

ASSEMBLY BILL NO. 134—ASSEMBLYWOMEN BACKUS, KRASNER,
MUNK, SPIEGEL; BILBRAY-AXELROD, COHEN, JAUREGUI,
MARTINEZ, PETERS, SWANK, TOLLES AND TORRES

FEBRUARY 13, 2019

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing privileges.
(BDR 4-694)

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 privileges; revising provisions relating to the
privilege of confidential communication between victims
of certain crimes and advocates for those victims; and
providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law establishes a privilege for confidential communication between a
2 victim of certain crimes and a victim's advocate who works for a nonprofit program
3 that provides assistance to such victims. (NRS 49.2541-49.2549) **Section 1** of this
4 bill revises the definition of "victim's advocate" to include a person who works for
5 a program of a university, state college or community college within the Nevada
6 System of Higher Education or a program of a tribal organization which provides
7 such assistance. **Section 2** of this bill makes a conforming change.

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

1 **Section 1.** NRS 49.2545 is hereby amended to read as follows:
2 49.2545 "Victim's advocate" means a person who works for a
3 nonprofit program ~~that~~, *program of a university, state college or*
4 *community college within the Nevada System of Higher Education*
5 *or a program of a tribal organization which* provides assistance to
6 victims with or without compensation and who has received at least
7 20 hours of relevant training.



Sec. 2. NRS 49.2546 is hereby amended to read as follows:

49.2546 1. A communication shall be deemed to be confidential if the communication is between a victim and a victim's advocate and is not intended to be disclosed to third persons other than:

(a) A person who is present to further the interest of the victim;

(b) A person reasonably necessary for the transmission of the communication; or

(c) A person who is participating in the advice, counseling or assistance of the victim, including, without limitation, a member of the victim's family.

2. As used in this section, "communication" includes, without limitation, all records concerning the victim and the services provided to the victim which are within the possession of:

(a) The victim's advocate; or

(b) The nonprofit program , *the program of a university, state college or community college within the Nevada System of Higher Education, or the program of a tribal organization* for whom the victim's advocate works.

Sec. 3. This act becomes effective on July 1, 2019.

