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Committee Action:  
Do Pass \_\_\_\_\_  
Amend & Do Pass \_\_\_\_\_  
Other \_\_\_\_\_

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**SENATE COMMITTEE ON TRANSPORTATION  
AND HOMELAND SECURITY**

This measure may be considered for action during today's work session.

**ASSEMBLY BILL 600 (First Reprint)**

Revises provisions concerning the protection of certain personal identifying information. (BDR 19-774)

Sponsored by: Assembly Committee on Government Affairs  
Date Heard: May 10, 2007  
Fiscal Impact: Effect on Local Government: No  
Effect on the State: No

Assembly Bill 600 contains the following provisions:

- Provides that a person may request the removal of personal information on certain documents;
- Provides immunity to certain officers and employees of governmental agencies regarding disclosure of personal information, except in cases of gross negligence;
- Removes the requirement that a Social Security number be included on certificates of marriage and forms for divorces and annulments;
- Allows the inspection and copying of certain records by family members and legal representatives;
- Provides that the last four digits of a Social Security number are not personal information;
- Authorizes the use of the last four digits of a Social Security number in judgments; and
- Makes consistent certain protections of personal information between public entity Web sites and document submissions to public entities.

Amendments:

The Clark County Recorder's Office proposed the following amendment:

1. To require persons submitting a request for redaction of personal information to specify which documents are to be redacted.

(See Attachment)

**Summary of Assembly Bill 600 (First Reprint)**  
**Assemblywoman Debbie Smith – May 10, 2007**

*Section 1:*

- Protects government officials from liability for acts and omissions, except for gross negligence.

*Section 2:*

- Changes “Social Security Number” to “personal information” to resolve inconsistency between A.B. 334 and S.B. 347 (Internet display).
- Makes several changes that correct and avoid inconsistencies between the treatment of pre- and post-2007 documents.
- Allows individuals to request redaction of personal information from pre-2007 documents (otherwise personal information will not be redacted until 2017).

*Section 3:*

- Changes disclosure criteria from S.B. 347 (Internet display) to match language in A.B. 334 applicable to documents filed/recorded with governmental agencies.

*Section 4:*

- Eliminates requirement for SSN in judgments and liens that must be recorded.
- Allows use of last four digits of SSN consistent with federal policy on tax liens.

*Section 5:*

- Deletes requirement for SSNs in Indian marriage certificates that are recorded.

*Section 6:*

- Allows the county recorders to give access to original documents and certified copies with personal information to family members.

*Section 7:*

- Deletes requirement for SSNs in list of divorces and annulments.

[Note: State Registrar reports that SSNs are not being collected currently.]

*Section 8:*

- States that last four digits of SSNs are NOT considered personal information.

[Note: This change mirrors federal and some states’ policies and balances need for protection of SSNs with need to distinguish people with same names.]

*Section 9:*

- To give government entities time to adjust to protecting “personal information” (not just SSNs), sets the effective date for Section 2 as January 1, 2008.

MOCK-UP

PROPOSED AMENDMENT 4040 TO  
ASSEMBLY BILL NO. 600  
FIRST REPRINT

PREPARED FOR ASSEMBLYWOMAN SMITH  
MAY 15, 2007

PREPARED BY THE LEGAL DIVISION

**NOTE: THIS DOCUMENT SHOWS PROPOSED AMENDMENTS IN CONCEPTUAL FORM. THE LANGUAGE AND ITS PLACEMENT IN THE OFFICIAL AMENDMENT MAY DIFFER.**

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed 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 that is proposed to be retained in this amendment; and (6) **green bold** is newly added transitory language.

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

- 1     **Section 1.** Chapter 239B of NRS is hereby amended by adding  
2 thereto a new section to read as follows:  
3     1. *An officer, employee or member of a governmental agency or*  
4 *public body is not liable for any civil damages as a result of any act or*  
5 *omission, not amounting to gross negligence, in carrying out the*  
6 *provisions of NRS 239B.030 or 239B.050.*  
7     2. *As used in this section:*  
8     (a) *“Governmental agency” means an officer, board, commission,*  
9 *department, division, bureau, district or any other unit of government of*  
10 *the State or a local government.*  
11     (b) *“Public body” has the meaning ascribed to it in*  
12 *NRS 205.462.*  
13     **Sec. 2.** NRS 239B.030 is hereby amended to read as follows:  
14     239B.030 1. Except as otherwise provided in subsection 2, a person  
15 shall not include and a governmental agency shall not require a person to  
16 include ~~{the social security number of}~~ *any personal information about a*

1 person on any document that is recorded, filed or otherwise submitted to  
2 the governmental agency on or after January 1, 2007.

3 2. If ~~{the social security number of}~~ **personal information about**  
4 person is required to be included in a document that is recorded, filed or  
5 otherwise submitted to a governmental agency on or after January 1, 2007,  
6 pursuant to a specific state or federal law, for the administration of a public  
7 program or for an application for a federal or state grant, a governmental  
8 agency shall ensure that the ~~{social security number}~~ **personal information**  
9 is maintained in a confidential manner **or obliterated or otherwise**  
10 **removed by any method, including, without limitation, through the use of**  
11 **computer software**, and may only disclose the ~~{social security number}~~  
12 **personal information** as required:

13 (a) To carry out a specific state or federal law; or

14 (b) For the administration of a public program or an application for a  
15 federal or state grant.

16 **↳ Any action taken by a governmental agency pursuant to this**  
17 **subsection must not be construed as affecting the legality of the**  
18 **document.**

19 3. A governmental agency shall take necessary measures to ensure  
20 that notice of the provisions of this section is provided to persons with  
21 whom it conducts business. Such notice may include, without limitation,  
22 posting notice in a conspicuous place in each of its offices.

23 4. A governmental agency may require a person who records, files or  
24 otherwise submits any document to the governmental agency to provide an  
25 affirmation that the document does not contain ~~{the social security number~~  
26 ~~of}~~ **personal information about** any person. A governmental agency may  
27 refuse to record, file or otherwise accept a document which does not  
28 contain such an affirmation when required and any document which  
29 contains ~~{the social security number of}~~ **personal information about** a  
30 person.

31 5. On or before January 1, 2017, each governmental agency shall  
32 ensure that any ~~{social security number}~~ **personal information** contained  
33 in a document that has been recorded, filed or otherwise submitted to the  
34 governmental agency before January 1, 2007, which the governmental  
35 agency continues to hold is maintained in a confidential manner or is  
36 obliterated or otherwise removed from the document ~~{}~~, **by any method,**  
37 **including, without limitation, through the use of computer software.** Any  
38 action taken by a governmental agency pursuant to this subsection must  
39 not be construed as affecting the legality of the document.

40 6. **A person may request that a governmental agency obliterate or**  
41 **otherwise remove from any document submitted by the person to the**  
42 **governmental agency before January 1, 2007, any personal information**  
43 **about the person contained in the document. Such a request must**  
44 **describe the document with sufficient specificity to enable the**  
45 **governmental agency to identify the document. The governmental**

1 ~~agency shall not charge any fee to perform ~~such a~~ the service ~~if~~~~  
2 ~~requested pursuant to this subsection.~~

3 7. As used in this section ~~“governmental”~~ :

4 (a) **“Governmental**

5 department, division, bureau, district or any other unit of government of  
6 the State or a local government.

7 (b) **“Personal information” has the meaning ascribed to it in NRS**  
8 **603A.040.**

9 **Sec. 3.** NRS 239B.050 is hereby amended to read as follows:

10 239B.050 1. If a public body maintains a website on the Internet,  
11 the public body shall not disclose on that website personal information  
12 unless the disclosure is required by a federal or state ~~statute or regulation.~~  
13 **law or for the administration of a public program or an application for a**  
14 **federal or state grant.**

15 2. If it appears that a public body has engaged in or is about to engage  
16 in any act or practice which violates subsection 1, the Attorney General or  
17 the appropriate district attorney may file an action in any court of  
18 competent jurisdiction for an injunction to prevent the occurrence or  
19 continuance of that act or practice.

20 3. An injunction:

21 (a) May be issued without proof of actual damage sustained by any  
22 person.

23 (b) Does not preclude the criminal prosecution and punishment of an  
24 act or practice that may otherwise be prohibited by law.

25 4. As used in this section:

26 (a) “Personal information” has the meaning ascribed to it in NRS  
27 603A.040.

28 (b) “Public body” has the meaning ascribed to it in  
29 NRS 205.462.

30 **Sec. 4.** NRS 17.150 is hereby amended to read as follows:

31 17.150 1. Immediately after filing a judgment roll the clerk shall  
32 make the proper entries of the judgment, under appropriate heads, in the  
33 docket kept by him, noting thereon the hour and minutes of the day of such  
34 entries.

35 2. A transcript of the original docket or an abstract or copy of any  
36 judgment or decree of a district court of the State of Nevada or the District  
37 Court or other court of the United States in and for the District of Nevada,  
38 the enforcement of which has not been stayed on appeal, certified by the  
39 clerk of the court where the judgment or decree was rendered, may be  
40 recorded in the office of the county recorder in any county, and when so  
41 recorded it becomes a lien upon all the real property of the judgment  
42 debtor not exempt from execution in that county, owned by him at the  
43 time, or which he may afterward acquire, until the lien expires. The lien  
44 continues for 6 years after the date the judgment or decree was docketed,  
45 and is continued each time the judgment or decree is renewed, unless:

1 (a) The enforcement of the judgment or decree is stayed on appeal by  
2 the execution of a sufficient undertaking as provided in the Nevada Rules  
3 of Appellate Procedure or by the Statutes of the United States, in which  
4 case the lien of the judgment or decree and any lien by virtue of an  
5 attachment that has been issued and levied in the actions ceases;

6 (b) The judgment is for arrearages in the payment of child support, in  
7 which case the lien continues until the judgment is satisfied;

8 (c) The judgment is satisfied; or

9 (d) The lien is otherwise discharged.

10 ↪ The time during which the execution of the judgment is suspended by  
11 appeal, action of the court or defendant must not be counted in computing  
12 the time of expiration.

13 3. The abstract described in subsection 2 must contain the:

14 (a) Title of the court and the title and number of the action;

15 (b) Date of entry of the judgment or decree;

16 (c) Names of the judgment debtor and judgment creditor;

17 (d) Amount of the judgment or decree; and

18 (e) Location where the judgment or decree is entered in the minutes or  
19 judgment docket.

20 4. A judgment creditor who records a judgment or decree shall record  
21 at that time an affidavit stating:

22 (a) The name and address of the judgment debtor;

23 (b) The judgment debtor's driver's license number and state of  
24 issuance or the *last four digits of the* judgment debtor's social security  
25 number; and

26 (c) The judgment debtor's date of birth,

27 ↪ if known to the judgment creditor. If any of the information is not  
28 known, the affidavit must include a statement of that fact.

29 **Sec. 5.** NRS 122.160 is hereby amended to read as follows:

30 122.160 1. Marriages between Indians performed in accordance  
31 with tribal customs within closed Indian reservations and Indian colonies  
32 have the same validity as marriages performed in any other manner  
33 provided for by the laws of this State, if there is recorded in the county in  
34 which the marriage takes place, within 30 days after the performance of  
35 the tribal marriage, a certificate declaring the marriage to have been  
36 performed.

37 2. The certificate of declaration required to be recorded by subsection  
38 1 must include the names of the persons married, their ages, ~~{social~~  
39 ~~security numbers,}~~ tribe, and place and date of marriage. The certificate  
40 must be signed by an official of the tribe, reservation or colony.

41 3. The certificate must be recorded with the recorder of the county in  
42 which the marriage was performed and recorded by him without charge.

43 **Sec. 6.** NRS 247.090 is hereby amended to read as follows:

44 247.090 ~~{A}}~~

1 **1. Except as otherwise provided in subsection 2 and NRS 239B.030,**  
2 **all** documents on file in the office of the county recorder, must, during  
3 office hours, be open for inspection by any person without charge. The  
4 county recorder must arrange the books of record and indexes in his office  
5 in such suitable places as to facilitate their inspection.

6 **2. A county recorder may allow inspection and copying of records**  
7 **containing personal information about a deceased or incapacitated**  
8 **person by a spouse, widow or widower, parent, sibling, child, guardian or**  
9 **personal representative of the person. As used in this subsection,**  
10 **“personal information” has the meaning ascribed to in NRS 603A.040.**

11 **Sec. 7.** NRS 440.135 is hereby amended to read as follows:

12 440.135 1. The Board shall prescribe, and the State Registrar shall  
13 furnish in sufficient numbers to each county clerk for distribution, a form  
14 for the reporting of divorces and annulments of marriage.

15 2. The information required by such form must be limited to:

- 16 (a) The names ~~and social security numbers~~ of the parties;  
17 (b) The court and county in which the decree is granted; and  
18 (c) The date of the decree.

19 **Sec. 8.** NRS 603A.040 is hereby amended to read as follows:

20 603A.040 “Personal information” means a natural person’s first name  
21 or first initial and last name in combination with any one or more of the  
22 following data elements, when the name and data elements are not  
23 encrypted:

24 1. Social security number.

25 2. Driver’s license number or identification card number.

26 3. Account number, credit card number or debit card number, in  
27 combination with any required security code, access code or password that  
28 would permit access to the person’s financial account.

29 ↪ The term does not include **the last four digits of a social security**  
30 **number or** publicly available information that is lawfully made available  
31 to the general public.

32 **Sec. 9.** 1. This section, section 1 and sections 3 to 8, inclusive, of  
33 this act become effective upon passage and approval.

34 2. Section 2 of this act becomes effective on January 1, 2008.

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