

ASSEMBLY BILL NO. 79—ASSEMBLYWOMAN BUCKLEY

FEBRUARY 17, 2005

Referred to Committee on Judiciary

SUMMARY—Authorizes award of reasonable expenses, including attorney's fees, in certain contempt proceedings. (BDR 2-72)

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 civil practice; allowing the court under certain circumstances to require a person found guilty of contempt to pay the reasonable expenses incurred by a party as a result of the contempt; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, a person disobeying a lawful writ, order, rule or process of
2 the court is guilty of contempt. (NRS 22.010) A person found guilty of contempt
3 may be fined up to \$500 or imprisoned for up to 25 days, or may be both fined and
4 imprisoned. (NRS 22.100)

5 This bill gives the court the option of also requiring the person found in
6 contempt to pay the reasonable expenses, including attorney's fees, incurred by a
7 party as a result of the contempt.

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

1 **Section 1.** NRS 22.100 is hereby amended to read as follows:
2 22.100 **1.** Upon the answer and evidence taken, the court or
3 judge or jury, as the case may be, shall determine whether the
4 person proceeded against is guilty of the contempt charged. ~~}; and if~~
5 ~~it be found that he is}~~
6 **2. Except as otherwise provided in NRS 22.110, if a person is**
7 **found** guilty of ~~the~~ contempt, a fine may be imposed on him not
8 exceeding \$500 ~~};~~ or he may be imprisoned not exceeding 25 days,



1 or both . ~~[, but no imprisonment shall exceed 25 days except as~~
2 ~~provided in NRS 22.110.]~~

3 *3. In addition to the penalties provided in subsection 2, if a*
4 *person is found guilty of contempt pursuant to subsection 3 of*
5 *NRS 22.010, the court may require the person to pay to the party*
6 *seeking to enforce the writ, order, rule or process the reasonable*
7 *expenses, including, without limitation, attorney's fees, incurred*
8 *by the party as a result of the contempt.*

