

ASSEMBLY BILL NO. 299—ASSEMBLYMEN CONKLIN, HORNE,
OCEGUERA, GERHARDT, ALLEN AND PARKS

MARCH 13, 2007

Referred to Committee on Government Affairs

SUMMARY—Makes various changes to provisions concerning
youth shelters. (BDR 20-785)

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 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:

1 Existing law provides that an approved youth shelter and its director,
2 employees, agents or volunteers are immune from civil liability for certain actions
3 taken while admitting, releasing or caring for a runaway or homeless youth. (NRS
4 244.429) **Section 1** of this bill revises the definition of “runaway and homeless
5 youth” as used in the sections addressing approved youth shelters for consistency
6 with the definition set forth in the McKinney-Vento Homeless Assistance Act, 42
7 U.S.C. § 11434a(2). (NRS 244.424) **Section 2** of this bill requires approved youth
8 shelters to make a reasonable, bona fide attempt to notify the parent, guardian or
9 custodian as to the whereabouts of a runaway or homeless youth as soon as
10 practicable, except in cases of suspected abuse or neglect, rather than requiring
11 actual notice.

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

1 **Section 1.** NRS 244.424 is hereby amended to read as follows:
2 244.424 “Runaway or homeless youth” means a youth who :
3 ~~is:~~



1 1. ~~{Without a place of shelter where supervision and care are~~
2 ~~available; or}~~ *Is under 18 years of age; and*

3 2. ~~{Absent from his legal residence without the consent of his~~
4 ~~parent, guardian or custodian.}~~ *Lives in a situation described in 42*
5 *U.S.C. § 11434a(2)(B)(ii)-(iii) with or without the consent or*
6 *knowledge of his parent, guardian or custodian.*

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

8 244.428 1. The board of county commissioners of any county
9 may provide by ordinance for the designation of a youth shelter
10 operated within the county as an approved youth shelter.

11 2. If a board of county commissioners has adopted an
12 ordinance pursuant to subsection 1, a youth shelter that is located in
13 that county and seeking to be designated as an approved youth
14 shelter may apply to the board of county commissioners for such a
15 designation.

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

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

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

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

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

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

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

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

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

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

43 (1) ~~{The notification of}~~ *A reasonable, bona fide attempt to*
44 *notify* the parent, guardian or custodian of the runaway or homeless
45 youth concerning the whereabouts of the runaway or homeless



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1 youth as soon as practicable, except in circumstances of suspected
2 abuse or neglect;

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

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

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

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

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

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

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

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

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

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

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

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

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

38 5. As used in this section:

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

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

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

44 (1) A social worker;

45 (2) A registered nurse;



- 1 (3) A physician;
- 2 (4) A psychologist;
- 3 (5) A teacher; or
- 4 (6) Any other class of persons who are identified in an
- 5 ordinance adopted by a county who hold a professional license in
- 6 this State and who are trained to recognize indications of abuse or
- 7 neglect.
- 8 **Sec. 3.** This act becomes effective on July 1, 2007.

