

**MINUTES OF THE MEETING  
OF THE  
ASSEMBLY COMMITTEE ON JUDICIARY**

**Eightieth Session  
March 15, 2019**

The Committee on Judiciary was called to order by Chairman Steve Yeager at 9:05 a.m. on Friday, March 15, 2019, in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at [www.leg.state.nv.us/App/NELIS/REL/80th2019](http://www.leg.state.nv.us/App/NELIS/REL/80th2019).

**COMMITTEE MEMBERS PRESENT:**

Assemblyman Steve Yeager, Chairman  
Assemblywoman Lesley E. Cohen, Vice Chairwoman  
Assemblywoman Shea Backus  
Assemblyman Skip Daly  
Assemblyman Chris Edwards  
Assemblyman Ozzie Fumo  
Assemblywoman Alexis Hansen  
Assemblywoman Lisa Krasner  
Assemblywoman Brittney Miller  
Assemblywoman Rochelle T. Nguyen  
Assemblywoman Sarah Peters  
Assemblyman Tom Roberts  
Assemblywoman Jill Tolles  
Assemblywoman Selena Torres  
Assemblyman Howard Watts

**COMMITTEE MEMBERS ABSENT:**

None

**GUEST LEGISLATORS PRESENT:**

None



**STAFF MEMBERS PRESENT:**

Diane C. Thornton, Committee Policy Analyst  
Cheryl Williams, Committee Secretary  
Melissa Loomis, Committee Assistant

**OTHERS PRESENT:**

Chuck Callaway, Police Director, Office of Intergovernmental Services, Las Vegas  
Metropolitan Police Department  
Eric Spratley, Executive Director, Nevada Sheriffs' and Chiefs' Association  
Corey Solferino, Lieutenant, Legislative Liaison, Washoe County Sheriff's Office  
Jennifer P. Noble, representing Nevada District Attorneys Association  
Tonja Brown, Private Citizen, Carson City, Nevada  
John J. Piro, Chief Deputy Public Defender, Legislative Liaison, Clark County Public  
Defender's Office  
Kendra G. Bertschy, Deputy Public Defender, Washoe County Public Defender's  
Office  
Ryan Black, Legislative Liaison, City of Las Vegas

**Chairman Yeager:**

[Roll was called. Rules and protocol of the Committee were reviewed.] We will hear one bill today and have a work session. I am going to pull Assembly Bill 61 from the work session; we received an amendment late last evening and are still looking at. We will begin with the work session, starting with Assembly Bill 8.

**Assembly Bill 8: Revises provisions governing the levels of supervision for probationers and parolees. (BDR 16-346)**

**Diane C. Thornton, Committee Policy Analyst:**

Assembly Bill 8 revises provisions governing the levels of supervision for probationers and parolees and was heard in this Committee on February 11, 2019, on behalf of the Division of Parole and Probation of the Department of Public Safety ([Exhibit C](#)). This bill changes the requirement that the Division of Parole and Probation review the levels of supervision for probationers and parolees from at least once every six months to a schedule determined by the Nevada Risk Assessment System, or its successor risk assessment tool, or more often if necessary. There are no amendments for this measure.

**Chairman Yeager:**

Are there any questions? Seeing none, I will take a motion to do pass Assembly Bill 8.

ASSEMBLYMAN DALY MOVED TO DO PASS ASSEMBLY BILL 8.

ASSEMBLYWOMAN COHEN SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Krasner. Next we will go to Assembly Bill 10.

**Assembly Bill 10: Revises provisions governing the duties of the Director of the Department of Corrections when an offender is released from prison. (BDR 16-04)**

**Diane C. Thornton, Committee Policy Analyst:**

Assembly Bill 10 revises provisions governing the duties of the Director of the Department of Corrections when an offender is released from prison, heard in this Committee on February 20, 2019, and was sponsored on behalf of the Department of Corrections (Exhibit D.) This bill requires the Director of Nevada's Department of Corrections to issue a photo identification card to an offender who is to be released and to clearly indicate on the photo identification card whether or not the full legal name and age of the offender has been verified.

There are two amendments to this bill. The first amendment is from Director Dzurenda, Nevada Department of Corrections. He proposed a conceptual amendment adding language to the bill that a non-verified Nevada Department of Corrections photo identification card cannot be accepted by Nevada's Department of Motor Vehicles as a state credential.

Second, Chairman Yeager and Director Dzurenda proposed an amendment changing the effective date of the bill from October 1, 2019, to upon passage and approval.

**Chairman Yeager:**

Are there any questions? [There were none.] I will take a motion to amend and do pass with both amendments.

ASSEMBLYMAN WATTS MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 10.

ASSEMBLYWOMAN TORRES SECONDED THE MOTION.

Is there any discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYWOMAN KRASNER VOTED NO.)

I will assign the floor statement to Assemblywoman Peters. Next is Assembly Bill 17.

**Assembly Bill 17: Revises provisions governing bail in criminal cases. (BDR 14-495)**

**Diane C. Thornton, Committee Policy Analyst:**

Assembly Bill 17 revises provisions governing bail in criminal cases, sponsored on behalf of the Nevada Supreme Court, and was heard in Committee on February 13, 2019 ([Exhibit E](#)). This bill revises provisions governing bail in criminal cases. The measure provides that when a defendant is released on bail, the bond or undertaking for the bail must apply to any action or proceeding instituted against the defendant in a justice, municipal, or district court arising from the charge on which the bail was originally given. In addition, the bail must be exonerated by the court if no formal action or proceeding is instituted against the defendant or if such an action or proceeding is dismissed.

There is one amendment for this bill sponsored by Keith Lee, on behalf of Nevada Judges of Limited Jurisdiction. This amendment allows for the immediate exoneration of a cash bond or surety bond if (1) the action to which the person has been admitted to bail is dismissed; or (2) no formal action or proceeding is instituted against the person admitted to bond, but allows the person who is so admitted to bail to request the bail remain in place under certain circumstances for a period not to exceed 30 days.

**Chairman Yeager:**

I want to thank Assemblywoman Nguyen for working on this bill. She spent a lot of time bringing stakeholders together to ensure that we get this right. I believe this amendment has moved everyone who was opposed to the bill to at least the position of neutral. If there is anyone in the audience who is opposed to the bill with the amendment, will you raise your hand? I do not see anyone. Again, I want to thank Assemblywoman Nguyen for the hard work she has done. Are there any questions? I do not see any questions, so I will take a motion to amend and do pass Assembly Bill 17.

ASSEMBLYMAN ROBERTS MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 17.

ASSEMBLYWOMAN PETERS SECONDED THE MOTION.

Is there any discussion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Nguyen. Next up is Assembly Bill 69.

**Assembly Bill 69: Revises provisions governing residential confinement of violators of parole. (BDR 16-347)**

**Diane C. Thornton, Committee Policy Analyst:**

Assembly Bill 69 revises provisions governing residential confinement of violators of parole, sponsored on behalf of the Division of Parole and Probation, Department of Public Safety,

and was heard in Committee on February 11, 2019 ([Exhibit F](#)). This bill revises provisions relating to the residential confinement of violators of parole. The State Board of Parole Commissioners is required to order a parolee who violated his or her parole to a term of residential confinement once the Board receives from the Division of Parole and Probation of Nevada's Department of Public Safety certain documents including: (1) the parolee's voluntary waiver of his or her hearing before the Board; (2) the parolee's agreement to a term of residential confinement; and (3) the Division's request for the parolee's residential confinement.

In addition, this bill authorizes the Chief Parole and Probation Officer of the Division of Parole and Probation to order any parolee, who the Chief has probable cause to believe has committed any act that would constitute a violation of his or her parole, to be placed in residential confinement in lieu of arrest and detention in a county jail if the parolee submits the certain documents to the Division.

Assemblyman Daly proposed an amendment to this bill.

1. The amendment adds language to the bill that allows the parolee, prior to being placed in residential confinement, time to consult with his or her attorney over the waiver of any hearing, the agreement to any term of residential confinement, and any admission to any alleged violation of parole.
2. The parolee must be advised, in writing, of their right to consult with his or her attorney prior to signing certain documents.
3. If the parolee exercises their right to consult, then the parolee must be given not less than three business days and not more than six calendar days to consult with his or her attorney.
4. The Division of Parole and Probation may for good cause shown extend the time limit for medical or other reasons beyond the control of the parolee.
5. If under review the Board discovers that the parolee was not given the time required to consult with his or her attorney, the State Board of Parole Commissioners is required to consider any admission to any parole violation to be null and void and must proceed with a hearing.
6. In Section 3, subsection 7 of the bill, "shall" is deleted and replaced with "may," thereby allowing, not requiring, the Board to order a parolee to a term of residential confinement.

**Chairman Yeager:**

I want to thank Assemblyman Daly who worked very hard on this bill to make sure we came to a place where I think everyone is okay with the language.

**Assemblyman Daly:**

I want to thank my colleagues, Assemblyman Fumo and Assemblywoman Nguyen, for helping me on this bill.

**Chairman Yeager:**

Are there any questions? Seeing no questions, I will take a motion to amend and do pass Assembly Bill 69.

ASSEMBLYMAN DALY MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 69.

ASSEMBLYWOMAN PETERS SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblyman Daly. We will now move on to Assembly Bill 80.

**Assembly Bill 80: Makes various changes relating to the Nevada Sentencing Commission. (BDR 14-469)**

**Diane C. Thornton, Committee Policy Analyst:**

Assembly Bill 80 makes various changes relating to the Nevada Sentencing Commission, sponsored on behalf of the Nevada Sentencing Commission, and was heard in this Committee on February 22, 2019 ([Exhibit G](#)). This bill creates the Office of the Nevada Sentencing Commission within the Office of the Governor and provides for the appointment and duties of an executive director of the office. The bill designates the executive director as the executive secretary of the Nevada Sentencing Commission and transfers the staffing of the Nevada Sentencing Commission to the newly established office. The measure revises the membership of the Commission to remove the attorney general; and requires the Commission to hold its first meeting on or before September 1 of each odd-numbered year. Lastly, the bill revises the duties of the Nevada Sentencing Commission to include the oversight of the executive director and to provide certain recommendations and advice concerning the office.

There is one proposed amendment, proposed by John J. Piro, Chief Deputy Public Defender, Clark County Public Defender's Office; and Kendra G. Bertschy, Deputy Public Defender, Washoe County Public Defender's Office. This amendment changes the membership of the Nevada Sentencing Commission as stated.

**Chairman Yeager:**

I did confirm with the sponsor of A.B. 80, Justice Hardesty, the Chair of the Sentencing Commission, that he did view this amendment as a friendly amendment. Are there any questions? Seeing no questions, I will take a motion to amend and do pass.

ASSEMBLYWOMAN NGUYEN MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 80.

ASSEMBLYWOMAN TORRES SECONDED THE MOTION.

Is there any discussion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Miller. We will go next to Assembly Bill 91.

**Assembly Bill 91: Establishes provisions concerning the sterilization of protected persons. (BDR 13-173)**

**Diane C. Thornton, Committee Policy Analyst:**

Assembly Bill 91 establishes provisions concerning the sterilization of protected persons, sponsored by the Legislative Committee on Senior Citizens, Veterans, and Adults with Special Needs, and heard in Committee on February 28, 2019 ([Exhibit H](#)). This bill requires a guardian to apply to the court for the authority to consent to the sterilization of a protected person. The court is required to appoint an attorney, a guardian ad litem, or an attorney and a guardian ad litem for the protected person; and conduct a full evidentiary hearing if the protected person has not provided his or her consent to the sterilization. The bill provides that a court may authorize a guardian to consent to the sterilization of a protected person only if the court finds by clear and convincing evidence that the sterilization is in the best interest of the protected person, but requires the court to consider whether any less irrevocable and intrusive means of contraception would be suitable before granting such authority.

There are two proposed amendments to this measure:

1. Assemblywoman Cohen proposed an amendment requiring the Court to appoint a guardian ad litem and an attorney to a protected person as opposed to appointing one or the other.
2. Jack Mayes, Executive Director, Nevada Disability Advocacy & Law Center, proposed an amendment. The amendment deletes the following language in section 1, subsection 3 of the bill "if a protected person has not provided his or her consent to the sterilization," thereby requiring the court to conduct a full evidentiary hearing prior to authorizing the guardian of the protected person to consent to the sterilization.

**Chairman Yeager:**

Are there any questions on A.B. 91 or the two proposed amendments? Seeing no questions, I will take a motion to amend and do pass.

ASSEMBLYWOMAN COHEN MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 91.

ASSEMBLYWOMAN BACKUS SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Cohen. We will go next to Assembly Bill 109.

**Assembly Bill 109: Revises provisions governing credits awarded to reduce a sentence of imprisonment. (BDR 14-764)**

**Diane C. Thornton, Committee Policy Analyst:**

Assembly Bill 109 revises provisions governing credits awarded to reduce a sentence of imprisonment, sponsored by Assemblyman Fumo, and was heard in this Committee on February 14, 2019 ([Exhibit I](#)). This measure authorizes the court to allow credit for time spent in residential confinement, in a person's place of residence under the terms and conditions imposed by the court, before conviction to reduce a sentence.

There are two amendments for this measure:

1. Scott Coffee, Nevada Attorneys for Criminal Justice, proposed an amendment that requires rather than allows the court to order that credit for time served be allowed for actual confinement. In addition the amendment would give the court discretion to order credit for time served to be allowed against time spent in residential confinement before conviction.
2. Marc Schifalacqua, Senior Assistant City Attorney, City of Henderson, proposed an amendment to add language to exclude misdemeanor offenses from being awarded credit for time served on residential confinement.

**Chairman Yeager:**

I have confirmed with Assemblyman Fumo that both amendments are considered friendly. Are there any questions on A.B. 109 or the two amendments?

**Assemblyman Fumo:**

I want to put on the record that I have discussed this with John Jones from the Clark County District Attorney's Office. We are going to work on another amendment, which I believe



will cap the amount of time that a judge can give. With the intent of the amendment, we are going to consider it friendly and will work on it on the other side if it passes this house.

**Chairman Yeager:**

I will take a motion to amend and do pass A.B. 109.

ASSEMBLYWOMAN MILLER MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 109.

ASSEMBLYMAN WATTS SECONDED THE MOTION.

Is there any discussion on the motion?

**Assemblyman Roberts:**

I am going to vote yes to move the bill, but would like to reserve my right to change my vote on the floor.

**Assemblywoman Krasner:**

I did speak to the bill's sponsor, and he assured me that he would be working with the District Attorney to amend this bill. I will vote it out of Committee and reserve my right to change my vote prior to the floor session.

**Chairman Yeager:**

As a reminder, you always retain your right to change your vote. I cannot force you to do anything that you do not want to do on the Assembly floor, but as a matter of courtesy, please let me know if something changes between the work session and the Assembly floor. I appreciate Assemblyman Fumo for being willing to continue working on this. We will vote.

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblyman Fumo. At this time, we will go to Assembly Bill 139.

**Assembly Bill 139: Requires a person to be at least 18 years of age to marry.  
(BDR 11-1)**

**Diane C. Thornton, Committee Policy Analyst:**

Assembly Bill 139 requires a person to be at least 18 years of age to marry, sponsored by Assemblywoman Bilbray-Axelrod, and was heard in this Committee on March 5, 2019 ([Exhibit J](#)). This bill requires a person to be at least 18 years old to marry, thereby removing the ability of a minor to marry under certain circumstances. In addition, the measure repeals provisions rendered obsolete.

Assemblywoman Bilbray-Axelrod proposed an amendment adding co-sponsors to the bill, including Assemblywomen Krasner, Munk, Swank, and Tolles.

**Chairman Yeager:**

Are there any questions?

**Assemblywoman Torres:**

I want to reserve my right to change my vote on the floor.

**Chairman Yeager:**

Seeing no questions, I will take a motion to amend and do pass A.B. 139.

ASSEMBLYWOMAN BACKUS MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 139.

ASSEMBLYWOMAN NGUYEN SECONDED THE MOTION.

Is there any discussion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Bilbray-Axelrod. I will list Assemblywoman Tolles as a backup. I will now go to Assembly Bill 164.

**Assembly Bill 164: Revises provisions relating to marijuana. (BDR 40-619)**

**Diane C. Thornton, Committee Policy Analyst:**

Assembly Bill 164 revises provisions relating to marijuana, sponsored by Assemblyman Yeager, and heard in this Committee on March 11, 2019 ([Exhibit K](#)). This bill provides changes and conforms the statutes for medical marijuana and marijuana establishments.

There is one amendment to this measure. The amendment is proposed by Riana Durrett, Executive Director, Nevada Dispensary Association, and does the following:

1. Changes the agent registration card's validity from one year to two years.
2. Authorizes Nevada's Department of Taxation to conduct or accept any background checks for convictions that would prevent a person from obtaining a registered agent card through any means they determine to be reliable and expedient.
3. Amends the amount of the civil penalty from \$10,000 to the amounts established by regulation in *Nevada Administrative Code* Chapter 453D.

4. Adds the language "(d) the content of advertising, if such ordinance sets forth specific content that is deemed impermissible," regarding the advertising of marijuana to *Nevada Revised Statutes* (NRS) 244.35253, NRS 268.0977, and NRS 453A.360.

There is also a special note, because this removes the two-thirds vote; the fees that were listed in sections 6 through 8 are actually part of law. The digest would include the following language: "paragraph (e) of subsection 2 of section 6 of A.B. 164 is meant not to raise revenue, but merely to transfer from regulation to statute existing authority to collect a fee and limit the authority to collect that fee to not more than may be currently collected under existing regulations."

**Chairman Yeager:**

Are there any questions? Seeing none, I will take a motion to amend and do pass A.B. 164.

ASSEMBLYMAN WATTS MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 164.

ASSEMBLYMAN DALY SECONDED THE MOTION.

Is there any discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYWOMAN HANSEN VOTED NO.)

I will take the floor statement. Moving right along, we will now go to Assembly Bill 183.

**Assembly Bill 183: Prohibiting certain correctional services from being provided by private entities. (BDR 16-290)**

**Diane C. Thornton, Committee Policy Analyst:**

Assembly Bill 183 prohibits certain correctional services from being provided by private entities, sponsored by Assemblywoman Monroe-Moreno, and was heard in this Committee on March 7, 2019 ([Exhibit L](#)). This bill requires, with certain exceptions, that all correctional facilities in this state that house prisoners must be under the administrative and direct operational control of the state or a local government and core correctional services must be performed by employees of the state or local government.

There are two proposed amendments:

1. Assemblywoman Monroe-Moreno proposed amending section 7 of the bill by changing the date the bill expires by limitation from June 30, 2024, to June 30, 2022; and by changing the effective date from July 1, 2019, to July 1, 2022.

2. There are two technical corrections to the bill. The first correction would add a definition of core correctional services in section 2 of the bill, and secondly, the reference to jail in section 2 of the bill would be deleted, as prison is a defined term that includes a jail.

**Chairman Yeager:**

Are there any questions on A.B. 183 or the amendments?

**Assemblyman Edwards:**

I would like to clarify that this bill is similar to Assembly Bill 303 of the 79th Session, which allows for exemptions—in cases where it is determined, for a variety of reasons, we can actually send prisoners to a private facility out of state. It looks as though section 1, subsection 7 of A. B. 303 of the 79th Session is now section 3 of this bill. Is that the case?

**Chairman Yeager:**

I believe you are correct. Unfortunately, we do not have the benefit of legal counsel today; he is working on other bills.

Seeing no other questions, I will take a motion to amend and do pass with both amendments.

ASSEMBLYWOMAN NGUYEN MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 183.

ASSEMBLYWOMAN MILLER SECONDED THE MOTION.

Is there any discussion on the motion?

**Assemblyman Edwards:**

Based on the discussion that there are still exemptions in this bill, I will be a yes. Unless I find out anything different, I will be a yes on the floor as well.

**Assemblywoman Tolles:**

I still have some concerns that I have learned about in the interim and I am reconsidering, after the Governor's veto message and input from the Director. I will be a no, but I have not had the chance to speak with the sponsor yet. I will reserve my right to change my vote on the floor.

**Assemblyman Roberts:**

I have not had a chance to talk to the bill sponsor, and based on what was discussed this morning about the exemptions, I will be voting no in this Committee, but I may change my vote to yes if I find out that it still allows the Director the flexibility to move prisoners for emergencies and for other classifications.

**Assemblywoman Hansen:**

I think in light of this new information, I am going to be a no, but reserve my right. I am feeling a little less discomfort now. I did make the sponsor aware that I was a no, but this information makes me feel that I might change my vote on the floor.

**Chairman Yeager:**

I will speak on behalf of the sponsor; she is committed this morning for the Governor's Cannabis Task Force, otherwise she would be here with us. Anyone who still has concerns or questions, feel free to reach out to her. It will be a bit of time before we see this bill on the floor because the amendments still have to be drafted. As you know, legal counsel is working on some other things at the moment that is taking his attention for at least a week and a half, so we will have some time to get those questions answered.

THE MOTION PASSED. (ASSEMBLYMEN HANSEN, KRASNER, ROBERTS, AND TOLLES VOTED NO.)

I will assign the floor statement to Assemblywoman Monroe-Moreno, and I will have Assemblywoman Miller as a backup. We will now go to Assembly Bill 189.

**Assembly Bill 189: Revises provisions relating to warrants for the search of a person. (BDR 14-958)**

**Diane C. Thornton, Committee Policy Analyst:**

Assembly Bill 189 revises provisions relating to warrants for the search of a person, sponsored by Assemblywoman Martinez, and heard in this Committee on March 1, 2019 ([Exhibit M](#)). This bill prohibits a law enforcement officer conducting a search of a person pursuant to a search warrant from performing a body cavity search unless the search warrant contains specific authorization to perform a body cavity search. There are no amendments to the measure.

**Chairman Yeager:**

We had a lively discussion about this bill a couple of weeks ago. Are there any questions? Seeing no questions, I will take a motion to do pass.

ASSEMBLYWOMAN TORRES MADE A MOTION TO DO PASS  
ASSEMBLY BILL 189.

ASSEMBLYMAN WATTS SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblyman Roberts. We will go next to Assembly Bill 195.

**Assembly Bill 195: Revises provisions governing crimes against property. (BDR 15-130)**

**Diane C. Thornton, Committee Policy Analyst:**

Assembly Bill 195 revises provisions governing crimes against property, sponsored by Assemblyman Flores ([Exhibit N](#)). This bill makes it a crime for a person to install or affix a scanning device within or upon a machine used for commercial transactions with the intent to use the scanning device for an unlawful purpose. A person who installs or affixes a scanning device in an unlawful manner is guilty of a category C felony. The measure also expands the exemption of when such a device may be used to include a person who installs or affixes a scanning device without the intent to commit an unlawful act in the ordinary course of his or her business.

There is an amendment to the bill proposed by Chuck Callaway, Director, Office of Intergovernmental Services (OIS), Las Vegas Metropolitan Police Department (LVMPD), Brian O'Callaghan, Government Liaison, OIS, LVMPD, and A.J. Delap, Government Liaison, OIS, LVMPD:

1. The proposed amendment adds in section 1, subsection 1, paragraph (b), the language "electronically access a scanning device for an unlawful purpose; or." The intent of the proposed change is to include both a person that unlawfully accesses a legal card reader and a person that electronically via Bluetooth, et cetera, accesses a scanning device for an unlawful purpose.
2. In section 1, subsection 3 of the bill, the language "commercial" is deleted and replaced by "financial." The intent is to include any financial-based transaction, including a person-to-person-type transfer.

**Chairman Yeager:**

Are there any questions?

**Assemblywoman Cohen:**

Is the amendment friendly?

**Chairman Yeager:**

The sponsor of the bill, Assemblyman Flores, is nodding his head yes. Both of the amendments are viewed as friendly to A.B. 195.

**Assemblywoman Krasner:**

I would like to add my name on as a co-sponsor to this bill if that is okay with Assemblyman Flores.

**Chairman Yeager:**

Assemblyman Flores has indicated that would be a friendly amendment, so we will add that also. I will entertain a motion to amend and do pass with all three amendments.

ASSEMBLYMAN DALY MADE A MOTION TO AMEND AND DO PASS  
ASSEMBLY BILL 195.

ASSEMBLYMAN ROBERTS SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblyman Flores, and I will assign Assemblywoman Hansen as a backup. We will now go to Assembly Bill 207.

**Assembly Bill 207: Revises various provisions relating to business entities. (BDR 7-146)**

**Diane C. Thornton, Committee Policy Analyst:**

Assembly Bill 207 revises various provisions relating to business entities, sponsored by Assemblyman Frierson, heard in this Committee on February 28, 2019 ([Exhibit O](#)). This bill is the omnibus State Bar bill, and it revises various provisions relating to business entities.

There is an amendment to this bill sponsored by Speaker Frierson and Robert C. Kim, Chair, Business Law Section, State Bar of Nevada, as reflected in the work session document.

A conceptual amendment proposed by Brittany Walker on behalf of the Registered Agents was received this morning ([Exhibit P](#)). In section 22, it restores the original language to the bill. It also takes out the reference as to where the documents can be viewed.

**Chairman Yeager:**

I did confirm with Speaker Frierson that both of those amendments are friendly. I apologize to the Committee members about the lateness of that second amendment. It had been agreed upon a couple of days ago, but did not make it to the work session document. That amendment is technical to ensure we are accurately listing where corporate documents are housed, which is not with the registered agent, but with the actual corporation itself. Are there any questions? Seeing no questions, I will take a motion to amend and do pass Assembly Bill 207.

ASSEMBLYWOMAN BACKUS MADE A MOTION TO AMEND AND  
DO PASS ASSEMBLY BILL 207.

ASSEMBLYMAN ROBERTS SECONDED THE MOTION.

Is there any discussion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Backus. Now we will go to Assembly Bill 221.

**Assembly Bill 221: Revises provisions relating to gaming employees. (BDR 41-716)**

**Diane C. Thornton, Committee Policy Analyst:**

Assembly Bill 221 revises provisions relating to gaming employees, sponsored by this Committee, and heard on March 13, 2019 ([Exhibit Q](#)). This bill authorizes a person who is of the age of majority to be employed as a gaming employee by a licensed manufacturer or distributor under certain circumstances.

There are two amendments to this bill:

1. Michael Alonso, representing Association of Gaming Equipment Manufacturers, proposed an amendment revising the language in section 2, subsection 2, clarifying that employees between the ages of 18 and 21 may work only on the business premises of the licensed manufacturer or distributor.
2. Assemblyman Yeager proposed restoring the language in section 1, subsection 1, paragraph (c) of the bill "except in a counting room" concerning a person who is under 21 years of age and employed as a gaming employee.

**Chairman Yeager:**

Are there any questions? Seeing no questions, I will take a motion to amend and do pass A.B. 221.

ASSEMBLYWOMAN TOLLES MADE A MOTION TO AMEND AND DO  
PASS ASSEMBLY BILL 221.

ASSEMBLYWOMAN PETERS SECONDED THE MOTION.

Is there any discussion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will take the floor statement on A.B. 221. Next up is Assembly Bill 226.

**Assembly Bill 226: Prohibits any person from requiring another person to undergo implantation of a microchip or other permanent identification marker. (BDR 15-25)**



**Diane C. Thornton, Committee Policy Analyst:**

Assembly Bill 226 prohibits any person from requiring another person to undergo implantation of a microchip or other permanent identification marker, sponsored by Assemblyman Daly, and heard in this Committee on March 4, 2019 ([Exhibit R](#)). This bill prohibits an officer or employee of this state or any political subdivision thereof or any other person from requiring another person to undergo the implantation of a microchip or other permanent identification marker of any kind or nature. This bill also provides that each day or part of a day during which a violation of such a provision is continued or repeated constitutes a separate offense.

Assemblyman Daly proposed three amendments:

1. The amendment adds language that prohibits an officer or employee of this state or any political subdivision or any other person from establishing or participating in a voluntary program for the implantation of a microchip or other permanent identification marker of any kind or nature.
2. New language is added defining "microchip implant."
3. In addition, the part of the bill that provides that the violation of such a provision is continued or repeated constitutes a separate offense is deleted from the bill.

**Chairman Yeager:**

I think those amendments are all friendly, and Assemblyman Daly is nodding yes. Are there any questions? Seeing no questions, I will take a motion to amend and do pass.

ASSEMBLYWOMAN TOLLES MADE A MOTION TO AMEND AND DO  
PASS ASSEMBLY BILL 226.

ASSEMBLYWOMAN HANSEN SECONDED THE MOTION.

Is there any discussion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblyman Daly. That concludes our work session. Next we will hear Assembly Bill 110.

[Assemblywoman Cohen assumed the Chair.]

**Vice Chairwoman Cohen:**

I will open the hearing on Assembly Bill 110, which revises provisions relating to minor traffic and related violations.

**Assembly Bill 110: Revises provisions relating to minor traffic and related violations.  
(BDR 43-427)**

**Assemblyman Steve Yeager, Assembly District No. 9:**

Today I am honored to present to you Assembly Bill 110, which came out of an interim committee that I chaired this past interim. I would like to give you a brief introduction and let you know that there will be additional bills coming out of this interim committee as well. The interim committee was created as a result of the passage of Assembly Concurrent Resolution 9 of the 79th Session. What that resolution did was create an interim Committee to Study the Advisability and Feasibility of Treating Certain Traffic and Related Violations as Civil Infractions. To put that in laymen's terms, it asked the committee to consider whether we should make minor traffic infractions in our state civil infractions rather than criminal infractions.

Many states treat minor traffic infractions as civil rather than criminal. I believe all of our neighboring states treat them that way. Nonetheless, Nevada still treats them as criminal. For example, if you were to get a speeding ticket and plead to that ticket, it is a misdemeanor. It will not come up on background checks for employment because it is a minor traffic infraction, but technically, it is a criminal misdemeanor and carries with it the potential punishment of 6 months in jail.

The interim committee had six members, three from the Assembly and three from the Senate; four of the members were from the Las Vegas area, and two were from more rural parts of our state. The committee met five times in the interim and ultimately voted to advance four different bill draft requests (BDR). Of those four BDRs, one of them seeks to change the system from criminal to civil. That is not the bill in front of you today. The other three bills made improvements to our existing criminal system. The idea was that if this Legislature decided not to go to a civil system or if the implementation of a civil system was delayed, there were improvements that were identified that we can make to our current criminal system of processing traffic infractions.

So far, of the four BDRs, Assembly Bill 110 is the only one we have. We will see three more coming in the next week or so, but I wanted to present this one first and not wait on the others. This is not the big bill that will make the transition to civil; that bill will come later. Assembly Bill 110 seeks to improve our current system. I will take you through the bill as drafted and then discuss a couple of minor amendments that I think make a lot of sense for the bill.

The first change in the bill is in section 1, subsection 7. This section expressly allows the Department of Motor Vehicles (DMV) to share information with courts about a driver's mailing address and other contact information so that a court can communicate with an offender. The problem is that many communications from the court are returned as undeliverable, particularly in Las Vegas due to the transient nature of the population. The benefit here is that your mailing address may not be the same as the address that is on your driver's license. When the officer is taking down the information from your driver's license,

that may not be your mailing address, but that is the address the court will have to send you a notice when you do not show up to court. We want to allow DMV to provide any additional information they have so that the court can accurately communicate with an offender who might have missed court. The hope here is that more people will be informed about court dates and potentially be informed if they miss a court date, so that we will have fewer people failing to appear in court.

Section 2 is the heart of the bill. This allows the court to set up a system whereby a person who receives a minor citation can make a plea by mail, email, or over the Internet. This section is permissive—no court is required to do this—it is not an unfunded mandate, it is simply an option that a court can choose to do. This is an effort to try to streamline proceedings on minor traffic tickets. Very few minor traffic tickets ever get to a point where there is actually a trial. Almost all of them negotiate in some way. If the court sets it up, this section would allow a person to, by writing or email, contest liability, or perhaps to admit liability and explain mitigating circumstances. In my experience, I have found that is often what is at play; the offender is not so much disputing the violation, but he feels he has a good reason for having committed the violation. This would allow the offender to say, Yes, I did it, but I think you should go easy on me punishment-wise, because of some mitigating factor.

The person would have to use the system before he is supposed to appear in court. If you miss your court date, you cannot then plead by mail. If an offender chose this option, he would be waiving his right to a trial or to confront witnesses, because obviously you cannot have a trial or confront witnesses through email or mail. For the court's part, it would have to validate that the person communicating with the court is actually the person who was given the traffic citation. There is some language regarding that, and we have also given the Nevada Supreme Court the ability to promulgate rules that they feel are necessary to make this happen. There are a couple of exhibits on Nevada Electronic Legislative Information System (NELIS): I would like to highlight the one titled "Gina – LA's Online Traffic Avatar Radically Changes Customer Experience" ([Exhibit S](#)). This is something that the court could use. It is a very brief article that discusses how Los Angeles County is actually using an online avatar where people can go to the website and communicate with the court without having to actually go to court. I think this is a potential model that our courts could choose to use. You can go to Gina's website to see how this works.

Section 3 suggests a better way to design a traffic citation to try to limit failures to appear in court. I do not know how many of you have received traffic citations, but many of them look different from one another. Sometimes it is a very long piece of paper, and it is hard to figure out where the court date is—sometimes it is at the bottom and usually faded. It is also hard to figure out exactly what you are supposed to do in response to that citation. This section is based on research, which is also on NELIS, titled "Using Behavioral Science to Improve Criminal Justice Outcomes" ([Exhibit T](#)). There was a study done in New York City that looked at how the citation was designed, along with some analysis. It was determined that if you design a citation in a certain way, people are much more likely to come to court because it is very obvious when the court date is. It is also very obvious that if you do not come to court, you might have a warrant issued. This section is not a mandate—law

enforcement could do this already—but it suggests a couple of ways for how we can make citations more digestible and hopefully increase the number of people who are actually coming to court to take care of their citations.

Section 4 allows a police officer to request an email address or a cell phone number from a person he interacts with in the field for a minor traffic infraction. This is optional. The officer does not have to ask for this information, nor does the person have to provide the information. It would expressly allow the officer to collect that information. The idea is that the officer could convey the information to the court. So often, the court just has the address that is listed on the citation, and letters are returned as undeliverable. This would give the court more ways to communicate with offenders.

It is my belief that most people want to take care of the traffic infractions, but daily life gets in the way, perhaps they forget, or have other things to do. If I make a dentist appointment, I tend to get a postcard in the mail. I also get a text message and an email reminding me of the appointment. The idea is that it is much more likely that I am going to show up because you are communicating with me in three different ways. Our courts have not been good about doing that. They are very much reliant on sending letters to mailing addresses, many of which come back undeliverable or perhaps they go to an address where the person does not live. People want to appear and take care of their business in court. We ought to give the courts more options to communicate. This allows the police officer, as the first point of contact, to try to get some of that information, if the person wants to provide it.

Section 4, subsection 2, strikes out the phrase "unless the person charged with the violation demands an earlier hearing." That language is stricken because I do not think anyone ever demands a hearing earlier than five days from the citation. From what I heard from the courts, it is not possible for the court to have an earlier hearing because there is a lag time between when a citation is issued and when it is actually available to be processed by the courts. That change really just aligns statute with practice.

Section 5 makes conforming changes to the bill, nothing major.

Section 6 essentially says that a court cannot issue a bench warrant for a parking ticket if the notice of the ticket was undeliverable to the offender. This is simply a policy change. It is my belief, and it was the belief of the majority of members on the interim committee, that courts should not be arresting people for not coming to court for a parking ticket when they never received confirmation that the offender actually received notice of the parking ticket from the court.

I want to make clear that section 6 is only meant to apply when you get a parking ticket. It is not meant to apply if you get a speeding ticket and go to court and it is reduced to a parking ticket. You would still have a warrant if you did not show up later. We should not be arresting those offenders for the initial parking tickets when the court is not able to deliver notice.

There is an amendment on NELIS from the City of Las Vegas ([Exhibit U](#)). That is friendly with one caveat. The City of Las Vegas has agreed to delete sections 6 and 7 of their amendment and leave those sections as they are in the bill. The rest of the amendment indicates that a court would not need to provide a copy of the plea to the offender, but the court would have to confirm receipt and make the copy available. That makes a lot of sense to me; I am not trying to make this harder on the courts; I am trying to make it easier.

I had some discussions with the prosecutors and they asked me to exempt certain misdemeanors from the ability to use an online system, if one is created, which is the other amendment that you do not have. It was never my intent to include serious misdemeanor traffic offenses in this bill, so I am agreeing to amend the bill to expressly exclude the following four misdemeanors from being able to take advantage of an online system: driving under the influence; vehicular manslaughter, which is where you commit a traffic infraction and someone dies as a result; reckless driving; and aggressive driving. Should this Committee choose to process the bill, those four misdemeanors would be excluded from the ability to do online pleading.

That is everything in the bill. I appreciate the Committee's indulgence.

**Assemblywoman Backus:**

I was a little concerned about section 2, subsection 1, with respect to the extent of what it covers. When I pulled up *Nevada Revised Statutes* (NRS) 484A.630, which pertains to misdemeanors, the rest of the language seemed as if it would open it up to reckless driving that could be subject to potential jail time. Thank you for amending the language to exclude reckless driving.

The other question I have is with respect to if someone goes on to the system and wants to mitigate their circumstances. For example, someone gets pulled over and is cited for not having proof of insurance, but he does have insurance. He puts in the mitigating factors, but something goes awry, and he loses his right to a hearing. That is something I thought was a little fuzzy, when he voluntarily enters his mitigating factors, but then loses his rights for a hearing.

**Assemblyman Yeager:**

I think those are legitimate concerns. One of the unknowns about this bill is whether a court would even set up a system like this. My hope is, at least in our larger jurisdictions, that would happen. Also, there would have to be some kind of structure put in place by the court to decide how best to do that. What I envision would happen is someone could go online and upload documents. For instance, if he had proof of insurance, he could upload that information, allowing the judge to make a dismissal. I also think that the courts, in figuring out how best to do this, could put some safeguards in so we would not have the situation where someone, for lack of a better term, messed it up and then waived his rights. I think mandating that the court confirm receipt of the documents and then have a way for the offender to see what was submitted would be a good safeguard. Maybe there is a time frame in there as well, before the court takes any action. I did talk to Mr. Keith Lee, who is here on

behalf of the Nevada Judges of Limited Jurisdiction. We are having ongoing discussions about perhaps putting in some tighter timelines and giving the court more guidance. I certainly do not want to limit someone's rights in a way that is unfair. I am open to keep working on the bill and if you think of some additional language that you might like, I am open to it.

**Vice Chairwoman Cohen:**

Will you go more into how a defendant will be notified that they are waiving their rights to ensure that they really understand? So many people do not realize that traffic violations are criminal and that they are waiving some rights.

**Assemblyman Yeager:**

That would be somewhat left to the courts. What I envision is a system where the offender can communicate, probably online, a one-stop shop where he could upload documents and send an email. There would have to be some kind of notice that says, if you choose to go this route, you cannot come to court and cross-examine. It would be somewhat on the court to be able to develop a system that allows for transmission this way, but also adequately advises a defendant. Submitting by mail is perhaps a little more difficult, but the defendant would go to the website and be told about the option to mail something in if he did not have the ability to upload electronically. We need to ensure that there is some kind of waiver there. Also, the court could create some kind of form that could be filled in by the offender, and have it expressly listed in bold type about what the impact is. I think that would have to be communicated clearly to the offender to make this constitutional.

**Assemblywoman Miller:**

How do you see this in terms of accessibility to tourists? It triggered the question when you said most people will not demand a hearing within five days. I think of times when people are here from out of town, and want to take care of the citation before they leave. Can you speak to that?

**Assemblyman Yeager:**

I think this would be helpful to tourists and also to locals, because the way it works now is, almost every citation that is issued actually gives you a court date. They are nowhere near five days; they tend to be closer to 30, 60, or 90 days out. It gives you a date where you have to appear in court with some exceptions. I think what we could build into that is an indication to the offender that yes, you can come to court on this day if you want to, but if you do not, here are other options. That would lead someone to a website where he could take care of it as soon as the ticket is actually entered. There is somewhat of a delay in entering the tickets in some jurisdictions. This would make it so the out-of-state offender would not have to come back, and perhaps not have to hire an attorney. Sometimes you just want to take care of it. I should note that right now there is an option for some of the larger jurisdictions to go online and essentially plead guilty and pay your fine. I know it is available in Las Vegas Justice Court and Las Vegas Municipal Court. Once the citation is there, you can enter your information and it will give you some options, but all of those options require you to plead guilty, and they do not allow you to give any mitigating

circumstances. Some of this structure is in place, but I think by amplifying it and saying you have some other options, you can actually contest it online, or you can say, I did it but I want to explain the circumstances. That should make life easier for tourists and also for locals, particularly in Las Vegas, where people are on many different schedules, and showing up at 8:30 a.m. on a Tuesday might not be practical.

**Assemblywoman Peters:**

This again highlights how we need to proactively bring our technical systems into central management. For domestic violence victims—people who are trying to escape—having the court get their address outside of what is on their identification card and giving out that address may impact people who are trying to save themselves.

**Assemblyman Yeager:**

I think that is a great point. This provision allows the officer to ask for an email address or a cell phone number, not necessarily a mailing address. In talking to some of the courts, there is a desire to use a text message notification. That is the most effective way to reach people today. You raise a legitimate concern about the address. That would come from DMV. Obviously, this is geared towards minor traffic offenders, but there could be an overlap. Someone who is a domestic violence victim could commit a minor traffic infraction, so that is a concern. I would be happy to work on that more and put in any protections we may need.

**Assemblyman Daly:**

I think this is a good idea and gives people options, if they can enter the mitigating circumstances. It seems to me that if you are using the online system and plead not guilty, it would not work if you are waiving your right at the same time. Would the person be able to plead not guilty?

**Assemblyman Yeager:**

Section 2 states that the person can make a plea and state his or her defense along with any mitigating circumstances. My intent is that you could plead not guilty, but if you choose to use the online system, you are going to be limited to providing an explanation or any documentation that you have in support of your not guilty plea. For instance, maybe you have photos that show that you were not illegally parked, or something else that would suggest that you were not guilty of the offense. You would be able to upload that proof to the website. The judge is going to have in front of him the citation and the description from the officer, and he would take all of that information—whether it came from the police department or the offender—and essentially make that determination on his own, in the absence of a trial, so to speak, about whether you are guilty of the infraction and what the punishment would be. You can plead not guilty. I suspect that most people who want to contest the ticket are still going to want to come to court. There is some kind of benefit to making your case in person. I think this would typically be used more for those mitigating circumstances. Maybe the offender would say I was speeding, but I was late picking up my child from day care, for example.

**Assemblyman Daly:**

I was looking for that pleading not guilty with mitigating circumstances. I understand people go to court but are still pleading guilty or no contest. So, if they are not guilty in the normal course, I do not think it is clear in the bill how that might work. If I plead not guilty, I am waiving the hearing, but I am thinking I want a trial.

My second concern is when people ask for an email and phone number, if a police officer asks for that information, the offender may think it is the law and they have to give it to them. I think that can be handled in the design of the ticket with a disclaimer. Down on the bottom of the ticket where it says this is not an admission of guilt, it could also say that you do not have to give your email or phone number but that it might be helpful. That would alleviate my concern that it is going to be implied that it is required.

**Assemblyman Yeager:**

I share that concern. I will be talking to our law enforcement partners to ask how best to do that. Certainly I would like the officer to convey the message to the person that I am asking for your email address and telephone number so I can give it to the court in case they need to communicate with you, but you do not have to give it to me. Whether that is something that is said by the officer, or we have it printed on the ticket, I want to make it clear that the person does not think he has to give this information. It would be voluntary, but he could be told what it will be used for and realize that it may be to his benefit to know that a court is looking for him before he realizes he has been issued a bench warrant.

**Assemblyman Daly:**

I know that on every ticket I have ever received, the officer reads that part on the bottom, that disclaimer is right there, and I think the same can be done for the email and phone number. The officer could inform the offenders that the information is to their benefit, but the disclaimer language is on the citation so nobody can misunderstand it.

**Assemblywoman Tolles:**

My concern is how that interaction would go when asking for emails and phone numbers. Would the officer have the mechanism to enter that information? Perhaps, because it is permissive and is not applied equitably, does this leave a door open for accusations? This seems as if it could create some unintended interpretations and interactions during the citation process. Maybe a better way to do this would be to offer the website where the offender can pay online or register to receive text and email messages. That would then be uniformly applied to every single person. That way the offender could take advantage of that communication tool if he wants.

**Assemblyman Yeager:**

I had some of these discussions during the interim about whether this was desirable or even possible. Right now, I do not know that it is possible with the way business is conducted. I certainly want to leave the option open if something develops that is more technologically advanced. One of the potential problems with having a website where someone can opt in is, typically, the people who are ending up with the bench warrants are not the people who are



going onto the website. In thinking about how to craft this, there is one moment in time where you have law enforcement interacting with an offender and it seems that is the best chance to try to capture this information. Of course, if the offender comes to court, the court can ask, what is your mailing address, email address, or phone number? The problem is, they are not coming to court in the first place. In trying to figure out how to best structure this, I think that is the appropriate place for it to happen if we are really trying to prevent people from not coming to court.

I do understand your concerns and I will certainly try to work with law enforcement to try to figure out how to do this in a way that prevents people from getting arrested or even having to deal with traffic warrants when I think that most of them want to do the right thing.

**Vice Chairwoman Cohen:**

If there is a way to make the ticket so that people understand what jurisdiction they are in, I would really appreciate that. Are there any other questions? Seeing none, I will hear those here to testify in support.

**Chuck Callaway, Police Director, Office of Intergovernmental Services, Las Vegas Metropolitan Police Department:**

With the proposed amendments from Assemblyman Yeager, we are here in support. We believe this could help reduce some of the strain on the criminal justice system with traffic-related citations. In response to a couple of the questions, frequently with law enforcement, we will ask for an address, and the offender will respond with, Why do I have to tell you my address? It has been 15 years or more since I wrote a ticket, but there used to be a box on a traffic citation for the social security number. You would ask the person, What is your social security number? If he refused to answer, we would just skip the box and go to the next one. I think if this passes, I would imagine that the Department of Public Safety will have to redesign the citation to conform to this law. My recommendation would be that when that occurs, law enforcement have input on what that citation should look like and what information is asked. I think that would alleviate any concern when dealing with motorists.

**Assemblywoman Tolles:**

I think just having that uniformity across the board would help, so that there could be no question or confusion about whether it is required.

**Eric Spratley, Executive Director, Nevada Sheriffs' and Chiefs' Association:**

With the verbal amendment of Assemblyman Yeager removing the serious misdemeanor offenses, we are in support of this bill.

**Vice Chairwoman Cohen:**

I know that you represent some of the rural areas. Are there any concerns about technology in the courts in the rural areas?

**Eric Spratley:**

Yes, initially, that was my concern, and also the cost of reproducing citations, if that becomes mandatory, and they are using paper citations. They would have to destroy all of the old ones that have already been paid for and then purchase the new ones. Those are some of the concerns that come to mind. We would rely on the state to come up with the form for any electronic citations.

**Corey Solferino, Lieutenant, Legislative Liaison, Washoe County Sheriff's Office:**

It has not been 15 years since I wrote my last citation, but well beyond seven years. I was texting our traffic division sergeant during this hearing, and with our current technology, this could be a simple fix. It would be through the Office of Traffic Safety, Department of Safety, to revise that technology and make it a uniformed decision to the entire statewide system. I think the Committee brought up some interesting points with respect to the rurals, because when technology fails, we still handwrite citations. I appreciate Assemblyman Yeager working with the district attorney's office and working with us to address our concerns on major misdemeanors, and we can come to the table in support of A.B. 110.

**Jennifer P. Noble, representing Nevada District Attorneys Association:**

We are in support of this bill, especially with the amendments. As to the serious misdemeanors of aggressing driving, reckless driving, and ensuring driving under the influence is included, we thank Assemblyman Yeager for working with us on that. I spent a lot of years prosecuting traffic tickets. It is true that folks are taking a lot of time out of their day just because they want the judge to hear what happened and why. I think the addition of allowing the offender to put comments in about mitigating circumstances is an excellent idea. I am hoping that this is something that can save our courts, our district attorneys, and our citizens a lot of time and money.

**Tonja Brown, Private Citizen, Carson City, Nevada:**

I support this. I wish they had this 20 years ago. I did not hear anything about medical being a mitigating circumstance. Twenty years ago I was about to have some major back surgery. I was pulled over and I paid the fine—although I did not want to—but I was having back surgery and I was bedridden for two months. There are people who are bedridden for months due to surgeries. Maybe there could be a box to check that says, due to a medical reason, I will be unable to come to court to contest this until a later date.

**John J. Piro, Chief Deputy Public Defender, Legislative Liaison, Clark County Public Defender's Office:**

We support this bill and are thankful for all the work the committee did in the interim.

**Kendra G. Bertschy, Deputy Public Defender, Washoe County Public Defender's Office:**

Ditto.

**Ryan Black, Legislative Liaison, City of Las Vegas:**

Ditto.

**Vice Chairwoman Cohen:**

I am seeing no one else in support and will move to opposition, either in Las Vegas or Carson City. Seeing no one, I will move to neutral. Seeing no one, I will invite Assemblyman Yeager back up for closing remarks.

**Assemblyman Yeager:**

We heard some great questions, and I think we still have a little bit of work to do, but the intent is to not tie up so much time with minor traffic infractions. When you look at the number of parking violations and speeding tickets that do not rise to aggressive or reckless driving, it is a huge number, particularly in our urban centers. I think this is a good move forward to the extent that law enforcement and the courts are able, and hopefully it will lead to efficiency and a better customer experience for those who have to interact with the courts. I urge your support.

**Vice Chairwoman Cohen:**

I will close the hearing on A.B. 110 and move to public comment. Seeing no one, we are adjourned [at 10:25 a.m.].

RESPECTFULLY SUBMITTED:

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Cheryl Williams  
Recording Secretary

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Nancy Davis  
Transcribing Secretary

APPROVED BY:

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Assemblyman Steve Yeager, Chairman

DATE: \_\_\_\_\_

## EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is the Work Session Document for [Assembly Bill 8](#), dated March 15, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is the Work Session Document for [Assembly Bill 10](#), dated March 15, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit E](#) is the Work Session Document for [Assembly Bill 17](#), dated March 15, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit F](#) is the Work Session Document for [Assembly Bill 69](#), dated March 15, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit G](#) is the Work Session Document for [Assembly Bill 80](#), dated March 15, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit H](#) is the Work Session Document for [Assembly Bill 91](#), dated March 15, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit I](#) is the Work Session Document for [Assembly Bill 109](#), dated March 15, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit J](#) is the Work Session Document for [Assembly Bill 139](#), dated March 15, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit K](#) is the Work Session Document for [Assembly Bill 164](#), dated March 15, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit L](#) is the Work Session Document for [Assembly Bill 183](#), dated March 15, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit M](#) is the Work Session Document for [Assembly Bill 189](#), dated March 15, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit N](#) is the Work Session Document for [Assembly Bill 195](#), dated March 15, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit O](#) is the Work Session Document for [Assembly Bill 207](#), dated March 15, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit P](#) is a conceptual amendment to [Assembly Bill 207](#), provided by Brittany Walker on behalf of the Registered Agents.

[Exhibit Q](#) is the Work Session Document for [Assembly Bill 221](#), dated March 15, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit R](#) is the Work Session Document for [Assembly Bill 226](#), dated March 15, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit S](#) is a document titled "Gina – LA's Online Traffic Avatar Radically Changes Customer Experience (News 2016)," presented by Assemblyman Steve Yeager, Assembly District No. 9, in support of [Assembly Bill 110](#).

[Exhibit T](#) is a document titled "Using Behavioral Science to Improve Criminal Justice Outcomes," presented by Assemblyman Steve Yeager, Assembly District No. 9, in support of [Assembly Bill 110](#).

[Exhibit U](#) is a proposed amendment to [Assembly Bill 110](#), provided by Ryan Black, Legislative Liaison, City of Las Vegas.