

Amendment No. 524

Assembly Amendment to Assembly Bill No. 86 (BDR 54-276)

Proposed by: Assembly Committee on Commerce and Labor

Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date		SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____		Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

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 underlining is newly added transitory language.

EWR/JRS



Date: 4/21/2013

A.B. No. 86—Creates a system for verifying that licensed contractors are in compliance with certain provisions of law. (BDR 54-276)



ASSEMBLY BILL NO. 86—ASSEMBLYMEN DALY, CARRILLO; ELLIOT ANDERSON, BENITEZ-THOMPSON, BOBZIEN, COHEN, HANSEN, HEALEY AND SPRINKLE

FEBRUARY 11, 2013

JOINT SPONSOR: SENATOR SMITH

Referred to Committee on Commerce and Labor

SUMMARY—~~Creates a system for verifying that licensed contractors are in compliance;~~ **Requires the State Contractors’ Board to suspend or revoke the license of a contractor for failure to comply with certain provisions ~~{of law,}~~ governing unemployment compensation, industrial insurance and insurance for occupational diseases.** (BDR 54-276)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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 contractors; requiring the State Contractors’ Board to ~~create a system for verifying that~~ **notify a** licensed ~~contractors are~~ **contractor who is not** in compliance with certain provisions governing ~~workers’~~ **unemployment** compensation ~~and unemployment;~~ **, industrial insurance and insurance for occupational diseases;** requiring the Board to suspend **or revoke** the license of a contractor who ~~is not in~~ **fails to demonstrate** compliance with such provisions; ~~requiring the information in the system to be kept confidential except in certain circumstances; providing a penalty;~~ **restricting the actions of a contractor whose license has been suspended for failure to demonstrate compliance with such provisions; requiring the Board to further suspend or revoke the license of a contractor who engages in prohibited activity;** and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 With certain exceptions, each employer, including ~~contractors,~~ **each contractor,** is
2 required to contribute to the Unemployment Compensation Fund. (NRS 612.535) Each
3 contractor who has employees, is a subcontractor for a principal contractor, or submits a bid
4 on a job for a principal contractor or subcontractor is also required to: (1) maintain industrial
5 insurance and insurance for occupational diseases; (2) obtain a certificate of qualification as a
6 self-insured employer from the Commissioner of Insurance; or (3) maintain membership in an
7 association of self-insured employers. (Chapters 616A-617 of NRS, NRS 624.256) Existing

8 law requires: (1) the Administrator of the Division of Industrial Relations of the Department
9 of Business and Industry to provide timely notice to the State Contractors' Board if a
10 contractor's industrial insurance coverage has lapsed; and (2) the Commissioner of Insurance
11 to provide timely notice to both the Administrator and the Board if a contractor's certificate of
12 qualification as a self-insured employer is cancelled or withdrawn, or the contractor is no
13 longer a member of an association of self-insured public or private employers. (NRS
14 616B.630) ~~Section 2 of this bill requires the Board to create a system for verifying that~~
15 ~~contractors contribute to the Unemployment Compensation Fund or pay the required~~
16 ~~reimbursement, and maintain in full force the required industrial insurance and insurance for~~
17 ~~occupational diseases.~~

18 ~~Section 2 of this bill requires each insurer who has executed a contract of insurance with~~
19 ~~a contractor for a policy of industrial insurance and insurance for occupational diseases to~~
20 ~~maintain a record of each policy and allow the Board access to that record. Section 4 of this~~
21 ~~bill provides that information maintained in the system created by the Board can be disclosed~~
22 ~~only in certain circumstances and makes a willful violation of the section a category D~~
23 ~~felony.~~

24 Section 8 of this bill requires the Board, if applicable, to ~~verify that~~ notify each
25 licensed contractor ~~contributes~~ who fails to meet the requirements to contribute to the
26 Unemployment Compensation Fund and ~~provides~~ to provide and ~~maintains~~ maintain
27 industrial insurance and insurance for occupational diseases ~~that~~ that the contractor's license
28 will be suspended if the contractor fails to furnish proof by a certain date that he or she
29 is in compliance with these requirements. Section 8 also requires that the Board suspend
30 the license of any contractor who ~~has failed to meet~~ fails to furnish proof by a certain date
31 that the contractor is in compliance with these requirements ~~and authorizes the Board to~~
32 reinstate a suspended license if ~~until~~ until the contractor whose license has been suspended
33 demonstrates compliance with those requirements, ~~and all other requirements for the~~
34 reinstatement of a suspended contractor's license. Section 5 also authorizes the Board to
35 repeal the suspension of a contractor's license which was suspended because the contractor
36 failed to contribute to the Unemployment Compensation Fund or to maintain industrial
37 insurance and insurance for occupational diseases if the contractor's failure to meet those
38 requirements resulted from circumstances beyond his or her control.

39 ~~Section 6 of this bill exempts insurers and the Board from civil liability for actions taken~~
40 ~~under the provisions of this bill that are performed in good faith and without gross~~
41 ~~negligence. Section 8 further provides that if a contractor's license is suspended for~~
42 ~~failure to meet these requirements: (1) the contractor is required to submit to the Board~~
43 ~~a list of all the projects for which a contract was entered into before the date of the~~
44 ~~notice of the suspension; (2) the contractor is prohibited from submitting any bids for~~
45 ~~any new work or beginning work on a project not described on the list; and (3) the~~
46 ~~contractor's name is removed from certain lists of contractors eligible to bid on public~~
47 ~~works projects until the suspension is lifted. Section 8 provides for the extended~~
48 ~~suspension or revocation of the license of a contractor who fails to submit a complete list~~
49 ~~of projects, submits an unauthorized bid or begins work on an unauthorized project.~~
50 ~~Finally, section 8 provides for the suspension and revocation of the license of a~~
51 ~~contractor who fails to meet the requirements to contribute to the Unemployment~~
52 ~~Compensation Fund and to provide and maintain industrial insurance and insurance for~~
53 ~~occupational diseases twice within a 5-year period.~~

54 Section 8.5 of this bill requires the Administrator of the Employment Security
55 Division of the Department of Employment, Training and Rehabilitation to provide
56 quarterly to the Board a list of contractors who have failed to make the required
57 contribution to the Unemployment Compensation Fund.

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

1 **Section 1.** ~~[Chapter 624 of NRS is hereby amended by adding thereto the~~
2 ~~provisions set forth as sections 2 to 6, inclusive, of this act.]~~ **(Deleted by**
3 **amendment.)**

4 **Sec. 2.** ~~1. The Board:~~

5 ~~(a) Shall, in cooperation with insurers, the Employment Security Division of~~
6 ~~the Department of Employment, Training and Rehabilitation and the~~
7 ~~Commissioner of Insurance, create a system for verifying through the secure~~
8 ~~transmission and receipt of information that, if applicable, a licensed contractor~~
9 ~~is in compliance with the provisions of chapters 612 and 616.4 to 617, inclusive,~~
10 ~~of NRS regarding contributions for unemployment compensation and the~~
11 ~~maintenance of industrial insurance and insurance for occupational diseases;~~
12 ~~and~~

13 ~~(b) May enter into a contract with any person to provide services relating to~~
14 ~~the system.~~

15 ~~2. The Board shall adopt regulations to carry out the provisions of this~~
16 ~~section, including, without limitation, regulations for verifying that, if applicable,~~
17 ~~a licensed contractor is in compliance with the provisions of chapters 612 and~~
18 ~~616.4 to 617, inclusive, of NRS regarding contributions for unemployment~~
19 ~~compensation and the maintenance of industrial insurance and insurance for~~
20 ~~occupational diseases.]~~ **(Deleted by amendment.)**

21 **Sec. 3.** ~~1. Each insurer that has executed a contract of insurance with a~~
22 ~~contractor for a policy which may be used to meet the requirements of chapters~~
23 ~~616.4 to 617, inclusive, of NRS shall maintain a record of each policy in a format~~
24 ~~approved by the Board and provide the Board with access to the record.~~

25 ~~2. The Board shall notify the Commissioner of Insurance if an insurer:~~

26 ~~(a) Fails to comply with subsection 1; or~~

27 ~~(b) In complying with subsection 1, provides to the Board information that is~~
28 ~~false, incomplete or misleading.]~~ **(Deleted by amendment.)**

29 **Sec. 4.** ~~1. Except as otherwise provided in subsection 2 and NRS~~
30 ~~239.015, information which is maintained in the system created pursuant to~~
31 ~~section 2 of this act is confidential.~~

32 ~~2. The Board may only disclose information which is maintained in the~~
33 ~~system to:~~

34 ~~(a) A state or local governmental agency for the purpose of enforcing the~~
35 ~~provisions of chapters 612 and 616.4 to 617, inclusive, of NRS, including, without~~
36 ~~limitation, investigating or litigating a violation or alleged violation;~~

37 ~~(b) An authorized insurer;~~

38 ~~(c) A person;~~

39 ~~(1) With whom the Board has contracted to provide services relating to~~
40 ~~the system created pursuant to section 2 of this act; and~~

41 ~~(2) To whom information is disclosed only pursuant to a nondisclosure~~
42 ~~or confidentiality agreement which relates to the information;~~

43 ~~(d) A contractor who requests information regarding his or her own status;~~

44 ~~(e) A person who has a power of attorney from the contractor about whom~~
45 ~~the information is requested;~~

46 ~~(f) A person who submits a notarized release from the contractor about~~
47 ~~whom the information is requested, which release is dated not more than 90 days~~
48 ~~before the date of the request; or~~

~~(g) A person who has suffered a loss or injury arising out of and in the course of employment for a contractor, or the person's authorized insurer or a representative of the authorized insurer, who requests:~~

~~(1) Information for use in an accident report; and~~

~~(2) For each contractor involved in the project on which the person suffered the loss or injury:~~

~~(I) The name and address of each contractor;~~

~~(II) The name of the insurer; and~~

~~(III) The number of the policy of insurance, if applicable.~~

~~3. A person who knowingly violates the provisions of this section is guilty of a category D felony and shall be punished as provided in NRS 193.130.~~

~~4. As used in this section, "authorized insurer" has the meaning ascribed to it in NRS 679.1.030.] (Deleted by amendment.)~~

Sec. 5. ~~1. The Board shall verify that each contractor who is licensed in this State has, if applicable, complied with the provisions of chapters 612 and 616A to 617, inclusive, of NRS regarding contributions for unemployment compensation and the maintenance of industrial insurance and insurance for occupational diseases.~~

~~2. The Board may use any information to verify whether a licensed contractor has, if applicable, complied with the provisions of chapters 612 and 616A to 617, inclusive, of NRS regarding contributions for unemployment compensation and the maintenance of industrial insurance and insurance for occupational diseases.~~

~~3. If the Board is unable to verify that a licensed contractor has, as applicable, complied with the provisions of chapters 612 or 616A to 617, inclusive, of NRS regarding contributions for unemployment compensation or the maintenance of industrial insurance and insurance for occupational diseases, the Board shall send a request for information by first class mail to the contractor. The contractor shall submit all the information which is requested to the Board within 15 days after the date on which the request for information was mailed by the Board. If the Board does not receive the requested information within 15 days after it mailed the request to the contractor, the Board shall send to the contractor a notice of suspension of license by certified mail. The notice must inform the contractor that unless the Board is able to verify that the contractor has, if applicable, complied with the provisions of chapters 612 and 616A to 617, inclusive, of NRS regarding contributions for unemployment compensation and the maintenance of industrial insurance and insurance for occupational diseases within 10 days after the date on which the notice of suspension was sent by the Board, the contractor's license will be suspended pursuant to subsection 4.~~

~~4. The Board shall suspend the license of any contractor whom the Board cannot verify has, if applicable, complied with the provisions of chapters 612 and 616A to 617, inclusive, of NRS regarding contributions for unemployment compensation and the maintenance of industrial insurance and insurance for occupational diseases. Upon the suspension of a contractor's license, the contractor may not perform any work on any project for which a contractor's license is required.~~

~~5. Except as otherwise provided in subsection 6, the Board shall reinstate the contractor's license only upon verification of current compliance with chapters 612 and 616A to 617, inclusive, of NRS, if applicable, and with the requirements for reinstatement of a contractor's license prescribed in subsection 4 of NRS 624.283.~~

~~6. If the Board suspends the license of a contractor pursuant to subsection 4 because the contractor has failed, as applicable, to comply with the provisions of chapters 612 or 616A to 617, inclusive, of NRS regarding contributions for unemployment compensation or the maintenance of industrial insurance and insurance for occupational diseases on the date specified in the request for information sent pursuant to subsection 3, and if the contractor, in accordance with regulations adopted by the Board, proves to the satisfaction of the Board that the contractor was unable to comply with the applicable provisions of chapters 612 or 616A to 617, inclusive, of NRS on that date:~~

~~(a) Because of extenuating circumstances beyond the control of the contractor; or~~

~~(b) For other good cause shown,~~
~~the Board may rescind the suspension of the license.~~

~~7. The Board shall adopt regulations to carry out the provisions of subsection 6. (Deleted by amendment.)~~

~~Sec. 6. [An insurer, its agents, the Board and its members and employees who act pursuant to sections 2 to 6, inclusive, of this act in good faith and without gross negligence are immune from civil liability for those acts.] (Deleted by amendment.)~~

~~Sec. 7. [NRS 624.110 is hereby amended to read as follows:~~

~~624.110 1. The Board may maintain offices in as many localities in the State as it finds necessary to carry out the provisions of this chapter, but it shall maintain one office in which there must be at all times open to public inspection a complete record of applications, licenses issued, licenses renewed and all revocations, cancellations and suspensions of licenses.~~

~~2. Except as otherwise required in NRS 239.0115 and 624.327, and section 4 of this act, credit reports, references, financial information and data pertaining to a licensee's net worth are confidential and not open to public inspection.] (Deleted by amendment.)~~

~~Sec. 8. NRS 624.256 is hereby amended to read as follows:~~

~~624.256 1. Before granting an original or renewal of a contractor's license to any applicant, the Board shall require that the applicant submit to the Board:~~

~~(a) Proof of industrial insurance and insurance for occupational diseases which covers the applicant's employees;~~

~~(b) A copy of the applicant's certificate of qualification as a self-insured employer which was issued by the Commissioner of Insurance;~~

~~(c) If the applicant is a member of an association of self-insured public or private employers, a copy of the certificate issued to the association by the Commissioner of Insurance; or~~

~~(d) An affidavit signed by the applicant affirming that he or she is not subject to the provisions of chapters 616A to 616D, inclusive, or chapter 617 of NRS because the applicant:~~

~~(1) Has no employees;~~

~~(2) Is not or does not intend to be a subcontractor for a principal contractor; and~~

~~(3) Has not or does not intend to submit a bid on a job for a principal contractor or subcontractor.~~

~~2. The Board shall notify the Fraud Control Unit for Industrial Insurance established pursuant to NRS 228.420 whenever the Board learns that an applicant or holder of a contractor's license has engaged in business as or acted in the capacity of a contractor within this State without having obtained or maintained industrial insurance or insurance for occupational diseases in violation of the provisions of chapters 616A to 617, inclusive, of NRS.~~

1 3. Failure by an applicant or holder of a contractor's license to file or
2 maintain in full force the required industrial insurance and insurance for
3 occupational diseases constitutes cause for the Board to deny, revoke, suspend,
4 refuse to renew or otherwise discipline the person, unless the person has complied
5 with the provisions set forth in paragraph (d) of subsection 1.

6 ~~4. [The provisions of this section are in addition to and not in lieu of the~~
7 ~~provisions of sections 2 to 6, inclusive, of this act.]~~ Within 30 days after receiving
8 notice from the Department of Employment, Training and Rehabilitation
9 pursuant to section 8.5 of this act or the Division of Industrial Relations of the
10 Department of Business and Industry pursuant to NRS 616B.630 that a
11 contractor is not in full compliance with the requirements of chapters 612 and
12 616A to 617, inclusive, of NRS, the Board shall immediately notify the contractor
13 by mail at the last known address of the contractor, as it appears in the records of
14 the Board, that the Board will suspend the license of the contractor if the
15 contractor does not furnish proof, within 30 days after the date of the notice sent
16 by the Board, that the contractor is in full compliance with the requirements of
17 chapters 612 and 616A to 617, inclusive, of NRS.

18 5. If the contractor fails to furnish proof, within 30 days after the date of
19 the notice sent by the Board pursuant to subsection 4, that the contractor is in full
20 compliance with the requirements of chapters 612 and 616A to 617, inclusive, of
21 NRS, the Board shall, for a first offense:

22 (a) Immediately summarily suspend the license of the contractor without
23 further notice pursuant to subsection 4 of NRS 624.291; and

24 (b) Immediately require the contractor to submit to the Board a list of all
25 projects for which the contractor has unfulfilled contractual obligations where
26 the contract was entered into on or before the date of the notice sent by the Board
27 pursuant to subsection 4.

28 6. If a contractor's license is suspended pursuant to paragraph (a) of
29 subsection 5:

30 (a) The suspension must continue until the contractor furnishes proof that
31 the contractor is in full compliance with the requirements of chapters 612 and
32 616A to 617, inclusive, of NRS;

33 (b) During the term of the suspension, the contractor shall not submit any
34 bids for any new work or begin work on any project not described in the list
35 submitted to the Board pursuant to paragraph (b) of subsection 5; and

36 (c) The Board shall notify:

37 (1) The Office of the Labor Commissioner, which shall, immediately
38 upon receipt of the notice, add the name of the contractor to the list of
39 contractors who are disqualified to bid on public works; and

40 (2) The State Public Works Board, which shall, immediately upon receipt
41 of the notice, add the name of the contractor to the list of contractors who are not
42 prequalified to bid on public works.

43 7. If the name of a contractor is added to a list pursuant to paragraph (c) of
44 subsection 6, the Office of the Labor Commissioner or the State Public Works
45 Board, as applicable, shall remove the name from the list when notified by the
46 Board that the suspension has been lifted pursuant to paragraph (a) of subsection
47 6.

48 8. If the Board finds that a contractor has failed to provide a complete list
49 of projects in accordance with paragraph (b) of subsection 5 or has violated
50 paragraph (b) of subsection 6, the Board shall:

51 (a) For a first offense, suspend the contractor's license for an additional 12
52 months after the contractor furnishes the proof described in paragraph (a) of
53 subsection 6; and

1 (b) For a second or subsequent offense, conduct a hearing pursuant to NRS
2 624.291, and, if it is determined at the hearing that a second or subsequent
3 offense has been committed, revoke the contractor's license.

4 9. If a contractor for whom the suspension of a contractor's license has
5 been lifted after providing the proof required pursuant to paragraph (a) of
6 subsection 6 receives notice from the Board pursuant to subsection 4 within 5
7 years after the date of reinstatement and the contractor fails to furnish proof,
8 within 30 days after the date of the notice sent by the Board, that the contractor is
9 in full compliance with the requirements of chapters 612 and 616A to 617,
10 inclusive, of NRS, the Board shall conduct a hearing pursuant to NRS 624.291
11 and, if it is determined at the hearing that a second or subsequent offense has
12 been committed within a 5-year period, revoke the contractor's license.

13 Sec. 8.5. Chapter 612 of NRS is hereby amended by adding thereto a
14 new section to read as follows:

15 The Administrator shall, at least once each calendar quarter, provide to the
16 State Contractors' Board a list setting forth each contractor who is not in
17 compliance with the provisions of this chapter regarding contributions or
18 payments in lieu of contributions to the Fund. The list must include, to the extent
19 available, the name, address, telephone number, resident agent, principal owner
20 and contractor's license number of the contractor.

21 Sec. 8.6. NRS 612.265 is hereby amended to read as follows:

22 612.265 1. Except as otherwise provided in this section and NRS 239.0115,
23 and section 8.5 of this act, information obtained from any employing unit or person
24 pursuant to the administration of this chapter and any determination as to the
25 benefit rights of any person is confidential and may not be disclosed or be open to
26 public inspection in any manner which would reveal the person's or employing
27 unit's identity.

28 2. Any claimant or a legal representative of a claimant is entitled to
29 information from the records of the Division, to the extent necessary for the proper
30 presentation of the claimant's claim in any proceeding pursuant to this chapter. A
31 claimant or an employing unit is not entitled to information from the records of the
32 Division for any other purpose.

33 3. Subject to such restrictions as the Administrator may by regulation
34 prescribe, the information obtained by the Division may be made available to:

35 (a) Any agency of this or any other state or any federal agency charged with
36 the administration or enforcement of laws relating to unemployment compensation,
37 public assistance, workers' compensation or labor and industrial relations, or the
38 maintenance of a system of public employment offices;

39 (b) Any state or local agency for the enforcement of child support;

40 (c) The Internal Revenue Service of the Department of the Treasury;

41 (d) The Department of Taxation; and

42 (e) The State Contractors' Board in the performance of its duties to enforce the
43 provisions of chapter 624 of NRS.

44 ↪ Information obtained in connection with the administration of the Employment
45 Service may be made available to persons or agencies for purposes appropriate to
46 the operation of a public employment service or a public assistance program.

47 4. Upon written request made by a public officer of a local government, the
48 Administrator shall furnish from the records of the Division the name, address and
49 place of employment of any person listed in the records of employment of the
50 Division. The request must set forth the social security number of the person about
51 whom the request is made and contain a statement signed by the proper authority of
52 the local government certifying that the request is made to allow the proper
53 authority to enforce a law to recover a debt or obligation owed to the local

1 government. Except as otherwise provided in NRS 239.0115, the information
2 obtained by the local government is confidential and may not be used or disclosed
3 for any purpose other than the collection of a debt or obligation owed to that local
4 government. The Administrator may charge a reasonable fee for the cost of
5 providing the requested information.

6 5. The Administrator may publish or otherwise provide information on the
7 names of employers, their addresses, their type or class of business or industry, and
8 the approximate number of employees employed by each such employer, if the
9 information released will assist unemployed persons to obtain employment or will
10 be generally useful in developing and diversifying the economic interests of this
11 State. Upon request by a state agency which is able to demonstrate that its intended
12 use of the information will benefit the residents of this State, the Administrator
13 may, in addition to the information listed in this subsection, disclose the number of
14 employees employed by each employer and the total wages paid by each employer.
15 The Administrator may charge a fee to cover the actual costs of any administrative
16 expenses relating to the disclosure of this information to a state agency. The
17 Administrator may require the state agency to certify in writing that the agency will
18 take all actions necessary to maintain the confidentiality of the information and
19 prevent its unauthorized disclosure.

20 6. Upon request therefor, the Administrator shall furnish to any agency of the
21 United States charged with the administration of public works or assistance through
22 public employment, and may furnish to any state agency similarly charged, the
23 name, address, ordinary occupation and employment status of each recipient of
24 benefits and the recipient's rights to further benefits pursuant to this chapter.

25 7. To further a current criminal investigation, the chief executive officer of
26 any law enforcement agency of this State may submit a written request to the
27 Administrator that the Administrator furnish, from the records of the Division, the
28 name, address and place of employment of any person listed in the records of
29 employment of the Division. The request must set forth the social security number
30 of the person about whom the request is made and contain a statement signed by the
31 chief executive officer certifying that the request is made to further a criminal
32 investigation currently being conducted by the agency. Upon receipt of such a
33 request, the Administrator shall furnish the information requested. The
34 Administrator may charge a fee to cover the actual costs of any related
35 administrative expenses.

36 8. In addition to the provisions of subsection 5, the Administrator shall
37 provide lists containing the names and addresses of employers, and information
38 regarding the wages paid by each employer to the Department of Taxation, upon
39 request, for use in verifying returns for the taxes imposed pursuant to chapters
40 363A and 363B of NRS. The Administrator may charge a fee to cover the actual
41 costs of any related administrative expenses.

42 9. A private carrier that provides industrial insurance in this State shall submit
43 to the Administrator a list containing the name of each person who received
44 benefits pursuant to chapters 616A to 616D, inclusive, or chapter 617 of NRS
45 during the preceding month and request that the Administrator compare the
46 information so provided with the records of the Division regarding persons
47 claiming benefits pursuant to this chapter for the same period. The information
48 submitted by the private carrier must be in a form determined by the Administrator
49 and must contain the social security number of each such person. Upon receipt of
50 the request, the Administrator shall make such a comparison and, if it appears from
51 the information submitted that a person is simultaneously claiming benefits under
52 this chapter and under chapters 616A to 616D, inclusive, or chapter 617 of NRS,
53 the Administrator shall notify the Attorney General or any other appropriate law

1 enforcement agency. The Administrator shall charge a fee to cover the actual costs
2 of any related administrative expenses.

3 10. The Administrator may request the Comptroller of the Currency of the
4 United States to cause an examination of the correctness of any return or report of
5 any national banking association rendered pursuant to the provisions of this chapter,
6 and may in connection with the request transmit any such report or return to the
7 Comptroller of the Currency of the United States as provided in section 3305(c) of
8 the Internal Revenue Code of 1954.

9 11. If any employee or member of the Board of Review, the Administrator or
10 any employee of the Administrator, in violation of the provisions of this section,
11 discloses information obtained from any employing unit or person in the
12 administration of this chapter, or if any person who has obtained a list of applicants
13 for work, or of claimants or recipients of benefits pursuant to this chapter uses or
14 permits the use of the list for any political purpose, he or she is guilty of a gross
15 misdemeanor.

16 12. All letters, reports or communications of any kind, oral or written, from
17 the employer or employee to each other or to the Division or any of its agents,
18 representatives or employees are privileged and must not be the subject matter or
19 basis for any lawsuit if the letter, report or communication is written, sent, delivered
20 or prepared pursuant to the requirements of this chapter.

21 **Sec. 9.** This act becomes effective:

22 1. Upon passage and approval for the purpose of ~~adopting regulations and~~
23 performing any ~~other~~ preparatory administrative tasks; and

24 2. On January 1, 2014, for all other purposes.