

ASSEMBLY BILL NO. 70—COMMITTEE
ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE ATTORNEY GENERAL)

PREFILED NOVEMBER 20, 2018

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing the Open Meeting Law. (BDR 19-421)

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

CONTAINS UNFUNDED MANDATE (§§ 7, 13-36)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 meetings of public bodies; making various changes relating to meetings of public bodies; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 The Open Meeting Law requires a public body to ensure that members of the
2 public body and the public present at a meeting can hear or observe and participate
3 in the meeting if any member of the public body is present by means of
4 teleconference or videoconference. (NRS 241.010) **Section 2** of this bill provides
5 instead that if a member of the public body attends a meeting of the public body by
6 means of teleconference or videoconference, the chair of the public body must
7 ensure that members of the public body and the public can hear or observe each
8 member attending by teleconference or videoconference. **Section 4** of this bill
9 makes a conforming change.

10 **Section 2** authorizes, under certain circumstances, a member of the public who
11 is the subject of an action item on an agenda of a public meeting to attend and
12 participate in the meeting by teleconference or videoconference.

13 Existing law sets forth the circumstances when a public body is required to
14 comply with the Open Meeting Law. Under existing law, a public body may gather
15 to receive information from an attorney employed or retained by the public body
16 regarding certain matters without complying with the Open Meeting Law. (NRS
17 241.015) **Section 3** of this bill clarifies that any action taken by a public body
18 arising out of any such gathering must be taken in a meeting held in compliance
19 with the Open Meeting Law.



20 **Section 5** of this bill authorizes, under certain circumstances, a public body to
21 gather to receive training regarding its legal obligations without complying with the
22 Open Meeting Law.

23 **Section 5** requires, under certain circumstances, a subcommittee or working
24 group of a public body to comply with the provisions of the Open Meeting Law.

25 The Open Meeting Law requires a public body to make supporting material for
26 a meeting of the public body available to the public upon request. (NRS 241.020)

27 **Section 5** defines the term "supporting material."

28 The Open Meeting Law sets forth the minimum public notice required for
29 meetings of public bodies, including the posting of an agenda. (NRS 241.020)

30 **Section 6** of this bill requires that an agenda include an item on which action may
31 be taken by the public body to approve the agenda before proceeding with any
32 other action item. **Section 6** also requires the chair of the public body to end the
33 meeting if a quorum does not approve the agenda.

34 Existing law requires a public body to keep written minutes of each of its
35 meetings and provides that minutes of a meeting are public records that must be
36 made available for inspection. (NRS 241.035) **Section 7** of this bill requires a
37 public body to have draft minutes of a meeting available for inspection within 30
38 working days after adjournment of the meeting until the public body approves the
39 minutes. **Sections 13-36** of this bill make conforming changes.

40 Existing law requires a public body to have a meeting recorded on audiotape or
41 transcribed by a court reporter. (NRS 241.035) **Section 7** provides that a transcript
42 prepared by a court reporter qualifies as written minutes of the public body.

43 Existing law provides that if a public body takes certain corrective action
44 within 30 days after an alleged violation, the Attorney General may decide not to
45 commence prosecution of the alleged violation. If the public body takes such
46 corrective action, the deadline for the Attorney General to file a lawsuit against the
47 public body to take corrective action is extended by 30 days. (NRS 241.0365)
48 **Section 8** of this bill extends by 60 days the deadline by which such law suits may
49 be filed when the public body takes certain corrective action.

50 Existing law authorizes the Attorney General or a member of the public to sue a
51 public body: (1) within 60 days after an alleged violation to have an action by the
52 public body declared void; or (2) within 120 days after an alleged violation to
53 require the public body to comply with the Open Meeting Law. (NRS 241.037)
54 **Section 9** of this bill tolls the statutes of limitations for filing these actions if the
55 Attorney General issues a finding that a violation of the Open Meeting Law
56 occurred before the expiration of the statutes of limitations.

57 Under existing law, the Attorney General is required to investigate and
58 prosecute any violation of the Open Meeting Law. (NRS 241.039) **Section 10** of
59 this bill: (1) requires the Attorney General to investigate and prosecute a violation
60 of the Open Meeting Law if a complaint is filed not later than 120 days after the
61 alleged violation; and (2) gives the Attorney General discretion to investigate and
62 prosecute a violation of the Open Meeting Law if a complaint is filed more than
63 120 days after the alleged violation.

64 **Section 10** requires: (1) the Attorney General to issue certain findings upon
65 completion of an investigation; and (2) a public body to submit a response to the
66 findings of the Attorney General not later than 14 days after receipt of the Attorney
67 General's findings.

68 Existing law makes each member of a public body who attends a meeting
69 where action is taken in violation of the Open Meeting Law with knowledge of the
70 fact that the meeting is in violation guilty of a misdemeanor and subject to a civil
71 penalty of \$500. (NRS 241.040) **Section 12** of this bill provides instead that each
72 member of a public body who: (1) attends a meeting where any violation of the
73 Open Meeting Law occurs; and (2) has knowledge of the violation is guilty of a
74 misdemeanor and subject to an administrative fine, the amount of which is



75 graduated for multiple offenses. **Section 12** also creates an exception to these
76 penalties and fines where the member violated the Open Meeting Law based on
77 legal advice provided by an attorney employed or retained by the public body.

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

1 **Section 1.** Chapter 241 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 and 3 of this act.

3 **Sec. 2. 1.** *A member of a public body may attend a meeting*
4 *of the public body by means of teleconference or videoconference.*
5 *If any member of a public body attends a meeting by means of*
6 *teleconference or videoconference, the chair of the public body, or*
7 *his or her designee, must ensure that:*

8 (a) *Members of the public body and members of the public*
9 *present at the meeting can hear or observe each member attending*
10 *by teleconference or videoconference; and*

11 (b) *Each member of the public body in attendance can*
12 *participate in the meeting.*

13 2. *A member of the public who is the subject of an action item*
14 *on the agenda of a meeting may attend and participate in the*
15 *meeting by means of teleconference or videoconference at the*
16 *discretion of the chair of the public body.*

17 **Sec. 3.** *Any action taken by a public body arising out of a*
18 *gathering of one or more members of the public body and an*
19 *attorney employed or retained by the public body must be taken in*
20 *a meeting held in compliance with this chapter.*

21 **Sec. 4.** NRS 241.010 is hereby amended to read as follows:

22 241.010 ~~[1.]~~ In enacting this chapter, the Legislature finds
23 and declares that all public bodies exist to aid in the conduct of the
24 people's business. It is the intent of the law that their actions be
25 taken openly and that their deliberations be conducted openly.

26 ~~[2. If any member of a public body is present by means of~~
27 ~~teleconference or videoconference at any meeting of the public~~
28 ~~body, the public body shall ensure that all the members of the public~~
29 ~~body and the members of the public who are present at the meeting~~
30 ~~can hear or observe and participate in the meeting.]~~

31 **Sec. 5.** NRS 241.015 is hereby amended to read as follows:

32 241.015 As used in this chapter, unless the context otherwise
33 requires:

34 1. "Action" means:

35 (a) A decision made by a majority of the members present,
36 whether in person or by means of electronic communication, during
37 a meeting of a public body;



1 (b) A commitment or promise made by a majority of the
2 members present, whether in person or by means of electronic
3 communication, during a meeting of a public body;

4 (c) If a public body may have a member who is not an elected
5 official, an affirmative vote taken by a majority of the members
6 present, whether in person or by means of electronic
7 communication, during a meeting of the public body; or

8 (d) If all the members of a public body must be elected officials,
9 an affirmative vote taken by a majority of all the members of the
10 public body.

11 2. "Deliberate" means collectively to examine, weigh and
12 reflect upon the reasons for or against the action. The term includes,
13 without limitation, the collective discussion or exchange of facts
14 preliminary to the ultimate decision.

15 3. "Meeting":

16 (a) Except as otherwise provided in paragraph (b), means:

17 (1) The gathering of members of a public body at which a
18 quorum is present, whether in person or by means of electronic
19 communication, to deliberate toward a decision or to take action on
20 any matter over which the public body has supervision, control,
21 jurisdiction or advisory power.

22 (2) Any series of gatherings of members of a public body at
23 which:

24 (I) Less than a quorum is present, whether in person or by
25 means of electronic communication, at any individual gathering;

26 (II) The members of the public body attending one or
27 more of the gatherings collectively constitute a quorum; and

28 (III) The series of gatherings was held with the specific
29 intent to avoid the provisions of this chapter.

30 (b) Does not include a gathering or series of gatherings of
31 members of a public body, as described in paragraph (a), at which a
32 quorum is actually or collectively present, whether in person or by
33 means of electronic communication:

34 (1) Which occurs at a social function if the members do not
35 deliberate toward a decision or take action on any matter over which
36 the public body has supervision, control, jurisdiction or advisory
37 power.

38 (2) To receive information from the attorney employed or
39 retained by the public body regarding potential or existing litigation
40 involving a matter over which the public body has supervision,
41 control, jurisdiction or advisory power and to deliberate toward a
42 decision on the matter, or both.

43 *(3) To receive training regarding the legal obligations of*
44 *the public body, including, without limitation, training conducted*
45 *by the Office of the Attorney General or the Commission on*



1 *Ethics, if at the gathering the members do not deliberate toward a*
2 *decision or action on any matter over which the public body has*
3 *supervision, control, jurisdiction or advisory power.*

4 4. Except as otherwise provided in NRS 241.016, "public
5 body" means:

6 (a) Any administrative, advisory, executive or legislative body
7 of the State or a local government consisting of at least two persons
8 which expends or disburses or is supported in whole or in part by
9 tax revenue or which advises or makes recommendations to any
10 entity which expends or disburses or is supported in whole or in part
11 by tax revenue, including, but not limited to, any board,
12 commission, committee, subcommittee or other subsidiary thereof
13 and includes a library foundation as defined in NRS 379.0056, an
14 educational foundation as defined in subsection 3 of NRS 388.750
15 and a university foundation as defined in subsection 3 of NRS
16 396.405, if the administrative, advisory, executive or legislative
17 body is created by:

18 (1) The Constitution of this State;

19 (2) Any statute of this State;

20 (3) A city charter and any city ordinance which has been
21 filed or recorded as required by the applicable law;

22 (4) The Nevada Administrative Code;

23 (5) A resolution or other formal designation by such a body
24 created by a statute of this State or an ordinance of a local
25 government;

26 (6) An executive order issued by the Governor; or

27 (7) A resolution or an action by the governing body of a
28 political subdivision of this State;

29 (b) Any board, commission or committee consisting of at least
30 two persons appointed by:

31 (1) The Governor or a public officer who is under the
32 direction of the Governor, if the board, commission or committee
33 has at least two members who are not employees of the Executive
34 Department of the State Government;

35 (2) An entity in the Executive Department of the State
36 Government, ~~[consisting of members appointed by the Governor,]~~
37 if the board, commission or committee otherwise meets the
38 definition of a public body pursuant to this subsection; or

39 (3) A public officer who is under the direction of an agency
40 or other entity in the Executive Department of the State Government
41, ~~[consisting of members appointed by the Governor,]~~ if the board,
42 commission or committee has at least two members who are not
43 employed by the public officer or entity; ~~[and]~~



1 (c) A limited-purpose association that is created for a rural
2 agricultural residential common-interest community as defined in
3 subsection 6 of NRS 116.1201 ~~§~~; and

4 (d) *A subcommittee or working group consisting of at least two*
5 *persons who are appointed by a public body described in*
6 *paragraph (a), (b) or (c) if:*

7 (1) *A majority of the membership of the subcommittee or*
8 *working group are members or staff members of the public body*
9 *that appointed the subcommittee; or*

10 (2) *The subcommittee or working group is authorized by*
11 *the public body or working group to make a recommendation to*
12 *the public body for the public body to take any action.*

13 5. "Quorum" means a simple majority of the membership of a
14 public body or another proportion established by law.

15 6. *"Supporting material" means material that is provided to*
16 *at least a quorum of the members of a public body and that the*
17 *members of the public body would reasonably rely on to make a*
18 *decision. The term includes, without limitation, written records,*
19 *audio recordings, video recordings, photographs and digital data.*

20 7. "Working day" means every day of the week except
21 Saturday, Sunday and any day declared to be a legal holiday
22 pursuant to NRS 236.015.

23 **Sec. 6.** NRS 241.020 is hereby amended to read as follows:

24 241.020 1. Except as otherwise provided by specific statute,
25 all meetings of public bodies must be open and public, and all
26 persons must be permitted to attend any meeting of these public
27 bodies. A meeting that is closed pursuant to a specific statute may
28 only be closed to the extent specified in the statute allowing the
29 meeting to be closed. All other portions of the meeting must be open
30 and public, and the public body must comply with all other
31 provisions of this chapter to the extent not specifically precluded by
32 the specific statute. Public officers and employees responsible for
33 these meetings shall make reasonable efforts to assist and
34 accommodate persons with physical disabilities desiring to attend.

35 2. Except in an emergency, written notice of all meetings must
36 be given at least 3 working days before the meeting. The notice
37 must include:

38 (a) The time, place and location of the meeting.

39 (b) A list of the locations where the notice has been posted.

40 (c) The name and contact information for the person designated
41 by the public body from whom a member of the public may request
42 the supporting material for the meeting described in subsection 6
43 and a list of the locations where the supporting material is available
44 to the public.

45 (d) An agenda consisting of:



1 (1) A clear and complete statement of the topics scheduled to
2 be considered during the meeting.

3 (2) A list describing the items on which action may be taken
4 and clearly denoting that action may be taken on those items by
5 placing the term "for possible action" next to the appropriate item
6 or, if the item is placed on the agenda pursuant to NRS 241.0365, by
7 placing the term "for possible corrective action" next to the
8 appropriate item.

9 (3) *An item on which action may be taken requiring the*
10 *approval of the meeting agenda before proceeding with any other*
11 *item on which action may be taken. If a quorum does not approve*
12 *the agenda during discussion of the item requiring the approval of*
13 *the meeting agenda, the chair must end the meeting.*

14 (4) Periods devoted to comments by the general public, if
15 any, and discussion of those comments. Comments by the general
16 public must be taken:

17 (I) At the beginning of the meeting before any items on
18 which action may be taken are heard by the public body and again
19 before the adjournment of the meeting; or

20 (II) After each item on the agenda on which action may
21 be taken is discussed by the public body, but before the public body
22 takes action on the item.

23 ↪ The provisions of this subparagraph do not prohibit a public body
24 from taking comments by the general public in addition to what is
25 required pursuant to sub-subparagraph (I) or (II). Regardless of
26 whether a public body takes comments from the general public
27 pursuant to sub-subparagraph (I) or (II), the public body must allow
28 the general public to comment on any matter that is not specifically
29 included on the agenda as an action item at some time before
30 adjournment of the meeting. No action may be taken upon a
31 matter raised during a period devoted to comments by the general
32 public until the matter itself has been specifically included on an
33 agenda as an item upon which action may be taken pursuant to
34 subparagraph (2).

35 ~~[(4)]~~ (5) If any portion of the meeting will be closed to
36 consider the character, alleged misconduct or professional
37 competence of a person, the name of the person whose character,
38 alleged misconduct or professional competence will be considered.

39 ~~[(5)]~~ (6) If, during any portion of the meeting, the public
40 body will consider whether to take administrative action regarding a
41 person, the name of that person.

42 ~~[(6)]~~ (7) Notification that:

43 (I) Items on the agenda may be taken out of order ~~[(7)]~~ *at*
44 *the discretion of the chair;*



1 (II) The public body may , *at the discretion of the chair*,
2 combine two or more agenda items for consideration; and

3 (III) The public body may remove an item from the
4 agenda or delay discussion relating to an item on the agenda ~~at any~~
5 ~~time.~~

6 ~~—(7)—~~ *if the public body takes action to remove the item*
7 *when the public body approves the agenda pursuant to*
8 *subparagraph (3).*

9 (8) Any restrictions on comments by the general public. Any
10 such restrictions must be reasonable and may restrict the time, place
11 and manner of the comments, but may not restrict comments based
12 upon viewpoint.

13 3. Minimum public notice is:

14 (a) Posting a copy of the notice at the principal office of the
15 public body or, if there is no principal office, at the building in
16 which the meeting is to be held, and at not less than three other
17 separate, prominent places within the jurisdiction of the public body
18 not later than 9 a.m. of the third working day before the meeting;

19 (b) Posting the notice on the official website of the State
20 pursuant to NRS 232.2175 not later than 9 a.m. of the third working
21 day before the meeting is to be held, unless the public body is
22 unable to do so because of technical problems relating to the
23 operation or maintenance of the official website of the State; and

24 (c) Providing a copy of the notice to any person who has
25 requested notice of the meetings of the public body. A request for
26 notice lapses 6 months after it is made. The public body shall inform
27 the requester of this fact by enclosure with, notation upon or text
28 included within the first notice sent. The notice must be:

29 (1) Delivered to the postal service used by the public body
30 not later than 9 a.m. of the third working day before the meeting for
31 transmittal to the requester by regular mail; or

32 (2) If feasible for the public body and the requester has
33 agreed to receive the public notice by electronic mail, transmitted to
34 the requester by electronic mail sent not later than 9 a.m. of the third
35 working day before the meeting.

36 4. For each of its meetings, a public body shall document in
37 writing that the public body complied with the minimum public
38 notice required by paragraph (a) of subsection 3. The documentation
39 must be prepared by every person who posted a copy of the public
40 notice and include, without limitation:

41 (a) The date and time when the person posted the copy of the
42 public notice;

43 (b) The address of the location where the person posted the copy
44 of the public notice; and



1 (c) The name, title and signature of the person who posted the
2 copy of the notice.

3 5. If a public body maintains a website on the Internet or its
4 successor, the public body shall post notice of each of its meetings
5 on its website unless the public body is unable to do so because of
6 technical problems relating to the operation or maintenance of its
7 website. Notice posted pursuant to this subsection is supplemental to
8 and is not a substitute for the minimum public notice required
9 pursuant to subsection 3. The inability of a public body to post
10 notice of a meeting pursuant to this subsection as a result of
11 technical problems with its website shall not be deemed to be a
12 violation of the provisions of this chapter.

13 6. Upon any request, a public body shall provide, at no charge,
14 at least one copy of:

15 (a) An agenda for a public meeting;

16 (b) A proposed ordinance or regulation which will be discussed
17 at the public meeting; and

18 (c) Subject to the provisions of subsection 7 or 8, as applicable,
19 any other supporting material provided to the members of the public
20 body for an item on the agenda, except materials:

21 (1) Submitted to the public body pursuant to a nondisclosure
22 or confidentiality agreement which relates to proprietary
23 information;

24 (2) Pertaining to the closed portion of such a meeting of the
25 public body; or

26 (3) Declared confidential by law, unless otherwise agreed to
27 by each person whose interest is being protected under the order of
28 confidentiality.

29 ↪ The public body shall make at least one copy of the documents
30 described in paragraphs (a), (b) and (c) available to the public at the
31 meeting to which the documents pertain. As used in this subsection,
32 "proprietary information" has the meaning ascribed to it in
33 NRS 332.025.

34 7. Unless it must be made available at an earlier time pursuant
35 to NRS 288.153, a copy of supporting material required to be
36 provided upon request pursuant to paragraph (c) of subsection 6
37 must be:

38 (a) If the supporting material is provided to *at least a quorum of*
39 the members of the public body before the meeting, made available
40 to the requester at the time the material is provided to the members
41 of the public body; or

42 (b) If the supporting material is provided to the members of the
43 public body at the meeting, made available at the meeting to the
44 requester at the same time the material is provided to the members
45 of the public body.



1 ↪ If the requester has agreed to receive the information and material
2 set forth in subsection 6 by electronic mail, the public body shall, if
3 feasible, provide the information and material by electronic mail.

4 8. Unless the supporting material must be posted at an earlier
5 time pursuant to NRS 288.153, the governing body of a county or
6 city whose population is 45,000 or more shall post the supporting
7 material described in paragraph (c) of subsection 6 to its website not
8 later than the time the material is provided to *at least a quorum of*
9 the members of the governing body or, if the supporting material is
10 provided to the members of the governing body at a meeting, not
11 later than 24 hours after the conclusion of the meeting. Such posting
12 is supplemental to the right of the public to request the supporting
13 material pursuant to subsection 6. The inability of the governing
14 body, as a result of technical problems with its website, to post
15 supporting material pursuant to this subsection shall not be deemed
16 to be a violation of the provisions of this chapter.

17 9. A public body may provide the public notice, information or
18 supporting material required by this section by electronic mail.
19 Except as otherwise provided in this subsection, if a public body
20 makes such notice, information or supporting material available by
21 electronic mail, the public body shall inquire of a person who
22 requests the notice, information or supporting material if the person
23 will accept receipt by electronic mail. If a public body is required to
24 post the public notice, information or supporting material on its
25 website pursuant to this section, the public body shall inquire of a
26 person who requests the notice, information or supporting material
27 if the person will accept by electronic mail a link to the posting on
28 the website when the documents are made available. The inability of
29 a public body, as a result of technical problems with its electronic
30 mail system, to provide a public notice, information or supporting
31 material or a link to a website required by this section to a person
32 who has agreed to receive such notice, information, supporting
33 material or link by electronic mail shall not be deemed to be a
34 violation of the provisions of this chapter.

35 10. As used in this section, "emergency" means an unforeseen
36 circumstance which requires immediate action and includes, but is
37 not limited to:

38 (a) Disasters caused by fire, flood, earthquake or other natural
39 causes; or

40 (b) Any impairment of the health and safety of the public.

41 **Sec. 7.** NRS 241.035 is hereby amended to read as follows:

42 241.035 1. Each public body shall keep written minutes of
43 each of its meetings, including:

44 (a) The date, time and place of the meeting.



1 (b) Those members of the public body who were present,
2 whether in person or by means of electronic communication, and
3 those who were absent.

4 (c) The substance of all matters proposed, discussed or decided
5 and, at the request of any member, a record of each member's vote
6 on any matter decided by vote.

7 (d) The substance of remarks made by any member of the
8 general public who addresses the public body if the member of the
9 general public requests that the minutes reflect those remarks or, if
10 the member of the general public has prepared written remarks, a
11 copy of the prepared remarks if the member of the general public
12 submits a copy for inclusion.

13 (e) Any other information which any member of the public body
14 requests to be included or reflected in the minutes.

15 ➔ Unless good cause is shown, a public body shall approve the
16 minutes of a meeting within 45 days after the meeting or at the next
17 meeting of the public body, whichever occurs later.

18 2. *A transcript of a public body meeting prepared by a court*
19 *reporter who is certified pursuant to chapter 656 of NRS qualifies*
20 *as written minutes of the meeting.*

21 3. Minutes of public meetings are public records. Minutes *or*
22 *draft minutes, as applicable*, or an audio recording of a meeting
23 made in accordance with subsection ~~[4]~~ 5 must be made available
24 for inspection by the public within 30 working days after
25 adjournment of the meeting. ~~[A]~~ *If a public body does not approve*
26 *the minutes of a public meeting within 30 working days after*
27 *adjournment of the meeting, a provisional version of the minutes*
28 *clearly marked "draft" must be made available for inspection by*
29 *the public until the public body approves the minutes of the public*
30 *meeting. The public body must make a* copy of the minutes *or draft*
31 *minutes, as applicable*, or audio recording ~~[must be made]~~ available
32 to a member of the public upon request at no charge. ~~[The]~~ *All*
33 *minutes of a meeting of a public body, including, without*
34 *limitation, draft versions of minutes*, shall be deemed to have
35 permanent value and must be retained by the public body for at least
36 5 years. Thereafter, the minutes may be transferred for archival
37 preservation in accordance with NRS 239.080 to 239.125, inclusive.
38 Minutes of meetings closed pursuant to:

39 (a) Paragraph (a) of subsection 1 of NRS 241.030 become
40 public records *if and* when the public body determines that the
41 matters discussed no longer require confidentiality and the person
42 whose character, conduct, competence or health was considered has
43 consented to their disclosure. That person is entitled to a copy of the
44 minutes upon request whether or not they become public records.



1 (b) Paragraph (b) of subsection 1 of NRS 241.030 become
2 public records *if and* when the public body determines that the
3 matters discussed no longer require confidentiality.

4 (c) Paragraph (c) of subsection 1 of NRS 241.030 become
5 public records *if and* when the public body determines that the
6 matters considered no longer require confidentiality and the person
7 who appealed the results of the examination has consented to their
8 disclosure, except that the public body shall remove from the
9 minutes any references to the real name of the person who appealed
10 the results of the examination. That person is entitled to a copy of
11 the minutes upon request whether or not they become public
12 records.

13 ~~[3.]~~ 4. All or part of any meeting of a public body may be
14 recorded on audiotape or any other means of sound or video
15 reproduction by a member of the general public if it is a public
16 meeting so long as this in no way interferes with the conduct of the
17 meeting.

18 ~~[4.]~~ 5. Except as otherwise provided in subsection ~~[7.]~~ 9, a
19 public body shall, for each of its meetings, whether public or closed,
20 record the meeting on audiotape or another means of sound
21 reproduction or cause the meeting to be transcribed by a court
22 reporter who is certified pursuant to chapter 656 of NRS. If a public
23 body makes an audio recording of a meeting or causes a meeting to
24 be transcribed pursuant to this subsection, the audio recording or
25 transcript:

26 (a) Must be retained by the public body for at least ~~[1-year]~~ 5
27 *years* after the adjournment of the meeting at which it was recorded
28 or transcribed;

29 (b) Except as otherwise provided in this section, is a public
30 record and must be made available for inspection by the public
31 during the time the recording or transcript is retained; and

32 (c) Must be made available to the Attorney General upon
33 request.

34 ~~[5.]~~ 6. The requirement set forth in subsection ~~[2.]~~ 3 that a
35 public body make available a copy of the minutes *or draft minutes,*
36 *if applicable,* or audio recording of a meeting to a member of the
37 public upon request at no charge does not ~~[-]~~

38 ~~—(a) Prohibit]~~ *prohibit* a court reporter who is certified pursuant
39 to chapter 656 of NRS from charging a fee to the public body for
40 any services relating to the transcription of a meeting. ~~[-or~~

41 ~~—(b) Require a]~~

42 7. A court reporter who transcribes a meeting *is not required* to
43 provide a copy of any transcript, minutes or audio recording of the
44 meeting prepared by the court reporter *directly* to a member of the
45 public at no charge.



1 ~~[6.]~~ 8. Except as otherwise provided in subsection ~~[7.]~~ 9, any
2 portion of a public meeting which is closed must also be recorded or
3 transcribed and the recording or transcript must be retained and
4 made available for inspection pursuant to the provisions of
5 subsection ~~[2.]~~ 3 relating to records of closed meetings. Any
6 recording or transcript made pursuant to this subsection must be
7 made available to the Attorney General upon request.

8 ~~[7.]~~ 9. If a public body makes a good faith effort to comply
9 with the provisions of subsections ~~[4.]~~ 5 and ~~[6.]~~ 8 but is prevented
10 from doing so because of factors beyond the public body's
11 reasonable control, including, without limitation, a power outage, a
12 mechanical failure or other unforeseen event, such failure does not
13 constitute a violation of the provisions of this chapter.

14 **Sec. 8.** NRS 241.0365 is hereby amended to read as follows:

15 241.0365 1. Except as otherwise provided in subsection 4, if
16 a public body, after providing the notice described in subsection 2,
17 takes action in conformity with this chapter to correct an alleged
18 violation of this chapter within 30 days after the alleged violation,
19 the Attorney General may decide not to commence prosecution of
20 the alleged violation if the Attorney General determines foregoing
21 prosecution would be in the best interests of the public.

22 2. Except as otherwise provided in subsection 4, before taking
23 any action to correct an alleged violation of this chapter, the public
24 body must include an item on the agenda posted for the meeting at
25 which the public body intends to take the corrective action in
26 conformity with this chapter. The inclusion of an item on the agenda
27 for a meeting of a public body pursuant to this subsection is not an
28 admission of wrongdoing for the purposes of civil action, criminal
29 prosecution or injunctive relief.

30 3. For purposes of subsection 1, ~~[the]~~ any period of limitations
31 set forth in subsection 3 of NRS 241.037 by which the Attorney
32 General may bring suit is tolled for ~~[30]~~ 60 days.

33 4. The provisions of this section do not prohibit a public body
34 from taking action in conformity with this chapter to correct an
35 alleged violation of the provisions of this chapter before the
36 adjournment of the meeting at which the alleged violation occurs.

37 5. Any action taken by a public body to correct an alleged
38 violation of this chapter by the public body is effective
39 prospectively.

40 **Sec. 9.** NRS 241.037 is hereby amended to read as follows:

41 241.037 1. The Attorney General may sue in any court of
42 competent jurisdiction to have an action taken by a public body
43 declared void or for an injunction against any public body or person
44 to require compliance with or prevent violations of the provisions of
45 this chapter. The injunction:



1 (a) May be issued without proof of actual damage or other
2 irreparable harm sustained by any person.

3 (b) Does not relieve any person from criminal prosecution for
4 the same violation.

5 2. Any person denied a right conferred by this chapter may sue
6 in the district court of the district in which the public body
7 ordinarily holds its meetings or in which the plaintiff resides. A suit
8 may seek to have an action taken by the public body declared void,
9 to require compliance with or prevent violations of this chapter or to
10 determine the applicability of this chapter to discussions or
11 decisions of the public body. The court may order payment of
12 reasonable attorney's fees and court costs to a successful plaintiff in
13 a suit brought under this subsection.

14 3. Except as otherwise provided in NRS 241.0365:

15 (a) Any suit brought against a public body pursuant to
16 subsection 1 or 2 to require compliance with the provisions of this
17 chapter must be commenced , *except as otherwise provided in this*
18 *paragraph*, within 120 days after the action objected to was taken
19 by that public body in violation of this chapter. *If, within 120 days*
20 *after the action objected to was taken by the public body, the*
21 *Attorney General issues findings of fact and conclusions of law*
22 *that the public body violated a provision of this chapter, such a*
23 *suit may be brought against the public body within 120 days after*
24 *the date that the Attorney General issues the findings of fact and*
25 *conclusions of law.*

26 (b) Any such suit brought to have an action declared void must
27 be commenced , *except as otherwise provided in this paragraph*,
28 within 60 days after the action objected to was taken. *If, within 60*
29 *days after the action objected to was taken by the public body, the*
30 *Attorney General issues findings of fact and conclusions of law*
31 *that the public body violated a provision of this chapter, such a*
32 *suit may be brought against the public body within 60 days after*
33 *the date that the Attorney General issues the findings of fact and*
34 *conclusions of law.*

35 **Sec. 10.** NRS 241.039 is hereby amended to read as follows:

36 241.039 1. A complaint that alleges a violation of this
37 chapter may be filed with the Office of the Attorney General.

38 2. Except as otherwise provided in NRS 241.0365, the
39 Attorney General ~~[shall]~~ :

40 (a) *Shall* investigate and prosecute any violation of this chapter
41 ~~[]~~ *alleged in a complaint filed not later than 120 days after the*
42 *alleged violation with the Office of the Attorney General.*

43 (b) *May, at his or her discretion, investigate and prosecute any*
44 *violation of this chapter alleged in a complaint filed more than*



1 *120 days after the alleged violation with the Office of the Attorney*
2 *General.*

3 3. Except as otherwise provided in subsection 6 and NRS
4 239.0115, all documents and other information compiled as a result
5 of an investigation conducted pursuant to subsection 2 are
6 confidential until the investigation is closed.

7 4. In any investigation conducted pursuant to subsection 2, the
8 Attorney General may issue subpoenas for the production of any
9 relevant documents, records or materials.

10 5. A person who willfully fails or refuses to comply with a
11 subpoena issued pursuant to this section is guilty of a misdemeanor.

12 6. The following are public records:

13 (a) A complaint filed pursuant to subsection 1.

14 (b) Every finding of fact or conclusion of law made by the
15 Attorney General relating to a complaint filed pursuant to
16 subsection 1.

17 (c) Any document or information compiled as a result of an
18 investigation conducted pursuant to subsection 2 that may be
19 requested pursuant to NRS 239.0107 from a governmental entity
20 other than the Office of the Attorney General.

21 *7. Upon completion of an investigation conducted pursuant*
22 *to subsection 2, the Attorney General shall inform the public body*
23 *that is the subject of the investigation and issue, as applicable:*

24 (a) *A finding that no violation of this chapter occurred; or*

25 (b) *A finding that a violation of this chapter occurred, along*
26 *with findings of fact and conclusions of law that support the*
27 *finding that a violation of this chapter occurred.*

28 *8. A public body shall submit a response to the Attorney*
29 *General not later than 14 days after receipt of any finding that the*
30 *public body violated this chapter. If the public body does not*
31 *submit a response to the Attorney General within 14 days after*
32 *receipt of the finding, it shall be deemed that the public body*
33 *agrees with the finding of the Attorney General.*

34 **Sec. 11.** NRS 241.0395 is hereby amended to read as follows:

35 241.0395 1. If the Attorney General makes findings of fact
36 and conclusions of law that a public body has ~~taken action in~~
37 ~~violation of~~ *violated* any provision of this chapter, the public body
38 must include an item on the next agenda posted for a meeting of the
39 public body which acknowledges the findings of fact and
40 conclusions of law. The opinion of the Attorney General must be
41 treated as supporting material for the item on the agenda for the
42 purposes of NRS 241.020.

43 2. The inclusion of an item on the agenda for a meeting of a
44 public body pursuant to subsection 1 is not an admission of



1 wrongdoing for the purposes of a civil action, criminal prosecution
2 or injunctive relief.

3 **Sec. 12.** NRS 241.040 is hereby amended to read as follows:

4 241.040 1. ~~Each~~ *Except as otherwise provided in*
5 *subsection 6, each* member of a public body who attends a meeting
6 of that public body where ~~action is taken in violation of~~ any
7 ~~provision~~ *violation* of this chapter ~~[- with]~~ *occurs and has*
8 knowledge of the ~~fact that the meeting is in violation thereof,~~
9 *violation*, is guilty of a misdemeanor.

10 2. ~~Wrongful~~ *Except as otherwise provided in subsection 6,*
11 *wrongful* exclusion of any person or persons from a meeting is a
12 misdemeanor.

13 3. A member of a public body who attends a meeting of that
14 public body at which ~~action is taken in~~ *a* violation of this chapter
15 *occurs* is not the accomplice of any other member so attending.

16 4. ~~Ha~~ *Except as otherwise provided in subsection 6, in*
17 addition to any criminal penalty imposed pursuant to this section,
18 each member of a public body who attends a meeting of that public
19 body where ~~action is taken in violation of~~ any ~~provision~~
20 *violation* of this chapter ~~[-]~~ *occurs* and who participates in such
21 action the meeting with knowledge of the violation, is subject to ~~a~~
22 ~~civil penalty~~ *an administrative fine* in an amount not to exceed :

23 (a) *For a first offense, \$500* ~~[- The Attorney General may~~
24 ~~recover the penalty]~~ ;

25 (b) *For a second offense, \$1,000; and*

26 (c) *For a third or subsequent offense, \$2,500.*

27 5. *A member of a public body assessed an administrative fine*
28 *pursuant to this section may contest the fine* in a civil action
29 brought ~~in the name of the State of Nevada~~ in any court of
30 competent jurisdiction. Such an action must be commenced within
31 ~~[1 year]~~ *6 months* after the ~~[date of the action taken in violation of~~
32 ~~this chapter.]~~ *fine is assessed.*

33 6. *No criminal penalty or administrative fine may be imposed*
34 *upon a member of a public body pursuant to this section if:*

35 (a) *A member of a public body violates a provision of this*
36 *chapter as a result of legal advice provided by an attorney*
37 *employed or retained by the public body; and*

38 (b) *The attorney acknowledges in writing that he or she*
39 *provided legal advice to the member that resulted in the member*
40 *violating a provision of this chapter.*

41 **Sec. 13.** NRS 1A.100 is hereby amended to read as follows:

42 1A.100 1. A system of retirement providing benefits for the
43 retirement, disability or death of all justices of the Supreme Court,
44 judges of the Court of Appeals and district judges, and certain
45 justices of the peace and municipal judges, and funded on an



1 actuarial reserve basis is hereby established and must be known as
2 the Judicial Retirement System.

3 2. The System consists of the Judicial Retirement Plan and the
4 provisions set forth in NRS 2.060 to 2.083, inclusive, 2A.100 to
5 2A.150, inclusive, and 3.090 to 3.099, inclusive, for providing
6 benefits to justices of the Supreme Court, judges of the Court of
7 Appeals or district judges who served either as a justice of the
8 Supreme Court or district judge before November 5, 2002. Each
9 justice of the Supreme Court, judge of the Court of Appeals or
10 district judge who is not a member of the Public Employees'
11 Retirement System is a member of the Judicial Retirement System.

12 3. The official correspondence and records, other than the files
13 of individual members of the System or retired justices or judges,
14 and, except as otherwise provided in NRS 241.035, the minutes,
15 audio recordings, transcripts and books of the System are public
16 records and are available for public inspection. A copy of the
17 minutes *or draft minutes, as applicable*, or audio recordings must
18 be made available to a member of the public upon request at no
19 charge pursuant to NRS 241.035.

20 4. The System must be administered exclusively by the Board,
21 which shall make all necessary rules and regulations for the
22 administration of the System. The rules must include, without
23 limitation, rules relating to the administration of the retirement plans
24 in accordance with federal law. The Legislature shall regularly
25 review the System.

26 **Sec. 14.** NRS 244A.611 is hereby amended to read as follows:

27 244A.611 1. The board shall choose one of its members as
28 chair and one of its members as vice chair, and shall elect a
29 secretary and a treasurer, who may be members of the board. The
30 secretary and the treasurer may be one person.

31 2. The secretary shall keep audio recordings or transcripts of all
32 meetings and, in a well-bound book, a record of all of the
33 proceedings of the board, minutes of all meetings, certificates,
34 contracts, bonds given by employees, and all other acts of the board.
35 Except as otherwise provided in NRS 241.035, the minute book,
36 audio recordings, transcripts and records must be open to the
37 inspection of all owners of real property in the county as well as to
38 all other interested persons, at all reasonable times and places. A
39 copy of the minutes *or draft minutes, as applicable*, or audio
40 recordings must be made available to a member of the public upon
41 request at no charge pursuant to NRS 241.035.

42 3. The treasurer shall keep, in permanent records, strict and
43 accurate accounts of all money received by and disbursed for and on
44 behalf of the board and the county. The treasurer shall file with the
45 county clerk, at county expense, a corporate fidelity bond in an



1 amount not less than \$5,000, conditioned for the faithful
2 performance of his or her duties.

3 **Sec. 15.** NRS 266.250 is hereby amended to read as follows:

4 266.250 1. The deliberations, sessions and proceedings of the
5 city council must be public.

6 2. The city council shall keep written minutes and audio
7 recordings or transcripts of its own proceedings as required pursuant
8 to NRS 241.035. The yeas and nays must be taken upon the passage
9 of all ordinances, and all propositions to create any liability against
10 the city, or to grant, deny, increase, decrease, abolish or revoke
11 licenses, and in all other cases at the request of any member of the
12 city council or of the mayor, which yeas and nays must be entered in
13 the minutes of its proceedings. A copy of the minutes *or draft*
14 *minutes, as applicable*, or audio recordings must be made available
15 to a member of the public upon request at no charge pursuant to
16 NRS 241.035.

17 3. The affirmative vote of a majority of all the members elected
18 to the city council is necessary to pass any such ordinance or
19 proposition.

20 **Sec. 16.** NRS 278.290 is hereby amended to read as follows:

21 278.290 1. Meetings of the board must be held at the call of
22 the chair and at such other times as the board may determine. The
23 chair, or in his or her absence the acting chair, may administer oaths
24 and compel the attendance of witnesses. All meetings of the board
25 must be open to the public.

26 2. The board shall adopt rules in accordance with the
27 provisions of any ordinance adopted pursuant to NRS 278.010 to
28 278.630, inclusive.

29 3. The board shall keep minutes of its proceedings, showing
30 the vote of each member upon each question, or, if absent or failing
31 to vote, indicating such fact, and audio recordings or transcripts of
32 its proceedings, and shall keep records of its examinations and other
33 official actions, all of which must be filed immediately in the office
34 of the board and, except as otherwise provided in NRS 241.035, are
35 public records. A copy of the minutes *or draft minutes, as*
36 *applicable*, or audio recordings must be made available to a member
37 of the public upon request at no charge pursuant to NRS 241.035.

38 **Sec. 17.** NRS 284.055 is hereby amended to read as follows:

39 284.055 1. The members of the Commission may meet at the
40 times and places specified by the call of the Chair or a majority of
41 the Commission, but a meeting of the Commission must be held
42 regularly at least once every 3 months.

43 2. Five members of the Commission constitute a quorum. A
44 majority vote of the five members of the Commission is required for



1 any official action taken by the Commission, including, without
2 limitation:

3 (a) To adopt, amend or rescind a regulation of the Commission;
4 and

5 (b) To decide an appeal to the Commission made by an
6 employee in the public service of the State.

7 3. If an alternate member attends a meeting of the Commission
8 in place of the regular member, the alternate member fully assumes
9 the duties, rights and responsibilities of the replaced regular member
10 for the duration of that meeting and is entitled to the compensation,
11 allowances and expenses otherwise payable for members who attend
12 the meeting.

13 4. The Commission shall keep minutes and audio recordings or
14 transcripts of the transactions of each meeting. Except as otherwise
15 provided in NRS 241.035, the minutes, audio recordings and
16 transcripts are public records and must be filed with the Division. A
17 copy of the minutes *or draft minutes, as applicable*, or audio
18 recordings must be made available to a member of the public upon
19 request at no charge pursuant to NRS 241.035.

20 **Sec. 18.** NRS 286.110 is hereby amended to read as follows:

21 286.110 1. A system of retirement providing benefits for the
22 retirement, disability or death of employees of public employers and
23 funded on an actuarial reserve basis is hereby established and must
24 be known as the Public Employees' Retirement System. The System
25 is a public agency supported by administrative fees transferred from
26 the retirement funds. The Executive and Legislative Departments of
27 the State Government shall regularly review the System.

28 2. The System is entitled to use any services provided to state
29 agencies and shall use the services of the Purchasing Division of the
30 Department of Administration, but is not required to use any other
31 service. The purpose of this subsection is to provide to the Board the
32 necessary autonomy for an efficient and economic administration of
33 the System and its program.

34 3. The official correspondence and records, other than the files
35 of individual members or retired employees, and, except as
36 otherwise provided in NRS 241.035, the minutes, audio recordings,
37 transcripts and books of the System are public records and are
38 available for public inspection. A copy of the minutes *or draft*
39 *minutes, as applicable*, or audio recordings must be made available
40 to a member of the public upon request at no charge pursuant to
41 NRS 241.035.

42 4. The respective participating public employers are not liable
43 for any obligation of the System.



1 **Sec. 19.** NRS 287.0438 is hereby amended to read as follows:
2 287.0438 Except for the files of individual members and
3 former members, the correspondence, files, minutes, audio
4 recordings, transcripts and books of the Program are, except as
5 otherwise provided in NRS 241.035, public records. A copy of the
6 minutes *or draft minutes, as applicable*, or audio recordings must
7 be made available to a member of the public upon request at no
8 charge pursuant to NRS 241.035.

9 **Sec. 20.** NRS 318.085 is hereby amended to read as follows:
10 318.085 Except as otherwise provided in NRS 318.0953 and
11 318.09533:

12 1. After taking oaths and filing bonds, the board shall choose
13 one of its members as chair of the board and president of the district,
14 and shall elect a secretary and a treasurer of the board and of the
15 district, who may or may not be members of the board. The
16 secretary and the treasurer may be one person.

17 2. The board shall adopt a seal.

18 3. The secretary shall keep audio recordings or transcripts of all
19 meetings and, in a well-bound book, a record of all of the board's
20 proceedings, minutes of all meetings, any certificates, contracts,
21 bonds given by employees and all corporate acts. Except as
22 otherwise provided in NRS 241.035, the book, audio recordings,
23 transcripts and records must be open to inspection of all owners of
24 real property in the district as well as to all other interested persons.
25 A copy of the minutes *or draft minutes, as applicable*, or audio
26 recordings must be made available to a member of the public upon
27 request at no charge pursuant to NRS 241.035.

28 4. The treasurer shall keep strict and accurate accounts of all
29 money received by and disbursed for and on behalf of the district in
30 permanent records. The treasurer shall file with the county clerk, at
31 the expense of the district, a corporate surety bond in an amount not
32 more than \$50,000, the form and exact amount thereof to be
33 approved and determined, respectively, by the board of county
34 commissioners, conditioned for the faithful performance of the
35 duties of his or her office. Any other officer or trustee who actually
36 receives or disburses money of the district shall furnish a bond as
37 provided in this subsection. The board of county commissioners
38 may, upon good cause shown, increase or decrease the amount of
39 that bond.

40 5. Except as otherwise provided in this subsection, each
41 member of a board of trustees of a district organized or reorganized
42 pursuant to this chapter may receive as compensation for his or her
43 service not more than \$6,000 per year. Each member of a board of
44 trustees of a district that is organized or reorganized pursuant to this
45 chapter and which is granted the powers set forth in NRS 318.140,



1 318.142 and 318.144 may receive as compensation for his or her
2 service not more than \$9,000 per year. The compensation of the
3 members of a board is payable monthly, if the budget is adequate
4 and a majority of the members of the board vote in favor of such
5 compensation, but no member of the board may receive any other
6 compensation for his or her service to the district as an employee or
7 otherwise. Each member of the board must receive the same amount
8 of compensation. If a majority of the members of the board vote in
9 favor of an increase in the compensation of the trustees, the increase
10 may not become effective until January 1 of the calendar year
11 immediately following the next biennial election of the district as set
12 forth in NRS 318.095.

13 **Sec. 21.** NRS 318A.190 is hereby amended to read as follows:

14 318A.190 1. The board shall choose one of its members as
15 chair of the board and president of the district, and shall elect a
16 secretary and a treasurer of the board and of the district, who may or
17 may not be members of the board. The secretary and the treasurer
18 may be one person.

19 2. The board shall adopt a seal.

20 3. The secretary shall keep a record of all of the board's
21 proceedings, minutes of all meetings, any certificates, contracts,
22 bonds given by employees and all corporate acts. Except as
23 otherwise provided in NRS 241.035, the records must be open to
24 inspection of all owners of real property in the district as well as to
25 all other interested persons. A copy of the minutes *or draft minutes,*
26 *as applicable,* or audio recordings, if any, must be made available
27 to a member of the public upon request at no charge pursuant to
28 NRS 241.035.

29 4. The treasurer shall keep strict and accurate accounts of all
30 money received by and disbursed for and on behalf of the district in
31 permanent records. The treasurer shall file with the clerk, at the
32 expense of the district, a corporate surety bond in an amount not
33 more than \$50,000, the form and exact amount thereof to be
34 approved and determined, respectively, by the governing body,
35 conditioned for the faithful performance of the duties of his or her
36 office. Any other officer or trustee who actually receives or
37 disburses money of the district shall furnish a bond as provided in
38 this subsection. The governing body may, upon good cause shown,
39 increase or decrease the amount of that bond.

40 5. Except as otherwise provided in this subsection, each
41 member of a board of trustees of a district organized pursuant to this
42 chapter may receive as compensation for his or her service not more
43 than \$6,000 per year. The compensation of the members of a board
44 is payable monthly, if the budget is adequate and a majority of the
45 members of the board vote in favor of such compensation, but no



1 member of the board may receive any other compensation for his or
2 her service to the district as an employee or otherwise. Each
3 member of the board must receive the same amount of
4 compensation. If a majority of the members of the board vote in
5 favor of an increase in the compensation of the trustees, the increase
6 may not become effective until January 1 of the calendar year
7 immediately following the next biennial election of the district as set
8 forth in NRS 318A.210.

9 **Sec. 22.** NRS 361.365 is hereby amended to read as follows:

10 361.365 1. Each county board of equalization shall, at the
11 expense of the county, cause complete minutes and an audio
12 recording or transcript to be taken at each hearing. In addition to the
13 requirements of NRS 241.035, these minutes must include the title
14 of all exhibits, papers, reports and other documentary evidence
15 submitted to the county board of equalization by the complainant.
16 The clerk of the county board of equalization shall forward the
17 minutes and audio recordings or transcripts to the Secretary of the
18 State Board of Equalization. A copy of the minutes *or draft*
19 *minutes, as applicable*, or audio recordings must be made available
20 to a member of the public upon request at no charge pursuant to
21 NRS 241.035.

22 2. If a transcript of any hearing held before the county board of
23 equalization is requested by the complainant, he or she shall furnish
24 the reporter, pay for the transcript and deliver a copy of the
25 transcript to the clerk of the county board of equalization and the
26 Secretary of the State Board of Equalization upon filing an appeal.

27 **Sec. 23.** NRS 384.070 is hereby amended to read as follows:

28 384.070 1. The Commission may establish and maintain an
29 office in Virginia City, Storey County, Nevada, in which, except as
30 otherwise provided in NRS 241.035, there must be at all times open
31 to public inspection a complete record of applications for certificates
32 of appropriateness and their disposition, minutes and audio
33 recordings or transcripts of the Commission's meetings, and any
34 regulations adopted by the Commission. A copy of the minutes *or*
35 *draft minutes, as applicable*, or audio recordings must be made
36 available to a member of the public upon request at no charge
37 pursuant to NRS 241.035.

38 2. The Commission shall maintain a library in the office for the
39 purpose of guiding applicants in their design or embellishment of
40 the exterior of their buildings, new or remodeled. The library must
41 consist of, but not be limited to, documents, paintings, photographs,
42 drawings and histories descriptive of the period which are deemed
43 appropriate guidelines to the applicant. A card index system must
44 also be made and maintained for reference to more comprehensive



1 information in libraries other than the one maintained by the
2 Commission.

3 **Sec. 24.** NRS 422.2369 is hereby amended to read as follows:
4 422.2369 1. Before adopting, amending or repealing any
5 regulation for the administration of a program of public assistance
6 or any other program for which the Division is responsible, the
7 Administrator must give at least 30 days' notice of the intended
8 action.

9 2. The notice of intent to act upon a regulation must:

10 (a) Include a statement of the need for and purpose of the
11 proposed regulation, and either the terms or substance of the
12 proposed regulation or a description of the subjects and issues
13 involved, and of the time when, the place where and the manner in
14 which interested persons may present their views thereon.

15 (b) Include a statement identifying the entities that may be
16 financially affected by the proposed regulation and the potential
17 financial impact, if any, upon local government.

18 (c) State each address at which the text of the proposed
19 regulation may be inspected and copied.

20 (d) Be mailed to all persons who have requested in writing that
21 they be placed upon a mailing list, which must be kept by the
22 Administrator for that purpose.

23 3. All interested persons must be afforded a reasonable
24 opportunity to submit data, views or arguments upon a proposed
25 regulation, orally or in writing. The Administrator shall consider
26 fully all oral and written submissions relating to the proposed
27 regulation.

28 4. The Administrator shall keep, retain and make available for
29 public inspection written minutes and an audio recording or
30 transcript of each public hearing held pursuant to this section in the
31 manner provided in NRS 241.035. A copy of the minutes *or draft*
32 *minutes, as applicable*, or audio recordings must be made available
33 to a member of the public upon request at no charge pursuant to
34 NRS 241.035.

35 5. An objection to any regulation on the ground of
36 noncompliance with the procedural requirements of this section may
37 not be made more than 2 years after its effective date.

38 **Sec. 25.** NRS 422A.190 is hereby amended to read as follows:
39 422A.190 1. Before adopting, amending or repealing any
40 regulation for the administration of a program of public assistance
41 or any other program for which the Division is responsible, the
42 Administrator must give at least 30 days' notice of the intended
43 action.

44 2. The notice of intent to act upon a regulation must:



1 (a) Include a statement of the need for and purpose of the
2 proposed regulation, and either the terms or substance of the
3 proposed regulation or a description of the subjects and issues
4 involved, and of the time when, the place where and the manner in
5 which interested persons may present their views thereon.

6 (b) Include a statement identifying the entities that may be
7 financially affected by the proposed regulation and the potential
8 financial impact, if any, upon local government.

9 (c) State each address at which the text of the proposed
10 regulation may be inspected and copied.

11 (d) Be mailed to all persons who have requested in writing that
12 they be placed upon a mailing list, which must be kept by the
13 Administrator for that purpose.

14 3. All interested persons must be afforded a reasonable
15 opportunity to submit data, views or arguments upon a proposed
16 regulation, orally or in writing. The Administrator shall consider
17 fully all oral and written submissions relating to the proposed
18 regulation.

19 4. The Administrator shall keep, retain and make available for
20 public inspection written minutes and an audio recording or
21 transcript of each public hearing held pursuant to this section in the
22 manner provided in NRS 241.035. A copy of the minutes *or draft*
23 *minutes, as applicable*, or audio recordings must be made available
24 to a member of the public upon request at no charge pursuant to
25 NRS 241.035.

26 5. No objection to any regulation on the ground of
27 noncompliance with the procedural requirements of this section may
28 be made more than 2 years after its effective date.

29 **Sec. 26.** NRS 541.110 is hereby amended to read as follows:

30 541.110 1. Each director before entering upon his or her
31 official duties shall take and subscribe to an oath, before a person
32 authorized to administer oaths, that he or she will support the
33 Constitutions of the United States and the State of Nevada and will
34 honestly, faithfully and impartially perform the duties of the office.

35 2. Upon taking oath, the board shall choose one of their
36 number chair of the board and president of the district, and shall
37 elect some suitable person secretary of the board and of the district,
38 who may or may not be a member of the board. The board shall
39 adopt a seal and shall keep audio recordings or transcripts of all
40 meetings and, in a well-bound book, a record of all its proceedings,
41 minutes of all meetings, certificates, contracts, bonds given by
42 employees and all corporate acts, which, except as otherwise
43 provided in NRS 241.035, must be open to inspection of all owners
44 of property in the district, as well as to all other interested persons.
45 A copy of the minutes *or draft minutes, as applicable*, or audio



1 recordings must be made available to a member of the public upon
2 request at no charge pursuant to NRS 241.035.

3 3. Each member of the board is entitled to receive as
4 compensation for his or her service such sum as may be ordered by
5 the board, not in excess of the sum of \$80 per day and actual
6 traveling expenses for each day spent attending meetings of the
7 board or while engaged in official business under the order of the
8 board.

9 **Sec. 27.** NRS 543.330 is hereby amended to read as follows:

10 543.330 1. The board shall meet in July of each year to
11 organize and choose one of its members as chair of the board and
12 president of the district, and elect a secretary of the board and of the
13 district, who may or may not be a member of the board.

14 2. The county treasurer is the treasurer of the board and of the
15 district.

16 3. The secretary shall keep audio recordings or transcripts of all
17 meetings and, in a well-bound book, a record of all of the board's
18 proceedings, minutes of all meetings, certificates, contracts, bonds
19 given by employees, and all corporate acts, which, except as
20 otherwise provided in NRS 241.035, must be open to inspection by
21 all owners of real property in the district as well as other interested
22 persons. A copy of the minutes *or draft minutes, as applicable*, or
23 audio recordings must be made available to a member of the public
24 upon request at no charge pursuant to NRS 241.035.

25 4. The treasurer shall keep strict and accurate accounts of all
26 money received by and disbursed for and on behalf of the district in
27 permanent records.

28 5. No member of the board may receive compensation for the
29 member's services, but members may be reimbursed for their
30 necessary expenses in attending district meetings and for necessary
31 expenses incurred in traveling within and without the State when
32 required to carry out the affairs of the district.

33 **Sec. 28.** NRS 561.095 is hereby amended to read as follows:

34 561.095 1. The members of the Board may meet at such
35 times and at such places as may be specified by the call of the Chair
36 or a majority of the Board, and a meeting of the Board may be held
37 regularly at least once every 3 months. In case of an emergency,
38 special meetings may be called by the Chair or by the Director.

39 2. Six members of the Board constitute a quorum. A quorum
40 may exercise all the authority conferred on the Board.

41 3. Minutes and audio recordings or transcripts of each meeting,
42 regular or special, must be filed with the Department and, except as
43 otherwise provided in NRS 241.035, are public records. A copy of
44 the minutes *or draft minutes, as applicable*, or audio recordings



1 must be made available to a member of the public upon request at
2 no charge pursuant to NRS 241.035.

3 **Sec. 29.** NRS 590.505 is hereby amended to read as follows:

4 590.505 1. The Board may adopt a seal for its own use which
5 must have imprinted thereon the words "Board for the Regulation of
6 Liquefied Petroleum Gas." The care and custody of the seal is the
7 responsibility of the Secretary-Treasurer of the Board.

8 2. The Board may appoint an Executive Secretary and may
9 employ or, pursuant to NRS 333.700, contract with such other
10 technical, clerical or investigative personnel as it deems necessary.
11 The Board shall fix the compensation of the Executive Secretary
12 and all other employees and independent contractors. Such
13 compensation must be paid out of the money of the Board. The
14 Board may require the Executive Secretary and any other employees
15 and independent contractors to give a bond to the Board for the
16 faithful performance of their duties, the premiums on the bond being
17 paid out of the money of the Board.

18 3. In carrying out the provisions of NRS 590.465 to 590.645,
19 inclusive, and holding its regular or special meetings, the Board:

20 (a) Shall adopt written policies setting forth procedures and
21 methods of operation for the Board.

22 (b) May adopt such regulations as it deems necessary.

23 4. The Board shall keep accurate records, minutes and audio
24 recordings or transcripts of all meetings and, except as otherwise
25 provided in NRS 241.035, the records, minutes, audio recordings
26 and transcripts so kept must be open to public inspection at all
27 reasonable times. A copy of the minutes *or draft minutes, as*
28 *applicable*, or audio recordings must be made available to a member
29 of the public upon request at no charge pursuant to NRS 241.035.
30 The Board shall also keep a record of all applications for licenses
31 and licenses issued by it. The record of applications and licenses is a
32 public record.

33 **Sec. 30.** Section 7 of the Airport Authority Act for Battle
34 Mountain, being chapter 458, Statutes of Nevada 1983, as last
35 amended by chapter 98, Statutes of Nevada 2013, at page 334, is
36 hereby amended to read as follows:

37 Sec. 7. 1. The Board shall elect a Chair, Vice Chair,
38 Secretary and Treasurer, who must be members of the Board.
39 The Secretary and the Treasurer may be one person. The
40 terms of the officers expire on the date their successors are
41 elected and qualified in the general election.

42 2. The Secretary shall keep audio recordings or
43 transcripts of all meetings of the Board and, in a well-bound
44 book, a record of all of the proceedings of the Board, minutes
45 of all meetings, certificates, contracts, bonds given by



1 employees, and all other acts of the Board. Except as
2 otherwise provided in NRS 241.035, the minute book, audio
3 recordings, transcripts and records must be open to the
4 inspection of all interested persons, at all reasonable times
5 and places. A copy of the minutes *or draft minutes, as*
6 *applicable*, or audio recordings must be made available to a
7 member of the public upon request at no charge pursuant to
8 NRS 241.035.

9 3. The Treasurer shall keep, in permanent records, strict
10 and accurate accounts of all money received by and disbursed
11 for and on behalf of the Board and the Authority. The
12 Treasurer shall file with the County Clerk, at Authority
13 expense, a corporate fidelity bond in an amount not less than
14 \$25,000, conditioned for the faithful performance of his or
15 her duties.

16 **Sec. 31.** Section 6 of the Airport Authority Act for Carson
17 City, being chapter 844, Statutes of Nevada 1989, as last amended
18 by chapter 98, Statutes of Nevada 2013, at page 334, is hereby
19 amended to read as follows:

20 Sec. 6. 1. The Board shall elect a Chair, Vice Chair,
21 Secretary and Treasurer from its members. The Secretary and
22 the Treasurer may be one person. The terms of the officers
23 expire on July 1 of each odd-numbered year.

24 2. The Secretary shall keep audio recordings or
25 transcripts of all meetings of the Board and a record of all of
26 the proceedings of the Board, minutes of all meetings,
27 certificates, contracts, bonds given by employees, and all
28 other acts of the Board. Except as otherwise provided in NRS
29 241.035, the records must be open to the inspection of all
30 interested persons, at a reasonable time and place. A copy of
31 the minutes *or draft minutes, as applicable*, or audio
32 recordings must be made available to a member of the public
33 upon request at no charge pursuant to NRS 241.035.

34 3. The Treasurer shall keep an accurate account of all
35 money received by and disbursed on behalf of the Board and
36 the Authority. The Treasurer shall file with the Clerk of
37 Carson City, at the expense of the Authority, a fidelity bond
38 in an amount not less than \$10,000, conditioned for the
39 faithful performance of his or her duties.

40 **Sec. 32.** Section 7 of the Reno-Tahoe Airport Authority Act,
41 being chapter 474, Statutes of Nevada 1977, as last amended by
42 chapter 98, Statutes of Nevada 2013, at page 334, is hereby
43 amended to read as follows:

44 Sec. 7. 1. The Board shall choose one of its members
45 as Chair and one of its members as Vice Chair, and shall elect



1 a Secretary and a Treasurer, who may be members of the
2 Board. The Secretary and the Treasurer may be one person.
3 The terms of the officers expire on July 1 of each year.

4 2. Chairs must be selected from trustees appointed by
5 the participating local governments in the following order:

6 (a) The City of Reno;

7 (b) The City of Sparks;

8 (c) Washoe County; and

9 (d) The County Fair and Recreation Board of Washoe
10 County.

11 3. The Secretary shall keep audio recordings or
12 transcripts of all meetings of the Board and, in a well-bound
13 book, a record of all of the proceedings of the Board, minutes
14 of all meetings, certificates, contracts, bonds given by
15 employees, and all other acts of the Board. Except as
16 otherwise provided in NRS 241.035, the minute book, audio
17 recordings, transcripts and records must be open to the
18 inspection of all interested persons, at all reasonable times
19 and places. A copy of the minutes *or draft minutes, as*
20 *applicable*, or audio recordings must be made available to a
21 member of the public upon request at no charge pursuant to
22 NRS 241.035.

23 4. The Treasurer shall keep, in permanent records, strict
24 and accurate accounts of all money received by and disbursed
25 for and on behalf of the Board and the Authority. The
26 Treasurer shall file with the County Clerk, at Authority
27 expense, a corporate fidelity bond in an amount not less than
28 \$25,000, conditioned for the faithful performance of his or
29 her duties.

30 **Sec. 33.** Section 9.5 of Reno-Tahoe Airport Authority Act,
31 being chapter 369, Statutes of Nevada 2005, as amended by chapter
32 98, Statutes of Nevada 2013, at page 335, is hereby amended to read
33 as follows:

34 Sec. 9.5. 1. Except as otherwise determined by the
35 Board or provided in subsection 2, the provisions of any law
36 requiring public bidding or otherwise imposing requirements
37 on any public contract, project, acquisition, works or
38 improvements, including, without limitation, the provisions
39 of chapters 332, 338 and 339 of NRS, do not apply to any
40 contract entered into by the Board if the Board:

41 (a) Complies with the provisions of subsection 3; and

42 (b) Finances the contract, project, acquisition, works or
43 improvement by means of:

44 (1) Revenue bonds issued by the Authority; or



1 (2) An installment obligation of the Authority in a
2 transaction in which:

3 (I) The Authority acquires real or personal property
4 and another person acquires or retains a security interest in
5 that or other property; and

6 (II) The obligation by its terms is extinguished by
7 failure of the Board to appropriate money for the ensuing
8 fiscal year for payment of the amounts then due.

9 2. A contract entered into by the Board pursuant to this
10 section must:

11 (a) Contain a provision stating that the requirements of
12 NRS 338.010 to 338.090, inclusive, apply to any construction
13 work performed pursuant to the contract; and

14 (b) If the contract is with a design professional who is not
15 a member of a design-build team, comply with the provisions
16 of NRS 338.155. As used in this paragraph, "design
17 professional" has the meaning ascribed to it in subsection 7 of
18 NRS 338.010.

19 3. For contracts entered into pursuant to this section that
20 are exempt from the provisions of chapters 332, 338 and 339
21 of NRS pursuant to subsection 1, the Board shall adopt
22 regulations pursuant to subsection 4 which establish:

23 (a) One or more competitive procurement processes for
24 letting such a contract; and

25 (b) A method by which a bid on such a contract will be
26 adjusted to give a 5 percent preference to a contractor who
27 would qualify for a preference pursuant to NRS 338.147, if:

28 (1) The estimated cost of the contract exceeds
29 \$250,000; and

30 (2) Price is a factor in determining the successful bid
31 on the contract.

32 4. The Board:

33 (a) Shall, before adopting, amending or repealing a
34 permanent or temporary regulation pursuant to subsection 3,
35 give at least 30 days' notice of its intended action. The notice
36 must:

37 (1) Include:

38 (I) A statement of the need for and purpose of the
39 proposed regulation.

40 (II) Either the terms or substance of the proposed
41 regulation or a description of the subjects and issues involved.

42 (III) The estimated cost to the Board for
43 enforcement of the proposed regulation.



1 (IV) The time when, the place where and the
2 manner in which interested persons may present their views
3 regarding the proposed regulation.

4 (V) A statement indicating whether the regulation
5 establishes a new fee or increases an existing fee.

6 (2) State each address at which the text of the
7 proposed regulation may be inspected and copied.

8 (3) Be mailed to all persons who have requested in
9 writing that they be placed upon a mailing list, which must be
10 kept by the Authority for that purpose.

11 (b) May adopt, if it has adopted a temporary regulation
12 after notice and the opportunity for a hearing as provided in
13 this subsection, after providing a second notice and the
14 opportunity for a hearing, a permanent regulation.

15 (c) Shall, in addition to distributing the notice to each
16 recipient of the Board's regulations, solicit comment
17 generally from the public and from businesses to be affected
18 by the proposed regulation.

19 (d) Shall, before conducting a workshop pursuant to
20 paragraph (g), determine whether the proposed regulation is
21 likely to impose a direct and significant economic burden
22 upon a small business or directly restrict the formation,
23 operation or expansion of a small business. If the Board
24 determines that such an impact is likely to occur, the Board
25 shall:

26 (1) Insofar as practicable, consult with owners and
27 officers of small businesses that are likely to be affected by
28 the proposed regulation.

29 (2) Consider methods to reduce the impact of the
30 proposed regulation on small businesses.

31 (3) Prepare a small business impact statement and
32 make copies of the statement available to the public at the
33 workshop conducted pursuant to paragraph (g) and the public
34 hearing held pursuant to paragraph (h).

35 (e) Shall ensure that a small business impact statement
36 prepared pursuant to subparagraph (3) of paragraph (d) sets
37 forth the following information:

38 (1) A description of the manner in which comment
39 was solicited from affected small businesses, a summary of
40 their response and an explanation of the manner in which
41 other interested persons may obtain a copy of the summary.

42 (2) The estimated economic effect of the proposed
43 regulation on the small businesses which it is to regulate,
44 including, without limitation:

45 (I) Both adverse and beneficial effects; and



(II) Both direct and indirect effects.

(3) A description of the methods that the Board considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the Board actually used any of those methods.

(4) The estimated cost to the Board for enforcement of the proposed regulation.

(5) If the proposed regulation provides a new fee or increases an existing fee, the total annual amount the Board expects to collect and the manner in which the money will be used.

(f) Shall afford a reasonable opportunity for all interested persons to submit data, views or arguments upon the proposed regulation, orally or in writing.

(g) Shall, before holding a public hearing pursuant to paragraph (h), conduct at least one workshop to solicit comments from interested persons on the proposed regulation. Not less than 15 days before the workshop, the Board shall provide notice of the time and place set for the workshop:

(1) In writing to each person who has requested to be placed on a mailing list; and

(2) In any other manner reasonably calculated to provide such notice to the general public and any business that may be affected by a proposed regulation which addresses the general topics to be considered at the workshop.

(h) Shall set a time and place for an oral public hearing, but if no one appears who will be directly affected by the proposed regulation and requests an oral hearing, the Board may proceed immediately to act upon any written submissions. The Board shall consider fully all written and oral submissions respecting the proposed regulation.

(i) Shall keep, retain and make available for public inspection written minutes of each public hearing held pursuant to paragraph (h) in the manner provided in subsections 1 and ~~[2]~~ 3 of NRS 241.035. A copy of the minutes *or draft minutes, as applicable*, must be made available to a member of the public upon request at no charge pursuant to NRS 241.035.

(j) May record each public hearing held pursuant to paragraph (h) and make those recordings available for public inspection in the manner provided in subsection ~~[4]~~ 5 of NRS 241.035. A copy of the audio recordings must be made available to a member of the public upon request at no charge pursuant to NRS 241.035.



1 (k) Shall ensure that a small business which is aggrieved
2 by a regulation adopted pursuant to this subsection may
3 object to all or a part of the regulation by filing a petition with
4 the Board within 90 days after the date on which the
5 regulation was adopted. Such petition may be based on the
6 following:

7 (1) The Board failed to prepare a small business
8 impact statement as required pursuant to subparagraph (3) of
9 paragraph (d); or

10 (2) The small business impact statement prepared by
11 the Board did not consider or significantly underestimated the
12 economic effect of the regulation on small businesses.

13 ➤ After receiving a petition pursuant to this paragraph, the
14 Board shall determine whether the petition has merit. If the
15 Board determines that the petition has merit, the Board may,
16 pursuant to this subsection, take action to amend the
17 regulation to which the small business objected.

18 5. The determinations made by the Board pursuant to
19 this section are conclusive unless it is shown that the Board
20 acted with fraud or a gross abuse of discretion.

21 **Sec. 34.** Section 9 of the Elko Convention and Visitors
22 Authority Act, being chapter 227, Statutes of Nevada 1975, as last
23 amended by chapter 98, Statutes of Nevada 2013, at page 338, is
24 hereby amended to read as follows:

25 Sec. 9. 1. The Board shall adopt a seal, establish a
26 principal place of business and adopt, and thereafter from
27 time to time amend, if necessary, appropriate rules and
28 regulations not inconsistent with this act for carrying on the
29 business and affairs of the Board and of the Authority. Each
30 member shall, upon election or acceptance of his or her
31 appointment, file with the Clerk of Elko County his or her
32 oath of office.

33 2. No member may receive any compensation as an
34 employee of the Board or otherwise, and a member of the
35 Board shall not be interested in any contract or transaction
36 with the Board except in his or her official representative
37 capacity.

38 3. At the first meeting of the Board following each
39 general authority election, the Board shall choose one of its
40 members as Chair and one of its members as Vice Chair, and
41 shall appoint or hire a Secretary and a Treasurer, who must
42 not be members of the Board. The Secretary and Treasurer
43 may not be one person.

44 4. The Secretary shall keep audio recordings or
45 transcripts of all meetings of the Board and a record of all of



1 the proceedings of the Board, minutes of all meetings,
2 certificates, contracts, bonds given by employees, and all
3 other acts of the Board. Except as otherwise provided in NRS
4 241.035, the minute book, audio recordings, transcripts and
5 records are open to the inspection of all interested persons, at
6 all reasonable times and places. A copy of the minutes *or*
7 *draft minutes, as applicable*, or audio recordings must be
8 made available to a member of the public upon request at no
9 charge pursuant to NRS 241.035.

10 5. The Treasurer shall keep, in permanent records, strict
11 and accurate accounts of all money received by and disbursed
12 for and on behalf of the Board. The Treasurer shall file with
13 the County Clerk, at the Authority's expense, a corporate
14 fidelity bond in an amount not less than \$5,000, conditioned
15 on the faithful performance of the duties of the Treasurer.

16 6. The Board shall appoint the Elko County Treasurer
17 and Auditor to act as Treasurer and Auditor of the Authority.
18 The Treasurer and Auditor may employ such persons as are
19 necessary to carry out the duties of the Treasurer and Auditor
20 of the Authority. The Board shall determine the salary of each
21 person employed pursuant to this subsection. The salaries and
22 expenses of the employees must be paid by the Board from
23 the money of the Authority.

24 7. The Board shall meet regularly at a time and in a
25 place to be designated by it. Special meetings may be held as
26 often as the needs of the Board require, on notice to each
27 Board member.

28 8. The Board may require from an officer or employee
29 of the Authority, except a member of the Board, sufficient
30 security for the faithful and honest performance of his or her
31 duties. A blanket fidelity bond or blanket position bond, or
32 other type of bond suitable for public employees or officers,
33 may be furnished at the expense of the Authority for an
34 officer or employee of the Authority, in an amount set by the
35 Board and conditioned on the faithful and honest performance
36 of his or her duties.

37 **Sec. 35.** Section 4 of the Nevada Commission for the
38 Reconstruction of the V & T Railway Act of 1993, being chapter
39 566, Statutes of Nevada 1993, as last amended by chapter 62,
40 Statutes of Nevada 2017, at page 242, is hereby amended to read as
41 follows:

42 Sec. 4. 1. The commissioner appointed pursuant to
43 paragraph (b) or (d) of subsection 1 of section 3 of this act
44 shall file his or her oath of office with the county clerk of



1 Storey County, and all other commissioners shall file their
2 oaths of office with the Clerk of Carson City.

3 2. The commissioners must serve without compensation,
4 but a commissioner may be reimbursed for expenses actually
5 incurred for travel authorized by the Commission.

6 3. The Commission shall elect a Chair, Vice Chair,
7 Secretary and Treasurer from among its members. The
8 Secretary and the Treasurer may be one person. The terms of
9 the officers expire on July 1 of each odd-numbered year.

10 4. The Secretary shall maintain audio recordings or
11 transcripts of all meetings of the Commission and a record of
12 all of the proceedings of the Commission, minutes of all
13 meetings, certificates, contracts and other acts of the
14 Commission. Except as otherwise provided in NRS 241.035,
15 the records must be open to the inspection of all interested
16 persons at a reasonable time and place. A copy of the minutes
17 *or draft minutes, as applicable*, or audio recordings must be
18 made available to a member of the public upon request at no
19 charge pursuant to NRS 241.035.

20 5. The Treasurer shall keep an accurate account of all
21 money received by and disbursed on behalf of the
22 Commission. The Treasurer shall file with the Clerk of
23 Carson City, at the expense of the Commission, a fidelity
24 bond in an amount not less than \$10,000, conditioned for the
25 faithful performance of his or her duties.

26 **Sec. 36.** Section 27 of the Western Regional Water
27 Commission Act, being chapter 531, Statutes of Nevada 2007, as
28 amended by chapter 98, Statutes of Nevada 2013, at page 340, is
29 hereby amended to read as follows:

30 Sec. 27. 1. The Board shall elect one of its members
31 as Chair and one of its members as Vice Chair, and shall elect
32 a Secretary and a Treasurer, who may be members of the
33 Board. The Secretary and the Treasurer may be the same
34 person. The terms of the officers expire on December 31 of
35 each year.

36 2. The Secretary shall keep audio recordings or
37 transcripts of all meetings of the Board and, in a well-bound
38 book, a record of all the proceedings of the Board, minutes of
39 all meetings, certificates, contracts, bonds given by
40 employees and all other acts of the Board. Except as
41 otherwise provided in NRS 241.035, the minute book, audio
42 recordings, transcripts and records must be open to the
43 inspection of all interested persons, at all reasonable times
44 and places. A copy of the minutes *or draft minutes, as*
45 *applicable*, or audio recordings must be made available to a



1 member of the public upon request at no charge pursuant to
2 NRS 241.035.

3 3. The Treasurer shall keep, in permanent records, strict
4 and accurate accounts of all money received by and disbursed
5 for and on behalf of the Board and the Regional Water
6 Commission.

7 **Sec. 37.** The provisions of NRS 354.599 do not apply to any
8 additional expenses of a local government that are related to the
9 provisions of this act.

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