

SENATE BILL NO. 294—SENATOR AMODEI

MARCH 15, 2007

Referred to Committee on Judiciary

SUMMARY—Repeals the provision concerning mandatory detention of a child who commits certain acts pertaining to domestic violence. (BDR 5-958)

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 juvenile justice; repealing the provision concerning mandatory detention of a child who commits certain acts pertaining to domestic violence; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Under existing law, a child who commits a battery that constitutes domestic
- 2 violence or who violates an order for protection against domestic violence must not
- 3 be released from custody sooner than 12 hours after being taken into custody. (NRS
- 4 62C.020) This bill repeals this requirement.

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

- 1 **Section 1.** NRS 62C.020 is hereby repealed.
- 2 **Sec. 2.** This act becomes effective upon passage and approval.



TEXT OF REPEALED SECTION

62C.020 Conditions and limitations on releasing child who is detained for committing certain acts involving domestic violence.

1. A child must not be released from custody sooner than 12 hours after the child is taken into custody if the child is taken into custody for committing a battery that constitutes domestic violence pursuant to NRS 33.018.

2. A child must not be released from custody sooner than 12 hours after the child is taken into custody if:

(a) The child is taken into custody for violating a temporary or extended order for protection against domestic violence issued pursuant to NRS 33.017 to 33.100, inclusive, or for violating a restraining order or injunction that is in the nature of a temporary or extended order for protection against domestic violence issued in an action or proceeding brought pursuant to title 11 of NRS; and

(b) The peace officer or probation officer who has taken the child into custody determines that such a violation is accompanied by a direct or indirect threat of harm.

3. For the purposes of this section, an order or injunction is in the nature of a temporary or extended order for protection against domestic violence if it grants relief that might be given in a temporary or extended order issued pursuant to NRS 33.017 to 33.100, inclusive.

