STATE OF NEVADA
PUBLIC RECORDS TASK FORCE

GOVERNMENT MEMBERS'

APPENDIX E-1

Survey of Nevada Government Entities regarding Public Records Requests

Survey of Government Entities re: Public Records

Dear Public Records Officers,

The following is a survey created to help guide the Public Records Task Force in drafting a report to the Legislature and recommending changes to the Nevada Public Records Act, NRS Chapter 239. The Public Records Task Force was created by Assembly Bill 128 (83rd Session, 2025) to evaluate, among other topics:

- the impact of broad requests for public records on government entities;
- the cost, burden and time constraint on government entities to redact confidential information;
- mechanisms to resolve disputes; and
- methods for collecting and sharing data related to requests for public records.

Your responses will greatly assist the Public Records Task Force and the Legislature in understanding the challenges of responding to public records requests in the digital age as well as what resources are needed to assist Government Entities in fulfilling their records duties.

Survey responses will be collected and compiled into report form. Complete and candid responses are strongly encouraged. Please coordinate with your colleagues to submit only *one survey per Government Entity* (e.g., agency, department, division, etc.). In addition, please email the following items to AGGeneralCounsel@ag.nv.gov:

1. Up to three (3) examples of public records requests your Government Entity deemed overbroad or unduly burdensome, and
2. A copy of your Government Entity's fee schedule (if one exists).

Please complete this survey and email the requested items by the close of business on Wednesday, October 7, 2026. Should you have any questions, please feel free to contact OAG General Counsel Leslie Nino Piro at AGGeneralCounsel@ag.nv.gov. Thank you!

* Required

Government Entity Profile & Staffing

1. Government Entity Name *

2. Full Name of Survey Respondent *

3. Job Title of Survey Respondent (and relevant public records duties) *

4. Email Address of Survey Respondent *

5. Government Entity Profile *

- ◯ State agency, department, or division
- ◯ County agency, department, or division
- ◯ Municipal agency, department, or division
- ◯ Other

6. Total Government Entity Headcount (approximate number of full-time employees) *

- ◯ Less than 50
- ◯ Between 50 – 99
- ◯ Between 100 – 499
- ◯ Between 500 – 999
- ◯ More than 1,000

7. Number of employees whose **sole** or **primary** duty is responding to public records requests. *

- ◯ 0
- ◯ 1 – 3
- ◯ 4 – 10
- ◯ More than 10

8. Number of employees for whom public records work is a **secondary** or **incidental** duty. *

- ◯ 0
- ◯ 1 – 3
- ◯ 4 – 10
- ◯ More than 10

9. Identify the job titles and classifications of the employees who work on public records requests.

10. Does your Government Entity use attorneys in responding to public records requests? *

Please select at most 2 options.

- [ ] No
- [ ] Outside Counsel
- [ ] In-House Counsel
- [ ] Assigned Government Counsel (e.g., Deputy Attorney General, Deputy District Attorney, etc.)

Request Volume

11. Approximate Number of Public Records Requests received in 2023 *

- ◯ 1 – 25
- ◯ 26 – 99
- ◯ 100 – 299
- ◯ 300 – 999
- ◯ 1,000 or more

12. Approximate Number of Public Records Requests received in 2024 *

- ◯ 1 – 25
- ◯ 26 – 99
- ◯ 100 – 299
- ◯ 300 – 999
- ◯ 1,000 or more

13. Approximate Number of Public Records Requests received in 2025 *

- ◯ 1 – 25
- ◯ 26 – 99
- ◯ 100 – 299
- ◯ 300 – 999
- ◯ 1,000 or more

14. Approximate Number of Public Records Requests received through August 31, 2026 *

- ◯ 1 – 25
- ◯ 26 – 99
- ◯ 100 – 299
- ◯ 300 – 999
- ◯ 1,000 or more

15. If your Government Entity tracks requester type, rank each requester type by the **number of public records requests submitted**, from highest to lowest number of requests. *If precise data is unavailable, you may provide a good faith estimate or skip this question.*

- Attorney, litigant, or party to a proceeding
- Advocacy or special interest group (including political organizations)
- Other individual member of the public
- Educational and non-commercial scientific institutions
- Incarcerated person
- News Media
- Unknown or not identified
- Commercial use requester or data broker

16. If your Government Entity tracks requester type, rank each requester type by the **typical volume of records produced**, from the highest to the lowest. *If precise data is unavailable, you may provide a good faith estimate or skip this question.*

- News Media
- Unknown or not identified
- Attorney, litigant, or party to a proceeding
- Commercial use requester or data broker
- Educational and non-commercial scientific institutions
- Advocacy or special interest group (including political organizations)
- Incarcerated person
- Other individual member of the public

Time Expended

If precise staff hours are unavailable, you may provide a good faith estimate or skip the questions.

17. Does your Government Entity track staff hours expended responding to public records requests *

- ◯ Yes
- ◯ No

18. Total Staff Hours expended responding to Public Records Requests in 2023

19. If separable from the total figure for 2023, the total *attorney* hours and applicable hourly rate(s).

20. Total Staff Hours expended responding to Public Records Requests in 2024

21. If separable from the total figure for 2024, the total *attorney* hours and applicable hourly rate(s).

22. Total Staff Hours expended responding to Public Records Requests in 2025

23. If separable from the total figure for 2025, the total *attorney* hours and applicable hourly rate(s).

24. Total Staff Hours expended responding to Public Records Requests through August 31, 2026

25. If separable from the total figure through August 31, 2026, the total *attorney* hours and applicable hourly rate(s).

26. Typical staff hours expended per request: *

	Never	Rarely	Occasionally	Often	Very Frequently	Unknown
Less than an hour	◯	◯	◯	◯	◯	◯
1 – under 3 hours	◯	◯	◯	◯	◯	◯
3 – under 5 hours	◯	◯	◯	◯	◯	◯
5 – under 10 hours	◯	◯	◯	◯	◯	◯
10 – under 30 hours	◯	◯	◯	◯	◯	◯
Over 30 hours	◯	◯	◯	◯	◯	◯

27. In general, how long does it take your Government Entity to provide a **final response** to public records requests (not an acknowledgment)? *

	Never	Rarely	Occasionally	Often	Very Frequently	Unknown
Within 5 business days	◯	◯	◯	◯	◯	◯
Between 6 – 30 business days	◯	◯	◯	◯	◯	◯
Between 1 – 3 months	◯	◯	◯	◯	◯	◯
Between 3 – 6 months	◯	◯	◯	◯	◯	◯
More than 6 months	◯	◯	◯	◯	◯	◯

Redactions

If precise redaction data is unavailable, you may provide a good faith estimate or skip this question.

28. How often are **redactions** necessary to appropriately respond to a public records request: *

	Never	Rarely	Occasionally	Often	Very Frequently	Unknown
	◯	◯	◯	◯	◯	◯

29. Approximately what share of your Government Entity's total public records staff hours is spent reviewing and redacting records? *

- ◯ None
- ◯ Less than 10%
- ◯ 10% – 25%
- ◯ 26% – 50%
- ◯ More than 50%
- ◯ Unknown

30. When **redactions** are necessary, typical staff hours expended to redact responsive records per request: *

	Never	Rarely	Occasionally	Often	Very Frequently	Unknown
Less than an hour	◯	◯	◯	◯	◯	◯
1 – 3 hours	◯	◯	◯	◯	◯	◯
3 – 5 hours	◯	◯	◯	◯	◯	◯
5 – 10 hours	◯	◯	◯	◯	◯	◯
10 – 30 hours	◯	◯	◯	◯	◯	◯
Over 30 hours	◯	◯	◯	◯	◯	◯

31. How often does redaction workload cause your Government Entity to extend response times beyond what it would otherwise provide? *

Never	Rarely	Occasionally	Often	Very Frequently	Unknown
◯	◯	◯	◯	◯	◯

Technology

Identify the software or system(s) your Government Entity uses for each function below (product/system name and vendor). If a function is performed manually (e.g., redaction by hand or tracking by spreadsheet), type "manual."

32. Request intake / public portal *

33. Request tracking and workflow *

34. Search and collection — e-mail *

35. Search and collection — documents and shared drives *

36. Review and redaction — documents *

37. Review and redaction — audio and video. *Type "N/A" if you do not perform this function.* *

38. Correspondence with requesters *

39. Production and delivery *

40. Records retention and archiving

41. Annual licensing, subscription, and maintenance cost for each system identified above

42. Annual data storage and hosting costs attributable to public records request processing.

43. Does your Government Entity use artificial intelligence (AI) or other automated tools to assist in searching, reviewing, or redacting records? If so, please describe. If not, has your Government Entity evaluated such tools, and what were the barriers — cost, procurement, accuracy, legal risk, or other? *

44. Identify technology your Government Entity needs but does not have and the estimated cost of acquiring such technology, if known.

45. Are your Government Entity's records stored across multiple digital systems that must be searched separately? *

- ◯ Yes
- ◯ No
- ◯ Unsure

46. Approximately how many digital systems must be searched to respond to a typical request?

Fees Charged to Requesters

47. Does your Government Entity charge fees for responding to public records requests? *

- ◯ Yes
- ◯ No
- ◯ Only in certain circumstances

48. Does your Government Entity charge for staff or attorney time spent searching for, reviewing, or redacting records? *

- ◯ Yes
- ◯ No
- ◯ Only for requests exceeding a threshold

49. Identify the rate(s) charged for staff or attorney time and any threshold that must be met before staff or attorney time is charged. *

50. Does your Government Entity require prepayment or a deposit before beginning work? Describe any threshold and the practice.

51. How often are requests withdrawn or abandoned by the requester after: *

	Never	Rarely	Occasionally	Often	Very Frequently	Unknown
Fee Estimate was provided	◯	◯	◯	◯	◯	◯
Clarification was requested	◯	◯	◯	◯	◯	◯

Broad or Burdensome Requests

52. How often are requesters redirected or referred to another Government Entity(ies) that may possess a requested record: *

Never	Rarely	Occasionally	Often	Very Frequently	Unknown
◯	◯	◯	◯	◯	◯

53. How often do public records requests appear to be: *

	Never	Rarely	Occasionally	Often	Very frequently	Unknown
Generated or assisted by an automated or AI tool?	◯	◯	◯	◯	◯	◯
Submitted by a repeat or high-volume requester	◯	◯	◯	◯	◯	◯
Commercial in purpose (i.e., resale of data or lead generation)	◯	◯	◯	◯	◯	◯
Submitted by an advocacy or special interest group (including political organizations)	◯	◯	◯	◯	◯	◯
Supporting Litigation (pre-litigation investigation or in lieu of court-managed discovery)	◯	◯	◯	◯	◯	◯

54. How often does the Government Entity request clarification on public records requests: *

	Never	Rarely	Occasionally	Often	Very Frequently	Unknown
Overbroad (e.g., no dates or date range provided)	◯	◯	◯	◯	◯	◯
Unclear what records are sought	◯	◯	◯	◯	◯	◯
Requests Information, not records	◯	◯	◯	◯	◯	◯
Unduly burdensome (e.g., dates or range provided spans many years or decades)	◯	◯	◯	◯	◯	◯

Disputes and Litigation

55. Number of public records disputes from January 1, 2023, to August 31, 2026, that escalated beyond ordinary correspondence — for example, a demand letter or threat of litigation?

56. Number of petitions filed against your Government Entity under NRS Chapter 239 from January 1, 2023, to August 31, 2026.

57. Has your Government Entity used mediation or any other form of alternative dispute resolution in a public records dispute? Describe the process and the outcome.

58. If a low-cost, non-judicial dispute resolution mechanism were available, would your Government Entity participate voluntarily? *

- ◯ Yes
- ◯ No
- ◯ Maybe

59. Identify any features that would make a non-judicial dispute resolution mechanism workable for your Government Entity, and any features that would make it unworkable. *

Data Collection Capacity

60. If the Legislature required annual reporting of public records metrics, could your Government Entity report without acquiring new systems or adding staff? *

- ◯ Yes
- ◯ No
- ◯ Maybe

61. What metrics would your Government Entity find useful for its own management purposes, whether or not they are currently tracked? *

Rated Issues, Comments, and Recommendations

Where rated responses are requested, please rate the importance of the issue to your Government Entity from *not* important to *extremely* important.

62. Establish by statute a presumption of confidentiality for records of *open/ongoing criminal investigations* and/or *prosecutions*.

Not important	Slightly important	Fairly important	Very important	Extremely Important	Not Applicable to Gov't Entity
○	○	○	○	○	○

63. Establish by statute a presumption of confidentiality for records of *victim* and *witness* identities.

Not important	Slightly important	Fairly important	Very important	Extremely Important	Not Applicable to Gov't Entity
○	○	○	○	○	○

64. Establish by statute a presumption of confidentiality for records of *personnel records* and *internal affairs files*.

Not important	Slightly important	Fairly important	Very important	Extremely Important
○	○	○	○	○

65. Create a statewide ombudsperson to mediate or resolve disputes prior to litigation and train Government Entities in public records law and best practices.

Not important	Slightly important	Fairly important	Very important	Extremely Important
○	○	○	○	○

66. Authorize the creation of a standardized fee schedule establishing the maximum rate Government Entities may charge for direct costs attributable to a specific records request, such as paper copies, digital media, postage, or staff time.

Not important	Slightly important	Fairly important	Very important	Extremely Important
○	○	○	○	○

67. Enact law to require alternative dispute resolution or an administrative appeal procedure prior to permitting requesters to sue a Government Entity.

Not important	Slightly important	Fairly important	Very important	Extremely Important
◯	◯	◯	◯	◯

68. Change Nevada law to limit attorney fee awards to cases when a Government Entity acted unreasonably or in bad faith.

Not important	Slightly important	Fairly important	Very important	Extremely Important
◯	◯	◯	◯	◯

69. Enact law requiring requesters to provide their full name and contact information (e.g., mailing address, email address, and phone number) to facilitate communication with the Government Entity.

Not important	Slightly important	Fairly important	Very important	Extremely Important
◯	◯	◯	◯	◯

70. Enact law requiring that public records requests be submitted directly by a requester, prohibiting third-party entities from submitting or managing requests on a requester's behalf, ensuring that a Government Entity communicates directly with the actual requester.

Not important	Slightly important	Fairly important	Very important	Extremely Important
◯	◯	◯	◯	◯

71. Authorize Government Entities to phase or limit production for public records requests exceeding a defined volume of records.

Not important	Slightly important	Fairly important	Very important	Extremely Important
◯	◯	◯	◯	◯

72. Enact law to require requesters to identify the reason they are seeking records.

Not important	Slightly important	Fairly important	Very important	Extremely Important
◯	◯	◯	◯	◯

73. Enact law requiring requesters to certify that records will not be used for commercial purposes (e.g., data scraping).

Not important	Slightly important	Fairly important	Very important	Extremely Important
◯	◯	◯	◯	◯

74. Enact law requiring requesters to certify that records are not requested for pending litigation.

Not important	Slightly important	Fairly important	Very important	Extremely Important
◯	◯	◯	◯	◯

75. What are the three most significant operational challenges your Government Entity faces in complying with the Nevada Public Records Act?

76. What statutory ambiguities most often produce disputes, or a danger of inconsistent handling within your Government Entity?

77. What changes to NRS Chapter 239 would most improve your Government Entity's ability to respond promptly and completely to public records requests?

78. Are there categories of records your Government Entity believes should be expressly addressed by statute — either as clearly disclosable or clearly exempt — in order to reduce case-by-case dispute and litigation?

79. Is there anything else the Task Force should know that this survey did not ask?

THANK YOU!

If you have not already done so, we ask that you email the following items to AGGeneralCounsel@ag.nv.gov:

1. Up to three (3) examples of public records requests your Government Entity deemed overbroad or unduly burdensome, and
2. A copy of your Government Entity's fee schedule.

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