

Amendment No. 133

Assembly Amendment to Assembly Bill No. 258	(BDR 19-605)
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.

SMH/ERS



Date: 4/13/2023

A.B. No. 258—Enacts certain provisions governing the confidentiality of certain personal information of a donor, member or volunteer of a nonprofit organization. (BDR 19-605)



ASSEMBLY BILL NO. 258 - ~~ASSEMBLYWOMAN~~ ASSEMBLYWOMEN BACKUS ; AND
KASAMA

MARCH 7, 2023

Referred to Committee on Government Affairs

SUMMARY—Enacts certain provisions governing the confidentiality of certain personal information of a donor, member or volunteer of a nonprofit organization. (BDR 19-605)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.

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 governmental administration; requiring, with certain exceptions, a governmental ~~agency~~ entity to keep confidential certain personal information regarding donors, members or volunteers of a nonprofit organization; prohibiting, with certain exceptions, a governmental ~~agency~~ entity from requesting or releasing certain personal information regarding donors, members or volunteers of a nonprofit organization; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes certain governmental agencies to collect certain personal
2 information. (Chapter 239B of NRS) Existing law also prohibits, with certain exceptions, a
3 governmental agency from requiring a person to include personal information on any
4 document submitted to the governmental agency after a certain date. (NRS 239B.030) **Section**
5 **2** of this bill requires, with certain exceptions, a governmental ~~agency~~ entity to keep
6 confidential any personal information in the records of the governmental ~~agency~~ entity that
7 identifies a person as a donor, member or volunteer of a nonprofit organization. **Section 2** also
8 prohibits, with certain exceptions, a governmental ~~agency~~ entity from: (1) requiring that any
9 person or nonprofit organization provide the ~~agency~~ governmental entity with personal
10 information that identifies a donor, member or volunteer of a nonprofit organization; (2)
11 releasing, publicizing or otherwise publicly disclosing personal information that identifies a
12 donor, member or volunteer of a nonprofit organization; or (3) requesting or requiring a
13 current or prospective contractor or grantee to provide a list of nonprofit organizations to
14 which the contractor or grantee has provided support. **Section 2** provides that the personal
15 information that identifies a donor, member or volunteer of a nonprofit organization includes
16 any list, record, register, roster or other data of any kind that includes a donation, name,
17 address or telephone number that directly or indirectly identifies a person as a donor of
18 financial or nonfinancial support, member or volunteer of any nonprofit organization.

19 **Section 2** provides that a person who ~~believes~~ alleges that a governmental ~~agency~~ entity
20 entity or an officer or employee of a governmental ~~agency~~ entity has violated these

21 provisions may bring a civil action to obtain certain relief, including damages in an amount of
 22 not less than: (1) \$2,500 for a violation; and (2) \$7,500 for an intentional violation. **Section 2**
 23 further provides that any officer or employee of a governmental ~~agency~~ entity who
 24 knowingly and willfully violates these provisions is guilty of a misdemeanor.

25 **Section 1** of this bill makes a conforming change to provide that such personal
 26 information is not a public record.

27 **Section 3** of this bill makes a conforming change to prohibit the Secretary of State, in
 28 carrying out certain requirements of existing law, from collecting or disclosing any
 29 information that directly identifies a person as a donor of financial support to a nonprofit
 30 organization.

31 **Section 4 of this bill makes a conforming change to provide that any information**
 32 **collected by the Attorney General in an audit, examination or investigation of a**
 33 **corporation for public benefit or a corporation holding assets in a charitable trust may**
 34 **only be used in connection with the audit, examination or investigation and is otherwise**
 35 **subject to the requirements of section 2.**

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

1 **Section 1.** NRS 239.010 is hereby amended to read as follows:
 2 239.010 1. Except as otherwise provided in this section and NRS 1.4683,
 3 1.4687, 1A.110, 3.2203, 41.0397, 41.071, 49.095, 49.293, 62D.420, 62D.440,
 4 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 75A.100,
 5 75A.150, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515,
 6 87.5413, 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345,
 7 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880,
 8 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653, 119A.677,
 9 119B.370, 119B.382, 120A.640, 120A.690, 125.130, 125B.140, 126.141, 126.161,
 10 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817, 128.090,
 11 130.312, 130.712, 136.050, 159.044, 159A.044, 172.075, 172.245, 176.015,
 12 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691,
 13 179.495, 179A.070, 179A.165, 179D.160, 200.3771, 200.3772, 200.5095, 200.604,
 14 202.3662, 205.4651, 209.392, 209.3923, 209.3925, 209.419, 209.429, 209.521,
 15 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464,
 16 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350,
 17 224.240, 226.300, 228.270, 228.450, 228.495, 228.570, 231.069, 231.1473,
 18 232.1369, 233.190, 237.300, 239.0105, 239.0113, 239.014, 239B.026, 239B.030,
 19 239B.040, 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270,
 20 239C.420, 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335,
 21 247.540, 247.550, 247.560, 250.087, 250.130, 250.140, 250.150, 268.095,
 22 268.0978, 268.490, 268.910, 269.174, 271A.105, 281.195, 281.805, 281A.350,
 23 281A.680, 281A.685, 281A.750, 281A.755, 281A.780, 284.4068, 284.4086,
 24 286.110, 286.118, 287.0438, 289.025, 289.080, 289.387, 289.830, 293.4855,
 25 293.5002, 293.503, 293.504, 293.558, 293.5757, 293.870, 293.906, 293.908,
 26 293.910, 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335,
 27 338.070, 338.1379, 338.1593, 338.1725, 338.1727, 348.420, 349.597, 349.735,
 28 353.205, 353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255,
 29 360.755, 361.044, 361.2242, 361.610, 365.138, 366.160, 368A.180, 370.257,
 30 370.327, 372A.080, 378.290, 378.300, 379.0075, 379.008, 379.1495, 385A.830,
 31 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503, 388.513,
 32 388.750, 388A.247, 388A.249, 391.033, 391.035, 391.0365, 391.120, 391.925,
 33 392.029, 392.147, 392.264, 392.271, 392.315, 392.317, 392.325, 392.327, 392.335,
 34 392.850, 393.045, 394.167, 394.16975, 394.1698, 394.447, 394.460, 394.465,

1 396.1415, 396.1425, 396.143, 396.159, 396.3295, 396.405, 396.525, 396.535,
2 396.9685, 398A.115, 408.3885, 408.3886, 408.3888, 408.5484, 412.153, 414.280,
3 416.070, 422.2749, 422.305, 422A.342, 422A.350, 425.400, 427A.1236, 427A.872,
4 432.028, 432.205, 432B.175, 432B.280, 432B.290, 432B.4018, 432B.407,
5 432B.430, 432B.560, 432B.5902, 432C.140, 432C.150, 433.534, 433A.360,
6 439.4941, 439.4988, 439.840, 439.914, 439A.116, 439A.124, 439B.420, 439B.754,
7 439B.760, 439B.845, 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395,
8 442.735, 442.774, 445A.665, 445B.570, 445B.7773, 447.345, 449.209, 449.245,
9 449.4315, 449A.112, 450.140, 450B.188, 450B.805, 453.164, 453.720, 458.055,
10 458.280, 459.050, 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993,
11 463.240, 463.3403, 463.3407, 463.790, 467.1005, 480.535, 480.545, 480.935,
12 480.940, 481.063, 481.091, 481.093, 482.170, 482.368, 482.5536, 483.340,
13 483.363, 483.571, 483.659, 483.800, 484A.469, 484B.830, 484B.833, 484E.070,
14 485.316, 501.344, 503.452, 522.040, 534A.031, 561.285, 571.160, 584.655,
15 587.877, 598.0964, 598.098, 598A.110, 598A.420, 599B.090, 603.070, 603A.210,
16 604A.303, 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350,
17 618.341, 618.425, 622.238, 622.310, 623.131, 623A.137, 624.110, 624.265,
18 624.327, 625.425, 625A.185, 628.418, 628B.230, 628B.760, 629.047, 629.069,
19 630.133, 630.2671, 630.2672, 630.2673, 630.30665, 630.336, 630A.327,
20 630A.555, 631.332, 631.368, 632.121, 632.125, 632.3415, 632.3423, 632.405,
21 633.263, 633.501, 633.4715, 633.4716, 633.4717, 633.524, 634.055, 634.1303,
22 634.214, 634A.169, 634A.185, 635.111, 635.158, 636.262, 636.342, 637.085,
23 637.145, 637B.192, 637B.288, 638.087, 638.089, 639.183, 639.2485, 639.570,
24 640.075, 640.152, 640A.185, 640A.220, 640B.405, 640B.730, 640C.580,
25 640C.600, 640C.620, 640C.745, 640C.760, 640D.135, 640D.190, 640E.225,
26 640E.340, 641.090, 641.221, 641.2215, 641.325, 641A.191, 641A.217, 641A.262,
27 641B.170, 641B.281, 641B.282, 641C.455, 641C.760, 641D.260, 641D.320,
28 642.524, 643.189, 644A.870, 645.180, 645.625, 645A.050, 645A.082, 645B.060,
29 645B.092, 645C.220, 645C.225, 645D.130, 645D.135, 645G.510, 645H.320,
30 645H.330, 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.126,
31 652.228, 653.900, 654.110, 656.105, 657A.510, 661.115, 665.130, 665.133,
32 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480, 675.380, 676A.340,
33 676A.370, 677.243, 678A.470, 678C.710, 678C.800, 679B.122, 679B.124,
34 679B.152, 679B.159, 679B.190, 679B.285, 679B.690, 680A.270, 681A.440,
35 681B.260, 681B.410, 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170,
36 686C.306, 687A.060, 687A.115, 687B.404, 687C.010, 688C.230, 688C.480,
37 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536, 692C.3538,
38 692C.354, 692C.420, 693A.480, 693A.615, 696B.550, 696C.120, 703.196,
39 704B.325, 706.1725, 706A.230, 710.159, 711.600, **and section 2 of this act**,
40 sections 35, 38 and 41 of chapter 478, Statutes of Nevada 2011 and section 2 of
41 chapter 391, Statutes of Nevada 2013 and unless otherwise declared by law to be
42 confidential, all public books and public records of a governmental entity must be
43 open at all times during office hours to inspection by any person, and may be fully
44 copied or an abstract or memorandum may be prepared from those public books
45 and public records. Any such copies, abstracts or memoranda may be used to
46 supply the general public with copies, abstracts or memoranda of the records or
47 may be used in any other way to the advantage of the governmental entity or of the
48 general public. This section does not supersede or in any manner affect the federal
49 laws governing copyrights or enlarge, diminish or affect in any other manner the
50 rights of a person in any written book or record which is copyrighted pursuant to
51 federal law.

52 2. A governmental entity may not reject a book or record which is
53 copyrighted solely because it is copyrighted.

1 3. A governmental entity that has legal custody or control of a public book or
2 record shall not deny a request made pursuant to subsection 1 to inspect or copy or
3 receive a copy of a public book or record on the basis that the requested public
4 book or record contains information that is confidential if the governmental entity
5 can redact, delete, conceal or separate, including, without limitation, electronically,
6 the confidential information from the information included in the public book or
7 record that is not otherwise confidential.

8 4. If requested, a governmental entity shall provide a copy of a public record
9 in an electronic format by means of an electronic medium. Nothing in this
10 subsection requires a governmental entity to provide a copy of a public record in an
11 electronic format or by means of an electronic medium if:

12 (a) The public record:

13 (1) Was not created or prepared in an electronic format; and

14 (2) Is not available in an electronic format; or

15 (b) Providing the public record in an electronic format or by means of an
16 electronic medium would:

17 (1) Give access to proprietary software; or

18 (2) Require the production of information that is confidential and that
19 cannot be redacted, deleted, concealed or separated from information that is not
20 otherwise confidential.

21 5. An officer, employee or agent of a governmental entity who has legal
22 custody or control of a public record:

23 (a) Shall not refuse to provide a copy of that public record in the medium that
24 is requested because the officer, employee or agent has already prepared or would
25 prefer to provide the copy in a different medium.

26 (b) Except as otherwise provided in NRS 239.030, shall, upon request, prepare
27 the copy of the public record and shall not require the person who has requested the
28 copy to prepare the copy himself or herself.

29 **Sec. 2.** Chapter 239B of NRS is hereby amended by adding thereto a new
30 section to read as follows:

31 1. *Except as otherwise provided in subsection 3, a governmental ~~[agency]~~*
32 *entity shall maintain in a confidential manner any personal information that*
33 *identifies a person as a donor, member or volunteer of a nonprofit organization.*

34 2. *Except as otherwise provided in subsection 3, a governmental ~~[agency]~~*
35 *entity shall not:*

36 (a) *Require any person or nonprofit organization to provide the*
37 *governmental ~~[agency]~~ entity with personal information that identifies a person*
38 *as a donor, member or volunteer of a nonprofit organization or otherwise compel*
39 *the release of such personal information;*

40 (b) *Release, publicize or otherwise publicly disclose personal information in*
41 *possession of the governmental ~~[agency]~~ entity that identifies a person as a*
42 *donor, member or volunteer of a nonprofit organization; or*

43 (c) *Request or require a current or prospective contractor or grantee working*
44 *with the governmental ~~[agency]~~ entity to provide a list of nonprofit organizations*
45 *to which the contractor or grantee has provided financial or nonfinancial*
46 *support.*

47 3. *The provisions of subsections 1 and 2 do not apply to personal*
48 *information that identifies a person as a donor, member or volunteer of a*
49 *nonprofit organization that is requested, obtained, released or disclosed as a*
50 *result of the following:*

51 (a) *Any personal information required to be disclosed for the purpose of*
52 *complying with any provision of federal law;*

1 (b) Any information, report or disclosure required to be filed with the
2 Secretary of State pursuant to title 7 of NRS provided that, except as otherwise
3 provided in this subsection, any information that directly identifies a person as a
4 donor of financial support to a nonprofit organization must not be collected or
5 disclosed;

6 (c) Any report or disclosure required to be filed pursuant to chapter 294A of
7 NRS;

8 (d) Any confidential information shared pursuant to NRS 232.357;

9 (e) Any warrant issued by a court of competent jurisdiction;

10 (f) Any request for information in connection with discovery proceedings if:

11 (1) ~~The requester demonstrates a compelling need by clear and~~
12 ~~convincing evidence for~~ relevant and probative value of the information ~~and~~
13 requested outweighs its prejudicial effect; and

14 (2) The requester obtains a protective order from the court barring the
15 disclosure of such information to any person not named in the proceedings;

16 (g) Any personal information voluntarily released by a person to the
17 governmental ~~agency~~ entity or any personal information voluntarily released by
18 a nonprofit organization to the public;

19 (h) Any personal information resulting from a donation to a nonprofit
20 organization that is affiliated with a governmental ~~agency~~ entity that was
21 disclosed to the governmental ~~agency~~ entity pursuant to state law if the person
22 did not request anonymity from the nonprofit organization;

23 (i) Any personal information admitted as evidence before a court of
24 competent jurisdiction, if the court finds there is good cause for the public release
25 of such information;

26 (j) Any requests for screenings submitted by a nonprofit organization
27 pursuant to NRS 179A.325;

28 (k) Any contract or agreement entered into by a nonprofit organization with
29 a governmental ~~agency~~ entity, including for purposes of obtaining a
30 governmental benefit or grant, whereby the governmental ~~agency~~ entity is
31 authorized to or any statute which expressly authorizes a governmental ~~agency~~
32 entity to inspect the records of the nonprofit organization, including, without
33 limitation, a contract or agreement entered into pursuant to NRS 427A.085,
34 433.354, 433B.220 or 439.155;

35 (l) Any report required to be filed by a nonprofit organization and posted by
36 the Department of Health and Human Services on the Internet website
37 maintained by the Department pursuant to NRS 439B.665 and 439B.670;

38 (m) Any information required to be filed by a nonprofit organization of
39 surplus line brokers with the Commissioner of Insurance pursuant to NRS
40 685A.075; ~~and~~

41 (n) Any information submitted to a governmental ~~agency~~ entity by a
42 national securities association that is registered pursuant to 15 U.S.C. § 78o-3 or
43 any regulation adopted pursuant thereto ~~and~~ , including, without limitation, any
44 information submitted to the Secretary of State pursuant to chapters 90 and 91 of
45 NRS and any regulations adopted pursuant thereto for the purposes of licensing,
46 registration, examination, investigation or enforcement;

47 (o) Any requirement to disclose the relationship between a public officer or
48 employee and a nonprofit organization pursuant to NRS 281A.420, as a response
49 to a lawful request or subpoena in an investigation or as part of or in response to
50 a request for an advisory opinion submitted pursuant to NRS 281A.670 to
51 281A.690, inclusive, or an ethics complaint filed or initiated pursuant to NRS
52 281A.700 to 281A.790, inclusive;

1 (p) Any information submitted to or requested by the Nevada Gaming
2 Control Board pursuant to NRS 462.160 for the purposes of the licensing or
3 registration of a charitable lottery or charitable game, provided that any
4 information collected is confidential as provided in NRS 463.120;

5 (q) Any information requested by the Attorney General for an audit,
6 examination or investigation conducted pursuant to NRS 82.536, provided that:

7 (1) Such information must only be used in connection with the audit,
8 examination or investigation to which the request for information relates and for
9 any proceedings or action resulting from such an audit, examination or
10 investigation; and

11 (2) Except as otherwise provided in this paragraph, such information is
12 subject to the requirements of this section, unless expressly required by statute or
13 a court to be publicly disclosed;

14 (r) Any information requested under the authority to act and exercise the
15 power of the Attorney General in the areas of consumer protection, including,
16 without limitation, participating on behalf of the persons residing in this State
17 pursuant to NRS 228.380 and any action to enforce the provisions of NRS
18 90.615, 597.120 to 597.260, inclusive, 597.8191 to 597.8198, inclusive, and
19 chapters 598, 598A, 598C, 599B and 711 of NRS, provided that, except as
20 otherwise provided in this paragraph, such information is subject to the
21 requirements of this section, unless expressly required by statute or a court to be
22 publicly disclosed; and

23 (s) The names of members of a labor organization and the amount of dues
24 collected by a governmental entity that are provided to the labor organization for
25 the purposes of collecting and reporting the remittance of dues to the labor
26 organization from its members, in accordance with a valid authorization to
27 withhold dues.

28 4. Any person who ~~believes~~ alleges that a governmental ~~agency~~ entity or
29 an officer or employee of a governmental ~~agency~~ entity has violated the
30 provisions of subsection 1 or 2 may bring a civil action in a court of competent
31 jurisdiction. If the person prevails, the person is entitled to receive any or all of
32 the following relief:

33 (a) Injunctive relief as the court deems appropriate;

34 (b) Costs incurred in bringing the action, including, without limitation,
35 reasonable attorney's fees;

36 (c) Except as otherwise provided in paragraph (d), damages of not less than
37 \$2,500; and

38 (d) If the court determines that a governmental ~~agency~~ entity or officer or
39 employee of a governmental ~~agency~~ entity intentionally violated the provisions
40 of this section, damages of not less than \$7,500.

41 5. Any officer or employee of a governmental ~~agency~~ entity who
42 knowingly and willfully violates the provisions of subsection 1 or 2 is guilty of a
43 misdemeanor and shall be punished by imprisonment in the county jail for not
44 more than 90 days, or by a fine of not more than \$1,000, or by both fine and
45 imprisonment.

46 6. For the purposes of this section, personal information that identifies a
47 person as a donor, member or volunteer of a nonprofit organization:

48 (a) Includes, without limitation, any list, record, register, roster or other data
49 of any kind that includes a donation, name, address or telephone number that
50 directly or indirectly identifies a person as a donor of financial or nonfinancial
51 support, member or volunteer of any nonprofit organization; and

52 (b) Does not include information that identifies a person as a staff member,
53 employee or contractor of a nonprofit organization.

1 7. *As used in this section:*

2 (a) ~~“Governmental agency” means an officer, board, commission,~~
3 ~~department, division, bureau, district or any other unit of government of the State~~
4 ~~or a local government.”~~ *entity” has the meaning ascribed to it in NRS 239.005.*

5 (b) *“Labor organization” has the meaning ascribed to it in NRS 288.048.*

6 (c) *“Nonprofit organization” means:*

7 (1) *An organization which qualifies as tax exempt pursuant to section*
8 *501(c) of the Internal Revenue Code; and*

9 (2) *Any entity that has submitted an application with the Internal*
10 *Revenue Service for recognition as a tax exempt entity pursuant to section 501(c)*
11 *of the Internal Revenue Code.* ~~and~~

12 ~~“(3) Any other organization recognized as a nonprofit organization~~
13 ~~pursuant to state law.”~~

14 **Sec. 3.** Chapter 75 of NRS is hereby amended by adding thereto a new
15 section to read as follows:

16 *Pursuant to section 2 of this act, in carrying out the requirements of this title,*
17 *the Secretary of State shall not collect or disclose any information that directly*
18 *identifies a person as a donor of financial support to a nonprofit organization.*

19 **Sec. 4.** NRS 82.536 is hereby amended to read as follows:

20 82.536 1. A corporation for public benefit and a corporation holding assets
21 in charitable trust is subject at all times to examination by the Attorney General, on
22 behalf of the State, to ascertain the condition of its affairs and to what extent, if at
23 all, it fails to comply with trusts it has assumed or has departed from the purposes
24 for which it is formed. In case of any such a failure or departure, the Attorney
25 General may institute, in the name of the State, the proceeding necessary to correct
26 the noncompliance or departure.

27 2. The Attorney General, or any person given the status of relator by the
28 Attorney General, may bring an action to enjoin, correct, obtain damages for or
29 otherwise to remedy a breach of a charitable trust or departure from the purposes
30 for which it is formed.

31 3. Any information collected by the Attorney General pursuant to this
32 section:

33 (a) Must only be used in connection with an audit, examination or
34 investigation by the Attorney General and for any proceedings or action resulting
35 from such an audit, examination or investigation; and

36 (b) Except as otherwise provided in this subsection and section 2 of this act,
37 is subject to the requirements of section 2 of this act, unless expressly required by
38 statute or a court to be publicly disclosed.