

Amendment No. 212

Assembly Amendment to Assembly Bill No. 376	(BDR 14-737)
Proposed by: Assembly Committee on Government Affairs	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.



ASSEMBLY BILL NO. 376—ASSEMBLYMEN TORRES, WATTS, NGUYEN, FLORES, MARZOLA; ANDERSON, BILBRAY-AXELROD, BROWN-MAY, CONSIDINE, DURAN, GONZÁLEZ, MARTINEZ, C.H. MILLER, PETERS AND THOMAS

MARCH 22, 2021

JOINT SPONSORS: SENATORS NEAL, DONATE AND DENIS

Referred to Committee on Government Affairs

SUMMARY—Enacts the Keep Nevada Working Act and makes various other changes relating to immigration. (BDR 14-737)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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.

AN ACT relating to immigration; enacting the Keep Nevada Working Act; prohibiting certain state and local agencies from performing certain actions relating to immigration enforcement; prohibiting certain state or local law enforcement agencies, school police units and campus police departments from collecting, using and providing certain information to federal immigration authorities; requiring state or local law enforcement agencies to provide certain written disclosures to persons before making inquiries relating to immigration; limiting the circumstances under which a state or local law enforcement agency may permit federal immigration authorities to interview persons who are under state or local custody; prohibiting state or local law enforcement agencies from detaining persons on the basis of a hold request or for the purpose of determining the immigration status of the person; prohibiting state or local law enforcement agencies from contracting for or otherwise using the language services of federal immigration authorities; creating the Keep Nevada Working Task Force and establishing the power and duties of the Task Force; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Section 2 of this bill declares that the primary purpose of certain law enforcement
2 agencies and related entities in this State is not to enforce immigration. Sections 4-7 of this
3 bill define the terms “campus police department,” “federal immigration authority,”
4 “notification request” and “state or local law enforcement agency,” respectively, for the
5 purposes of sections 2-14 of this bill.

6 **Sections 8 and 9** of this bill prohibit state or local law enforcement agencies, school
7 police units and campus police departments from providing certain information pursuant to a
8 notification request from a federal immigration authority. **Section 9** of this bill additionally
9 prohibits state or local law enforcement agencies from providing federal immigration
10 authorities with certain personal demographic information of persons subject to the custody or
11 supervision of the state or local law enforcement agency.

12 **Section 8** of this bill also prohibits school police units and campus police departments
13 from inquiring into and collecting information concerning the immigration or citizenship
14 status of a person or the place of birth of the person. **Section 9** sets forth the same prohibition
15 for state or local law enforcement agencies unless there is a direct connection between the
16 information sought and a criminal violation of a state law or local ordinance. In such
17 circumstances where the state or local law enforcement agency is permitted to make such an
18 inquiry, **section 9** requires the state or local law enforcement agency, before making the
19 inquiry, to provide certain written disclosures to the person and an interpreter for the
20 disclosures under certain circumstances. **Section 29** of this bill makes a conforming change by
21 repealing provisions of law which require certain disclosures be made to a person in a county
22 or city jail or a detention facility before questioning the person regarding his or her
23 immigration status, as such disclosures are encompassed by and expanded under **section 9**.

24 Additionally, **section 10** of this bill prohibits state or local law enforcement agencies
25 from using agency ~~money~~ funds, facilities, property, equipment or personnel to
26 investigate, question, interrogate, detain, detect or arrest a person for the purpose of
27 immigration enforcement.

28 **Section 11** of this bill prohibits state or local law enforcement agencies from detaining a
29 person solely for the purpose of determining the immigration status of the person.
30 Additionally, **section 11** prohibits state or local law enforcement agencies from detaining a
31 person on the basis of a hold request relating to immigration enforcement unless the hold
32 request is ~~is~~ accompanied by a warrant for the arrest of the person ~~is~~ supported by
33 probable cause that the person has committed a crime independent of the crime for which the
34 state or local law enforcement agency originally asserted custody over the person.

35 **Section 12** of this bill prohibits state or local law enforcement agencies from permitting
36 federal immigration authorities to interview a person who is subject to state or local custody
37 concerning a noncriminal matter unless: (1) the interview is required by law or court order; or
38 (2) the person ~~consents~~ gives informed consent in writing to the interview. Specifically,
39 **section 12** requires the state or local law enforcement agency to provide certain oral and
40 written disclosures to the person before obtaining such written consent and requires the use of
41 an interpreter for the disclosures under certain circumstances.

42 **Section 13** of this bill prohibits school police units, campus police departments and state
43 or local law enforcement agencies from entering into contracts for the provision of language
44 services by federal immigration authorities or otherwise accepting the provision of such
45 language services.

46 **Section 14** of this bill requires the Attorney General to publish model policies which
47 provide guidance and training recommendations to state or local law enforcement agencies
48 and which must be consistent with **sections 2-14**. **Section 14** also requires each state or local
49 law enforcement agency to: (1) adopt policies that are consistent with the model policies of
50 the Attorney General; or (2) notify the Attorney General that the state or local law
51 enforcement agency is not adopting policies consistent with the model policies.

52 **Section 18** of this bill creates the Keep Nevada Working Task Force and sets forth the
53 membership of the Task Force. **Section 26** of this bill provides for the appointment of the
54 members to the Task Force. **Section 19** of this bill requires the Task Force to meet quarterly
55 and sets forth various other administrative functions. Finally, **section 20** of this bill : (1)
56 prescribes the duties of the Task Force ~~and~~ ; (2) requires the Task Force to submit an annual
57 report to the Director of the Legislative Counsel Bureau for transmission to the Legislative
58 Commission ~~and~~ ; (3) authorizes the Lieutenant Governor to accept gifts, grants or
59 donations for the purpose of the Task Force; and (4) requires state and local agencies,
60 boards, commissions, departments and officers, employees and agents thereof to assist
61 the Task Force under certain circumstances.

62 Section 21.5 of this bill declares that it is not the primary purpose of an agency or
63 regulatory body of this State or a political subdivision thereof to enforce civil federal
64 immigration law. **Section 22** of this bill prohibits state or local agencies and regulatory

65 **bodies** from using agency funds, facilities, property, equipment or personnel to investigate,
 66 enforce, cooperate with or assist in the investigation or enforcement of any federal registration
 67 or surveillance program or any other law, rule or policy that targets residents exclusively on
 68 the basis of race, religion, immigration or citizenship status or national or ethnic origin.
 69 ~~[Sections]~~ **Section 23** ~~[and 25]~~ of this bill ~~[require]~~ **requires** certain agencies of this State to
 70 publish agency policies which are consistent with **section 22** and which relate to the
 71 collection, use and disclosure of information by the agency and the provision of its services.

72 **Section 24** of this bill requires the Attorney General to publish model policies which
 73 provide recommendations to limit immigration enforcement at public schools, institutions of
 74 higher education, certain health care facilities, ~~[and]~~ courthouses ~~[,]~~ **and other state and**
 75 **local governmental agencies.** Additionally, **section 24** requires such entities to: (1) adopt
 76 policies consistent with the model policies of the Attorney General; or (2) notify the Attorney
 77 General that the entity is not adopting policies consistent with the model policies of the
 78 Attorney General. **Section 24** also encourages certain other organizations to adopt policies
 79 consistent with the model policies of the Attorney General.

1 WHEREAS, The economy of this State encompasses a broad range of industries
 2 necessitating the need for a skilled workforce in a variety of industries to ensure the
 3 economic vitality of this State; and

4 WHEREAS, Immigrants make up 19 percent of the population in this State, with
 5 immigrants accounting for approximately one in every four workers in this State;
 6 and

7 WHEREAS, Business owners have a large impact on the economy of this State
 8 through innovation and the creation of jobs, and immigrants account for
 9 approximately 30 percent of business owners in this State; and

10 WHEREAS, In recognition of the significant contribution of immigrants to the
 11 overall prosperity and strength of this State, there is a compelling interest in
 12 ensuring that this State remains a place where the rights and dignity of all residents
 13 are maintained and protected in order to keep this State working; now, therefore,
 14

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

17
 18 **Section 1.** Chapter 178 of NRS is hereby amended by adding thereto the
 19 provisions set forth as sections 2 to 14, inclusive, of this act.

20 **Sec. 2.** *The Legislature hereby finds and declares that:*

21 *1. It is not the primary purpose of state or local law enforcement agencies,*
 22 *school police units or campus police departments to enforce civil federal*
 23 *immigration law.*

24 *2. State or local law enforcement agencies, school police units or campus*
 25 *police departments should not be concerned with any matter which exclusively*
 26 *involves one or more of the following circumstances:*

- 27 *(a) The immigration status of a person;*
- 28 *(b) The presence of a person in the United States;*
- 29 *(c) The entry or reentry of a person into the United States; or*
- 30 *(d) The employment of a person in the United States.*

31 *3. Federal immigration authorities have primary jurisdiction over the*
 32 *enforcement of Title 8 of the United States Code relating to the illegal entry of*
 33 *persons into the United States.*

34 **Sec. 3.** *As used in sections 2 to 14, inclusive, of this act, unless the context*
 35 *otherwise requires, the words and terms defined in sections 4 to 7, inclusive, of*
 36 *this act have the meanings ascribed to them in those sections.*

1 **Sec. 4.** *“Campus police department” has the meaning ascribed to it in NRS*
2 *179D.015.*

3 **Sec. 5.** *“Federal immigration authority” means any officer, employee or*
4 *person who is paid by or acting as an agent of:*

5 1. *The United States Immigration and Customs Enforcement of the United*
6 *States Department of Homeland Security, or any division thereof;*

7 2. *The United States Customs and Border Protection of the United States*
8 *Department of Homeland Security, or any division thereof; or*

9 3. *The United States Department of Homeland Security or any other*
10 *component thereof charged with immigration enforcement.*

11 **Sec. 6.** *“Notification request” means a formal or informal request from a*
12 *federal immigration authority for information concerning the date and time for*
13 *the release of a person under the custody or supervision of a state or local law*
14 *enforcement agency.*

15 **Sec. 7.** *“State or local law enforcement agency” means:*

16 1. *The sheriff’s office of a county;*

17 2. *A metropolitan police department;*

18 3. *A police department of an incorporated city;*

19 4. *Any entity authorized to operate a prison, jail or detention facility,*
20 *including, without limitation, any facility for the detention of juveniles;*

21 5. *The Division of Parole and Probation of the Department of Public*
22 *Safety; ~~and~~*

23 6. *Any department of alternative sentencing ~~+~~; and*

24 7. *Any other state or local agency, office, bureau, department, unit or*
25 *division created by any statute, ordinance or rule which:*

26 (a) *Has a duty to enforce the law; and*

27 (b) *Employs any person upon whom some or all of the powers of a peace*
28 *officer are conferred pursuant to NRS 289.150 to 289.360, inclusive.*

29 **Sec. 8.** *A school police unit or campus police department shall not:*

30 1. *Inquire into or collect information concerning:*

31 (a) *The immigration or citizenship status of a person; or*

32 (b) *The place of birth of a person.*

33 2. *Provide information pursuant to a notification request, except as*
34 *otherwise required by law.*

35 **Sec. 9.** 1. *A state or local law enforcement agency shall not inquire into*
36 *or collect information relating to the immigration or citizenship status of a person*
37 *or the place of birth of the person unless there is a direct connection between the*
38 *information sought and a criminal violation of a state law or local ordinance.*

39 2. *Except as otherwise provided by law, a state or local law enforcement*
40 *agency shall not provide federal immigration authorities with:*

41 (a) *Information pursuant to a notification request; or*

42 (b) *Personal demographic information that is not publicly available*
43 *concerning a person subject to the custody or supervision of the state or local law*
44 *enforcement agency.*

45 3. *A state or local law enforcement agency who seeks to question a person*
46 *concerning his or her immigration or citizenship status or place of birth in*
47 *accordance with subsection 1 shall, before making such an inquiry ~~+~~, provide*
48 *the person with a written document which:*

49 (a) ~~Inform~~ Informs *the person of the purpose of the questions concerning*
50 *his or her immigration or citizenship status or place of birth;*

51 (b) ~~Warn~~ Warns *the person that any statement made about his or her*
52 *immigration or citizenship status or place of birth may be shared with federal*

1 immigration authorities and possibly used in a federal proceeding for the
2 deportation or removal of the person; ~~and~~

3 (c) ~~Inform~~ informs the person whether he or she is required by law to
4 answer the questions concerning his or her immigration or citizenship status or
5 place of birth ~~or~~; and if the person is not so required, ~~inform~~ informs the
6 person of that fact ~~or~~; and

7 (d) Informs the person that the person:

8 (1) May decline to answer the questions of the state or local law
9 enforcement agency; or

10 (2) Require that his or her attorney be present during the questioning
11 with the state or local law enforcement agency.

12 4. The state or local law enforcement agency making an inquiry pursuant to
13 this section shall, to the extent practicable, provide an interpreter for translation
14 of the ~~disclosures required pursuant to~~ document described in subsection 3.

15 5. As used in this section, "personal demographic information" means
16 ~~any~~ ;

17 (a) Any information relating to the person's race, color, gender identity or
18 expression, age, religion, disability, national origin, place of birth, ancestry,
19 sexual orientation, marital status, military status, order of protection status,
20 pregnancy, unfavorable discharge from military service ;

21 (b) Any personally identifiable information, including, without limitation, a
22 home address, physical address, electronic mail address, telephone number,
23 social security number, driver's license number, photo identification number,
24 individual tax payer identification number or any other identifier of the person;
25 or ~~any~~

26 (c) Any other information concerning a person that could be used to contact,
27 track, locate, identify or reasonably infer the identity of the person.

28 Sec. 10. 1. In addition to any limitation pursuant to section 22 of this act,
29 a state or local law enforcement agency shall not use agency ~~money~~ funds,
30 facilities, property, equipment or personnel to investigate, question, interrogate,
31 detain, detect or arrest any person for immigration enforcement purposes.

32 2. The limitations set forth in this section do not apply to a detention
33 authorized pursuant to paragraph (b) of subsection 1 of section 11 of this act.

34 Sec. 11. 1. A state or local law enforcement agency shall not detain a
35 person:

36 (a) Solely for the purpose of determining the immigration status of the
37 person; or

38 (b) On the basis of a hold request unless the hold request is:

39 (1) Accompanied by a warrant which is:

40 (I) Based upon probable cause; and

41 (II) Issued by a federal judge or federal magistrate judge. ~~or~~

42 ~~(2) Supported by probable cause to believe that the person subject to the~~
43 ~~hold request has committed a crime independent of the underlying crime for~~
44 ~~which the state or local law enforcement agency originally asserted custody over~~
45 ~~the person.]~~

46 2. As used in this section, "hold request" means a formal or informal
47 request by a federal immigration authority that a state or local law enforcement
48 agency maintain custody of a person who is in the custody of the state or local
49 law enforcement agency for a period not to exceed 48 hours, excluding
50 Saturdays, Sundays and holidays, or beyond the time the person would otherwise
51 be eligible for release from the custody of the state or local law enforcement
52 agency, in order to facilitate the transfer of custody of the person to the federal
53 immigration authority.

1 **Sec. 12. 1.** *A state or local law enforcement agency shall not permit a*
2 *federal immigration authority to interview a person about a noncriminal matter*
3 *while the person is in the custody of the state or local law enforcement agency*
4 *unless:*

5 (i) *The interview is required by law or court order; or*

6 (ii) *The state or local law enforcement agency obtains the informed, written*
7 *consent of the person.*

8 2. *Before obtaining the informed, written consent of the person, the state or*
9 *local law enforcement agency shall disclose orally and in writing:*

10 (i) *The purpose of the interview with the federal immigration authority;*

11 (ii) *That the interview with the federal immigration authority is voluntary*
12 *and that the person will not be punished or suffer retaliation for declining to be*
13 *interviewed by the federal immigration authority; ~~and~~*

14 (iii) *That the person:*

15 (1) *May decline to be interviewed by the federal immigration authority;*

16 *or*

17 (2) *Require that his or her attorney be present for the interview with the*
18 *federal immigration authority ~~and~~; and*

19 (d) *That any statement made about his or her immigration or citizenship*
20 *status or place of birth may be used in a federal proceeding for the deportation or*
21 *removal of the person.*

22 3. *The state or local law enforcement agency shall:*

23 (i) *Make the written disclosures available in English and Spanish and any*
24 *other language prescribed by the state or local law enforcement agency; and*

25 (ii) *Use an interpreter for the oral disclosures if the person is unable to read*
26 *the written disclosures.*

27 **Sec. 13.** *A state or local law enforcement agency, school police unit or*
28 *campus police department shall not:*

29 1. *Enter into or renew a contract for the provision of language services*
30 *from federal immigration authorities; or*

31 2. *Accept any language services offered for free or otherwise by federal*
32 *immigration authorities.*

33 **Sec. 14. 1.** *The Attorney General shall, in consultation with relevant*
34 *stakeholders ~~and~~ and the Keep Nevada Working Task Force created by section 18*
35 *of this act, publish model policies which provide guidance and training*
36 *recommendations to state or local law enforcement agencies. The model policies*
37 *must:*

38 (i) *Be consistent with sections 2 to 14, inclusive, of this act; and*

39 (ii) *Prioritize guidance and training recommendations which:*

40 (1) *Foster trust between the community and state or local law*
41 *enforcement agencies; and*

42 (2) *Limit, to the fullest extent practicable and consistent with any*
43 *applicable law, the engagement of state or local law enforcement agencies with*
44 *federal immigration authorities for the purpose of immigration enforcement.*

45 2. *Every state or local law enforcement agency shall:*

46 (i) *Adopt policies consistent with the model policies of the Attorney General;*
47 *or*

48 (ii) *Notify the Attorney General that the state or local law enforcement*
49 *agency is not adopting policies consistent with the model policies of the Attorney*
50 *General.*

51 3. *The notification described in subsection 2 must include, without*
52 *limitation:*

1 (a) *The reason that the state or local law enforcement agency is not adopting*
 2 *policies consistent with the model policies of the Attorney General; ~~and~~*

3 (b) *A copy of the policies of the state or local law enforcement agency ~~is~~;*
 4 *and*

5 *(c) A certification of whether the policies of the state or local law*
 6 *enforcement agency are in compliance with sections 2 to 14, inclusive, of this act.*

7 Sec. 15. Chapter ~~222~~ 224 of NRS is hereby amended by adding thereto the
 8 provisions set forth as sections 16 to 20, inclusive, of this act.

9 Sec. 16. *Sections 16 to 20, inclusive, of this act may be cited as the Keep*
 10 *Nevada Working Act.*

11 Sec. 17. *As used in sections 16 to 20, inclusive, of this act, "Task Force"*
 12 *means the Keep Nevada Working Task Force created by section 18 of this act.*

13 Sec. 18. 1. *The Keep Nevada Working Task Force is hereby created*
 14 *within the Office ~~for New Americans established pursuant to NRS 223.910.~~ of*
 15 *Lieutenant Governor.*

16 2. *The Task Force consists of:*

17 (a) *The ~~Director of the Office for New Americans,~~ Lieutenant Governor, or*
 18 *his or her designee;*

19 (b) *~~Four~~ Seven members appointed by the ~~Legislative Commission,~~*
 20 *Lieutenant Governor; and*

21 (c) *~~Four members~~ One member appointed jointly by the Governor ~~is~~ and*
 22 *the Office for New Americans.*

23 3. *Every member appointed to the Task Force shall represent at least one of*
 24 *the following:*

25 (a) *An immigrant advocacy group;*

26 (b) *A professional association representing business;*

27 (c) *A labor organization with a statewide presence;*

28 (d) *~~An agricultural~~ A workforce or economic development interest;*

29 (e) *A ~~legal interest~~ bar association or like association of lawyers which is*
 30 *involved in the advocacy of immigrants;*

31 (f) *A faith-based, nonprofit organization;*

32 (g) *An advocacy group which focuses on immigration and criminal justice;*

33 (h) *An institution of higher education; or*

34 (i) *A state or local law enforcement agency.*

35 4. *~~After the initial terms, the~~ The members of the Task Force shall serve*
 36 *terms of 3 years. A member may be reappointed to the Task Force and any*
 37 *vacancy must be filled in the same manner as the original appointment.*

38 5. *The members of the Task Force serve without compensation.*

39 Sec. 19. 1. *At the first meeting of each fiscal year, the Task Force shall*
 40 *elect from its members a Chair and a Vice Chair.*

41 2. *The Task Force shall meet at least once each quarter and hold meetings*
 42 *at various locations throughout the State.*

43 3. *A majority of the members of the Task Force constitutes a quorum for the*
 44 *transaction of business, and a majority of these members present at the meeting is*
 45 *sufficient for any official action taken by the Task Force.*

46 Sec. 20. 1. *The Task Force ~~shall~~ may:*

47 (a) *Develop strategies with private sector businesses, labor organizations and*
 48 *immigrant advocacy groups to support current and future industries across this*
 49 *State;*

50 (b) *Conduct research on methods to strengthen career pathways for*
 51 *immigrants and create enhanced partnerships with projected growth industries;*

1 (c) Support the efforts of business ~~and agriculture~~ leadership, civic groups,
2 government and immigrant advocacy groups to provide predictability and stability
3 to the workforce in ~~the agriculture industry, and~~ this State;

4 (d) Recommend approaches to improve the ability of this State to attract and
5 retain immigrant business owners that provide new business and trade
6 opportunities ~~for~~; and

7 (e) Enter into a contract with a consultant to perform research necessary to
8 carry out the duties of the Task Force.

9 2. On or before July 1, 2022, and on or before July 1 of each subsequent
10 year, the Task Force shall submit a written report to the Director of the
11 Legislative Counsel Bureau for submission to the Legislative Commission. The
12 report must include, without limitation, a summary of the work of the Task Force
13 and any recommendations for legislation.

14 3. The Lieutenant Governor may accept gifts, grants and donations from
15 any source for the purpose of carrying out the provisions of sections 16 to 20,
16 inclusive, of this act.

17 4. ~~The Director of the Office for New Americans~~ Office of Lieutenant
18 Governor shall provide personnel, facilities, equipment, funding and supplies as
19 required by the Task Force to carry out its duties.

20 5. Each agency, board, commission, department, officer, employee or agent
21 of this State, or a political subdivision thereof, shall provide the Task Force with
22 such assistance as the Task Force may reasonably require in discharging its
23 duties.

24 **Sec. 21.** Chapter 237 of NRS is hereby amended by adding thereto the
25 provisions set forth as sections ~~22~~ 21.5 to 25, inclusive, of this act.

26 **Sec. 21.5.** The Legislature hereby finds and declares that it is not the
27 primary purpose of an agency or regulatory body of this State or a political
28 subdivision thereof to enforce civil federal immigration law.

29 **Sec. 22. 1.** Except as otherwise provided in subsection 2, an agency or
30 regulatory body of this State or a political subdivision thereof shall not:

31 (a) Use agency funds, facilities, property, equipment or personnel to
32 investigate, enforce, cooperate with or assist in the investigation or enforcement
33 of any federal registration or surveillance program or any other law, rule or
34 policy that targets residents of this State solely on the basis of race, religion,
35 immigration or citizenship status or national or ethnic origin.

36 (b) Condition the provision of agency services on or otherwise require proof
37 of the immigration or citizenship status of a person or the place of birth of the
38 person.

39 2. An agency of this State or political subdivision thereof may collect, use or
40 disclose information that would otherwise violate subsection 1, if the collection,
41 use or disclosure is:

42 (a) Required by law or court order;

43 (b) Necessary to perform agency duties, functions or other business and such
44 performance:

45 (1) Is expressly authorized by law; and

46 (2) Is not related to immigration enforcement;

47 (c) Required to comply with policies, grants, waivers or other requirements
48 necessary to maintain the funding of the agency; or

49 (d) Provided in aggregate form or another like form which does not include
50 personally identifiable information.

51 3. As used in this section, "court order" does not include an order of an
52 administrative court.

1 **Sec. 23.** *The following agencies shall each publish agency policies which*
 2 *are consistent with section 22 of this act and which relate to the collection, use*
 3 *and disclosure of information by the agency and the provision of services to*
 4 *persons in this State regardless of the immigration or citizenship status of the*
 5 *person or his or her place of birth:*

- 6 1. The Department of Administration;
- 7 2. The Department of Agriculture;
- 8 3. The Department of Business and Industry;
- 9 ~~4.~~ 4. The Department of Education;
- 10 ~~5.~~ 5. The Department of Employment, Training and Rehabilitation;
- 11 ~~6.~~ 6. The Department of Health and Human Services;
- 12 ~~7.~~ 7. The Department of Motor Vehicles;
- 13 ~~8.~~ 8. The Department of Public Safety; ~~and~~
- 14 ~~9.~~ 9. The Department of Taxation ~~;~~;
- 15 10. The Department of Tourism and Cultural Affairs;
- 16 11. The Department of Transportation; and
- 17 12. The Public Employees' Retirement System.

18 **Sec. 24.** 1. *The Attorney General shall, in consultation with relevant*
 19 *stakeholders ~~;~~ and the Keep Nevada Working Task Force created by section 18*
 20 *of this act, publish model policies for limiting, to the fullest extent possible and*
 21 *consistent with any applicable law, immigration enforcement at public schools,*
 22 *institutions of higher education, health care facilities, ~~and~~ courthouses and*
 23 *governmental agencies to ensure that such places remain safe and accessible to*
 24 *residents of this State regardless of the immigration or citizenship of such*
 25 *persons.*

26 2. *Every public school, institution of higher education, health care facility*
 27 *and courthouse of this State shall:*

28 (a) *Adopt policies consistent with the model policies of the Attorney General;*
 29 *or*

30 (b) *Notify the Attorney General that the public school, institution of higher*
 31 *education, health care facility or courthouse, as applicable, is not adopting*
 32 *policies consistent with the model policies of the Attorney General.*

33 3. *Any organization that provides services relating to physical or mental*
 34 *health and wellness, education or access to justice is encouraged to adopt policies*
 35 *consistent with the model policies of the Attorney General.*

36 4. *The notification described in subsection 2 must include, without*
 37 *limitation:*

38 (a) *The reason that the public school, institution of higher education, health*
 39 *care facility or courthouse, as applicable, is not adopting policies consistent with*
 40 *the model policies of the Attorney General; ~~and~~*

41 (b) *A copy of the policies of the public school, institution of higher*
 42 *education, health care facility or courthouse, as applicable ~~;~~; and*

43 (c) *Whether the policies of the public school, institution of higher education,*
 44 *health care facility or court house, as applicable, are in compliance with this*
 45 *section.*

46 5. *A policy adopted pursuant to this section must comply with:*

47 (a) *Any applicable law;*

48 (b) *Any policy, grant, waiver or other requirement necessary to maintain the*
 49 *funding of the public school, institution of higher education, health care facility,*
 50 *courthouse or other organization, as applicable; and*

51 (c) *Any agreement related to the operation and functions of the public*
 52 *school, institution of higher education, health care facility, courthouse or other*
 53 *organization, as applicable.*

6. *As used in this section:*

(a) *“Health care facility” means a facility licensed pursuant to chapter 449 of NRS and which is operated by this State or a political subdivision thereof.*

(b) *“Institution of higher education” has the meaning ascribed to it in NRS 179D.045.*

(c) *“Public school” means any school described in NRS 388.020.*

Sec. 25. ~~[Section 22 of this act is hereby amended to read as follows:~~

~~Sec. 23. The following agencies shall each publish agency policies which are consistent with section 22 of this act and which relate to the collection, use and disclosure of information by the agency and the provision of services to persons in this State regardless of the immigration or citizenship status of the person or his or her place of birth:~~

~~1. The State Department of Agriculture;~~

~~2. The Department of Business and Industry;~~

~~[2.] 3. The State Department of Conservation and Natural Resources;~~

~~4. The Department of Education;~~

~~[3.] 5. The Department of Employment, Training and Rehabilitation;~~

~~[4.] 6. The Department of Health and Human Services;~~

~~[5.] 7. The Department of Motor Vehicles;~~

~~[6.] 8. The Department of Public Safety; [and~~

~~7.] 9. The Department of Taxation [.]];~~

~~10. The Department of Transportation;~~

~~11. The Department of Wildlife; and~~

~~12. The Public Employees’ Retirement System.] (Deleted by amendment.)~~

Sec. 26. ~~[1. As soon as practicable after July 1, 2021, the Governor and the Legislative Commission, as applicable, shall appoint the members of the Keep Nevada Working Task Force described in subsection 2 of section 18 of this act.~~

~~2. The terms of the members of the Keep Nevada Working Task Force appointed pursuant to subsection 1 expire on June 30, 2024.] (Deleted by amendment.)~~

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

Sec. 28. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 29. NRS 211.007 is hereby repealed.

Sec. 30. 1. This section ~~[and sections]~~ **becomes effective upon passage and approval.**

2. Sections 15 to 20, inclusive, of this act become effective:

(a) Upon passage and approval for the purpose of appointing members of the Keep Nevada Working Task Force created by section 18 of this act and performing any preparatory administrative tasks necessary to carry out the provisions of sections 15 to 20, inclusive of this act; and

(b) On July 1, 2021, for all other purposes.

3. Sections 1 to 13, inclusive, ~~[sections 15 to]~~ and 21, 21.5, 22 ~~[, inclusive,]~~ and ~~[sections 26]~~ 25 to 29, inclusive, of this act become effective on July 1, 2021.

~~[2.] 4.~~ Sections 14 and 24 of this act become effective:

(a) On July 1, 2021, for the purpose of performing any preparatory administrative tasks necessary to carry out the provisions of sections 14 and 24 of this act; and

(b) On July 1, 2022, for all other purposes.

~~[2]~~ 5. Section 23 of this act becomes effective:

(a) On July 1, 2021, for the purposes of performing any preparatory administrative tasks necessary to carry out the provisions of section 23 of this act; and

(b) On October 1, 2021, for all other purposes.

~~[4. Section 25 of this act becomes effective:~~

~~(a) On January 1, 2022, for the purposes of performing any preparatory administrative tasks necessary to carry out the provisions of section 25 of this act; and~~

~~(b) On April 1, 2022, for all other purposes.]~~

TEXT OF REPEALED SECTION

211.007 Required information before questioning prisoner regarding immigration status. Before questioning a prisoner who is in the custody of a county or city jail or detention facility regarding his or her immigration status, the person seeking to question the prisoner shall inform the prisoner of the purpose of the questions regarding the immigration status of the prisoner.