

EMERGENCY REQUEST OF SENATE MINORITY LEADER

SENATE BILL NO. 572—SENATORS TITUS, WIENER, MATHEWS, COFFIN,
CARLTON, CARE, NEAL, SCHNEIDER AND SHAFFER

MAY 16, 2001

Referred to Committee on Judiciary

SUMMARY—Provides immunity from civil liability for person who reports threats of violence against school officials, school employees or pupils. (BDR 34-1532)

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 public safety; providing immunity from civil liability for any person who reports certain threats of violence against a school official, school employee or pupil; and providing other matters properly relating thereto.

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

- 1 **Section 1.** Chapter 388 of NRS is hereby amended by adding thereto a
2 new section to read as follows:
3 1. *Except as otherwise provided in subsection 2, if any person who*
4 *knows or has reasonable cause to believe that another person has made a*
5 *threat of violence against a school official, school employee or pupil*
6 *reports in good faith that threat of violence to a school official, teacher,*
7 *school police officer, local law enforcement agency or potential victim of*
8 *the violence that is threatened, the person who makes the report is*
9 *immune from civil liability for any act or omission relating to that report.*
10 *Such a person is not immune from civil liability for any other act or*
11 *omission committed by the person as a part of, in connection with or as a*
12 *principal, accessory or conspirator to the violence, regardless of the*
13 *nature of the other act or omission.*
14 2. *The provisions of this section do not apply to a person who:*
15 (a) *Is acting in his professional or occupational capacity and is*
16 *required to make a report pursuant to NRS 200.5093 or 432B.220.*
17 (b) *Is required to make a report concerning the commission of a*
18 *violent or sexual offense against a child pursuant to NRS 202.882.*



* S B 5 7 2 R 1 *

3. *As used in this section:*

(a) *"Reasonable cause to believe" means, in light of all the surrounding facts and circumstances which are known, a reasonable person would believe, under those facts and circumstances, that an act, transaction, event, situation or condition exists, is occurring or has occurred.*

(b) *"School employee" means a licensed or unlicensed person who is employed by:*

(1) *A board of trustees of a school district pursuant to NRS 391.100; or*

(2) *The governing body of a charter school.*

(c) *"School official" means:*

(1) *A member of the board of trustees of a school district.*

(2) *A member of the governing body of a charter school.*

(3) *An administrator employed by the board of trustees of a school district or the governing body of a charter school.*

(d) *"Teacher" means a person employed by the:*

(1) *Board of trustees of a school district to provide instruction or other educational services to pupils enrolled in public schools of the school district.*

(2) *Governing body of a charter school to provide instruction or other educational services to pupils enrolled in the charter school.*

Sec. 2. Chapter 394 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *Except as otherwise provided in subsection 2, if any person who knows or has reasonable cause to believe that another person has made a threat of violence against a school official, school employee or pupil reports in good faith that threat of violence to a school official, teacher, school police officer, local law enforcement agency or potential victim of the violence that is threatened, the person who makes the report is immune from civil liability for any act or omission relating to that report. Such a person is not immune from civil liability for any other act or omission committed by the person as a part of, in connection with or as a principal, accessory or conspirator to the violence, regardless of the nature of the other act or omission.*

2. *The provisions of this section do not apply to a person who:*

(a) *Is acting in his professional or occupational capacity and is required to make a report pursuant to NRS 200.5093 or 432B.220.*

(b) *Is required to make a report concerning the commission of a violent or sexual offense against a child pursuant to NRS 202.882.*

3. *As used in this section:*

(a) *"Reasonable cause to believe" means, in light of all the surrounding facts and circumstances which are known, a reasonable person would believe, under those facts and circumstances, that an act, transaction, event, situation or condition exists, is occurring or has occurred.*

(b) *"School employee" means a licensed or unlicensed person, other than a school official, who is employed by a private school.*

(c) *"School official" means:*



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- 1 (1) *An owner of a private school.*
- 2 (2) *A director of a private school.*
- 3 (3) *A supervisor at a private school.*
- 4 (4) *An administrator at a private school.*
- 5 (d) *“Teacher” means a person employed by a private school to provide*
- 6 *instruction and other educational services to pupils enrolled in the*
- 7 *private school.*
- 8 **Sec. 3.** The immunity from civil liability provided by sections 1 and 2
- 9 of this act applies to reports of threats of violence that are made on or after
- 10 the effective date of this act.
- 11 **Sec. 4.** This act becomes effective upon passage and approval.

