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EMERGENCY REQUEST OF ASSEMBLY MINORITY LEADER

ASSEMBLY BILL NO. 483—ASSEMBLYMEN TITUS, LEAVITT, TOLLES,  
ROBERTS, HAFEN; DICKMAN, ELLISON, HANSEN, HARDY,  
KASAMA, KRASNER, MATTHEWS, MCARTHUR, O’NEILL  
AND WHEELER

MAY 13, 2021

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Referred to Committee on Commerce and Labor

**SUMMARY**—Requires certain operators of Internet websites or online services which are owned or operated for the purposes of a public awareness campaign conducted by or on behalf of a governmental entity to comply with certain requirements and restrictions concerning the collection and sale of certain personally identifiable information. (BDR 52-1152)

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

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

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**AN ACT** relating to Internet privacy; revising the definitions of the terms “consumer” and “operator” for the purposes of requiring certain operators of Internet websites or online services which are owned or operated for the purposes of a public awareness campaign conducted by or on behalf of a governmental entity to comply with certain requirements and restrictions concerning the collection and sale of certain personally identifiable information about a consumer; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law imposes certain requirements and restrictions on an “operator,”  
2 which existing law defines to mean, in general, a person who owns or operates an  
3 Internet website or online service for commercial purposes and who collects and  
4 maintains certain items of personally identifiable information about consumers who  
5 reside in this State and use or visit the Internet website or online service. (NRS  
6 603A.320, 603A.330) Existing law defines “consumer” to mean, in general, a



7 person who seeks or acquires any good, service, money or credit for personal,  
8 family or household purposes from the Internet website or online service of an  
9 operator. (NRS 603A.310)

10 Existing law requires an operator to make available a notice containing certain  
11 information relating to the privacy of covered information collected by the  
12 operator. (NRS 603A.340) Existing law further requires an operator to establish a  
13 designated address through which a consumer may submit a verified request  
14 directing the operator not to make any sale of covered information collected about  
15 the consumer. An operator that receives such a request is prohibited from making  
16 any sale of any covered information collected about the consumer.  
17 (NRS 603A.345)

18 **Sections 1 and 2** of this bill revise the definitions of “consumer” and  
19 “operator,” respectively, for the purposes of requiring a person who owns or  
20 operates an Internet website or online service for the purposes of a public  
21 awareness campaign conducted by or on behalf of a governmental entity to comply  
22 with the same requirements and restrictions regarding the collection and sale of  
23 covered information about a consumer collected through the Internet website or  
24 online service that existing law imposes on an operator of an Internet website or  
25 online service which is owned or operated for commercial purposes.

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

1 **Section 1.** NRS 603A.310 is hereby amended to read as  
2 follows:

3 603A.310 “Consumer” means a person who ~~seeks~~ :

4 *1. Seeks* or acquires, by purchase or lease, any good, service,  
5 money or credit for personal, family or household purposes from the  
6 Internet website or online service of an operator ~~;~~ ; or

7 *2. Uses or visits the Internet website or online service of an*  
8 *operator which is owned or operated for the purposes of a public*  
9 *awareness campaign conducted by or on behalf of a governmental*  
10 *entity.*

11 **Sec. 2.** NRS 603A.330 is hereby amended to read as follows:

12 603A.330 1. “Operator” means a person who:

13 (a) Owns or operates an Internet website or online service for  
14 commercial purposes ~~;~~ ; or *for the purposes of a public awareness*  
15 *campaign conducted by or on behalf of a governmental entity;*

16 (b) Collects and maintains covered information from consumers  
17 who reside in this State and use or visit the Internet website or  
18 online service; and

19 (c) Purposefully directs its activities toward this State,  
20 consummates some transaction with this State or a resident thereof,  
21 purposefully avails itself of the privilege of conducting activities in  
22 this State or otherwise engages in any activity that constitutes  
23 sufficient nexus with this State to satisfy the requirements of the  
24 United States Constitution.

25 2. The term does not include:



1 (a) A third party that operates, hosts or manages an Internet  
2 website or online service on behalf of its owner ~~for~~, *except a third*  
3 *party that operates an Internet website or online service for the*  
4 *purposes of a public awareness campaign on behalf of a*  
5 *governmental entity;*

6 (b) *A third party that* processes information on behalf of the  
7 owner of an Internet website or online service;

8 ~~(b)~~ (c) A financial institution or an affiliate of a financial  
9 institution that is subject to the provisions of the Gramm-Leach-  
10 Bliley Act, 15 U.S.C. §§ 6801 et seq., and the regulations adopted  
11 pursuant thereto;

12 ~~(e)~~ (d) An entity that is subject to the provisions of the Health  
13 Insurance Portability and Accountability Act of 1996, Public Law  
14 104-191, as amended, and the regulations adopted pursuant thereto;  
15 or

16 ~~(d)~~ (e) A manufacturer of a motor vehicle or a person who  
17 repairs or services a motor vehicle who collects, generates, records  
18 or stores covered information that is:

19 (1) Retrieved from a motor vehicle in connection with a  
20 technology or service related to the motor vehicle; or

21 (2) Provided by a consumer in connection with a subscription  
22 or registration for a technology or service related to the motor  
23 vehicle.

24 **Sec. 3.** Notwithstanding the provisions of NRS 218D.430 and  
25 218D.435, a committee, other than the Assembly Standing  
26 Committee on Ways and Means and the Senate Standing Committee  
27 on Finance, may vote on this act before the expiration of the period  
28 prescribed for the return of a fiscal note in NRS 218D.475. This  
29 section applies retroactively from and after March 22, 2021.

30 **Sec. 4.** This act becomes effective on July 1, 2021.

