

CHAPTER.....

AN ACT relating to evidence; expanding the circumstances under which expert testimony concerning the effects of domestic violence and evidence of domestic violence are admissible in a criminal proceeding; 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.** NRS 48.061 is hereby amended to read as follows:  
48.061 ~~{Evidence}~~

*1. Except as otherwise provided in subsection 2, evidence of domestic violence ~~{as defined in NRS 33.018}~~ and expert testimony concerning the effect of domestic violence , including, without limitation, the effect of physical, emotional or mental abuse, on the beliefs, behavior and perception of the ~~{person alleging}~~ alleged victim of the domestic violence that is offered by the prosecution or defense is admissible in ~~{chief and in rebuttal}~~ a criminal proceeding for any relevant purpose, including, without limitation, when determining:*

~~{1-}~~ (a) Whether a ~~{person}~~ defendant is excepted from criminal liability pursuant to subsection 7 of NRS 194.010, to show the state of mind of the defendant.

~~{2-}~~ (b) Whether a ~~{person}~~ defendant in accordance with NRS 200.200 has killed another in self-defense, toward the establishment of the legal defense.

*2. Expert testimony concerning the effect of domestic violence may not be offered against a defendant pursuant to subsection 1 to prove the occurrence of an act which forms the basis of a criminal charge against the defendant.*

*3. As used in this section, “domestic violence” means the commission of any act described in NRS 33.018.*

**Sec. 2.** The amendatory provisions of this act do not apply to an action filed or a proceeding commenced before October 1, 2002.

**Sec. 3.** This act becomes effective on October 1, 2002.