

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

**Eightieth Session
March 22, 2019**

The Committee on Judiciary was called to order by Chairman Steve Yeager at 8:07 a.m. on Friday, March 22, 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.

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:

Assemblywoman Teresa Benitez-Thompson, Assembly District No. 27

STAFF MEMBERS PRESENT:

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

OTHERS PRESENT:

Jim Berchtold, Attorney, Legal Aid Center of Southern Nevada
Bailey Bortolin, Statewide Advocacy, Outreach and Policy Director, Nevada Coalition of Legal Service Providers
Homa S. Woodrum, Chief Advocacy Attorney, Aging and Disability Services Division, Department of Health and Human Services
Jamie Rodriquez, Government Affairs Manager, Office of the County Manager, Washoe County
Kendra G. Bertschy, Deputy Public Defender, Washoe County Public Defender's Office
Chuck Callaway, Police Director, Office of Intergovernmental Services, Las Vegas Metropolitan Police Department
Corey Solferino, Lieutenant, Legislative Liaison, Washoe County Sheriff's Office
Eric Spratley, Executive Director, Nevada Sheriffs' and Chiefs' Association
Sarah M. Adler, representing Nevada Coalition to END Domestic and Sexual Violence
Jennifer P. Noble, Chief Appellate Deputy, Legislative Liaison, Washoe County District Attorney's Office; and representing Nevada District Attorneys Association
Mike Dyer, Director, Nevada Catholic Conference
Kimberly Mull, Private Citizen, Las Vegas, Nevada
Jim Penrose, representing Nevada Resort Association

Chairman Yeager:

[Roll was called, and Committee rules were explained.] We will start with our work session. We have five bills on our work session today. We will begin with Assembly Bill 16.

Assembly Bill 16: Increases the time for law enforcement officers to execute and return search warrants to obtain DNA samples. (BDR 14-423)

Diane C. Thornton, Committee Policy Analyst:

Assembly Bill 16 was sponsored by the Assembly Committee on Judiciary on behalf of Aaron D. Ford, Attorney General, and was heard in this Committee on March 14, 2019 (Exhibit C).

This bill provides an exception to the requirement that a search warrant may be executed and returned only within ten days after its date. The exception specifies that if a search warrant

provides for the collection of a biological specimen from a person, the warrant may be executed and returned within one year after its date.

There is one proposed amendment ([Exhibit C](#)) to this bill from Attorney General Aaron D. Ford, he proposed changing when the warrant may be executed and returned from one year to six months.

Chairman Yeager:

Before I take a motion, are there any questions on Assembly Bill 16? [There were none.] At this time, I would take a motion to amend and do pass.

ASSEMBLYWOMAN NGUYEN MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 16.

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 Assemblyman Edwards. We will now go to Assembly Bill 110.

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

Diane C. Thornton, Committee Policy Analyst:

Assembly Bill 110 relates to public safety. It was sponsored by the Assembly Committee on Judiciary on behalf of the Committee to Study the Advisability and Feasibility of Treating Certain Traffic and Related Violations as Civil Infractions and was heard in this Committee on March 15, 2019. It authorizes the Director of Nevada's Department of Motor Vehicles to release the contact information of a person who has been issued a traffic citation to a court or its traffic violations bureau under certain circumstances ([Exhibit D](#)).

It revises provisions governing citations for minor traffic and related violations; revises provisions relating to hearings on alleged traffic and related violations; prohibits the issuance of a bench warrant for a person's failure to appear in court for a parking violation in certain circumstances; and provides other matters thereto.

There are three proposed amendments to this bill. The first amendment [page 3, ([Exhibit D](#))] is proposed by Keith Lee, Nevada Judges of Limited Jurisdiction, he proposed changing the "may" to "shall" in section 1.7 on page 5, line 22.

The second amendment [page 4, ([Exhibit D](#))] is from Ryan Black from the City of Las Vegas. He proposed amending section 2, subsection 4(c) by deleting the word "provide" and

replacing it with language "confirm receipt of the plea and statement or make available," regarding a person submitting a plea in statement of the defense or mitigating certain circumstances by electronic means.

The third amendment [page 6, ([Exhibit D](#))] is from Jennifer Noble and John Jones from the Nevada District Attorneys Association; proposed is an amendment revising section 2 of the bill by excluding the following traffic offenses that are eligible for resolution over the Internet including: DUI, vehicular manslaughter, reckless driving, and aggressive driving.

Also on the work session document [page 13, ([Exhibit D](#))], Chairman Yeager proposed an amendment revising section 4, lines 11 through 15 of the bill, to require the officer to expressly inform the driver that providing the requested email address and mobile phone number is voluntary.

Chairman Yeager:

I will let the Committee members know that I consider all those amendments to be friendly. I think they improve the bill and I will take any questions.

Assemblyman Daly:

Just a comment. With the first amendment in the Nevada Electronic Legislative Information System and the last amendment that was read, that was my concern, so I think we will be in good shape.

Chairman Yeager:

Are there any other questions? [There were none.]

ASSEMBLYMAN ROBERTS MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 110.

ASSEMBLYWOMAN TOLLES SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

I am going to assign the floor statement to Assemblywoman Hansen. We will now go on to Assembly Bill 157.

Assembly Bill 157: Provides certain protections and services for victims of human trafficking. (BDR 16-141)

Diane C. Thornton, Committee Policy Analyst:

Assembly Bill 157 provides certain protections and services for victims of human trafficking, sponsored by Assemblyman Hambrick, and heard in this Committee on March 6, 2019 ([Exhibit E](#)).

Assembly Bill 157 relates to human trafficking, requiring certain law enforcement officials to take certain actions upon initially encountering a possible victim of human trafficking; requires the owner/operator of certain establishments and facilities to post an informational sign relating to the National Human Trafficking Hotline; requires the Department of Health and Human Services to develop a statewide plan for developing services to victims of human trafficking; requires the Department of Education and the State Board of Education to develop and distribute certain informational materials relating to human trafficking of children; and provides a penalty and provides other matters thereto.

There are two proposed amendments [pages 2 and 3, ([Exhibit E](#))]. The first amendment is sponsored by Assemblyman Hambrick and James L. Dold, from Human Rights for Kids, they proposed eliminating sections 1 and 2, thereby removing the provisions requiring certain law enforcement officials to take action upon initially encountering a possible victim of human trafficking and requiring the owner or operator of certain establishments and facilities to post an informational sign relating to the National Human Trafficking Hotline.

In addition, Assemblyman Hambrick proposed adding Assemblywoman Krasner as a primary sponsor to the bill.

Chairman Yeager:

I did confirm with Assemblyman Hambrick that they are both friendly amendments. Any questions on A.B. 157? [There were none.] I would take a motion to amend and do pass.

ASSEMBLYWOMAN KRASNER MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 157.

ASSEMBLYWOMAN TORRES SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Krasner. Our next bill will be Assembly Bill 158.

Assembly Bill 158: Revises provisions governing criminal procedures for certain juvenile offenders who are also victims of certain crimes. (BDR 14-143)

Diane C. Thornton, Committee Policy Analyst:

Assembly Bill 158 relates to criminal procedure authorizing a court to take certain actions when determining the sentence of a person convicted as an adult for an offense committed when the person was less than 18 years of age if the person was a victim of sex trafficking or sexual assault and committed the offense against the abuser, and providing other matters thereto ([Exhibit F](#)).

There is one amendment [page 2, ([Exhibit F](#))] 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 deletes the language in section 1, subsection 2 that transfers the case to the juvenile court if the person is less than 21 years of age, and the person is deemed to have committed a delinquent act.

Chairman Yeager:

I have confirmed with Assemblyman Hambrick that the amendment is friendly. The Committee may remember there was some discussion about how subsection 2 would work with transfer back to the juvenile courts. I think the stakeholders decided it best to take that provision out, and perhaps in a future session we can look into that.

Are there any questions on the work session document for A.B. 158? [There were none.] I would take a motion to amend and do pass.

ASSEMBLYWOMAN KRASNER MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 158.

ASSEMBLYMAN WATTS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Torres. Our final bill on work session is Assembly Bill 266.

Assembly Bill 266: Revises provisions governing the sealing of records relating to evictions. (BDR 3-809)

Diane C. Thornton, Committee Policy Analyst:

Assembly Bill 266 revises provisions governing the sealing of records relating to evictions, sponsored by Assemblywoman Bilbray-Axelrod, and heard in this Committee on March 20, 2019 ([Exhibit G](#)).

This bill provides that if a court issues an order to deny or dismiss an action for summary eviction, the order may be unconditional or conditional; (1) eviction case court files are automatically sealed only upon entry of an order unconditionally denying or dismissing an action for summary eviction; and (2) a notice to surrender must not be made available for public inspection.

There is one proposed amendment to this bill [pages 2 and 3, ([Exhibit G](#))]. Bailey Bortolin, Washoe Legal Services, proposed changing the language to allow for the passage of ten judicial days before the eviction case court file is sealed, rather than automatically. The amendment also prohibits access to the public databases of certain governmental entities regarding certain eviction notices.

Chairman Yeager:

I think we heard this bill this week if my memory is correct. I do not think we heard any opposition testimony. Just as a reminder, this amendment was presented at the time of the hearing and is considered a friendly amendment. Any questions about A.B. 266, as laid out in the work session document? [There were none.] I will take a motion to amend and do pass.

ASSEMBLYWOMAN TORRES MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 266.

ASSEMBLYWOMAN BACKUS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Bilbray-Axelrod, and we will list Assemblywoman Tolles as a backup.

Thank you, Committee members, for getting through the work session document. It is always nice to see five bills move out unanimously. At this time we will go to our agenda.

I am going to open up with Assembly Bill 299. Assembly Bill 299 revises provisions governing certain powers of attorney. It looks like we have someone in Las Vegas and we have Assemblywoman Backus to present A.B. 299.

**Assembly Bill 299: Revises provisions governing certain powers of attorney.
(BDR 13-691)**

Assemblywoman Shea Backus, Assembly District No. 37:

Good morning, Chairman Yeager and fellow hard-working members of the Assembly Committee on Judiciary. Presenting this bill with me today is Jim Berchtold, Attorney, Consumer Rights Project, Legal Aid Center of Southern Nevada. We will be splitting the presentation of Assembly Bill 299, with Mr. Berchtold from Las Vegas covering sections 1 through 4, and I will be covering sections 5 through 7. We will be working off of both the original bill as filed, as well as a proposed amendment ([Exhibit H](#)) on the Nevada Electronic Legislature Information System (NELIS) for clarifications for sections 3, 4, and 5. There was a typographical error so I updated it. We will make sure that NELIS gets the current version as well. With that, I will turn to Mr. Berchtold to get us started.

Jim Berchtold, Attorney, Legal Aid Center of Southern Nevada:

Good morning, Chairman and Committee members. I lead the Legal Aid Center of Southern Nevada's Guardianship Advocacy Program, which provides legal representation to senior citizens and adults with disabilities who are facing or under guardianship. The Legal Aid Center currently has nine attorneys doing this work, representing over 1,000 Nevadans under guardianship.

Assembly Bill 299 revises Chapter 162A of the *Nevada Revised Statutes* (NRS) which governs the powers of attorney. Currently under Nevada law, if a court grants a guardianship over someone who has previously executed powers of attorney—that could be powers of attorney to make decisions about health care or make decisions on their finances—once that guardianship is granted, those powers of attorney are terminated.

What A.B. 299 proposes is rather than having those powers of attorney terminated, they would instead be suspended during the course of the guardianship, but could then again be utilized once the guardianship is over. We think this benefits Nevadans in a couple of ways. If someone has taken the time to execute powers of attorneys and plan for how they want decisions made for them as they age or in an emergency, they have made their wishes known, and it would probably come as a surprise to most people that those powers could be terminated without their consent.

In addition to that, in our guardianship practice we see that this termination causes a couple of problems. First, if someone has executed powers of attorney and for some series of events finds themselves under guardianship, once that guardianship is terminated because the person recovers and no longer needs the guardianship, they no longer have powers of attorney. Now they have to go and execute new powers of attorney.

But, even worse, let us take the example where two spouses are caring for each other, utilizing powers of attorney—this is how they have planned to make decisions for one another as they age. In some situations one of the spouses may have to get a guardianship over the other spouse for a limited purpose, such as obtaining certain governmental benefits. Unfortunately, if that occurs, once that guardianship is in place, the spouse then has no choice but to continue the guardianship for the rest of the other spouse's life because, if they terminate that guardianship, the ailing spouse no longer has the capacity to execute new powers of attorney, and the powers of attorney they were previously using are not good any longer.

So again, what A.B. 299 proposes is, rather than terminating those powers of attorney, instead they would simply be suspended during the course of the guardianship, but if the guardianship is terminated, they could then be utilized again as they were before the guardianship.

Those are sections 1 through 4 of A.B. 299. I am happy to answer any questions about those sections; otherwise, I will turn it back over to Assemblywoman Backus for the rest of the bill.

Assemblywoman Backus:

The second portion of A.B. 299 focuses on the statutory form of durable power of attorney for health care decisions, which can also be referred to as advance directives. The purpose of the revisions to the current statutory form is threefold: (1) to give notice to those using the statutory form about the Secretary of State's Nevada Lockbox; (2) to eliminate the need for additional forms having different witnessing and execution requirements for health care decisions; and, (3) to include an additional health care decision regarding use of medication.

Prior to diving into the language of the bill and the changes to the statutory health care decision form, I want to provide you with some more information as to why I am bringing this bill to you today. While I am not an estate planning attorney, I am frequently asked by clients to prepare a durable power of attorney for health care decisions. When doing so, I realized that the current statutory form is quite confusing especially in the two parts that referred to NRS Chapter 449 and how if people do not fill out those additional forms, it could initially make their health care directive void. There were also some conflicting languages that I wanted to have cleared up.

On a more personal note, I was in this position when I had to rely on a statutory health care directive when my father-in-law became quite ill. He was being treated for skin cancer in his ear. We ended up learning that he had suffered multiple mini strokes and then, quickly, he started suffering from vascular dementia. The six months went quite quickly. There was a time when he started simply to lose his mobility to ultimately stopping to eat. My husband and I were left with his health care directive as to what his wishes were, and since late stage dementia is basically a terminal condition, we understood his desire not to have a gastrostomy tube installed and we understood how to move forward. We relied greatly on this form, but it brought to the surface the need for this form to be cleaned up for ease. So if someone had to rely on this form, we never want a situation where the form is deemed invalid for noncompliance with statutory requirements.

The proposed amendments ([Exhibit H](#)) are a step to alleviate multiple forms and potential conflicts. Section 5 includes the revisions being made to the statutory durable power of attorney for health care decisions. The first includes additional language under the warnings which you can find on the amendment. It is the second page where the form starts. Under the warnings is included the language of the notice that the Nevada Lockbox exists [page 3]. I did not know about the Nevada Lockbox until I started getting involved with this. I know we had Barbara K. Cegavske, Secretary of State, talk about it at length. It is important for people to know this because with the existence of the Nevada Lockbox, people can upload this health care directive form, and it allows people in the health care profession to access this form. So if someone is hospitalized, and maybe they are hospitalized without any of their loved ones, a provider can access the Nevada Secretary of State site to secure this health care directive to understand someone's wishes and, more importantly, maybe to identify who their agent is. That is also repeated at the end of the form where you can have copies that you should retain, and also to store with the Secretary of State Nevada Lockbox.

The next revision is found under the same section but under provision 6, which is the statement of desires [page 4, ([Exhibit H](#))], and this is where the hurdle came as I was referencing NRS Chapter 449A. If you go to those statutes, those require you to fill out additional forms that have different execution and different witnessing requirements.

Looking back at the legislative history on this form, I discovered it seemed like the intent was to take NRS Chapter 449A and put it into NRS Chapter 162A. However, it is still separate, and it was requiring us to have two additional forms if these were the desires that were elected.

So for ease and cleanup those have been removed, and likewise under section 7 of the bill, to make it abundantly clear that requirement is not necessary if you do have this statutory form filled out. That language has also been cleared up.

The last amendment [page 5, ([Exhibit H](#))] being made to the statutory form included an additional statement under the statement of desires with respect to medication that is likely to cause an addiction or even reduce the extension of one's life to alleviate suffering.

With grave concerns over opiate medications and potentially the designee's agent's lack of desire to grant permission for the prescription of the same, it is helpful for the agent to understand the designee's desires. Thus, this additional provision was included.

With that, I am happy to answer any questions you may have. I will answer the ones pertaining to the statutory form, and Mr. Berchtold will be happy to talk about the durable and nondurable power of attorney.

Chairman Yeager:

Thank you to both of you for your presentation of the bill. Do I have questions from Committee members?

Assemblywoman Peters:

Thank you for bringing this bill forward. I remember when my grandmother was dealing with my grandfather's illness, this was one of the most confusing processes for her. I am not a lawyer in this field. If you could break it down a little more for me on what durable and nondurable powers of attorney mean for the lay person?

Jim Berchtold:

As proposed under the statute, a nondurable power of attorney would be one that is in existence but would terminate if the person no longer has capacity.

A durable power of attorney would be one that you execute whether for your finances or for your health care, designating someone to make decisions for you if something should happen to you. If you become incapacitated, that power of attorney is durable, meaning that it extends through the incapacity. It allows somebody to utilize those powers of attorney.

Assemblywoman Hansen:

Thank you for bringing this bill forward. This is the part of life we do not really want to deal with, and thank goodness we have abilities to set our things in order. On the amendment ([Exhibit H](#)), in section 6, which you just spoke about, if you have an incurable or terminal condition regarding the medications, I am curious as to where it came from. Will you tell the history of the amendment and how it came about.

Assemblywoman Backus:

I can definitely tell you where I got the information. I do believe this entire form is still difficult. There could be, in future sessions, a time to make the form more clear. As an

attorney, I have a hard time going through this with a client. I could not imagine a person just picking it up. But with this one, I collaborated with various groups, and one group was the Southern Nevada Senior Law Program from Las Vegas. Actually this amendment is included in their original language, just some commas and language were moved around. This is why it included the amendment with the green language.

In that, it did address the medication they desired. In the 2009 Session, this form was not mandatory. You do not need to have your health care directive explicitly identical to this language, you could have it in a substantially similar form. The Senior Law Program thought it was important to add this and to make sure it was abundantly clear. That is where it came from. It was tweaked a little, but it is where the amendment came from.

Assemblywoman Tolles:

I can appreciate the value of this bill, as I just went through this with my father-in-law. You touched on the question that I was going to ask, which was when we make changes to these kinds of forms going forward, how does that impact the forms that are already in place? Forms that may not contain the new language—durable, nondurable—what happens to those forms when it comes to health care decisions and do they need to go back and be revised?

Assemblywoman Backus:

I would like to touch on one part, and then I may have Mr. Berchtold address your question, because it is kind of a convoluted question. One, I want to make sure we are not invalidating anyone's existing forms, and with respect to the portion I was covering, it is clearly a durable power of attorney as stated. I will turn it over to Mr. Berchtold in case he wants to add anything.

Jim Berchtold:

The forms that are currently written, I think, contemplate that powers of attorney would be durable, meaning that would survive the incapacity. In fact, most people execute powers of attorney so that when you become incapacitated, if there is an accident or you become ill, those powers of attorney could be utilized.

The nondurable is a relatively new concept in the statute, and I think if someone wanted a nondurable power of attorney, they could indicate that in the power of attorney itself, but I think the assumption would be that it would be durable, and that is how the current forms are worded.

Assemblyman Daly:

I am glad we have these meetings because I was misunderstanding some of the stuff, but you have cleared most of it up, which is good. My question is on the edges of where this is. I understand the power of attorney and the durable power of attorney, et cetera. But those are separate, as I understand it, from any type of do not resuscitate, or nonuse of extraordinary life sustaining measures, and various things.

If someone gets a guardian that is appointed, and the ability of the previous person to exercise the power of attorney for those separate documents, does the guardian usually follow those, are they required to follow those, or can they ignore those separate documents?

Jim Berchtold:

In the last Nevada legislative session, there was a bill of rights for protected persons, for persons under guardianship, which was passed. Under that bill of rights one of the guardian's charges is to follow, to the extent possible, the wishes that were expressed by the person prior to them entering under the guardianship. The guardian is not necessarily obligated to follow those, but ideally that would be the situation; the person under the guardianship has expressed their wishes and ideally those would be followed.

Assemblywoman Daly:

Thank you for that. So they would be in the same position as the person with the previous power of attorney. They should, but they are not necessarily obligated.

In a follow-up on the previous question—I do not know if it was answered. You have a durable power of attorney now that does not meet or is not in conformance with what these amendments are; does that power of attorney have to be changed, is it grandfathered in and still remains, or do you have to get a new one? I think that was the question, and I would like a clearer answer than the one you gave. I understand durable power versus nondurable, but I do not think you answered the question on grandfathering.

Assemblywoman Backus:

No, they still are. The amendments we are making are slight, and the form is still substantially similar to the prior form, and our law—I realized just looking at the history of this legislation—even Nevada does recognize and give full faith and credit to out-of-state forms as well. This did surprise me because, given my district, I have a lot of individuals retire to Las Vegas and still have existing forms.

To answer your question, those prior durable power of attorney for health care decisions would still remain, and they would be valid as long as they are not conflicting with the other forms.

Chairman Yeager:

Does anyone have any further questions? [There were none.] I would like to thank the two of you for presenting the bill. Anyone in support of A.B. 299 I would invite to the table here in Carson City, or if there is anyone else in Las Vegas who would like to testify in support, please come forward as well.

Bailey Bortolin, Statewide Advocacy, Outreach and Policy Director, Nevada Coalition of Legal Service Providers:

We would like to thank Assemblywoman Backus for working with us. At the Senior Law Project we do find that advance directives are the number-one request from our senior community, and they do have strong opinions on how they would like their wishes to be

communicated. We feel these changes will improve that process and allow their voices to be better heard. Thank you.

Chairman Yeager:

Is there anyone else in support of A.B. 299? [There was no one.] I will take those in opposition. [There was no one.] Is there anyone in neutral?

**Homa S. Woodrum, Chief Advocacy Attorney, Aging and Disability Services Division,
Department of Health and Human Services:**

I wanted to provide some other educational information about powers of attorney in terms of the topics being heard this session. Senate Bill 121 and Senate Bill 223 are both touching on this area as well. I did mention to Assemblywoman Backus, it appears that they are all consistent with the goal being to make things clearer and to make things more readily accessible to individuals. There is also some conforming with Assembly Bill 65, which is regarding the notarial sections of different powers of attorney. Just to mention, regarding the durable and nondurable discussion—in California there is a distinction between durable and nondurable, and if it is nondurable, then it terminates upon incapacity.

For this body, I wanted to mention that I will communicate with Assemblywoman Backus regarding some clarification as to the definition of capacity as far as whether it is a guardianship-determined incapacity or a medical incapacity and we will continue to communicate regarding that. Thank you.

Chairman Yeager:

Any questions for Ms. Woodrum? [There were none.] Is there anyone else in the neutral position? [There was no one.] Concluding remarks were waived by the sponsor and copresenter. I will now close the hearing on Assembly Bill 299. I am going to open the hearing on Assembly Bill 301.

Assembly Bill 301: Revises provisions relating to county jails. (BDR 16-769)

Assemblywoman Teresa Benitez-Thompson, Assembly District No. 27:

I would like to give you the intent and what the gist of this bill is, what we are seeking to do, and why I am seeking to do it. I will walk through the two sections of the bill. We do have an ongoing conversation about amendments in order to make this a workable piece of legislation. I think we are pretty close to being there, and I do have some conceptual amendments that I will be submitting to the Committee. I know that there are other entities that have conceptual amendments as well, and I will let them talk about their own.

Let me explain where we are going. First things first, submitted to the Committee for exhibits late last night, you have a report series that was made public during last session in April of 2017. We were here in session at the Legislature when reports came out of the *Reno Gazette-Journal* regarding our local jail in Washoe County when some different things were happening ([Exhibit I](#)).

The biggest takeaway for me in that was, in order for this information to be known, it was an anonymous tip that led to the discussion about what was happening in local jails. Where that went from in my research was that, while at the federal level we are making strides at collecting data regarding jail death, specific to local jail death, and we are starting to get some big aggregate data numbers in to tell us what is happening at our local jails, there was not that path and avenue to be having that conversation at the hyperlocal level, which is at the county level. What I am seeking to do with this bill is to set up a path by which we have county commissioners who have the obligation in law, in *Nevada Revised Statutes* (NRS) Chapter 211, to set up and establish jails and to ask and enquire about the well-being of people who are in those jails and then we have the sheriff or the custodians of those jails. What we found during the course of the 2017 reports and ongoing conversations was they are pretty siloed, and there is really not a way, if push comes to shove and when push did come to shove, to freely exchange information. You can appreciate that there is a delicate touch to this. We have county commissioners who are elected in their county by the good people in their county to do the work, and you have a sheriff who is elected by their people intended to do their work. It is about moving these two bodies to a point of having good conversation when we need to.

If you go to Assembly Bill 301, section 1, NRS Chapter 211, this is dealing with what the responsibilities are of the county commissioners. You can see since the 1800s, when the statute was put in, that they are responsible for the building, inspecting, and repairing of the local jails within the county. Presently there is also a requirement, in section 1, subsection 2, that once every three months the commissioner "shall inquire into the security of the jail and the treatment and condition of the prisoners," and that they shall take necessary precautions against escape, sickness, and infection. Realizing that the statute has been on the books for a long time, in addition to them taking the necessary precautions against escape, sickness, and infection, I would also like to add the language of "suicide and death."

The goal would be that the county commissioners and the sheriff or the sheriff's designee are talking about the deaths in the local jails; the current language in statute says at least once quarterly. Realizing that might be a little burdensome—perhaps it is a very well-intended requirement for it to be every three months—in conversations with the locals, it seems biannually might make more sense than every quarter. We think that, in terms of coming into compliance with law, that biannually, having the conversations, agendaizing it, and making sure that the county commissioners and sheriff are talking about the deaths in their jail are going to be important.

Section 2 is the responsibility of the sheriffs and what the sheriffs have to do. What we want the sheriffs to be able to do is, not later than 48 hours after the death of a prisoner, to notify the county commissioners of that death. It can be the sheriff or their designee; they can do it by phone, by letter, or for the smaller counties, the sheriff can personally call each and every one, but I want the information to be relayed. If it is during the work week, I do not see a reason why it should take 48 hours to notify the commissioners of a death in the jail; but if there is a death on Saturday morning or over the weekend, this does give some allowance for

the report to come in Monday morning, but I do want an official notification that someone has passed in their jails.

Something that you will see amended out of section 2 is the requirement that medical information that the prisoners had in the past 12 months be collected. Obviously, if the person was not in custody, they cannot go out and collect all the medical records for the past year. You will see section 2 go by the wayside, but the intent, once again, is about sharing information regarding that death.

You will also see subsection 4 going out. The reason why that is happening is because, when there is a death in jail right now, it is standard protocol for the jail to have another agency come in to investigate the death. This will also go by the wayside.

Subsection 5 is kind of the meatier part of this—the information that the sheriff needs to be collecting and the information that the sheriff needs to be sharing with the county commissioners. When you look at what the federal government has been doing, the Department of Justice—in 2014—put into place the Death in Custody Reporting Act. The Death in Custody Reporting Act now mandates to the state prisons and to the local jails the type of information that needs to be collected and then submitted up to the Department of Justice. Before this act came into place in 2014, every five years there was a census of jails and what was happening in jails. From that information, you have the mortality in local jails—it talks about very big aggregate data about what is happening in local jails. I believe there is an exhibit you can look through ([Exhibit J](#)) and see what is happening specific to Nevada. What you cannot do is drill down to the county level to understand what is happening in each county. You can understand from a state perspective what is happening, but it gets harder to see where this is happening in the state.

The goal is we do not want duplicative and onerous reporting by our local jails. Since 2017 they have received a schedule from the Department of Justice that says what data they have to collect and submit to meet the federal requirements of this report. My intent is to have the same information shared every six months with the county commissioners so that we can get more specific as to what is happening in the counties and we can have more of a real-time conversation or allow for a more real-time conversation with the folks who govern the county.

One of the conceptual amendments you will see is that we have one city in the state that has and operates a jail. With local jails, it is not just county, it is a majority county. With the city that does own and operate the jail and is the custodian of those in the jail, they would have the similar reporting requirements to their local jurisdiction, which would be the City of Las Vegas. With that I stand open for questions.

Chairman Yeager:

Thank you for your presentation of the bill. We have a couple of questions. We will start with Assemblywoman Miller.

Assemblywoman Miller:

My question is actually in reference to the part where you said was going to be removed out of section 3. The part that says the statement of any medical care, you mentioned that would be removed because we obviously cannot track all the medical care before they were incarcerated. My question with the medical care itself is, would that medical care include mental health or substance abuse treatment? And can we at least keep the part with medical care, and maybe instead of the last 12 months, during the time of incarceration, because we know some people can be in jail for quite an extensive time—up to a year?

Assemblywoman Benitez-Thompson:

This is a really great question. When we are looking at the information that now the local jails are going to have to record and submit to the Department of Justice, part of that information is the cause of death: they are instructed to report information determined by an autopsy or other official medical death investigation, including accidents, deaths, suicides, homicides, and other discrete causes of death. They also have to collect and report on illnesses, and it is kind of a more clinical take. My goal is to empower our local governments to be able to have a conversation about what is happening in the jails.

You will see from the report information ([Exhibit K](#)) that I gave you, with the series that was done by our local paper up north, that it caused the county commission to act. There was then a follow-up audit that was done that got very specific into the types of services that were being provided and gave audit recommendation reports. That would be my goal, that once you have this exchange of conversation going on, that the local governments will act and follow-up when they see a problem. That is the intended goal.

Assemblywoman Miller:

I think we all want to ensure that individuals are receiving the care that they should receive. Thank you.

Assemblywoman Benitez-Thompson:

For the record, to Chairman Yeager, I believe I submitted the audit report as well so that you can read and see that ([Exhibit K](#)). I think it is hard to mandate those kinds of things. What I do think, once we have a heightened awareness of what is happening in our local jails, once again the county commissioners or the Las Vegas City Council can direct themselves to work with their sheriff and start remedying what they see as a trend.

Assemblywoman Cohen:

You mentioned section 2, subsection 4 is being deleted because we have other agencies doing the investigations. Could you please give us a little more information, just so we have a general idea, about who is doing the investigations and if they are getting the access they need—that type of thing.

Assemblywoman Benitez-Thompson:

I appreciate the question. What happens right now is the same process as when there is an officer-involved shooting. Another jurisdiction comes in to handle that investigation where

there is the death. That is what my understanding is, but if there are counties that are deviating from this practice or certain sheriffs that are deviating, I imagine that is a conversation we would want to have. But it feels like it would be redundant, and more specifically, what this language states is the sheriff of the county would do the investigation, but we would really want another entity to come in and do that. That should be the practice.

Chairman Yeager:

Do we have further questions?

Assemblyman Roberts:

You talked about the notification from the sheriff to the county commission and you said that could be in a phone call or a variety of ways. When working at Metro, whenever we had an in-custody death we would provide a summary. It would go via email, for the most part, almost immediately—the evening that it occurred. Would that be acceptable under this bill?

Assemblywoman Benitez-Thompson:

Yes, absolutely. That would be great. Some counties have a better notification process and are not so siloed between commissioners and sheriffs while others are. As a practice, for what we do at the state of Nevada with our prisons is we will do a press release when we have the death of an inmate, and that will usually go out the day of the death, and they have some basic information; a lot of demographic information is in there. What we will know at the time of the death, however, will be different than what is going to be a more exhaustive report that comes back to the county commissioners once you have the data collected on the death and any investigation is completed.

Assemblyman Roberts:

We did a press release as well, and our immediate email was very detailed. It gave a lot of history, and we would also use the Secure Communications Systems which is a program that dispatch automatically sends and some of the commissioners were on that as well. I just want to make sure that was good. Thank you.

Chairman Yeager:

Are there any additional questions? [There were none.] I would like to thank you for the bill and, as noted, Committee members, members of the public, there are some additional exhibits uploaded on Nevada's Electronic Legislative Information System that provide more background on this issue. Please feel free to look into those. I will open it up for testimony in support of Assembly Bill 301.

**Jamie Rodriquez, Government Affairs Manager, Office of the County Manager,
Washoe County:**

We are here today in support of A.B. 301 and the intent of keeping those lines of communication open between sheriffs and county commissioners and ensuring that it stays that way. That is currently not an issue in Washoe County, but again, making sure going forward that it continues, we are in support.

We have also discussed the intent regarding the reporting of the jail deaths, so we have a meeting with Assemblywoman Benitez-Thompson. We believe, with a conceptual amendment and the conversations we are having, that that would be something we again will be very appreciative of.

We do appreciate her working with us and addressing our concerns regarding the bill. I did want to make one note regarding Assemblywoman Miller's question. We had discussed that specific information about the care they are receiving while at our facilities. We had concerns about the Health Insurance Portability and Accountability Act (HIPAA) and delineating specifically what has or has not occurred with that individual while they are in our facility. That was a discussion, again, as stated by Assemblywoman Benitez-Thompson, with that final death investigation, that will cover it without violating those HIPAA laws. We are here in support. Thank you.

Chairman Yeager:

Any questions from the Committee?

Assemblywoman Miller:

Thank you for clarifying that. I appreciate the HIPAA laws, but just to ensure that we are holding our jails accountable—and I know jails are not prisons and we are not offering the same services, but often jail is more dangerous than prison—I want to make sure, because we have had some very publicized national cases that brought into question what was or what was not happening. We also all know that, especially regarding mental health and people going through withdrawals and so many things going on, or people who have continual issues even as basic as diabetes—maybe they are arrested and it takes a while for that information to be relayed or accepted. Just to make sure that people are having the care they need, so is there is any way around HIPAA that we can ensure that people are getting what they need? Because, obviously, the whole reason we are trying to have this discussion is so that we do not have deaths, especially as a result of negligence. Thank you.

Jamie Rodriquez:

We agree 100 percent. Again, we feel that will be covered in that final investigation that will come to the county commissioners, so we are in 100 percent agreement with what your concern is and the issues you have, and that is why we are asking that that move to the final investigation and not upon notification. Thank you.

Chairman Yeager:

Any additional questions? [There were none.]

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

On behalf of my office as well as the Clark County Public Defender's office, we support this bill with the amendments as well. We would like to thank Assemblywoman Benitez-Thompson for bringing this bill forward as an additional step to ensure that our clients are receiving protections while incarcerated. Thank you.

Chairman Yeager:

Anyone else in support? [There was no one.] Is there anyone in opposition to Assembly Bill 301?

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

Under the rules of the Committee, I am opposed to the bill as written. We will be in support with the conceptual amendments that were stated by Assemblywoman Benitez-Thompson. We appreciate her meeting and communicating with us on this bill and we support the concept 100 percent.

Chairman Yeager:

Thank you. Are there any questions for Director Callaway? [There were none.]

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

I want to thank Assemblywoman Benitez-Thompson for taking the time to meet with us and for addressing some of our concerns and putting them into the conceptual amendment so we can move to a position of support, but until then, we are currently in a position of opposition.

I wanted to outline some facts for the Committee so they can understand where we are coming from and look at some of the statistics of what is happening in our current jails. While my agency sympathizes with any death occurring in our custody, we have to acknowledge some facts about our current inmate population. The unhealthy population often has poor nutrition, poor hygiene, and a lack of patient responsibility. The same person who uses a list of drugs and commits crimes is less likely to have the personal responsibility needed to lead a healthy lifestyle. A current snapshot of our jail population indicated by our medical professional and doctor on staff indicates nearly 50 percent of the jail population is extremely ill. As of August of 2018, 802 of our approximate 1,100 inmates monthly were receiving treatment for a chronic medical condition. During the month of August, 2018, 551 inmates were receiving some type of medication while in jail; 261 of them were using mental health medication; 440 were seen by a mental health professional, either a licensed clinician social worker or a medical doctor; 188 inmates were on alcohol detox protocol; and 152 were on an opioid withdrawal protocol, up from 127 from the previous year.

Our current protocol, like Assemblywoman Benitez-Thompson indicated, is that if there is an in-custody death that results from a use of force or something that our agency was involved in, similar to the regional officer-involved shooting protocol, a team is activated. That team consists of the Washoe County Sheriff's Office; the Reno Police Department; and the City of Sparks Police Department. Because our agency was involved, an outside agency is designated as the lead while we conduct a parallel investigation for any administrative issues or things we need to address during the course of that investigation. That case is then submitted to the district attorney's office ultimately for review. If a death is determined to be suicide or natural causes, just like a crime scene would be out in our jurisdiction, the crime scene is frozen, medical aid is provided, and then an in-house detective comes down and processes that request.

I do appreciate Assemblywoman Benitez-Thompson's understanding of the complexities of quarterly reporting. Quarterly reporting and transparency is important to us, but most investigations cannot occur within a quarterly time frame, so the last thing that we want to do before a public hearing and a board of county commissioners is get up there and say it is an ongoing investigation we do not have anything to report. So we believe the biannual reporting will help us meet the public's transparency needs and then also the needs of the county.

Currently, we do report annually to the U.S. Department of Justice, Bureau of Justice Statistics; it is form CJ-9A [Deaths in Custody, Annual Summary on Inmates under Jail Jurisdiction], and I know Deputy Chief Jeff Clark from the Washoe County Sheriff's Office, who is in charge of our detention division, does quarterly reporting to the Washoe County Board of County Commissioners, so adding this component would fit in with what he is currently doing and performing. I am happy to entertain any questions that the Committee may have and look forward to working with Assemblywoman Benitez-Thompson.

Chairman Yeager:

Thank you. We do have a question from Assemblywoman Backus.

Assemblywoman Backus:

I actually just had a question you hit on, regarding while individuals were incarcerated in your jails on the opioid withdrawal protocol; my question to you is, are the jails also providing education to the inmates as to the risk once they go off the opioids and back to the streets, with respect to trying to get their levels back up and they cannot use the same level of medication upon release?

Corey Solferino:

Yes, our medical professionals are currently doing that. I did not want to let the cat out of the bag, but Washoe County Sheriff Darin Balaam is currently working with a national agency to make us one of less than 20 in the entire country that would be administering medication to people in jail to help with their opioid withdrawal, and that is something we look forward to. We hear bills in this very Committee regarding mental health issues and the care and custody of our inmates. This is really something that we are thinking is really going to be a game changer in northern Nevada and something where we can get these people the help that they need to stay healthy and to get out of jail and move on with their lives.

Chairman Yeager:

Do we have additional questions from Committee members? [There were none.] Is there anyone else that is in opposition to A.B. 301? [There was no one.] I will now take neutral testimony on A.B. 301. [There was none.] Assemblywoman Benitez-Thompson, I invite you back up for any concluding remarks.

Assemblywoman Benitez-Thompson:

I appreciate the Committee's indulgence and for being able to hear this bill. I think it is important statutorily that we look back at NRS Chapter 211 and, knowing that people are

moving forward from what was happening in 2017, capture what is the most important, which is the sunshine and transparency of these deaths, so we, as a local community, know more frequently when they are happening and do not have to wait for federally aggregated data to come and be produced a couple of years later. A good example would be, we have the report from 2014 that was released in 2016, but the only thing we have to reference back is that data from 2014, and here we are in 2019. So I believe every six months this conversation is happening.

To Assemblywoman Miller's point, there is a lot more that needs to be addressed and talked about, but the first we are going to do is—we as a stated, we have our prisons to run and we have a heavy lift in making sure that we are where we need to be. We are going to trust that the counties, with this new exchange of information, will do everything they need to do.

I will say that the audit that was done by the Washoe County Sheriff's Office ([Exhibit K](#)) was really good, and it looks like they have been working hard towards it. To your point about some of the medical stuff, death by death, we might get a picture of what is happening, but, really, when you do an audit of the whole system and you look at practices—whether or not you are treating mental health with only psychiatric medications, but you are not addressing other diagnoses, like depression, so they might be calm but they are still depressed, and probably going to try suicide—there are some great lessons learned here and hopefully counties and local jurisdiction will run with it. I know they will.

[[Exhibit L](#)] was not mentioned but will become part of the record.]

Chairman Yeager:

Thank you so much for joining us this morning. I am now going to close the hearing on [Assembly Bill 301](#). I will open the hearing on [Assembly Bill 120](#). Assemblywoman Krasner from our own Committee will be presenting [Assembly Bill 120](#). I am sure she will cover this, but I believe we are working off a proposed amendment that you can find on Nevada Electronic Legislative Information System (NELIS) ([Exhibit M](#)).

[Assembly Bill 120](#): Revises provisions relating to the crimes of sex trafficking and solicitation of a child for prostitution. (BDR 15-817)

Assemblywoman Krasner, Assembly District No. 26:

I am here today to present [Assembly Bill 120](#). According to the National Conference of State Legislators, approximately 293,000 children in the United States, mostly girls aged 12 to 14, are at risk of being exploited and trafficked for sex. Reports of human trafficking are on the rise. For the state of Nevada, the National Human Trafficking Hotline received 305 calls in 2017, representing a 27 percent increase from 241 calls received in 2016.

Sex trafficking is a pervasive, national problem in the United States. Reports indicate that sex trafficking happens in both rural and urban areas, with victims who are children and adults of any gender, any race, and any sexual orientation.

Sex trafficking, as defined by the Trafficking Victims Protection Act of 2000, is the recruitment, harboring, transportation, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act. In 2016 there were sex trafficking arrests in 46 out of the 50 states. Three-quarters of the cases involved only minor victims. The average age of the trafficker of minors is 28 1/2 years old. The average age of the child is 13. The minor victims were transported up to 17 states for the purpose of being prostituted, with the average of 2.7 states. The majority of the sex trafficking activities were in hotel rooms. Sixty-seven percent of the cases used technology, such as email, online ads, and smart phones. Recruitment tactics focused on runaways, friendship, romance, and giving a place to stay for the victim. Victim control tactics included threats of harm and psychological abuse, sexual violence, physical assault with a weapon, and drugs to control the minor victim. More than one half of the minor victims were runaways.

The findings of this study indicate that arrests for the sex trafficking of minors is increasing in our state. The majority of the sex trafficking had only minor victims which indicates a type of specialty offender.

In 2009 Las Vegas was identified by the FBI as one of 14 cities in the United States with high rates of child prostitution. Las Vegas police claim that roughly 400 children are picked off the streets from prostitution each year. The United States Justice Department has also named Las Vegas among the 17 most likely destinations for human trafficking. Shared Hope International says that Las Vegas is a major hub for child sex trafficking.

There is an amendment to A.B. 120 ([Exhibit M](#)): you can find it on NELIS. Section 2, subsection 6 has been removed and I have deleted that language. The amendment was submitted to me by the Nevada Resort Association to clarify what is going on in section 1, subsection 2, paragraph (a)(5).

The intent of the bill is to change the following: Currently if a pimp says, I will trade you this child for money to have sex with them, it is against the law. But if a pimp says, I will trade you this child to have sex with them for something else of value like the stereo, it is not against the law. This bill would change that. Something else of value to have sex with a child will now be against the law: a bag of drugs, a stereo, a television, will now be against the law.

Mr. Chairman and Committee members, this concludes my presentation. I urge your support of A.B. 120, and I am happy to answer any of your questions. Thank you.

Chairman Yeager:

Thank you for the presentation. Do we have questions from the Committee? [There were none.] At this time, I am going to open up the hearing for those in support of Assembly Bill 120.

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

We are here in support.

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

We, too, are in support of this bill.

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

We are here in support.

Sarah M. Adler, representing Nevada Coalition to END Domestic and Sexual Violence:

With all the strengths of our great state, child sex trafficking is an enormous weakness. We thank Assemblywoman Krasner for bringing this bill.

Jennifer P. Noble, Chief Appellate Deputy, Legislative Liaison, Washoe County District Attorney's Office; and representing Nevada District Attorneys Association:

We are in support of this piece of legislation, and we thank Assemblywoman Krasner for her continuing support of victims of trafficking and sex crimes. Thank you.

Chairman Yeager:

Ms. Noble, I think we have a question from Assemblywoman Cohen.

Assemblywoman Cohen:

Thank you, Ms. Noble. What is going on? The Assemblywoman gave us some possible scenarios of sex being traded for drugs and that type of thing. What are the charges, what are the charges being brought if a pimp offers to sell his girl for the night for drugs? What option is there for you?

Jennifer Noble:

There would probably be a number of options, including charging the drug trafficking, charging some kind of pandering. However, I think this bill makes it more clear, especially from the standpoint of a jury instruction, that it does not have to be money, that it can be anything of value.

Assemblywoman Cohen:

Thank you.

Chairman Yeager:

Any other questions from Committee members? [There were none.]

Mike Dyer, Director, Nevada Catholic Conference:

The Catholic Bishops of Nevada strongly support Assembly Bill 120.

Kimberly Mull, Private Citizen, Las Vegas, Nevada:

I just want to get clear on the record as to what "value" is. Things that I know I have been sold or traded for as a child: I have been traded and sold for photography equipment, video equipment, computer equipment, a mobile phone, a Beanie Baby, a Playboy collection, pornographic collection, and pornographic images of other children. He traded me so he could take pornographic images with other children. He traded me so he could have me take pornographic images with other children. He traded me so he could take pornographic videos with other children. He traded me so that I could take pornographic videos with other children. He traded me so I could take pornographic videos with other adults. He traded me so he could take pornographic videos with other adults. He traded me so that we could take videos with other adults and children together.

I want to make sure that items like these are covered in items of "value." Do not get me wrong, I still consider myself lucky because I was 11, 12, and 13. I know many girls who were as young as infants, who had parents that traded them in exchange for sex, rent, drugs, and bail. I hope you will support A.B. 120. Thank you.

Chairman Yeager:

Thank you for your testimony this morning. Is there anyone else in support of A.B. 120? [There was no one.] I will open it to testimony in opposition to A.B. 120. [There was none.] I will take neutral testimony at this time. I will reopen support testimony.

Jim Penrose, representing Nevada Resort Association:

I am here today on behalf of the Nevada Resort Association. I understand that Assemblywoman Krasner submitted an amendment ([Exhibit M](#)) to A.B. 120. We would like to indicate that we are in support of the bill with that amendment. I am happy to answer any questions.

Chairman Yeager:

Great, thank you, Mr. Penrose. Any questions for Mr. Penrose this morning? [There were none.] Just to be sure, I will go back to neutral. Was there anyone neutral on A.B. 120? [There was no one.] Assemblywoman Krasner, I would invite you back up for any concluding remarks.

Assemblywoman Krasner:

Thank you, Chairman Yeager and members of the Committee. I would very much appreciate your support on A.B. 120.

[([Exhibit N](#)) and ([Exhibit O](#)) were not mentioned but will become part of the record.]

Chairman Yeager:

Thank you for your presentation of the bill. I am now going to close the hearing on Assembly Bill 120. We reached the part of the meeting where public comment would be in order. Would anyone like to give public comment here in Carson City? [There was none.] Is there anything else from Committee members this morning? [There was none.]

Again, Committee, I want to thank you for all your hard work this week. I know we have had some long mornings and some long hearings. Looking forward to next week, we will start Monday at 8:30 a.m., which is a little different. We normally start at 9 a.m., but we have three bills from the Attorney General. I want to make sure that we have enough time to get through those, so rather than a 9 a.m. start, we will do an 8:30 a.m. That is what we will do Monday. The rest of the week we will start at 8:00 a.m. We do have the agendas pretty well filled out through the end of next week.

I will let the Committee members and the members of the public know I do anticipate we are going to receive a number of Committee bills early next week, hopefully on Monday. Stay tuned with the agendas. We like to try to give as much notice as we can, but with only three weeks left until Committee passage, we will have to start scheduling bills in a more rapid fashion. Again, I want to thank Committee members and members of the public for being here this morning. I hope everyone has a wonderful rest of the day and a wonderful weekend. We will see you at 8:30 a.m. on Monday.

Meeting adjourned [at 9:27 a.m.].

RESPECTFULLY SUBMITTED:

Cheryl Williams
Committee Secretary

APPROVED BY:

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 16, dated March 22, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is the Work Session Document for Assembly Bill 110, dated March 22, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit E](#) is the Work Session Document for Assembly Bill 157, dated March 22, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit F](#) is the Work Session Document for Assembly Bill 158, dated March 22, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit G](#) is the Work Session Document for Assembly Bill 266, dated March 22, 2019, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit H](#) is a proposed amendment to Assembly Bill 299, submitted and presented by Assemblywoman Shea Backus, Assembly District No. 37.

[Exhibit I](#) is a link to the *Reno Gazette-Journal* series, "Death Behind Bars," in support of Assembly Bill 301, submitted and presented by Assemblywoman Teresa Benitez-Thompson, Assembly District No. 27.

[Exhibit J](#) is a report titled, "Report of the Attorney General to Congress Pursuant to the Death in Custody Reporting Act," dated December 16, 2016, in support of Assembly Bill 301, submitted and presented by Assemblywoman Teresa Benitez-Thompson, Assembly District No. 27.

[Exhibit K](#) is a report titled, "Technical Assistance Report," prepared by the Washoe County Sheriff's Office, dated February 2017, in support of Assembly Bill 301, submitted and presented by Assemblywoman Teresa Benitez-Thompson, Assembly District No. 27.

[Exhibit L](#) is a letter to the Assembly Committee on Judiciary, dated March 21, 2019, in support of Assembly Bill 301, authored and submitted by Jim Hoffman, Legislative Committee, Nevada Attorneys for Criminal Justice.

[Exhibit M](#) is a proposed amendment to [Assembly Bill 120](#), submitted and presented by Assemblywoman Lisa Krasner, Assembly District No. 26.

[Exhibit N](#) is a copy of a flyer titled, "Nevada Action Alert! Empowering You to be an Activist," authored by Sarah Bendtsen, Policy Counsel, Shared Hope International, in support of [Assembly Bill 120](#), submitted by Assemblywoman Lisa Krasner, Assembly District No. 26.

[Exhibit O](#) is a letter to members of the Assembly Committee on Judiciary, dated March 21, 2019, in opposition to [Assembly Bill 120](#), authored and submitted by Jim Hoffman, Legislative Committee, Nevada Attorneys for Criminal Justice.