
ASSEMBLY BILL NO. 54—COMMITTEE ON ELECTIONS,
PROCEDURES, ETHICS, AND CONSTITUTIONAL AMENDMENTS

(ON BEHALF OF THE INTERIM STUDY COMMITTEE
ON JUVENILE JUSTICE SYSTEM)

FEBRUARY 11, 2005

Referred to Committee on Elections, Procedures,
Ethics, and Constitutional Amendments

SUMMARY—Creates Legislative Committee on Juvenile Justice
and requires performance audits of institutions and
facilities that house juvenile offenders.
(BDR 17-193)

FISCAL NOTE: Effect on Local Government: Increases or Newly
Provides for Term of Imprisonment in County or City
Jail or Detention Facility.
Effect on the State: Yes.

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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 juveniles; creating the Legislative Committee
on Juvenile Justice; prescribing its powers and duties;
creating a full-time position in the Audit Division of the
Legislative Counsel Bureau; requiring the Legislative
Auditor to appoint an auditor to conduct performance
audits of institutions and facilities where juvenile
offenders are incarcerated, detained or under residential
confinement pursuant to a court order; and providing
other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law directs the Legislative Commission to conduct an interim study of
2 the juvenile justice system in Nevada. (ACR 18, Statutes of Nevada 2003, at pages
3 3760-3762)
4 This bill creates the Legislative Committee on Juvenile Justice as a permanent
5 statutory committee to meet during the interim between legislative sessions. This
6 bill prescribes the membership of the Committee and prescribes its powers and
7 duties.



Existing law creates the Audit Division of the Legislative Counsel Bureau and makes the Legislative Auditor the Chief of the Division. (NRS 218.620) Existing law further provides for the qualifications of the Legislative Auditor and sets forth the powers and duties of the Legislative Auditor. (NRS 218.740, 218.770)

This bill creates a full-time position in the Audit Division to conduct performance audits of institutions and facilities where juvenile offenders are incarcerated, detained or under residential confinement pursuant to a court order. The auditor is required to make periodic unannounced visits to the institutions and facilities audited. The auditor must provide periodic reports to the Legislative Committee on Juvenile Justice.

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

Section 1. Chapter 218 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 8, inclusive, of this act.

Sec. 2. *As used in sections 2 to 8, inclusive, of this act, unless the context otherwise requires, "Committee" means the Legislative Committee on Juvenile Justice.*

Sec. 3. 1. *The Legislative Committee on Juvenile Justice, consisting of eight legislative members, is hereby created. The membership of the Committee consists of:*

(a) Four members appointed by the Majority Leader of the Senate, at least one of whom must be a member of the minority political party.

(b) Four members appointed by the Speaker of the Assembly, at least one of whom must be a member of the minority political party.

2. *After the initial selection, the Legislative Commission shall select the Chairman and Vice Chairman of the Committee from among the members of the Committee. After the initial selection of those officers, each of those officers holds the position for a term of 2 years commencing on July 1 of each odd-numbered year. The chairmanship of the Committee must alternate each biennium between the houses of the Legislature. If a vacancy occurs in the chairmanship or vice chairmanship, the vacancy must be filled in the same manner as the original selection for the remainder of the unexpired term.*

3. *A member of the Committee who is not a candidate for reelection or who is defeated for reelection continues to serve until the convening of the next regular session of the Legislature.*

4. *A vacancy on the Committee must be filled in the same manner as the original appointment.*



1 **Sec. 4. 1. The members of the Committee shall meet**
2 *throughout the year at the times and places specified by a call of*
3 *the Chairman or a majority of the Committee.*

4 2. The Director of the Legislative Counsel Bureau or his
5 *designee shall act as the nonvoting recording Secretary of the*
6 *Committee.*

7 3. The Committee shall prescribe regulations for its own
8 *management and government.*

9 4. Five members of the Committee constitute a quorum, and a
10 *quorum may exercise all the power and authority conferred on the*
11 *Committee.*

12 5. Any recommended legislation proposed by the Committee
13 *must be approved by a majority of the members of the Senate and*
14 *by a majority of the members of the Assembly appointed to the*
15 *Committee.*

16 6. Except during a regular or special session of the
17 *Legislature, for each day or portion of a day during which a*
18 *member of the Committee attends a meeting of the Committee or is*
19 *otherwise engaged in the work of the Committee, the member is*
20 *entitled to receive the:*

21 (a) Compensation provided for a majority of the members of
22 *the Legislature during the first 60 days of the preceding regular*
23 *session;*

24 (b) Per diem allowance provided for state officers and
25 *employees generally; and*

26 (c) Travel expenses provided pursuant to NRS 218.2207.

27 ↪ The compensation, per diem allowances and travel expenses of
28 *the members of the Committee must be paid from the Legislative*
29 *Fund.*

30 **Sec. 5. The Committee may:**

31 1. Evaluate, review and comment upon issues relating to
32 *juvenile justice in this State, including, but not limited to:*

33 (a) A coordinated continuum of care in which community-
34 *based programs and services are combined to ensure that health*
35 *services, substance abuse treatment, education, training and care*
36 *are compatible with the needs of each youth;*

37 (b) Individualized supervision, care and treatment to
38 *accommodate the individual needs and potential of the youth and*
39 *his family, and treatment programs which integrate the youth into*
40 *situations of living and interacting that are compatible with a*
41 *healthy, stable and familial environment;*

42 (c) Programs for aftercare and reintegration in which youth
43 *will continue to receive treatment after their active rehabilitation*



1 in a facility to prevent the relapse or regression of progress
2 achieved during the recovery process;

3 (d) Overrepresentation and disparate treatment of minority
4 youth in the juvenile justice system, including a review of the
5 various places where bias may influence decisions concerning
6 minority youth;

7 (e) Gender-specific services, including programs which
8 consider female development in their design and implementation
9 and which address the needs of girls, including issues relating to:

10 (1) Victimization and abuse;

11 (2) Substance abuse;

12 (3) Mental health and education; and

13 (4) Vocational and skills training;

14 (f) The quality of care provided in state institutions and
15 facilities, including:

16 (1) The qualifications and training of staff;

17 (2) The documentation of the performance of state
18 institutions and facilities;

19 (3) The coordination and collaboration of agencies;

20 (4) The availability of services relating to mental health,
21 substance abuse, education, vocational training and treatment of
22 sexual offenders and violent offenders; and

23 (5) The feasibility and necessity for independent monitoring
24 of state institutions and facilities; and

25 (g) Programs developed in other states which provide a system
26 of community-based programs that place young offenders in more
27 specialized programs according to their needs.

28 2. Conduct investigations and hold hearings in connection
29 with its duties pursuant to this section.

30 3. Request that the Legislative Counsel Bureau assist in the
31 research, investigations, hearings and reviews of the Committee.

32 4. Propose recommended legislation to the Legislature
33 concerning juvenile justice.

34 **Sec. 6.** 1. If the Committee conducts investigations or holds
35 hearings pursuant to section 5 of this act:

36 (a) The Secretary of the Committee or, in his absence, a
37 member designated by the Committee may administer oaths.

38 (b) The Secretary or Chairman of the Committee may cause
39 the deposition of witnesses, residing within or outside of this State,
40 to be taken in the manner prescribed by rule of court for taking
41 depositions in civil actions in the district courts.

42 (c) The Chairman of the Committee may issue subpoenas to
43 compel the attendance of witnesses and the production of books
44 and papers.



2. If a witness refuses to attend or testify or produce books or papers as required by the subpoena, the Chairman of the Committee may report to the district court by a petition which sets forth that:

(a) Notice has been given of the time and place of attendance of the witness or the production of the books or papers;

(b) The witness has been subpoenaed by the Committee pursuant to this section; and

(c) The witness has failed or refused to attend or produce the books or papers required by the subpoena before the Committee that is named in the subpoena, or has refused to answer questions propounded to him.

↪ The petition may request an order of the court compelling the witness to attend and testify or produce the books and papers before the Committee.

3. Upon such a petition, the court shall enter an order directing the witness to appear before the court at a time and place to be fixed by the court in its order, the time to be not more than 10 days after the date of the order, and to show cause why he has not attended or testified or produced the books or papers before the Committee. A certified copy of the order must be served upon the witness.

4. If it appears to the court that the subpoena was regularly issued by the Committee, the court shall enter an order that the witness appear before the Committee at the time and place fixed in the order and testify or produce the required books or papers. Failure to obey the order constitutes contempt of court.

Sec. 7. Each witness who appears before the Committee by its order, except a state officer or employee, is entitled to receive for his attendance the fees and mileage provided for witnesses in civil cases in the courts of record of this State. The fees and mileage must be audited and paid upon the presentation of proper claims sworn to by the witness and approved by the Secretary and Chairman of the Committee.

Sec. 8. 1. A full-time position is hereby created in the Audit Division of the Legislative Counsel Bureau. The Legislative Auditor shall appoint an auditor to fill the position.

2. The auditor:

(a) Shall conduct a performance audit of each institution or facility where juvenile offenders are incarcerated, detained or under residential confinement pursuant to a court order; and

(b) May make periodic unannounced visits to an institution or facility to carry out the provisions of paragraph (a).

3. Except as otherwise provided in this subsection, any information obtained in conducting performance audits pursuant



1 *to this section shall be deemed a confidential work product. The*
2 *auditor shall, on or before December 31 of each even-numbered*
3 *year, submit a written report of the performance audits of the*
4 *institutions and facilities to the Director of the Legislative Counsel*
5 *Bureau for transmission to the Committee and the next regular*
6 *session of the Legislature.*

7 **Sec. 9.** This act becomes effective on July 1, 2005.



