

ASSEMBLY BILL NO. 232—ASSEMBLYMEN BILBRAY-AXELROD,
SPIEGEL; DALY, FUMO, JOINER AND MONROE-MORENO

FEBRUARY 22, 2017

JOINT SPONSORS: SENATORS PARKS; MANENDO AND SEGERBLOM

Referred to Committee on Judiciary

SUMMARY—Establishes provisions governing changing the name
of a minor. (BDR 3-811)

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 civil actions; establishing the procedure for
changing the name of a minor; and providing other
matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes a person to change his or her name by filing a petition in the district court of the district in which the person resides. (NRS 41.270) **Sections 2-7** of this bill establish the procedure for changing the name of a minor. **Section 5** of this bill authorizes the parent of an unemancipated minor to file a petition to change the name of the minor. The petition must include the: (1) minor's present name; (2) name the minor will bear in the future; (3) reason for the name change; (4) consent of the minor if the minor is over 14 years of age; (5) consent of the other parent, if any; and (6) name and address of the other parent of the minor, if known.

Section 6 of this bill requires the petitioning parent to personally serve notice upon the other parent unless the other parent consents to the change of name. If the petitioning parent can establish to the court that notice cannot be personally served on the other parent, the court may order the petitioning parent to: (1) publish the notice in a newspaper of general circulation for 3 successive weeks; and (2) serve notice and a copy of the petition by mail to the other parent's last known address.

Section 7 of this bill requires the court to make an order changing the name of the minor as requested in the petition upon being satisfied by the statements in the petition or other evidence that good reason exists, if: (1) the other parent consents; or (2) no written objection is filed within 10 days after the other parent is personally served or the last publication of notice as ordered by the court, upon proof of filing and evidence of service. **Section 7** also requires the court to hold a hearing if an objection is filed. The order must be recorded as a judgment of the court and the



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23 clerk is required to transmit a certified copy of the order to the State Registrar of
24 Vital Statistics.

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 the provisions set forth as sections 2 to 7, inclusive, of this
3 act.

4 **Sec. 2.** *As used in sections 2 to 7, inclusive, of this act, unless*
5 *the context otherwise requires, the words and terms defined in*
6 *sections 3 and 4 of this act have the meanings ascribed to them in*
7 *those sections.*

8 **Sec. 3.** *“Other parent” means a person who, in common with*
9 *a petitioning parent, is the parent of an unemancipated minor*
10 *under the laws of this State.*

11 **Sec. 4.** *“Petitioning parent” means a person who is the*
12 *parent of an unemancipated minor under the laws of this State,*
13 *desiring to change the name of his or her child.*

14 **Sec. 5. 1.** *Any parent of an unemancipated minor desiring*
15 *to have the name of the minor changed may file a verified petition*
16 *with the clerk of the district court of the district in which the*
17 *minor resides.*

18 **2.** *The petition shall be addressed to court and shall state the:*

19 **(a)** *Minor’s present name;*

20 **(b)** *Name which the minor will bear in the future;*

21 **(c)** *Reason for desiring the name change;*

22 **(d)** *Consent of the minor, if over the age of 14 years;*

23 **(e)** *Consent, if any, of the other parent; and*

24 **(f)** *Name and address of the other parent, if known.*

25 **Sec. 6. 1.** *Unless consent of the other parent is stated in the*
26 *petition, and except as otherwise provided in subsection 2, upon*
27 *the filing of the petition, the petitioning parent shall make out and*
28 *procure a notice that must:*

29 **(a)** *State the fact of the filing of the petition, its object, the*
30 *minor’s present name and the name which the minor will bear in*
31 *the future; and*

32 **(b)** *Be personally served with a copy of the petition upon the*
33 *other parent.*

34 **2.** *If the petitioning parent submits proof satisfactory to the*
35 *court that notice cannot be personally served on the other parent,*
36 *the court may order the petitioning parent to:*

37 **(a)** *Publish notice in a newspaper of general circulation in the*
38 *county once a week for 3 successive weeks; and*



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1 (b) *Serve notice and a copy of the petition by registered or*
2 *certified mail to the other parent at his or her last known address.*

3 **Sec. 7. 1.** *Except as otherwise provided in subsection 2, the*
4 *court shall make an order changing the name of the minor as*
5 *prayed for in the petition upon being satisfied by the statements in*
6 *the petition or other evidence that good reason exists, if:*

7 (a) *Consent of the other parent is stated in the petition; or*

8 (b) *No written objection is filed with the clerk within 10 days*
9 *after the other parent is personally served or the last day of*
10 *publication of notice as ordered in section 6 of this act, upon proof*
11 *of the filing of the petition and evidence of service.*

12 2. *If, within the period described in paragraph (b) of*
13 *subsection 1, an objection is filed, the court shall appoint a day for*
14 *hearing the proofs, respectively, of the petitioning parent and the*
15 *objection, upon reasonable notice. Upon that day, the court shall*
16 *hear the proofs, and grant or refuse the prayer of the petitioning*
17 *parent, according to whether the proofs show satisfactory reasons*
18 *for making the change.*

19 3. *Upon the making of an order either granting or denying*
20 *the prayer of the petitioning parent, the order must be recorded as*
21 *a judgment of the court. If the petition is granted, the name of the*
22 *minor must thereupon be as stated in the order and the clerk shall*
23 *transmit a certified copy of the order to the State Registrar of Vital*
24 *Statistics.*

25 **Sec. 8.** NRS 41.270 is hereby amended to read as follows:

26 41.270 Any natural person , *except an unemancipated minor,*
27 desiring to have his or her name changed may file a verified petition
28 with the clerk of the district court of the district in which the person
29 resides. The petition shall be addressed to the court and shall state
30 the applicant's present name, the name which the applicant desires
31 to bear in the future, the reason for desiring the change and whether
32 the applicant has been convicted of a felony.

