are employed by the Federal Government, appointed by the Governor: Vacant.

3. Physical address

(Identify the physical location of the board, commission, or entity [note whether the location is a state department or agency; indicate that address].)

State of Nevada, Office of the Attorney General, 100 N. Carson Street, Carson City, Nevada 89701

4. Mailing address

(Identify the mailing address of the board, commission, or entity.)

State of Nevada, Office of the Attorney General, 100 N. Carson Street, Carson City, Nevada 89701

5. Website address

(Identify the URL for your website with a live link.)

[Tech Crime Board \(nv.gov\)](https://nv.gov/tech-crime-board)

6. Website developer

(State the name of the developer of your website. If it was not developed by the Division of Enterprise Information Technology [IT] Services [formerly known as DoIT], Department of Administration, indicate whether Enterprise IT Services approved the website.)

Office of the Attorney General; Office of the Chief Information Officer

7. Executive director's name and contact information

(Regardless of the title of the position, provide contact information for the person responsible for the operations of the board, commission, or entity.)

NRS 205A.070 Executive Director: Appointment; Board to establish qualifications, powers and duties.

1. Upon approval by a majority of the members of the Board, the Board shall appoint an Executive Director of Technological Crime within the Office of the Attorney General.

2. The Executive Director is in the unclassified service of the State and serves at the pleasure of the Board.

3. The Board shall establish the qualifications, powers and duties of the Executive Director.

*Executive Director PCN 314 was eliminated in the legislatively approved budget for the 2015 biennium. Since then, the Executive Director's duties have been carried out by the Special Assistant Attorney General.

8. Staff members' names, including titles and full-time or part-time status

(Provide each employee's name, title, and employment status.)

NRS 205A.080 Appointment of full-time administrative assistant. Upon approval by two-thirds of the members of the Board, the Board shall appoint a full-time administrative assistant who is in the unclassified service of the State, serves at the pleasure of the Board and reports to the Executive Director.

*No funding was provided for a full-time administrative assistant. Our Research concludes that no such position has been created in the Office of Attorney General.

9. Days and hours of operation

(Provide the days and hours the office of the board, commission, or entity is open to the public and the availability of its staff.)

Not applicable.

10. Created by what authority

(Cite the section or sections of NRS creating the board, commission, or entity.)

Chapter 205A- Technological Crime Advisory Board, established in 1999

11. Authority to adopt regulations (NRS) and citation to Nevada Administrative Code (NAC)

(Cite the sections of NRS that authorize or require the board, commission, or entity to adopt regulations and the sections of NAC that contain your regulations.)

The Technological Advisory Board has no authority to promulgate regulations.

12. Five regulations most recently adopted, date of adoption, and any deadlines for adoption

(List the last five regulations by LCB File number adopted by the board, commission, or entity; the date of adoption; and any deadlines for adoption pursuant to statute.)

Not applicable.

13. Required regulations that have not been adopted with deadlines for adoption

(If a section of NRS or a bill passed by the Legislature requires the adoption of regulations and the board, commission, or entity has not adopted the regulations yet, list the regulations and cite the statute pursuant to which the adoption of the regulations is mandated.)

Not applicable.

14. Governing structure of the board, commission, or entity pursuant to statute

(Provide a brief description of the governing structure; a copy of the organizational chart is requested later on the form.)

Per NRS 205A.050, the Chair and Vice Chair are selected by a majority vote and hold office for a term of 1 year beginning July 1 of each year. Members may name designees to represent them at meetings. Seven members constitute a quorum.

15. Duties of the board, commission, or entity

(Either summarize the duties or cite the specific sections of NRS that set forth the duties.)

NRS 205A.060 General Duties of the Board 1. Facilitate cooperation between state, local and federal officers in detecting, investigating and prosecuting technological crimes.

2. Establish, support and assist in the coordination of activities between two multiagency task forces on technological crime, one based in Reno and one based in Las Vegas, consisting of investigators and forensic examiners who are specifically trained to investigate technological crimes.

3. Coordinate and provide training and education for members of the general public, private industry and governmental agencies, including, without limitation, law enforcement agencies, concerning the statistics and methods of technological crimes and how to prevent, detect and investigate technological crimes.

4. Assist the Division of Enterprise Information Technology Services of the Department of Administration in securing governmental information systems against illegal intrusions and other criminal activities.

5. Evaluate and recommend changes to the existing civil and criminal laws relating to technological crimes in response to current and projected changes in technology and law enforcement techniques.

6. Distribute money deposited pursuant to [NRS 179.1233](#) into the Account for the Technological Crime Advisory Board in accordance with the provisions of [NRS 205A.090](#).

7. Authorize the payment of expenses incurred by the Board in carrying out its duties pursuant to this chapter.

16. Objectives and programs of the board, commission, or entity

(Provide a brief description of each of the objectives and programs.)

NRS 205A.060 General duties of Board. The Board shall:

1. Facilitate cooperation between state, local and federal officers in detecting, investigating and prosecuting technological crimes. 2. Establish, support and assist in the coordination of activities between two multiagency task forces on technological crime, one based in Reno and one based in Las Vegas, consisting of investigators and forensic examiners who are specifically trained to investigate technological crimes. 3. Coordinate and provide training and education for members of the general public, private industry and governmental agencies, including, without limitation, law enforcement agencies, concerning the statistics and methods of technological crimes and how to prevent, detect and investigate technological crimes. 4. Assist the Division of Enterprise Information Technology Services of the Department of Administration in securing governmental information systems against illegal intrusions and other criminal activities. 5. Evaluate and recommend changes to the existing civil and criminal laws relating to technological crimes in response to current and projected changes in technology and law enforcement techniques. 6. Distribute money

deposited pursuant to NRS 179.1233 into the Account for the Technological Crime Advisory Board in accordance with the provisions of NRS 205A.090. 7. Authorize the payment of expenses incurred by the Board in carrying out its duties pursuant to this chapter.

17. Itemized list of services offered by the board, commission, or entity

(Provide a list of services offered to the public by the board, commission, or entity.)

The following educational documents are available via hyperlink from the Technological Crimes Advisory Board website: Cybersecurity Tips on Prevention; Cybersecurity Toolkit for Small Businesses; Cybersecurity Toolkit for Small Businesses-Card Skimming Brochure; Card Skimming Brochure – English; Card Skimming Brochure – Spanish. While these specific items have not been updated, the Office of Attorney General, Bureau of Consumer Protection regularly provides public education regarding cyber scams through social media and press releases.

18. Dates of the immediately preceding six meetings

(List the dates of the last six meetings and include the online location where the minutes can be found [preferably an active link].)

Failed quorums on: 06/30/2021; 03/30/2021; 12/10/2020; 09/21/2020;
Last six meetings: 06/22/2020; ;
https://ag.nv.gov/About/Administration/Tech_Crime/2015_Mtgs/Tech_Crime_Meetings_2015/

19. Where are meetings of the board, commission, or entity held?

(Provide the address of the meeting site.)

Office of the Attorney General- In person. Virtual links provided.

20. Do members of the public have to be present at the meeting site to participate, or are teleconferencing and videoconferencing offered?

Teleconferencing and video conferencing are allowed.

21. Statutory tax exemptions, abatements, or money set aside for the board, commission, or entity

(Cite each section of NRS that provides for such an exemption, abatement, or set-aside; budget information is requested later on the form.)

Not applicable.

22. The manner in which the board, commission, or entity is funded

(Describe all sources of funding including appropriations, fees, grants, interest income, or other sources of revenue.)

NRS 205A.090 Created the "Account for the Technological Crime Advisory Board" The fund is supported by criminal or civil forfeiture carried out pursuant to NRS 179.1211 to 179.1235, and is distributed as follows; (a) Not less than 25 percent to be retained in the Account for use by the Board (b) Not more than 75 percent to be distributed to the federal, state and local law enforcement agencies that participated in the investigation of the unlawful act giving rise to the criminal or civil forfeiture in accordance with the level of participation of each law enforcement agency as determined by the Board. Additionally, the board may apply for gifts, grants, appropriations or donations. The account has a balance of \$900, but has not had a deposit since 2017.

23. Required public forms that are not available on the website of the board, commission, or entity

(List all forms that are not available electronically to the public, but which are required to comply with a program or service of the board, commission, or entity.)

Not applicable

24. Recommendations for consolidation with another board, commission, or entity

(Is there a recommendation for consolidation with another similar board, commission, or entity? If so, which board, commission, or entity would be the surviving entity? If there is a recommendation for consolidation, list the services also provided by the other board, commission, or entity.)

The Office of Attorney General is currently reviewing the landscape to assess the relevance of the Advisory Committee.

25. Overlap or duplication of duties or work product

(Identify any other entity whose duties or responsibilities replicate those of this entity.)

In 2017, the Nevada Office of Cyber Defense was created within the Department of Public Safety (NRS 480.900). Additionally, the Office Attorney General is a member of the Chief Information Officer's State Information Security Committee.

26. Improved efficiency

(Are there areas where this board, commission, or entity could benefit from improved workflow, mechanics, or other efficiencies?)

Tech crimes are ubiquitous throughout many types of crimes, so much so that an umbrella advisory committee has shown to be ineffectively to navigate. The Office of Attorney General addresses technology crimes within the context of the crime. For example, tech crimes and elections; tech crimes and consumer scams, tech crime and child exploitation and human trafficking.

27. Effectiveness in accomplishing the objectives, programs, and purposes of the board, commission, or entity

(Provide an assessment of the board, commission, or entity's effectiveness in meeting its objectives and programs; provide information that is relevant to the response.)

Obtaining a quorum has been a multi-year challenge. While the Tech Crime Advisory Committee has not met in many years, the Office of the Attorney General regularly engages in activities that support the mission of the statute. Technology crimes, inclusive of activities commonly referred to as "cyber crimes," are committed by actors who reside outside of the State of Nevada and outside the United States. Subsequently, the Office of Attorney General works in tandem with our federal partners at the Federal Bureau of Investigations (FBI) and the Federal Trade Commission (FTC) to stop, prevent and prosecute cyber crimes. For example, Attorney General Ford is hosting FTC Chair Lena M Khan at a gathering of Attorneys General in March to discuss cyber crime, Artificial Intelligence and consumer protections.

28. Recommended statutory changes necessary to carry out objectives and programs

(Summarize any recommended statutory changes needed by the board, commission, or entity to carry out its objectives and/or programs.)

The Office of the Attorney General is contemplating the effectiveness of the Advisory Committee. Securing a quorum is the biggest hurdle to effectiveness. Regardless, the Office of Attorney General will attempt to convene a meeting of the Advisory Committee to discuss effectiveness and relevance of the advisory committee specific to the topic of technology crime.

ADDITIONAL INFORMATION TO BE SUBMITTED BY ALL BOARDS, COMMISSIONS, OR ENTITIES

Submit the following information in PDF format via email to Patrick Guinan, Chief Principal Policy Analyst, Research Division, LCB, at pguinan@lcb.state.nv.us, and clearly identify the electronic name of the document (A, B, C, et cetera) when submitted:

- A. The operating budget of the board, commission, or entity for the 2023–2024 Biennium.
NOT APPLICABLE.

- B. A statement setting forth the income and expenses of the board, commission, or entity for at least three years immediately preceding the date on which the board, commission, or entity submits this form, including the balances of any fund or account maintained by or on behalf of the board, commission, or entity. This statement should include all sources of income for the board, commission, or entity and expenditures by category, along with current balances of each fund or account.

NOT APPLICABLE.

- C. The most recent legislative audit, or other audit, of the board, commission, or entity and any efficiency studies or constituent or staff surveys conducted in the past three years. Audits conducted by the legislative auditor may be referenced by number (i.e., LA10 11), as they are available on the Legislature's website. Copies of all other requested documents must be submitted.

NOT APPLICABLE.

- D. Any reports required to be filed with the Legislative or Executive Branches over the past three years. If the report is on the Legislature's website, you may refer to it by number. Otherwise, please provide a copy of the report. Also, note whether any reports were filed late or whether any reports required by statute have not been filed.

NOT APPLICABLE.

- E. A copy of the organizational chart showing the governing structure of the board, commission, or entity and its staff.

NOT APPLICABLE.

- F. A copy of the most recent strategic plan of the board, commission, or entity. Indicate the effective date of the plan and the achievement of any goals set out in the plan.

NOT APPLICABLE.