

SENATE BILL NO. 111—SENATORS JONES,
SEGERBLOM, KIHUEN AND FORD

FEBRUARY 12, 2013

JOINT SPONSORS: ASSEMBLYMEN FRIERSON, FLORES;
CARRILLO, MARTIN AND OHRENSCHALL

Referred to Committee on Judiciary

SUMMARY—Requires production of certain evidence under
certain circumstances. (BDR 3-771)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to civil actions; requiring a person who owns or controls the premises on which an injury or death allegedly occurred to produce certain evidence under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 This bill requires a person who owns or controls the premises on which an
2 injury or death allegedly occurred to produce copies, if any, of any visual evidence
3 of the incident giving rise to a claim for personal injury or death when such visual
4 evidence is requested in writing by a claimant or a claimant's attorney. The
5 provisions of this bill do not apply: (1) if the claimant has already commenced a
6 civil action against the person who owns or controls the premises; or (2) to the
7 release of any visual evidence which is otherwise prohibited by federal or state law.

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

1 **Section 1.** Chapter 41 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *1. Except as otherwise provided in subsection 2, any person*
4 *against whom a claim is asserted for compensation or damages for*



* S B 1 1 1 *

1 *personal injury or death that allegedly occurred on any premises*
2 *under the person's ownership or control shall, upon written*
3 *request, provide to the claimant or any attorney representing the*
4 *claimant copies, if any, of any visual evidence of the incident*
5 *giving rise to the claim within 10 judicial days after receipt of the*
6 *written request. The claimant or the claimant's attorney shall*
7 *reimburse the person for the reasonable costs of providing such*
8 *copies of visual evidence.*

9 2. *This section does not apply:*

10 (a) *If the claimant has commenced a civil action against the*
11 *person who owns or controls the premises on which the personal*
12 *injury or death allegedly occurred.*

13 (b) *To the release of any visual evidence which is otherwise*
14 *prohibited by federal or state law.*

15 3. *As used in this section, "visual evidence" means any still*
16 *or recorded information. The term includes, without limitation,*
17 *any photograph, film, video recording or other visual image.*

