

SENATE BILL NO. 298—SENATOR HARDY

MARCH 16, 2015

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to criminal procedure.
(BDR 14-1029)

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 criminal procedure; removing the requirement to endorse certain witnesses at the time of filing an information; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law requires the district attorney or the Attorney General to endorse
2 the names of witnesses who are known at the time of filing an information. (NRS
3 173.045) Existing law also requires attorneys where a defendant has been charged
4 with a felony or gross misdemeanor to provide reciprocal notice of all witnesses not
5 less than 5 judicial days before trial or at such other time as the court directs. (NRS
6 174.234) This bill removes the requirement for endorsing the names of witnesses at
7 the time of filing an information.

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

1 **Section 1.** NRS 173.045 is hereby amended to read as follows:
2 173.045 1. All informations must be filed in the court having
3 jurisdiction of the offenses specified therein, by the Attorney
4 General when acting pursuant to a specific statute or by the district
5 attorney of the proper county as informant, and his or her name must
6 be subscribed thereto by him or her or by his or her deputy.
7 2. ~~The district attorney or the Attorney General shall endorse~~
8 ~~thereon the names of such witnesses as are known at the time of~~
9 ~~filing the information. The district attorney or Attorney General~~



1 ~~shall not endorse the name of any witness whom he or she does not~~
2 ~~reasonably expect to call.~~
3 ~~—3.1~~ In all cases in which the defendant has not had or waived a
4 preliminary examination there must be filed with the information the
5 affidavit of some credible person verifying the information upon the
6 personal knowledge of affiant that the offense was committed.

