
EMERGENCY REQUEST OF SENATE MAJORITY LEADER

SENATE CONCURRENT RESOLUTION NO. 11—
SENATOR CANNIZZARO

JUNE 2, 2019

JOINT SPONSORS: ASSEMBLYMEN NEAL, FUMO; BENITEZ-
THOMPSON AND YEAGER

Referred to Committee on Judiciary

SUMMARY—Directs the Legislative Commission to appoint a committee to conduct an interim study of issues relating to pretrial release of defendants in criminal cases. (BDR R-1295)

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

SENATE CONCURRENT RESOLUTION—Directing the Legislative Commission to appoint a committee to conduct an interim study of issues relating to pretrial release of defendants in criminal cases.

1 WHEREAS, The Nevada Constitution and existing Nevada law
2 require all persons arrested for offenses other than murder of the
3 first degree to be admitted to bail unless certain circumstances
4 apply; and

5 WHEREAS, It would be beneficial to conduct a thorough
6 examination of issues relating to pretrial release of defendants in
7 criminal cases; now, therefore, be it

8 RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE
9 ASSEMBLY CONCURRING, That the Legislative Commission is
10 hereby directed to appoint, as soon as practicable after July 1, 2019,
11 a committee to conduct an interim study relating to pretrial release
12 of defendants in criminal cases; and be it further

13 RESOLVED, That the interim committee must be composed of
14 six Legislators selected as follows:



1 1. Two members of the Senate appointed by the Majority
2 Leader of the Senate;

3 2. Two members of the Assembly appointed by the Speaker of
4 the Assembly;

5 3. One member of the Senate appointed by the Minority Leader
6 of the Senate; and

7 4. One member of the Assembly appointed by the Minority
8 Leader of the Assembly; and be it further

9 RESOLVED, That the study must include, without limitation, an
10 examination of the following issues relating to the pretrial release of
11 defendants in criminal cases:

12 1. The timeliness and conduct of hearings to consider the
13 pretrial release of defendants;

14 2. The circumstances under which defendants should be
15 released on their own recognizance;

16 3. The imposition of monetary bail as a condition of pretrial
17 release and the considerations relating to the setting of the amount
18 of any monetary bail;

19 4. The imposition of appropriate conditions of pretrial release
20 to ensure reasonably the safety of the community and the
21 appearance of the defendant in court as required;

22 5. The circumstances under which the conditions of pretrial
23 release of a defendant should be modified;

24 6. Effects of the statewide implementation of the Nevada
25 Pretrial Risk Assessment tool;

26 7. The impact of race, gender and economic status as it pertains
27 to the pretrial release of defendants, which must include taking
28 testimony from affected communities and individuals;

29 8. The fiscal impact of any potential or recommended changes
30 to the laws pertaining to pretrial release of defendants; and

31 9. Any other relevant matters pertaining to the pretrial release
32 of defendants; and be it further

33 RESOLVED, That any recommended legislation proposed by the
34 committee must be approved by a majority of the members of the
35 Senate and a majority of the members of the Assembly appointed to
36 the committee; and be it further

37 RESOLVED, That the Legislative Commission shall submit a
38 report of the results of the study and any recommendations for
39 legislation to the 81st Session of the Nevada Legislature; and be it
40 further

41 RESOLVED, That this resolution becomes effective upon
42 passage.

