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Governor



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**Public Safety**  
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## Office of Cyber Defense Coordination

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Carson City, Nevada 89711  
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### LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY NRS 233B.066 LCB FILE #R088-19

The following statement is submitted for the proposed amendment to Nevada Administrative Code (NAC) Chapter 480.

**1. A clear and concise explanation of the need for the adopted regulation.**

*In accordance with recently established provisions outlined in Senate Bill 69, the Department of Public Safety Office of Cyber Defense Coordination "shall, by regulation, prescribe the contents of a cybersecurity incident response plan, without limitation, a plan:*

*To prepare for a cybersecurity threat*

*To detect and analyze a cybersecurity threat*

*To contain, eradicate and recover from a cybersecurity threat*

*For post-incident activity that includes a discussion regarding lessons learned and any analytics associated with the cybersecurity incident."*

**2. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.**

*U.S. Mail, Fax and/or email to persons who were known to have an interest in the subject of cybersecurity, as well as any persons who had specifically requested such notice, sent copies of the proposed regulations, Notice of Workshop and Notice of Intent to Act upon Regulations (2). These documents were made available at the website of the Department of Public Safety, Office of Cyber Defense Coordination, [www.dps.state.nv.us](http://www.dps.state.nv.us), e-mailed, mailed and/or faxed to all county libraries in Nevada and posted at the following locations:*

*Legislative Counsel Bureau, 555 E. Washington Avenue, Las Vegas, NV*

*Legislative Counsel Bureau, 401 S. Carson Street, Carson Street, Carson City, NV*

*NV Dept of Public Safety, 555 Wright Way, Carson City, NV*

*NV Dept of Business & Industry, 1830 College Parkway, Suite 100, Carson City, NV*

*NV Dept of Business & Industry, 3300 W Sahara Ave, Suite 425, Las Vegas, NV*

*A Workshop was held on January 7, 2020, and two (2) hearings on the Notice of Intent to Act upon Regulation were held (January 28, 2020 and October 27, 2020 via ZOOM). Copies of the Minutes are attached hereto.*

*A copy of this summary of the public response to the proposed regulation may be obtained from the Office of Cyber Defense Coordination, 555 Wright Way, Carson City, NV 89711, 775-684-4616, or e-mail to [bwyatt@dps.state.nv.us](mailto:bwyatt@dps.state.nv.us).*

**3. The number of persons who:**

**(a) Attended each hearing:**

*January 7, 2020 – 8; January 28, 2020 – 6; October 27, 2020 – 5*

**(b) Testified at each hearing:**

*January 7, 2020 – 0; January 28, 2020 – 0; October 27, 2020 – 0*

**(c) Submitted to the agency written comments:**

**Written Statement:** Sent via email. Suggested providing order of incident notifications.

**Name:** Bret Towe, Information Technology Manager

**Phone:** 775-945-3676

**Business Address:** 105 S. A Street Hawthorne NV 89415

**Email:** [btowe@mineralcountynv.org](mailto:btowe@mineralcountynv.org)

**Name of Organization Represented:** Mineral County

**Written Statement:** Sent via email. Suggested extending the incident notification timeline to five business days.

**Name:** Conrad Larkin, Information Security Administrator

**Phone:** (702) 633-1170

**Business Address:** 2250 Las Vegas Blvd N. North Las Vegas, NV 89030

**Email:** [LarkinC@cityofnorthlasvegas.com](mailto:LarkinC@cityofnorthlasvegas.com)

**Name of Organization Represented:** City of North Las Vegas

**Written Statement:** Sent via email. Suggested providing better clarification in Section 22 of draft regulation, regarding incident reporting definition.

**Name:** Terry Daus, Information Security Manager

**Phone:** 702-267-4343

**Business Address:** 240 Water St. Henderson NV 89015

**Email:** [Terry.Daus@cityofhenderson.com](mailto:Terry.Daus@cityofhenderson.com)

**Name of Organization Represented:** City of Henderson

**4. A list of names and contact information for each person identified above in #3, as provided to the agency, is attached hereto as Exhibit A.**

5. **A description of how comment was solicited from affected businesses, a summary of their response and an explanation how other interested persons may obtain a copy of the summary.**

*Comments were solicited from affected businesses in the same manner as they were solicited from the public. The summary may be obtained as instructed in the response to question #1.*

5. **If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

*The permanent regulation was adopted on October 27, 2020 and included all of the changes suggested by written comment, with the exception of changing the notification timeframe to five (5) business days.*

6. **The estimated economic effect of the adopted regulation on the businesses, which it is to regulate, and on the public. These must be stated separately and each case must include:
  - (a) Both adverse and beneficial effects; and
  - (b) Both immediate and long-term effects.**

*Throughout the legislative process of the 80th Nevada Legislative Session, in which Senate Bill 69 was enacted, no persons or organizations identified or relayed any comments or information indicating any economic impact related to the establishment of incident response plans.*

**Adverse Impacts:** None.

**Beneficial Impacts:** *A robust and mature cybersecurity incident response plan has a direct, measurable, and positive impact to any organization – with subsequent impact to an organization's effect to the community and economy. A strong cybersecurity incident response plan can be the immediate difference between an organization's – whether government or private sector – ability to effectively respond to a cyberattack and return to normal business operations, or not. In Nevada, political subdivisions play a significant role in the local and statewide economy. Their ability to conduct business affects critical aspects of the economy, including but not limited to, delivery of essential services (police, fire, and ambulance), social services, regulation, tax collection, permitting, and many other components of day-to-day commerce.*

**Immediate Impacts:** *Political subdivisions will increase their ability to proactively plan, prevent, and respond to cybersecurity threats.*



**Long-Term Impacts:** *Safer and more resilient communities.*

**7. The estimated cost to the agency for enforcement of the adopted regulation**

*There is no additional cost to the agency for enforcement of this regulation.*

**8. A description of any regulations of other state or government agencies, which the proposed regulation overlaps, or duplicates, and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

*There are no other state or government agency regulations that the proposed regulation duplicates.*

**9. If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.**

*There are no federal regulations that apply.*

**10. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**

*This regulation does not provide a new fee or increase an existing fee.*