

SENATE BILL NO. 477—SENATORS SETTELMAYER AND PICKARD

MARCH 25, 2019

Referred to Committee on Health and Human Services

SUMMARY—Prohibits the release of a child to a parent or guardian in certain circumstances. (BDR 38-1005)

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 child welfare; revising provisions governing the release of a child in a child welfare proceeding to a parent or guardian; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law prohibits a court from releasing a child who has been placed in protective custody to a parent or guardian who has been convicted of the abuse, neglect or endangerment of a child under Nevada law unless the court finds by clear and convincing evidence that no physical or psychological harm to the child will result from the release of the child to the parent or guardian. (NRS 432B.555) This bill further makes this prohibition apply: (1) to the release of any child to such a parent, regardless of whether the child has been placed in protective custody; and (2) if the parent or guardian has been convicted of the law of another jurisdiction that prohibits the same or similar conduct as that prohibited by Nevada law.

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

Section 1. NRS 432B.555 is hereby amended to read as follows:
432B.555 In any proceeding held pursuant to NRS 432B.410 to 432B.590, inclusive, if the court determines that a custodial parent or guardian of a child ~~[who has been placed in protective custody]~~ has ever been convicted of a violation of NRS 200.508 ~~[.]~~ *or the law of another jurisdiction that prohibits the same or similar conduct*, the court shall not release the child *or any other child* to that custodial parent or guardian unless the court finds by



- 1 clear and convincing evidence presented at the proceeding that no
- 2 physical or psychological harm to the child will result from the
- 3 release of the child to that parent or guardian.

