

Possible amendment to NRS 241.035(3)

Open Meeting Law Task Force

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April 30, 2026

Intent: Clarify within open meeting law that new technology, including digital recording and transcription applications, are explicitly allowed to record public meetings. Additional language has been added to allow for these new technologies to announce their presence. If a person or their digital transcription/recording substantially interacts or interferes with the conduct of the meeting, the body retains the ability to remove the person and/or recording technology.

NRS 241.035 Public meetings: Minutes; aural and visual reproduction; transcripts.

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

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

(b) Those members of the public body who were present, whether in person, by use of a remote technology system or by means of electronic communication, and those who were absent.

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

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

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

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

2. Minutes of public meetings are public records. Minutes or an audio recording of a meeting made in accordance with subsection 4 must be made available for inspection by the public within 30 working days after adjournment of the meeting. A copy of the minutes or audio recording must be made available to a member of the public upon request at no charge. The minutes shall be deemed to have permanent value and must be retained by the public body for at least 5 years. Thereafter, the

minutes may be transferred for archival preservation in accordance with [NRS 239.080](#) to [239.125](#), inclusive. Minutes of meetings closed pursuant to:

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

(b) Paragraph (b) of subsection 1 of [NRS 241.030](#) become public records when the public body determines that the matters discussed no longer require confidentiality.

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

3. All or part of any meeting of a public body may be recorded **or transcribed including, without limitation, digitally, electronically**, on audiotape or any other means of sound or video reproduction by a member of the general public if it is a public meeting so long as this **does not substantially interact or in no way** interfere~~[s]~~ with the conduct of the meeting.

4. Except as otherwise provided in subsection 8, a public body shall, for each of its meetings, whether public or closed, record the meeting on audiotape or another means of sound reproduction or cause the meeting to be transcribed by a court reporter who is certified pursuant to [chapter 656](#) of NRS. If a public body makes an audio recording of a meeting or causes a meeting to be transcribed pursuant to this subsection, the audio recording or transcript:

(a) Must be retained by the public body for at least 3 years after the adjournment of the meeting at which it was recorded or transcribed;

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

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

5. The requirement set forth in subsection 2 that a public body make available a copy of the minutes or audio recording of a meeting to a member of the public upon request at no charge does not prohibit a court reporter who is certified pursuant

to [chapter 656](#) of NRS from charging a fee to the public body for any services relating to the transcription of a meeting.

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

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

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

(Added to NRS by [1977, 1099](#); A [1989, 571](#); [1993, 449, 2638](#); [2005, 978, 1404](#); [2013, 323, 733](#); [2015, 1060](#); [2019, 3625](#); [2023, 1149](#))

NRS 241.035 Public meetings: Minutes; aural and visual reproduction; transcripts.

1. *Except as otherwise provided in subsection 9, e[E]*ach public body shall keep written minutes of each of its meetings, including:

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

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

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

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

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

2. Minutes of public meetings are public records. Minutes or an audio recording of a meeting made in accordance with subsection 4 must be made available for inspection by the public within 30 working days after adjournment of the meeting. A copy of the minutes or audio recording must be made available to a member of the public upon request at no charge. The minutes shall be deemed to have permanent value and must be retained by the public body for at least 5 years. Thereafter, the minutes may be transferred for archival preservation in accordance with [NRS 239.080](#) to [239.125](#), inclusive. Minutes of meetings closed pursuant to:

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(b) Paragraph (b) of subsection 1 of [NRS 241.030](#) become public records when the public body determines that the matters discussed no longer require confidentiality.

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

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

4. Except as otherwise provided in subsection 8, a public body shall, for each of its meetings, whether public or closed, record the meeting on audiotape or another means of sound reproduction or cause the meeting to be transcribed by a court reporter who is certified pursuant to [chapter 656](#) of NRS. If a public body makes an audio recording of a meeting or causes a meeting to be transcribed pursuant to this subsection, the audio recording or transcript:

(a) Must be retained by the public body for at least 3 years after the adjournment of the meeting at which it was recorded or transcribed;

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

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5. The requirement set forth in subsection 2 that a public body make available a copy of the minutes or audio recording of a meeting to a member of the public upon request at no charge does not prohibit a court reporter who is certified pursuant to [chapter 656](#) of NRS from charging a fee to the public body for any services relating to the transcription of a meeting.

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

9. Notwithstanding subsection 1, an advisory public body may satisfy the documentation requirements of this section by substituting an audio or video recording of the meeting in lieu of written minutes, if the advisory public body complies with the provisions of this subsection.

(a) For purposes of this subsection, "advisory public body" means a public body:

(1) Whose membership is not required to include any elected official;

(2) That is not authorized to take final action; and

(3) That provides advice or recommendations to another public body for final action.

(b) An advisory public body that elects to substitute an audio or video recording for written minutes shall:

(1) Keep a record of the meeting in compliance with subsections 4 and 7;

(2) Post the recording in a publicly accessible online location within 5 business days after adjournment of the meeting; and

(3) Retain and make available the recording in accordance with this section.

(c) In lieu of written minutes, an advisory public body utilizing this subsection shall make publicly available a record identifying, for each agenda item on which a motion was made, the text of the motion and whether the motion passed or failed.

(d) The documentation made available pursuant to paragraph (c) is not required to summarize discussion, debate or public comment and does not constitute written minutes for purposes of this section.

10. An advisory public body shall affirmatively elect to utilize the alternative documentation method authorized by subsection 9 in a manner determined by the public body. Absent such election, the public body remains subject to the requirements of subsection 1.

(Added to NRS by [1977, 1099](#); A [1989, 571](#); [1993, 449, 2638](#); [2005, 978, 1404](#); [2013, 323, 733](#); [2015, 1060](#); [2019, 3625](#); [2023, 1149](#))

NRS 241.016 Application of chapter; exempt meetings and proceedings; specific exceptions; circumvention of chapter.

1. The meetings of a public body that are quasi-judicial in nature are subject to the provisions of this chapter.

2. The following are exempt from the requirements of this chapter:

(a) The Legislature of the State of Nevada.

(b) Judicial proceedings, including, without limitation, proceedings before the Commission on Judicial Selection and, except as otherwise provided in [NRS 1.4687](#), the Commission on Judicial Discipline.

(c) Meetings of the State Board of Parole Commissioners when acting to grant, deny, continue or revoke the parole of a prisoner or to establish or modify the terms of the parole of a prisoner.

(d) A subcommittee or working group consisting of at least two persons who are appointed by a public body if:

(1) The subcommittee or working group has no authority to expend or disburse tax revenues;

(2) Any recommendation from the subcommittee or working group to a public body include a written memorandum summarizing the factual basis, reasoning, and supporting materials upon which the recommendation is made; and

(3) The public body includes the written memorandum as supporting material before any deliberation or action is taken by the public body consistent with this chapter.

3. Any provision of law, including, without limitation, [NRS 91.270](#), [219A.210](#), [223.966](#), [226.778](#), [228.495](#), [239C.140](#), [239C.420](#), [241.028](#), [241.029](#), [281A.350](#), [281A.690](#), [281A.735](#), [281A.760](#), [284.3629](#), [286.150](#), [287.0415](#), [287.04345](#), [287.338](#), [288.220](#), [288.590](#), [289.387](#), [293.252](#), [295.121](#), [295.217](#), [315.7821](#), [315.98425](#), [360.247](#), [388.261](#), [388.385](#), [388A.495](#), [388C.150](#), [388D.355](#), [388G.710](#), [388G.730](#), [392.147](#), [392.466](#), [392.467](#), [392.4671](#), [394.1699](#), [396.1415](#), [396.3295](#), [414.270](#), [422.405](#), [427A.940](#), [433.534](#), [435.610](#), [442.774](#), [450.140](#), [450.635](#), [463.110](#), [480.545](#), [622.320](#), [622.340](#), [630.311](#), [630.336](#), [631.3635](#), [639.050](#), [642.518](#), [642.557](#), [686B.170](#), [696B.550](#), [703.196](#) and [706.1725](#), which:

(a) Provides that any meeting, hearing or other proceeding is not subject to the provisions of this chapter; or

(b) Otherwise authorizes or requires a closed meeting, hearing or proceeding,

↳ prevails over the general provisions of this chapter.

4. The exceptions provided to this chapter, and a remote technology system or electronic communication, must not be used to circumvent the spirit or letter of this chapter to deliberate or act, outside of an open and public meeting, upon a matter over which the public body has supervision, control, jurisdiction or advisory powers.

NRS 241.033 Meeting to consider character, misconduct, competence or health of person or to consider appeal of results of examination: Written notice to person required; exception; public body required to allow person whose character, misconduct, competence or health is to be considered to attend with representative and to present evidence; attendance of additional persons; copy of record.

1. Except as otherwise provided in subsection 7, a public body shall not hold a meeting to consider the character, alleged misconduct, professional competence, or physical or mental health of any person or to consider an appeal by a person of the results of an examination conducted by or on behalf of the public body unless it has:

- (a) Given written notice to that person of the time and place of the meeting; and
- (b) Received proof of service of the notice.

2. The written notice required pursuant to subsection 1:

(a) Except as otherwise provided in subsection 3, must be given to the person in one of the following manners:

- (1) Delivered personally to that person at least 7 calendar days before the meeting;
- (2) Sent by certified mail to the last known address of that person at least 14 calendar days before the meeting. The certified mail option only requires delivery to the last known address and does not require the person to sign receipt of the certified mail;
- (3) If the person is represented by an attorney in connection with the matter, delivered personally to the attorney of the person at least 7 calendar days before the meeting; or
- (4) If the public body makes decisions directly concerning the employment of the person, delivered personally to the person at his or her place of employment during a time at which the person is required to be present at work that is at least 7 calendar days before the meeting or by sending an electronic communication at the person's electronic mail address assigned to the person by the public body, provided the person still maintains access to the electronic mail; or

(b) May, with respect to a meeting to consider the character, alleged misconduct, professional competence, or physical or mental health of a person, include an informational statement setting forth that the public body may, without further notice, take administrative action against the person if the public body determines that such administrative action is warranted after considering the character, alleged misconduct, professional competence, or physical or mental health of the person.

(c) Must include:

(1) A list of the general topics concerning the person that will be considered by the public body during the closed meeting; and

(2) A statement of the provisions of subsection 4, if applicable.

3. The following are exempt from the notice requirements of paragraph (a) of subsection 2:

(a) The Nevada Athletic Commission is exempt from the requirements of paragraph (a) of subsection 2, but must give written notice of the time and place of the meeting and must receive proof of service of the notice before the meeting may be held;

(b) A public body that provides documentation of at least four unsuccessful attempts to accomplish the notice requirements of paragraph (a) of subsection 2. Such documentation must show that the notice attempts were performed within the required time periods, at least two different notice options were attempted, and the person failed to respond but had the ability to receive the notice.

4. If a public body holds a closed meeting or closes a portion of a meeting to consider the character, alleged misconduct, professional competence, or physical or mental health of a person, the public body must allow that person to:

(a) Attend the closed meeting or that portion of the closed meeting during which the character, alleged misconduct, professional competence, or physical or mental health of the person is considered;

(b) Have an attorney or other representative of the person's choosing present with the person during the closed meeting; and

(c) Present written evidence, provide testimony and present witnesses relating to the character, alleged misconduct, professional competence, or physical or mental health of the person to the public body during the closed meeting.

5. Except as otherwise provided in subsection 4, with regard to the attendance of persons other than members of the public body and the person whose character, alleged misconduct, professional competence, physical or mental health or appeal of the results of an examination is considered, the chair of the public body may at any time before or during a closed meeting:

(a) Determine which additional persons, if any, are allowed to attend the closed meeting or portion thereof; or

(b) Allow the members of the public body to determine, by majority vote, which additional persons, if any, are allowed to attend the closed meeting or portion thereof.

6. A public body shall provide a copy of any record of a closed meeting prepared pursuant to [NRS 241.035](#), upon the request of any person who received written notice of the closed meeting pursuant to subsection 1.

7. For the purposes of this section:

(a) A meeting held to consider an applicant for employment is not subject to the notice requirements otherwise imposed by this section.

(b) Casual or tangential references to a person or the name of a person during a meeting do not constitute consideration of the character, alleged misconduct, professional competence, or physical or mental health of the person.

(c) A meeting held to recognize or award positive achievements of a person, including, without limitation, honors, awards, tenure and commendations, is not subject to the notice requirements otherwise imposed by this section.

(Added to NRS by [1993, 2636](#); A [2005, 977, 2246, 2248](#); [2011, 2388](#); [2019, 3624](#); [2023, 1147](#))

Proposed Changes to NRS 241.039

NRS 241.039 Complaints; enforcement by Attorney General; confidentiality of information compiled during investigation; subpoenas; penalty for failure or refusal to comply with subpoena; exception for public records; completion of investigation.

1. A complaint that alleges a violation of this chapter may be filed with the Office of the Attorney General. The Office of the Attorney General shall notify a public body identified in a complaint of the alleged violation not more than 14 days after the complaint is filed.

2. Except as otherwise provided in subsection 3 and [NRS 241.0365](#), the Attorney General:

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

(b) Except as otherwise provided in paragraph (c), shall not investigate and prosecute any violation of this chapter alleged in a complaint filed with the Office of the Attorney General later than 120 days after the alleged violation.

(c) May, at his or her discretion, investigate and prosecute any violation of this chapter alleged in a complaint filed more than 120 days after the alleged violation with the Office of the Attorney General if:

(1) The alleged violation was not discoverable at the time that the alleged violation occurred; and

(2) The complaint is filed not more than 1 year after the alleged violation with the Office of the Attorney General.

3. The Attorney General is not required to investigate or prosecute any alleged violation of this chapter if the Attorney General determines that the interests of the person who filed the complaint are not significantly affected by the action of the public body that is alleged to violate this chapter. For purposes of this subsection, the interests of the person who filed the complaint are not significantly affected by the action of the public body that is alleged to violate this chapter unless:

(a) The person who filed the complaint would have standing to challenge the action of the public body in a court of law; or

(b) The person who filed the complaint:

(1) Is a natural person and resides within the geographic area over which the public body has jurisdiction; or

(2) Is any form of business, a social organization, a labor organization or any other nongovernmental legal entity in this State that has a mission or purpose to foster or protect democratic principles or promote transparency in government.

4. Except as otherwise provided in subsection 7 and [NRS 239.0115](#), all documents and other information compiled as a result of an investigation conducted pursuant to subsection 2 are confidential until the investigation is closed.

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

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

7. The following are public records:

(a) A complaint filed pursuant to subsection 1.

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

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

8. Information and records related to closed meetings or documenting privileged communications that are transmitted to the Office of the Attorney General as part of an investigation conducted pursuant to this section are confidential and not public records. Disclosing information to the Office of the Attorney General as part of an investigation conducted pursuant to this section does not constitute a waiver of any legal privilege or confidential status.

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

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

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

910. A public body or, if authorized by the public body, an attorney employed or retained by the public body, shall submit a response to the Attorney General not later than 30 days after receipt of any finding that the public body violated this chapter. If the Attorney General does not receive a response within 30 days after receipt of the finding, it shall be deemed that the public body disagrees with the finding of the Attorney General.

(Added to NRS by [2011, 2384](#); A [2013, 734](#); [2015, 1061](#); [2019, 3627](#))

Proposed Changes to NRS 241.033

NRS 241.033 Meeting to consider character, misconduct, competence or health of person or to consider appeal of results of examination: Written notice to person required; exception; public body required to allow person whose character, misconduct, competence or health is to be considered to attend with representative and to present evidence; attendance of additional persons; copy of record.

1. Except as otherwise provided in subsection 7, a public body shall not hold a meeting to consider the character, alleged misconduct, professional competence, or physical or mental health of any person or to consider an appeal by a person of the results of an examination conducted by or on behalf of the public body unless it has:

- (a) Given written notice to that person of the time and place of the meeting; and
- (b) Received proof of service of the notice.

2. The written notice required pursuant to subsection 1:

(a) Except as otherwise provided in subsection 3, must be given to the person in one of the following manners:

- (1) Delivered personally to that person at least 7 calendar days before the meeting;
- (2) Sent by certified mail to the last known address of that person at least 14 calendar days before the meeting;
- (3) If the person is represented by an attorney in connection with the matter, delivered personally to the attorney of the person at least 7 calendar days before the meeting; or
- (4) If the public body makes decisions directly concerning the employment of the person, delivered personally to the person at his or her place of employment during a time at which the person is required to be present at work that is at least 7 calendar days before the meeting.

(b) May, with respect to a meeting to consider the character, alleged misconduct, professional competence, or physical or mental health of a person, include an informational statement setting forth that the public body may, without further notice, take administrative action against the person if the public body determines that such administrative action is warranted after considering the character, alleged misconduct, professional competence, or physical or mental health of the person.

(c) Must include:

(1) A list of the general topics concerning the person that will be considered by the public body during the closed meeting; and

(2) A statement of the provisions of subsection 4, if applicable.

3. The Nevada Athletic Commission is exempt from the requirements of paragraph (a) of subsection 2, but must give written notice of the time and place of the meeting and must receive proof of service of the notice before the meeting may be held.

4. If a public body holds a closed meeting or closes a portion of a meeting to consider the character, alleged misconduct, professional competence, or physical or mental health of a person, the public body must allow that person to:

(a) Attend the closed meeting or that portion of the closed meeting during which the character, alleged misconduct, professional competence, or physical or mental health of the person is considered;

(b) Have an attorney or other representative of the person's choosing present with the person during the closed meeting; and

~~(c) Present written evidence, provide testimony and present witnesses relating to the character, alleged misconduct, professional competence, or physical or mental health of the person to the public body during the closed meeting.~~

5. Except as otherwise provided in subsection 4, with regard to the attendance of persons other than members of the public body and the person whose character, alleged misconduct, professional competence, physical or mental health or appeal of the results of an examination is considered, the chair of the public body may at any time before or during a closed meeting:

(a) Determine which additional persons, if any, are allowed to attend the closed meeting or portion thereof; or

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(b) Casual or tangential references to a person or the name of a person during a meeting do not constitute consideration of the character, alleged misconduct, professional competence, or physical or mental health of the person.

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

(d) The substance of comments made by any member of the general public who addresses the public body if the member of the general public requests that the minutes reflect those comments.

(e) A copy of any written comments if any member of the general public or member of the public body submits a copy for inclusion in the minutes and the written comments:

- (1) Concern a matter over which the public body has supervision, control, jurisdiction or advisory power;
- (2) Relate to the agenda topics considered by the public body consistent with paragraph (d) of NRS 241.020; and
- (3) Are intended for the public body to reasonably rely on to deliberate or take action on an item in the published agenda.

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

5. The requirement set forth in subsection 2 that a public body make available a copy of the minutes or audio recording of a meeting to a member of the public upon

request at no charge does not prohibit a court reporter who is certified pursuant to [chapter 656](#) of NRS from charging a fee to the public body for any services relating to the transcription of a meeting.

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

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

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

Confidentiality of Public Safety and Infrastructure Related Meetings

NRS 241.030 Holding closed meeting to consider character, misconduct, competence or health of person, to prepare, revise, administer or grade examinations or to consider appeal of results of examination; waiver of closure of meeting by certain persons.

1. Except as otherwise provided in this section and [NRS 241.031](#) and [241.033](#), a public body may hold a closed meeting to:

(a) Consider the character, alleged misconduct, professional competence, or physical or mental health of a person.

(b) Prepare, revise, administer or grade examinations that are conducted by or on behalf of the public body.

(c) Consider an appeal by a person of the results of an examination that was conducted by or on behalf of the public body, except that any action on the appeal must be taken in an open meeting and the identity of the appellant must remain confidential.

(d) Consider matters within the public body's jurisdiction and control relating to critical infrastructure or public safety where the public body determines disclosure of the information to be discussed may pose a risk to public health and welfare.

2. A person whose character, alleged misconduct, professional competence, or physical or mental health will be considered by a public body during a meeting may waive the closure of the meeting and request that the meeting or relevant portion thereof be open to the public. A request described in this subsection:

(a) May be made at any time before or during the meeting; and

(b) Must be honored by the public body unless the consideration of the character, alleged misconduct, professional competence, or physical or mental health of the requester involves the appearance before the public body of another person who does not desire that the meeting or relevant portion thereof be open to the public.

3. A public body may close a meeting pursuant to subsection 1 upon a motion which specifies:

(a) The nature of the business to be considered; and

(b) The statutory authority pursuant to which the public body is authorized to close the meeting.

4. This chapter does not:

(a) Prevent the removal of any person who willfully disrupts a meeting to the extent that its orderly conduct is made impractical.

(b) Prevent the exclusion of witnesses from a public or closed meeting during the examination of another witness.

(c) Require that any meeting be closed to the public.

(d) Permit a closed meeting for the discussion of the appointment of any person to public office or as a member of a public body.

(Added to NRS by [1960, 25](#); A [1977, 1100](#); [1983, 331](#); [1993, 2637](#); [2005, 977, 2244](#); [2011, 2384](#); [2013, 732](#))

NRS 241.035 Public meetings: Minutes; aural and visual reproduction; transcripts.

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

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

(b) Those members of the public body who were present, whether in person, by use of a remote technology system or by means of electronic communication, and those who were absent.

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

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

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

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

2. Minutes of public meetings are public records. Minutes or an audio recording of a meeting made in accordance with subsection 4 must be made available for inspection by the public within 30 working days after adjournment of the meeting. A copy of the minutes or audio recording must be made available to a member of the public upon request at no

charge. The minutes shall be deemed to have permanent value and must be retained by the public body for at least 5 years. Thereafter, the minutes may be transferred for archival preservation in accordance with [NRS 239.080](#) to [239.125](#), inclusive. Minutes of meetings closed pursuant to:

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

(b) Paragraph (b) of subsection 1 of [NRS 241.030](#) become public records when the public body determines that the matters discussed no longer require confidentiality.

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

(d) Paragraph (d) of subsection 1 of NRS 241.030 become public records when the public body determines that the matters discussed no longer require confidentiality.

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

4. Except as otherwise provided in subsection 8, a public body shall, for each of its meetings, whether public or closed, record the meeting on audiotape or another means of sound reproduction or cause the meeting to be transcribed by a court reporter who is certified pursuant to [chapter 656](#) of NRS. If a public body makes an audio recording of a meeting or causes a meeting to be transcribed pursuant to this subsection, the audio recording or transcript:

(a) Must be retained by the public body for at least 3 years after the adjournment of the meeting at which it was recorded or transcribed;

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

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

5. The requirement set forth in subsection 2 that a public body make available a copy of the minutes or audio recording of a meeting to a member of the public upon request at no charge does not prohibit a court reporter who is certified pursuant to [chapter 656](#) of NRS from charging a fee to the public body for any services relating to the transcription of a meeting.

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

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

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

(Added to NRS by [1977, 1099](#); A [1989, 571](#); [1993, 449, 2638](#); [2005, 978, 1404](#); [2013, 323, 733](#); [2015, 1060](#); [2019, 3625](#); [2023, 1149](#))