

**MINUTES OF THE FLOOR MEETING
OF THE
ASSEMBLY COMMITTEE ON JUDICIARY**

**Seventy-Ninth Session
June 1, 2017**

The Committee on Judiciary was called to order by Chairman Steve Yeager at 12:12 p.m. on Thursday, June 1, 2017, behind the bar of the Assembly.

COMMITTEE MEMBERS PRESENT:

Assemblyman Steve Yeager, Chairman
Assemblywoman Lesley E. Cohen
Assemblyman Ozzie Fumo
Assemblyman Ira Hansen
Assemblywoman Sandra Jauregui
Assemblywoman Lisa Krasner
Assemblywoman Brittney Miller
Assemblyman Keith Pickard
Assemblyman Tyrone Thompson
Assemblywoman Jill Tolles
Assemblyman Justin Watkins
Assemblyman Jim Wheeler

COMMITTEE MEMBERS ABSENT:

Assemblyman James Ohrenschall, Vice Chairman (excused)
Assemblyman Elliot T. Anderson (excused)

GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Diane C. Thornton, Committee Policy Analyst
Brad Wilkinson, Committee Counsel
Bonnie Borda Hoffecker, Committee Manager
Devon Isbell, Committee Secretary
Erin McHam, Committee Secretary
Karyn Werner, Committee Secretary



OTHERS PRESENT:

None

Chairman Yeager:

[The meeting was called to order.] We are going to do a work session and consider two bills. The first bill on our agenda is Senate Bill 124 (2nd Reprint).

Senate Bill 124 (2nd Reprint): Revises provisions concerning the ownership, possession and control of firearms by certain persons. (BDR 3-307)

Diane C. Thornton, Committee Policy Analyst:

Senate Bill 124 (2nd Reprint) revises provisions concerning the ownership, possession and control of firearms by certain persons ([Exhibit C](#)). It was sponsored by Senators Spearman, Ratti, Ford, Woodhouse and Atkinson, and heard in Committee on May 30, 2017.

Senate Bill 124 (2nd Reprint) provides that a court may order a person who is subject to an extended order for protection related to domestic violence to surrender, sell, or transfer any firearms in that person's possession while the order is in place except in certain circumstances where a firearm is necessary for employment. Procedures relating to the surrender, sale, or transfer of firearms are provided in the bill. The court must inform a person who is convicted of battery constituting domestic violence or stalking that he or she is prohibited from owning, possessing, or having a firearm under his or her control and order the person to permanently surrender, sell, or transfer any firearm under his or her control. The penalty for violating these provisions is a Category B felony.

If the offender does not own a firearm, the offender must acknowledge understanding of these provisions via affidavit to the court. In instances where a firearm is sold or transferred to a licensed dealer, the dealer must provide a receipt detailing the transfer of the firearm and whether the transfer is temporary or permanent, and the offender must provide the receipt to the court and to law enforcement.

The bill also adds any person who has been convicted in Nevada, or any other state, of a crime constituting domestic violence or stalking, or who is subject to an extended order for protection against domestic violence on or after October 1, 2017, to the list of persons prohibited from possessing a firearm in Nevada.

There are four amendments proposed to this measure. The Nevada Sheriffs' and Chiefs' Association proposed reinstating language allowing third-party surrender of firearms. Assemblywoman Cohen proposed adding the requirement that a licensed firearm dealer and law enforcement agency must include the serial number(s) for the firearm(s) surrendered in addition to a receipt for the adverse party to present to the court. Assemblyman Pickard proposed language clarifying that the prohibition of possessing firearms while subject to an extended order of protection only applies for the duration of that

order. Assemblyman Yeager proposed adding the language "or admonishment of rights" to ensure that notice is being given.

Chairman Yeager:

I will accept a motion to amend and do pass S.B. 124 (R2) with all four amendments.

ASSEMBLYWOMAN JAUREGUI MOVED TO AMEND AND DO PASS
SENATE BILL 124 (2ND REPRINT).

ASSEMBLYMAN THOMPSON SECONDED THE MOTION.

Is there any discussion on the bill?

Assemblywoman Krasner:

I will be voting no because I am not comfortable with the language concerning serial numbers.

Chairman Yeager:

Is that the only language that is causing you to not support this bill?

Assemblywoman Krasner:

No, there is a little more to it.

Chairman Yeager:

Is there any other discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEN KRASNER, HANSEN, AND
WHEELER VOTED NO. ASSEMBLYMEN ELLIOT T. ANDERSON AND
OHRENSCHALL WERE ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblywoman Jauregui.

Diane C. Thornton, Committee Policy Analyst:

The other bill on work session today is Senate Bill 538 (1st Reprint).

**Senate Bill 538 (1st Reprint): Adopts provisions to protect Internet privacy.
(BDR 52-1216)**

The bill was sponsored by Senator Ford and Assemblyman Frierson, and was heard in Committee on May 31, 2017.

Senate Bill 538 (1st Reprint) requires operators of certain commercial Internet websites or online services to make available a notice containing certain information relating to the privacy of personally identifiable information about consumers collected by the operator through its Internet website or online service ([Exhibit D](#)). An operator may remedy any

failure relating to making such a notice available within 30 days after being informed of the failure. Further, an operator is prohibited from knowingly and willfully failing to remedy such a failure within 30 days after being informed or making a knowing and material misrepresentation or omission in such a notice that is likely to mislead a consumer to the detriment of the consumer. Finally, the Attorney General is authorized to seek an injunction or a civil penalty against an operator who engages in such an act. There are no amendments to this bill.

Chairman Yeager:

Is there any discussion on this bill? [There was none.] I will accept a motion to do pass Senate Bill 538 (1st Reprint).

ASSEMBLYMAN FUMO MADE A MOTION TO DO PASS
SENATE BILL 538 (1ST REPRINT).

ASSEMBLYWOMAN MILLER SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN ELLIOT T. ANDERSON
AND OHRENSCHALL WERE ABSENT FOR THE VOTE.)

I, Chairman Yeager, will take the floor statement.

As a housekeeping measure, I want to let everyone know that the Assembly Committee on Corrections, Parole and Probation will be meeting tomorrow at 8:30 a.m., and upon adjournment of that meeting, we will also have a meeting of the Assembly Committee on Judiciary. We are adjourned [at 12:17 p.m.].

RESPECTFULLY SUBMITTED:

Devon Isbell
Committee Secretary

APPROVED BY:

Assemblyman Steve Yeager, Chairman

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is the Work Session Document for Senate Bill 124 (2nd Reprint), dated June 1, 2017, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is the Work Session Document for Senate Bill 538 (1st Reprint), dated June 1, 2017, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.