

Suggested Language amending NRS 241.037.

NRS 241.037 Action by Attorney General or person denied right conferred by chapter; limitation on actions.

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

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

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

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

3. Any suit brought against a public body pursuant to subsection 1 or 2 to require compliance with the provisions of this chapter must be commenced within 120 days after the action objected to was taken by that public body in violation of this chapter. Any such suit brought to have an action declared void must be commenced within 60 days after the action objected to was taken.

(Added to NRS by 1983, 1012; A 1985, 147)

Suggested language amending subsection 3. for the purpose of extending the limitations periods for non-compliance with investigative requests:

[at the end of subsection 3. add the following:]

“Both limitations periods shall be extended whenever a public body fails to respond to the Attorney General’s investigative request and the public body has been notified of such investigation and of the requested discovery. Failure to respond

within the time allowed in the notice of investigation to a reasonable request for copies of the public body's meeting notice, agenda, minutes, audio/video recording, statements or affidavits from members of the public body, shall extend the applicable limitations period in this sub-section one day for each day the public body's response is not submitted within the specified time limit in the notice of investigation."