

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

**Eightieth Session
April 19, 2019**

The Committee on Judiciary was called to order by Chairman Steve Yeager at 9:07 a.m. on Friday, April 19, 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:

Senator David R. Parks, Senate District No.7

Minutes ID: 875



STAFF MEMBERS PRESENT:

Diane C. Thornton, Committee Policy Analyst
Bradley A. Wilkinson, Committee Counsel
Cheryl Williams, Committee Secretary
Melissa Loomis, Committee Assistant

OTHERS PRESENT:

Diane Dastal, Chief of Financial Services, Silver State Industries (Prison Industries),
Department of Corrections
Danny L. Thompson, representing the International Brotherhood of Electrical
Workers, Local 396
Robert Conway, representing International Association of Bridge, Structural, and
Ornamental Ironworkers, Local 433
Scott W. Anderson, Chief Deputy, Office of the Secretary of State
Kimberley Perondi, Deputy of Commercial Recordings, Office of the Secretary of
State
John R. McCormick, Assistant Court Administrator, Administrative Office of the
Courts
David Brown, Hearing Master, Las Vegas Justice Court

Chairman Yeager:

[Meeting called to order. Committee rules and procedures explained.] At this time I am
opening the hearing on Senate Bill 30 (1st Reprint).

**Senate Bill 30 (1st Reprint): Revises provisions governing the duties of the Director of
the Department of Corrections to provide programs for the employment of
offenders. (BDR 16-202)**

**Diane Dastal, Chief of Financial Services, Silver State Industries (Prison Industries),
Department of Corrections:**

Deputy Director David Tristan apologizes because he could not be here today.

Current statutes require businesses to provide a surety bond for 100 percent of the annual
contract amount, and Silver State Industries (Prison Industries) would like to increase our
business opportunities and provide more offenders with the ability to obtain job skills.

A 100 percent surety bond is a big deterrent to potential partners. A surety bond is quite
expensive and cost prohibitive for some companies. More than one company has walked
away after hearing about this requirement.

Prison Industries contacted numerous agencies to obtain the going rate. We contacted the
Risk Management Division, the Division of Insurance, the Department of Business Industry,

the State Contractors' Board, and a private company. The company that Risk Management uses is Willis Towers Watson, and they said there is no real way to give an estimate. They stated surety premium rates are set using a number of factors unique to the contractor, financial conditions, market experience, depth of product support, and so on.

The rates are usually around 1 to 5 percent. Prison Industries would evaluate the risk of a partner and would set a rate based on that risk. The 10 percent proposed would be the floor and should cover about 30 days. We believe that time would be sufficient, but under this proposal, Prison Industries would ask for a higher percentage if we thought the company was a greater risk.

With that I am happy to answer any questions.

Chairman Yeager:

Thank you for your presentation. Are there any questions from the Committee?

Assemblyman Daly:

If you could give us a little history on how we ended up with the 100 percent surety. I know a little bit of it myself from the 2013 Session when the stuff was put in after some issues that people had with a company using inmates competing against private industry, unfairly, I might add. I will have a follow-up on that, but if you could give us a little history on why we have the 100 percent match in the first place. I heard you say you want to increase business opportunities, but I think having prisoners at way below minimum wage competing with regular businesses is not a direction that we should try to move towards. But if you could give me that history, I would appreciate it.

Diane Dastal:

As you say, it was set at 100 percent by the Legislature just a few years ago, and I believe it did come about because of prior management. They did not really watch the receivables and they sort of believed the line that this contractor was giving us, but the management has changed now, and at 30 days, if the individual has not paid, we are really on them to pay, and the assistant director has the authority to go ahead and shut them down if that would be the case.

As far as the inmate wages, some of them do make minimum wage and over. We have what they call prison industry enhancement (PIE) wages and it must be the tenth percentile of the prevailing wage. So like some of the welders, they are making \$15 or \$16 an hour; it all depends on the job. If the job goes over state lines, we are required to pay the PIE wages.

Chairman Yeager:

Those of you at the table, are you in support? What is your official position going to be on the bill?

Danny L. Thompson, representing the International Brotherhood of Electrical Workers, Local 396:

I am in support. I have the answer to the question that Assemblyman Daly asked.

Chairman Yeager:

Go ahead, Mr. Thompson, with the answer to the question.

Danny Thompson:

What happened in 2013 was—there was a steel company who had set up shop at the prison. They were fabricating steel for bridge work in Las Vegas. They were fabricating steel for a very large project that was being done, and all the while the Iron Workers Local Union had members sitting on the bench. This contractor was paying substandard wages, obviously, because he is using prison labor. We complained about displacing taxpayers with people who are in prison. To add insult to injury, we take these prisoners once they get out of prison into the program, and so they end up with a good job and this cuts the recidivism rate. But at the end of the day, when it was all said and done, the contractor owed the state \$460,000. I do not know if the state was ever paid. That is why we support this bill. We think this is important, but we also think you should all be aware that you should not be displacing taxpayers with prison industry.

I understand it is a tightrope for the prison because these are good programs and they are beneficial both to the prison and to the prisoner, but there is a fine line that you walk. We do support this bill because you do not want to get the state in the position where they were before. Robert Conway is here and was the business agent for the Iron Workers.

Robert Conway, representing International Association of Bridge, Structural, and Ornamental Ironworkers, Local 433:

Everything you just heard from Mr. Thompson is pretty much on point. The federal government was owed over \$650,000 also in regards to the same contractor. We were pushing 90 percent unemployment, and we have a contractor at the prison in bed with the director and the deputy director, circumventing everything they were supposed to do by way of vetting what they were about to do or what they were in the process of doing with the Board of Prison Commissioners.

We ended up getting a law passed that added a little more oversight and we increased the bond. You had folks that were robbing your house ending up in prison, and now they have your jobs. It was pretty bad, and I did not want to come in here today and throw water on everything. I spoke to Senator Parks before I came in. I believe Senator Parks is the Chairman of the Committee on Industrial Programs. I also sit on that board.

We want to do everything we can to help the prisoners. I have a great apprenticeship program. The Local Iron Workers that Mr. Thompson represents has a great apprenticeship program, and we take in more than our fair share of folks that come from all of these facilities, but for any of them to take work by way of a joint venture or with PIE, prison

industry enhancement, is a problem for us nationwide. I want to do better, and that is why I am here in support of this bill.

The 100 percent was because of the million dollars that was owed to the state. After I explained to Senator Debbie Smith what was going on, she said, "Come right in here and explain it to everyone at the table." As soon as I explained it to everyone, Senate Bill 478 (1st Reprint) of the 77th Session came out of committee in just a couple of hours. Everyone on both sides felt it was pretty ridiculous that someone could come out, get in bed with the Committee on Industrial Programs without the chairman, without the board itself knowing anything about it because you had a deputy director and a director who were okay with circumventing the process. That is how they got that deep.

I did not mean to go on this long, I am just trying to explain what happened in the past, and why we are asking for the 100 percent surety. In the real world, if you are working with the city, county, the state, or the federal government on any project, they want 100 percent surety bond on the whole project.

It does not work this way on private jobs. As mentioned, trying to get someone in there with the expense of a 100 percent surety bond is probably a little extreme unless you have outstanding credit and a lot of capital. Thank you for your time.

Chairman Yeager:

I understand that there have been some issues in the past. It sounds like we might be getting a little far away from what the bill seeks to do, which is to just reduce this to 10 percent. I want to make it clear on the record that both of you are here in support of what is in Senate Bill 30 (1st Reprint). Is that right?

Danny Thompson:

Yes.

Robert Conway:

For the record, yes. I was just trying to explain what had happened in the past.

Chairman Yeager:

I understand. I just wanted to make clear for the record that you were both in support. I will ask you to stay at the table for now because I have some additional questions that if Ms. Dastal is not able to answer in Las Vegas, we may need your help on those as well.

Assemblywoman Backus:

In light of the concerns and making sure that our state is getting paid for the work they are doing, I was concerned by the great drop. I understand how difficult it is to get bonds today. Hopefully going forward the economy is doing better and it will not be as difficult, but is there any inclination—I know you are here in support—any inclination of being concerned if we do drop this all the way down to 10 percent? I know there could be a rollout of payments, but I want to see where you guys are with that or if there is going to be a little risk.

Danny Thompson:

I think if you look at what happened the last time and when it happened, unemployment was 90 percent. Now everything is better and it is easier to bond now than it was then. Lowering it from 100 percent—otherwise you will never get anybody, right?

Assemblywoman Backus:

If I may add, I just read the last sentence, and even though we are lowering it to 10 percent, it looks like the statute still allows the Department of Corrections the ability to go up above the 10 percent. They just have to take it to the Committee on Industrial Programs to have it approved.

Danny Thompson:

I think the difference in this bill is that you are going to have oversight. There was no oversight the last time. This thing kind of just happened, and I do not think anyone was paying attention, and with the amount of money that was owed, it got to the point that it got to, and it was exposed. That is where it came from. I think with oversight in the bill, it will solve that problem.

Assemblywoman Cohen:

My question is about section 1, subsection 7, paragraph (a), the last sentence: "The Director shall appear before the Committee on Industrial Programs to explain the reasons for the amount fixed by the Director for any personal guarantee or surety bond." I know we are talking financial, but what kind of bases are we talking about; how are those numbers going to be created?

Robert Conway:

I do not know either. As with the last question, I also thought 10 percent was an extreme drop. I would have been happy with coming up somewhere in the middle with a compromise of 50 percent, and if that did not start getting us anyone to come and work with the Director, then maybe come back and lower it some more. It did seem like a pretty extreme jump to me.

Chairman Yeager:

Mr. Conway, I believe you said you were in support of the bill.

Robert Conway:

I am in support of the bill. She asked a question, and I thought I would try to answer it.

Diane Dastal:

Actually, when this came before the Senate, one of the Senators said that in the construction industry, the average is usually 10 percent, or if the business is an extreme risk, then it could go up to 20 percent. That is how we came up with the 10 percent, plus after talking to this private surety bond company, which said the average is usually around 1 to 5 percent. This is of the annual contract amount. It is a significant number.

Chairman Yeager:

Thank you for the response, and I will let the Committee members know I had the chance to review the minutes of the hearing in the Senate Judiciary Committee. The original bill had 33 percent as the number and a suggestion from Senator Pickard was to go to 10 percent. I think that is ultimately what the Senate Judiciary Committee decided to process—just a little history on the bill. So the Committee knows it did start at 33 percent and went to 10 percent. Obviously, we can do what we like with the bill, but that is how we got to where we are in this bill right now, at least in its first reprint.

Are there any additional questions about the bill? [There were none.]

At this time I am opening it up for additional testimony in support of Senate Bill 30 (R1). Is there anyone here or in Las Vegas in support? [There was no one.] Is there anyone in opposition of Senate Bill 30 (R1)? [There was no one.] How about neutral? We have Senator Parks to provide neutral testimony. I do not believe there is anyone in Las Vegas that is neutral.

Senator Parks, welcome to the Assembly Committee on Judiciary.

Senator David R. Parks, Senate District No. 7:

This was a bill that went through the Senate Committee on Judiciary. It did not go through another committee that I served on. I think that you have a pretty good picture of the situation that we face. The recommendation was to lower the amount because of the difficulty in finding contractors who come to prisons to establish programs.

I would like to say that I am, and have been, Chairman of the Interim Committee on Industrial Programs for a number of sessions, and the program has had hard times, especially with the downturn in the economy more than a decade ago. We lost some of the best contractors that we ever had.

This is certainly an effort, as Ms. Dastal indicated to you, to attempt to find some medium we can use to set a limit and not scare away the potential contractors who would put prison labor to work. The amount in the amendment did drop to 10 percent, but it indicated that from the old language, "not less than," so there is a wide range that Prison Industries can use to determine what the exact level of risk there is. I will happily answer any questions, or try to.

Chairman Yeager:

Thank you Senator Parks. Any questions for the Senator? I do have one—if you could shed some light. You noted that in the bill, the 10 percent is essentially a floor, not a ceiling. Can you tell me about the process? Do you know how the process would work if potentially there was going to be a higher amount that was needed? What kind of analysis would be done to determine that?

Senator Parks:

I would like to defer that question to Ms. Dastal, but it is a process that the Department of Corrections goes through in soliciting companies to open operations within the various institutions. I think Ms. Dastal could give you the nuts and bolts of the exact process. However, I do want to emphasize I think it was mentioned previously that the director shall appear before the Committee on Industrial Programs to explain the reasons why that amount was established. With that, I will defer to Ms. Diane Dastal.

Diane Dastal:

The state has a contract with a credit agency, so we always check potential businesses' credit and the references they list. We call those references to check and evaluate that business before we extend any kind of credit, not including the contract and such. We evaluate every business thoroughly. We keep an eye on that. As far as this process with a contract and the director presenting it to the Committee of Industrial Programs, this process is fairly new. I guess I would have to get back to you on what the procedure would be.

Chairman Yeager:

Thank you for your response.

Assemblywoman Hansen:

My question is more general, trying to understand a little bit about Prison Industries. I am a fan and I am involved on the contracting side of business and know how onerous surety bonds can be. I certainly understand how this can drive away the opportunity for some contractors to participate with Prison Industries.

Can you tell us some of the things Prison Industries does do in this line of work? What kind of contributions are they making doing this kind of work for us in the market?

Senator Parks:

There is a wide variety of jobs. One of the jobs that is really quite frequent is what is called card sorting. It is really a low-level job, and inmates get paid a fairly minimal wage. What they do is they take cards that have been used in the casinos and they repackage them. So when you go in a gift shop you would typically see a used pack of playing cards that are for sale for a minimal price. That is one of the activities. It is a base industry that has been around for a long, long time.

It is not to say that we do not have some problems with the vendor who provides that service. We found a few years back that a long-term provider did fall on hard times, but it has been picked up by other contractors, to my understanding.

Another area is in the women's prison where we have what is called repackaging of products. Someone goes to a department store and returns an item, gets a credit on it and that big box store typically contracts with someone else to repackage it so that it can be sold at the 99 cent store. Not specifically the 99 Cents Only Store, but a 99 cent store.

We have had a lot of others. You have heard testimony about structural steel and that one contractor who did go south on us. They had done several projects with the steel, and that steel went into building a bridge structure on Interstate 15 in North Las Vegas. There have been a few others. We have had car parts fabricated. We used to have a program where we would have old truck chassis rebuilt and they would be outfitted with a smaller water tank, and they would be used on construction sites—a reuse of an old product that is not fit for being on the open road for any distance and it is just used in construction. I am sure there are a whole lot of other projects. Ms. Dastal can probably enlighten you on those, but here is our hope, and that is that we like to find meaningful employment for persons who are in our institutions, and we unfortunately only have typically 4 to 5 percent of inmates in our institutions who are finding employment and we would like to expand that. We have a couple of contracts that have been very good. Here in northern Nevada we found that we are able to put some work crews on a job site to build roof trusses or for residential development, and that has proven to be very, very successful.

We have a company that deals with coat hangers that wants to move from Mexico back to the United States. What they do is repackage the coat hangers and sell them back to the stores that initially use them. That is a sorting routine. Many of these are not high-skilled jobs. The area of high-skilled jobs, such as welding, was really a great opportunity for us and, unfortunately, with the downturn in the economy, it really went bad. That is what this bill tries to rectify.

Chairman Yeager:

Thank you, Senator Parks. I will let Committee members and members of the public know that Silver State Industries does have a website that you can look at as well. It is ssi.nv.gov, so that will give you a little bit more of a feel of some of the activities of Silver State Industries. Before we move on, I did want to ask, the original bill that the Senate had received had the 33 percent rather than the 10 percent. I just wondered how that number was arrived at in the initial iteration of the bill. I understand why it was reduced to 10 percent at the suggestion of the Senate Committee on Judiciary, but can either of you shed light on why it was 33 percent initially and how that number was arrived at?

Diane Dastal:

I think the assistant director was talking to various companies and looking at the cost of the surety bonds. That is the number that came about until the Senate hearing, then it was researched further, and we did decide that was too much and 10 percent was then decided on.

Like Senator Parks said, it is just the floor. We can go on up from there.

Chairman Yeager:

Thank you so much. I do not see additional questions for Senator Parks. Senator Parks, thank you for providing your neutral testimony here this morning and thank you for your continued work with the prison industries. Is there anyone else in the neutral position? [There was no one.] Ms. Dastal, would you like to make any concluding remarks before we close the hearing?

Diane Dastal:

We would appreciate your support in helping the offenders have more opportunities. Thank you.

Chairman Yeager:

Thank you so much for being here to present. At this time I am going to close the hearing on Senate Bill 30 (R1). We are going to move on and open the hearing on Senate Bill 45 (1st Reprint).

Welcome to our friends from the Office of the Secretary of State. I believe it is the first time we have seen you for a bill presentation.

Senate Bill 45 (1st Reprint): Revises provisions governing business. (BDR 7-471)

Scott W. Anderson, Chief Deputy, Office of the Secretary of State:

This is a relatively straightforward bill which relates to our Commercial Recordings Division. At this time I would like to turn the time over to our Deputy of Commercial Recordings, Kimberley Perondi. She will give you an overview as to why we have requested this bill and what it would accomplish. With your permission, I would like to now turn the microphone over to Kimberley Perondi.

Kimberley Perondi, Deputy of Commercial Recordings, Office of the Secretary of State:

This bill has two components—first, a revision to Chapter 76 of *Nevada Revised Statutes* (NRS) relating to the state business license; and, second, a revision to other chapters under Title 7 relating to the provisions governing records required to be maintained by business entities.

Section 1 of this bill would revise NRS 76.100, subsection 7, paragraph (b), to clarify the circumstances in which a person is deemed to not be conducting business, and therefore, not required to obtain a state business license. Currently, that subsection includes conditions which define not conducting a business. These conditions are: (1) if the business is not organized pursuant to Title 7 of NRS; (2) does not have an office or base of operations in this state; (3) does not have a registered agent in this state; (4) does not pay wages or other remuneration to a natural person who performs in this state any of the duties for which he is paid; and (5) is conducting activity in this state solely to provide vehicles or equipment on a short-term basis in response to a wildland fire, a flood, an earthquake or another emergency.

We believe the original intent of condition 5 was for it to be incorporated as an "or" rather than an "and," allowing the exemption for an emergency scenario without regard to conditions 1 through 4. Using the word "and" makes the conditions all-inclusive, creating only one scenario under which a person is considered to not be conducting business in this state. The revisions presented here would break up those scenarios.

Section 1 of this bill would also revise NRS 76.100, subsection 1 paragraph (b), by allowing the Secretary some discretion in determining whether a person is not conducting business, and therefore, not required to obtain a state business license.

Chapter 353.007, subsection 1 of the NRS states that "a person shall not enter into a contract with the State of Nevada unless the person is a holder of a state business license issued pursuant to Chapter 76." The *Nevada Revised Statutes* 353.007, subsection 2 states that a person who is not a holder of a state business license may enter into a contract if the same conditions as mentioned in my earlier testimony would apply.

Because NRS 76.100, which defines conducting business and not conducting business for the purpose of obtaining a license, and NRS 76.105, which describes exemptions to the state business license, are ambiguous, state agencies rely on our office to provide a determination as to whether a contractor is required to have a state business license. In most scenarios, the answer is yes, they need a business license. However, there are rare occasions when the scope of the contract does not match up with the conditions described in either reference.

For example—a contract between the Department of Health and Human Services and the University of Southern California for \$0 to provide a college intern for Nevada's Early Intervention program. The college is a nonprofit organization, but it is not organized here, does not have a registered agent here, and does not pay wages to the person performing here.

Another example—Child and Family Services contracted with a therapist in the state of Arizona to counsel a youth under Nevada's program who was placed in Arizona for safety reasons. The therapist is doing business and being paid in Arizona under a contract with the State of Nevada.

I met with the Office of Finance in the Office of the Governor to discuss these proposed changes, as most often a question whether a license is required arises when an agency is writing a contract or when the Governor's Finance Office is vetting the contract for approval for placement on the State Board of Examiners' agenda.

I would like to note that section 9 of this bill makes a conforming change to Chapter 353 consistent with our proposed changes to Chapter 76.

Sections 2 through 8 of this bill simply revise the requirement for business entities to maintain certain information at a registered office or principal place of business to maintain certain information at its principal place of business or with its custodian of records. The exact same provisions for limited liability companies and limited partnerships were approved in Senate Bill 41 of the 79th Session. This bill would make those revisions to other business entity types, limited-liability partnerships, foreign limited-liability partnerships, limited-liability limited partnerships, foreign business trusts, professional entities, and professional associations for the sake of consistency.

Thank you, Chairman Yeager. This concludes my overview, and our team is available to answer any questions you or your Committee members may have for us.

Chairman Yeager:

Committee members, do we have any questions? [There were none.] Thank you again for presenting the bill. Committee members, if you do have questions after the hearing, feel free to reach out directly. At this time I will open the hearing up for testimony in support of Senate Bill 45 (1st Reprint). Is there anyone here in Carson City or in Las Vegas in support? [There was no one.] Is there any opposition testimony? [There was none.] Is anyone neutral? I do not see any neutral either; this might be one of the fastest bills of the session. Did you want to make any concluding remarks? Concluding remarks are waived.

I will now close the hearing on Senate Bill 45 (R1). Moving right along, I will open the hearing on Senate Bill 74 (1st Reprint).

**Senate Bill 74 (1st Reprint): Revises provisions governing eviction actions.
(BDR 3-492)**

John R. McCormick, Assistant Court Administrator, Administrative Office of the Courts:

This bill is pretty straightforward as well. This bill has a couple of primary goals, and I should also mention that David Brown, Hearing Master, Las Vegas Justice Court is available in Las Vegas to answer the more technical questions.

The bill clarifies that the number of days to file an appeal of an action for summary eviction is ten days. Previously the appeal period was dictated by a Nevada Supreme Court case from the 1990s, but this clarifies that the period to appeal is ten judicial days after the date of the entry of order, either evicting or not.

Secondly, the bill also allows that a complaint for an expedited relief filed by a tenant—and this is a complaint filed by a tenant upon what they contend to be an unlawful lock-out of a rental or unlawful interruption of service to recover their property—can be filed if there is an action for summary eviction already, and it can be consolidated with that summary eviction case, so one judge can hear all the issues related to the eviction.

Those are the two things that the bill intends to do. I am open for any questions.

Chairman Yeager:

I think before we take any questions, Hearing Master Brown, did you want to add anything to the presentation, or did you just want to wait for questions? If you want to add anything, please go ahead.

David Brown, Hearing Master, Las Vegas Justice Court:

Just a couple of comments. I would simply add that the change in section 1 also incorporates a reference to the *Nevada Revised Statutes* (NRS) 40.254. There are essentially two types of

summary eviction proceedings. Those governed by NRS 40.253 are failure-to-pay-rent proceedings. A separate class under NRS 40.254 are nonmonetary types of eviction proceedings, such as nuisance conduct or nonmonetary lease violations. It is important to incorporate that reference of NRS 40.253 so all summary evictions are included under the clarified appeal right.

As it pertains to the second change in section 2, I merely wish to state that this change is also necessary to clarify or to solve an unintended consequence from Assembly Bill 107 of the 79th Session, which provides for the automatic sealing of a summary eviction case that is denied or dismissed. Presently, if there is a pending eviction proceeding, a tenant who may be locked out in the intervening period cannot file physically a complaint alleging an unlawful lock-out. The statute provides that the tenant may seek similar relief before the judge presiding over the pending action.

The problem is, if the court were to deny the summary eviction, that case would automatically seal. If the court is permitted to review the allegations of a wrongful lock-out and finds them to be credible, it can seek to issue an award because there are statutory damages up the \$2,500 that can be awarded in such instances.

If the case is denied and sealed, then there is no case to house that order regarding the wrongful lock-out. So it is important that the tenant be permitted under any circumstance to file a complaint for expedited relief. It is important for the court to be able to consolidate that or not, depending on how those issues are resolved.

That is all I have for clarification.

Chairman Yeager:

Thank you to the two of you for presenting Senate Bill 74 (1st Reprint). Do I have any questions from Committee members? [There were none.] I think it is important to make sure that we are treating tenants fairly and then providing some consistency in the statute about when you can appeal and how many days that is. That certainly makes a lot of sense.

I will now open it up for testimony in support. Is there anyone here or in Las Vegas in support of S.B. 74 (R1). Seeing no additional supportive testimony, I will now take testimony in opposition. Is there anyone opposed? [There was no one.] Is there anyone in neutral? [There was no one.] Are there any concluding remarks that you would like to make?

Looks like concluding remarks are waived. Again, thank you both for being here and for presenting. I will now close the hearing on S.B. 74 (R1).

I am opening it up for public comment. Is there anyone that would like to give public comment? [There was no one.] Is there anything else from Committee members this morning? I do not see anything else from Committee members.

As I discussed yesterday, we do not have Judiciary Committee on Monday or Tuesday. We have cancelled both of those meetings as we will likely be on the floor fairly late. In terms of the rest of the week, we are just waiting to see if we are going to get some more bills today. We do not have much in the Committee right now. I do anticipate we will have meetings at the end of next week. I will let you all know by email, once we receive bills and if we are able to agendaize those for the middle of next week.

The meeting is adjourned [at 9:54 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.