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For the fiscal year 1997-1998\$36,556
 For the fiscal year 1998-1999\$27,524

2. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years and reverts to the state general fund as soon as all payments of money committed have been made.

Sec. 32. 1. This section and section 31 of this act become effective on July 1, 1997.

2. Sections 1 to 15, inclusive, 17 to 27, inclusive, and 29 of this act become effective on October 1, 1997.

3. Section 30 of this act becomes effective at 12:01 a.m. on October 1, 1997.

4. Sections 16 and 28 of this act become effective on July 1, 1998.

Assembly Bill No. 170—Assemblymen Ohrenschall, Evans, Giunchigliani, Krenzer, Anderson, Hickey, Segerblom, Sandoval, Perkins, Carpenter, Koivisto, Collins, Nolan, Manendo, Berman, de Braga, Dini, Buckley, Tiffany, Amodei, Herrera, Goldwater, Arberry, Bache, Freeman, Parks, Lee, Chowning, Williams, Price, Close, Humke, Hettrick, Ernaut, Mortenson, Lambert, Braunlin, Von Tobel, Neighbors, Gustavson, Cegavske and Marvel

CHAPTER 476

AN ACT relating to domestic violence; creating the repository for information concerning orders for protection against domestic violence within the central repository for Nevada records of criminal history; requiring certain persons to transmit certain information regarding orders for protection against domestic violence to the central repository for Nevada records of criminal history; authorizing a justice of the peace and a municipal court judge to suspend the sentence of a person convicted of a misdemeanor that constitutes domestic violence for not more than 3 years under certain circumstances; making various changes concerning the penalties imposed for committing a battery that constitutes domestic violence; requiring a court to register certain orders for protection against domestic violence issued by a court located outside this state; creating the office of ombudsman for victims of domestic violence; creating an account for programs related to domestic violence; requiring the appointment of a committee on domestic violence; providing a penalty; and providing other matters properly relating thereto.

[Approved July 16, 1997]

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

Section 1. The legislature hereby finds and declares that:

1. There is a critical public need to ensure the effective prosecution of persons who commit acts of domestic violence in this state.

2. The laws of this state require amendment to improve the prosecution of crimes involving domestic violence.

3. The high recidivism rate for the crimes of battery, sexual assault and stalking when committed against the spouse, child or relative of the offender

2. The court may require the applicant or the adverse party, or both, to appear before it before determining whether to grant the temporary or extended order.

3. A temporary order may be granted with or without notice to the adverse party. An extended order may only be granted after notice to the adverse party and a hearing on the application.

4. The court shall rule upon an application for a temporary order within 1 judicial day after it is filed.

5. If it appears to the satisfaction of the court from specific facts communicated by telephone to the court by an alleged victim that an act of domestic violence has occurred and the alleged perpetrator of the domestic violence has been arrested and is presently in custody pursuant to NRS 171.137, the court may grant a temporary order for protection against domestic violence. Before approving an order under such circumstances, the court shall confirm with the appropriate law enforcement agency that the applicant is an alleged victim and that the alleged perpetrator is in custody. Upon approval by the court, the signed order may be transmitted to the facility where the alleged perpetrator is in custody by electronic or telephonic transmission to a facsimile machine. If such an order is received by the facility holding the alleged perpetrator while he is still in custody, the order must be personally served by an authorized employee of the facility before the alleged perpetrator is released. The court shall mail a copy of each order issued pursuant to this subsection to the alleged victim named in the order and cause the original order to be filed with the court clerk on the first judicial day after it is issued.

6. In a county whose population is 400,000 or more, the court shall be available 24 hours a day, 7 days a week, including nonjudicial days and holidays, to receive communications by telephone and for the issuance of a temporary order for protection against domestic violence pursuant to subsection 5.

7. In a county whose population is less than 400,000, the court may be available 24 hours a day, 7 days a week, including nonjudicial days and holidays, to receive communications by telephone and for the issuance of a temporary order for protection against domestic violence pursuant to subsection 5.

8. The clerk of the court shall inform the protected party upon the successful transfer of information concerning the registration to the central repository for Nevada records of criminal history as required pursuant to section 10 of this act.

Sec. 14. NRS 33.070 is hereby amended to read as follows:

33.070 1. Every temporary or extended order must include a provision ordering any law enforcement officer [who witnesses a violation of] *to arrest an adverse party if the officer has probable cause to believe that the adverse party has violated any provision of the order.* [to arrest the adverse party.]

2. If a law enforcement officer cannot verify that the adverse party was served with a copy of the application and order, he shall:

(a) Inform the adverse party of the specific terms and conditions of the order; [and]

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