

NOTICE TO THE PUBLIC

Assembly Bill 334 which added language to NRS 239B providing for the protection of social security numbers in public documents will impact those filing documents in the Elko County Clerk's Office effective January 1, 2007.

The statutory changes direct the affected agencies to take necessary measures to ensure that notice of these provisions are provided to persons with whom it conducts business.

The statute reads as follows:

NRS 239B.030 Confidentiality of social security numbers. [Effective January 1, 2007.]

1. Except as otherwise provided in subsection 2, a person shall not include and a governmental agency shall not require a person to include the social security number of a person on any document that is recorded, filed, or otherwise submitted to the governmental agency on or after January 1, 2007.

2. If the social security number of a person is required to be included in a document that is recorded, filed or otherwise submitted to a governmental agency on or after January 1, 2007, pursuant to a specific state or federal law, for the administration of a public program or for an application for a federal or state grant, a governmental agency shall ensure that the social security number is maintained in a confidential manner and may only disclose the social security number as required:

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

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

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

4. A governmental agency may require a person who records, files or otherwise submits any document to the governmental agency to provide an affirmation that the document does not contain the social security number of any person. A governmental agency may refuse to record, file or otherwise accept a document which does not contain such an affirmation when required and any document which contains the social security number of a person.

5. On or before January 1, 2017, each governmental agency shall ensure that any social security number contained in a document that has been recorded, filed or otherwise submitted to the governmental agency before January 1, 2007, which the governmental agency continues to hold is maintained in a confidential manner or is obliterated or otherwise removed from the document. Any action taken by a governmental agency pursuant to this subsection must not be construed as affecting the legality of the document.

6. As used in this section, "governmental agency" means an officer, board, commission, department, division, bureau, district or any other unit of government of the State or local government.

(Added to NRS by [2005, 2507](#); A [2005, 22nd Special Session, 97](#), effective January 1, 2007)

Pursuant to subsection 1 of the above-referenced statute, a person **shall not include** and a governmental agency **shall not require** a person to include the social security number of a person on any document recorded filed or otherwise... unless it is required pursuant to a specific state or federal law pursuant to subsection 2 above.

Pursuant to subsection 4 of the above-referenced statute, the Elko County Clerk's Office will require that an affirmation be attached to the last page of each document presented for filing stating that it does not contain the social security number of any person. If the document does contain the social security number of a person, the affirmation must indicate the specific state or federal law requiring said number. If the document presented for filing does not contain an affirmation, it may be refused.

Attached is a suggested format for the affirmation. This form will be available on our website and in our office.

**FOURTH JUDICIAL DISTRICT COURT
COUNTY OF ELKO, STATE OF NEVADA**

**AFFIRMATION
Pursuant to NRS 239B.030**

The undersigned does hereby affirm that the preceding document,

(Title of Document)

filed in case number: _____

“ Document does not contain the social security number of any person

-OR-

“ Document contains the social security number of a person as required by:

“ A specific state or federal law, to wit:

(State specific state or federal law)

-or-

“ For the administration of a public program

-or-

“ For an application for a federal or state grant

-or-

“ Confidential Family Court Information Sheet
(NRS 125.130, NRS 125.230 and NRS 125B.055)

Date: _____

(Signature)

(Print Name)

(Attorney for)