

ASSEMBLY BILL NO. 410—ASSEMBLYMEN KRASNER,
TITUS; FLORES AND FUMO

MARCH 21, 2019

JOINT SPONSORS: SENATORS SPEARMAN; AND SETTELMAYER

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to orders for protection.
(BDR 3-176)

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 orders for protection; revising provisions relating to orders for protection against domestic violence or stalking, aggravated stalking or harassment; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes a court to issue a temporary or extended order for protection against domestic violence. (NRS 33.020) Existing law also provides that a temporary order expires within 30 days, unless an application for an extended order is filed within the period of a temporary order or at the same time that an application for a temporary order is filed, in which case the temporary order remains in effect until the hearing on the extended order is held. (NRS 33.080) **Section 1** of this bill extends the period of time that a temporary order is initially valid from 30 days to 45 days.

Existing law authorizes a person to petition a court for a temporary or extended order for protection against stalking, aggravated stalking or harassment. (NRS 200.591) Existing law also provides that a temporary order expires within 30 days, unless an application for an extended order is filed within the period of a temporary order or at the same time that an application for a temporary order is filed, in which case the temporary order remains in effect until the hearing on the extended order is held. (NRS 200.594) **Section 2** of this bill extends the period of time that a temporary order is initially valid from 30 days to 45 days.



* A B 4 1 0 *

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

Section 1. NRS 33.080 is hereby amended to read as follows:

33.080 1. A temporary order expires within such time, not to exceed ~~30~~ 45 days, as the court fixes. If an application for an extended order is filed within the period of a temporary order or at the same time that an application for a temporary order is filed, the temporary order remains in effect until:

(a) The hearing on the extended order is held; or

(b) If the court schedules a second or third hearing pursuant to subsection 4 or 5 of NRS 33.020, the date on which the second or third hearing on an application for an extended order is held.

2. On 2 days' notice to the party who obtained the temporary order, the adverse party may appear and move its dissolution or modification, and in that event the court shall proceed to hear and determine such motion as expeditiously as the ends of justice require.

3. An extended order expires within such time, not to exceed 1 year, as the court fixes. A temporary order may be converted by the court, upon notice to the adverse party and a hearing, into an extended order effective for not more than 1 year.

Sec. 2. NRS 200.594 is hereby amended to read as follows:

200.594 1. A temporary order issued pursuant to NRS 200.591 expires within such time, not to exceed ~~30~~ 45 days, as the court fixes. If a petition for an extended order is filed within the period of a temporary order, the temporary order remains in effect until the hearing on the extended order is held.

2. On 2 days' notice to the party who obtained the temporary order, the adverse party may appear and move its dissolution or modification, and in that event the court shall proceed to hear and determine such motion as expeditiously as the ends of justice require.

3. An extended order expires within such time, not to exceed 1 year, as the court fixes. A temporary order may be converted by the court, upon notice to the adverse party and a hearing, into an extended order effective for no more than 1 year.

