

EMERGENCY REQUEST of Senate Majority Leader

Senate Concurrent Resolution No. 11–
Senator Cannizzaro

Joint Sponsors: Assemblymen Neal, Fumo; Benitez-
Thompson and Yeager

FILE NUMBER.....

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.

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

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

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

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

1. Two members of the Senate appointed by the Majority Leader of the Senate;
2. Two members of the Assembly appointed by the Speaker of the Assembly;
3. One member of the Senate appointed by the Minority Leader of the Senate; and
4. One member of the Assembly appointed by the Minority Leader of the Assembly; and be it further

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

1. The timeliness and conduct of hearings to consider the pretrial release of defendants;
2. The circumstances under which defendants should be released on their own recognizance;



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

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

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

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

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

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

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

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

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

RESOLVED, That this resolution becomes effective upon passage.

