

CHAPTER.....

AN ACT relating to juvenile justice; revising the provision concerning mandatory detention of a child who commits a battery that constitutes domestic violence; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Under existing law, a child who commits a battery that constitutes domestic violence must not be released from custody sooner than 12 hours after being taken into custody. (NRS 62C.020) This bill provides that such a child may be released from custody sooner than 12 hours after being taken into custody under certain circumstances.

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

**Section 1.** NRS 62C.020 is hereby amended to read as follows:

62C.020 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 ~~1~~, *unless the peace officer or probation officer who has taken the child into custody determines that the child does not otherwise meet the criteria for secure detention and:*

*(a) Respite care or another out-of-home alternative to secure detention is available for the child;*

*(b) An out-of-home alternative to secure detention is not necessary to protect the victim from injury; or*

*(c) Family services are available to maintain the child in the home and the parents or guardians of the child agree to receive those family services and to allow the child to return to the home.*

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.

**Sec. 2.** This act becomes effective upon passage and approval.

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