

Assembly Bill No. 299—Assemblymen Conklin, Horne, Ocegüera,
Gerhardt, Allen and Parks

CHAPTER.....

AN ACT relating to youth shelters; revising the definition of “runaway and homeless youth” for consistency with the federal definition for purposes of provisions which authorize counties to designate approved youth shelters; revising the requirements for designation of a youth shelter as an approved youth shelter; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law provides that an approved youth shelter and its director, employees, agents or volunteers are immune from civil liability for certain actions taken while admitting, releasing or caring for a runaway or homeless youth. (NRS 244.429) **Section 1** of this bill revises the definition of “runaway and homeless youth” as used in the sections addressing approved youth shelters for consistency with the definition set forth in the McKinney-Vento Homeless Assistance Act, 42 U.S.C. § 11434a(2). (NRS 244.424) **Section 2** of this bill requires approved youth shelters to make a reasonable, bona fide attempt to notify the parent, guardian or custodian as to the whereabouts of a runaway or homeless youth as soon as practicable, except in cases of suspected abuse or neglect, rather than requiring actual notice.

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

Section 1. NRS 244.424 is hereby amended to read as follows:

244.424 “Runaway or homeless youth” means a youth who :

~~is:~~

- ~~1. Without a place of shelter where supervision and care are available; or~~ *Is under 18 years of age; and*
- ~~2. Absent from his legal residence without the consent of his parent, guardian or custodian.~~ *Lives in a situation described in 42 U.S.C. § 11434a(2)(B)(ii)-(iii) with or without the consent or knowledge of his parent, guardian or custodian.*

Sec. 2. NRS 244.428 is hereby amended to read as follows:

244.428 1. The board of county commissioners of any county may provide by ordinance for the designation of a youth shelter operated within the county as an approved youth shelter.

2. If a board of county commissioners has adopted an ordinance pursuant to subsection 1, a youth shelter that is located in that county and seeking to be designated as an approved youth



shelter may apply to the board of county commissioners for such a designation.

3. An ordinance adopted by a board of county commissioners pursuant to subsection 1 must:

(a) Prescribe the requirements for designation of a youth shelter as an approved youth shelter, including, without limitation:

(1) A requirement that the youth shelter provide necessary services;

(2) The form and manner of the application for designation or renewal of a designation as an approved youth shelter;

(3) An application fee in an amount not to exceed the actual cost to the county for reviewing the application; and

(4) A requirement that an applicant must comply with the provisions of an ordinance adopted pursuant to this section and with all applicable federal, state and local laws and ordinances pertaining to shelters for the homeless.

(b) Provide for reasonable inspections of an approved youth shelter to confirm that the youth shelter is complying with the provisions of an ordinance adopted to carry out the provisions of this section.

(c) Provide for the revocation of a designation as an approved youth shelter for failure to comply with the provisions of an ordinance adopted to carry out the provisions of this section.

(d) Require an approved youth shelter to conduct an interview to determine whether a youth is a runaway or homeless youth and is qualified to receive the necessary services of the approved youth shelter.

(e) Upon admission of a runaway or homeless youth to a shelter, require:

(1) ~~The notification of~~ **A reasonable, bona fide attempt to notify** the parent, guardian or custodian of the runaway or homeless youth concerning the whereabouts of the runaway or homeless youth as soon as practicable, except in circumstances of suspected abuse or neglect;

(2) The notification of state and local law enforcement agencies concerning the whereabouts of the runaway or homeless youth; and

(3) A licensed professional to perform an evaluation of the youth to determine:

(I) The reasons why the youth is a runaway or homeless youth;

(II) Whether the youth is a victim of abuse or neglect; and



(III) Whether the youth needs immediate medical care or counseling.

(f) Require an approved youth shelter to return or facilitate the return of a runaway or homeless youth to the parent, guardian or custodian who was notified of the whereabouts of the runaway or homeless youth pursuant to subparagraph (1) of paragraph (e) if the parent, guardian or custodian so requests.

(g) Provide for the liability of a parent, guardian or custodian of a runaway or homeless youth for any expenses or costs incurred by the approved youth shelter for providing services to the runaway or homeless youth only if the services of the shelter were obtained through fraud or misrepresentation.

(h) Require the information or records obtained by an approved youth shelter to remain confidential, unless the use or disclosure of the information or records is necessary to:

(1) Locate a parent, guardian or custodian of a runaway or homeless youth;

(2) Comply with the duty to report abuse or neglect of a child pursuant to NRS 432B.220;

(3) Notify state and local law enforcement agencies or the clearinghouse; or

(4) Seek appropriate assistance for a runaway or homeless youth from public and private agencies.

4. In a county where the board of county commissioners has adopted an ordinance pursuant to subsection 1, the board of county commissioners may establish, by ordinance, other regulations as are necessary to carry out the provisions of this section.

5. As used in this section:

(a) "Abuse or neglect" means abuse or neglect of a child as defined in NRS 432B.020.

(b) "Clearinghouse" has the meaning ascribed to it in NRS 432.150.

(c) "Licensed professional" includes, without limitation:

(1) A social worker;

(2) A registered nurse;

(3) A physician;

(4) A psychologist;

(5) A teacher; or

(6) Any other class of persons who are identified in an ordinance adopted by a county who hold a professional license in this State and who are trained to recognize indications of abuse or neglect.



Sec. 3. This act becomes effective on July 1, 2007.

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