

Senate Bill No. 326—Committee on Judiciary

CHAPTER.....

AN ACT relating to writs; providing that an application for a writ of mandamus that alleges an unconstitutional prior restraint must be labeled in a certain manner; requiring the court in which such an application for a writ is filed to render judgment on the application within 30 days; and providing other matters properly relating thereto.

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

Section 1. Chapter 34 of NRS is hereby amended by adding thereto a new section to read as follows:

1. If the applicant is alleging an unconstitutional prior restraint of his rights pursuant to the First Amendment to the Constitution of the United States or section 9 of article 1 of the constitution of the State of Nevada, the applicant shall insert the words "First Amendment Petition" in the caption of the application for the writ in at least 10-point type.

2. The court shall render judgment on an application for a writ described in subsection 1 not later than 30 days after the date on which the application for the writ is filed.

Sec. 2. NRS 34.180 is hereby amended to read as follows:

34.180 ~~{The}~~ *Except as otherwise provided in section 1 of this act, the writ of mandamus may, in the discretion of the court or judge issuing the writ, be made returnable and a hearing thereon be had at any time.*

Sec. 3. NRS 34.300 is hereby amended to read as follows:

34.300 Except as otherwise provided in NRS 34.150 to 34.290, inclusive, *and section 1 of this act*, the provisions of NRS and Nevada Rules of Civil Procedure relative to civil actions in the district court are applicable to and constitute the rules of practice in the proceedings mentioned in NRS 34.150 to 34.290, inclusive ~~{ }~~, *and section 1 of this act.*

Sec. 4. This act becomes effective upon passage and approval.

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