

**MINUTES OF THE  
SENATE COMMITTEE ON JUDICIARY**

**Eightieth Session  
March 14, 2019**

The Senate Committee on Judiciary was called to order by Chair Nicole J. Cannizzaro at 8:16 a.m. on Thursday, March 14, 2019, in Room 2135 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator Nicole J. Cannizzaro, Chair  
Senator Dallas Harris, Vice Chair  
Senator Marilyn Dondero Loop  
Senator Melanie Scheible  
Senator Scott Hammond  
Senator Ira Hansen  
Senator Keith F. Pickard

**COMMITTEE MEMBERS ABSENT:**

Senator James Ohrenschall (Excused)

**STAFF MEMBERS PRESENT:**

Patrick Guinan, Policy Analyst  
Jenny Harbor, Committee Secretary

CHAIR CANNIZZARO:

I will open the work session on Senate Bill (S.B.) 137, S.B. 221, S.B. 244 and Senate Joint Resolution (S.J.R.) 1 of the 79th Session.

[SENATE BILL 137](#): Revises the definition of the crime of robbery. (BDR 15-928)

[SENATE BILL 221](#): Revises provisions governing warnings against trespassing.  
(BDR 15-17)

**SENATE BILL 244**: Provides a criminal penalty for violation of a stay away order issued by a court. (BDR 15-924)

SENATE JOINT RESOLUTION 1 OF THE 79TH SESSION: Proposes to amend the Nevada Constitution to expressly provide for the State Board of Pardons Commissioners and revise the duties of the State Board of Pardons Commissioners. (BDR C-567)

PATRICK GUINAN (Policy Analyst):

None of the bills on the Agenda have amendments, so the Chair has opted to take them in a consent calendar format. I will read a brief summary of each bill, there will be an opportunity for discussion and—barring any changes during discussions—there will be one vote for all four bills.

Senate Bill 137 was heard by this Committee on February 18. This bill is sponsored by the Judiciary Committee that has the work session document ([Exhibit C](#)). It strikes the phrase "or property" from Nevada's definition of robbery in order to remove ambiguity and align the statute more closely with federal law.

Senate Bill 221, referenced in the work session document ([Exhibit D](#)), revises provisions governing warnings against trespassing. Senator James A. Settlemeyer sponsored S.B. 221, and it was heard by the Committee on February 28. This bill revises various provisions regarding how no trespassing notices are to be marked and posted, and it provides the definition of cultivated land for the purposes of the bill.

Senate Bill 244 is sponsored by Senator Cannizzaro and noted in the work session document ([Exhibit E](#)). This bill provides a criminal penalty for a violation of the stay away order issued by a court. It was heard in Committee on March 6. The bill defines a stay away order and provides that any person who violates a stay away order imposed by a court of competent jurisdiction is guilty of a misdemeanor.

SENATOR PICKARD:

I support this bill. We need to make sure stay away orders are enforced. I spoke to law enforcement personnel, and we are hopeful S.B. 244 will aid in enforcement by assuring these orders show up in their systems.

My only concern is in regard to a temporary protective order type of stay away order which also has a criminal penalty. In 2015, we spent a considerable amount of time going through the domestic side and changing conflicts that had accrued over the years. This bill could be considered duplicative in that area. If so, these types of stay away orders need to track together.

CHAIR CANNIZZARO:

As discussed during the hearing, the provisions of S.B. 244 are not meant to address issues and instances relating to temporary or extended protective orders. This bill applies solely to instances where a court issues stay away orders as part of its sentencing or release abilities. I will clarify this with Legal Counsel.

MR. GUINAN:

Senate Joint Resolution 1 of the 79th Session, referenced in the work session document ([Exhibit F](#)), is sponsored by Senator David R. Parks and others. It was heard by the Committee on March 1, and it proposes to amend the Nevada Constitution by replacing the State Board of Pardons Commissioners with the Clemency Board.

The Clemency Board is to consist of nine members appointed by the Governor, the Chief Justice of the Supreme Court and the Attorney General. Five members of the Clemency Board must have experience working in the criminal justice system; the Legislature will provide for its organization and duties. The Clemency Board is required to meet at least quarterly.

In order for this resolution to take effect, S.J.R. 1 of the 79th Session cannot be amended. It must be passed in this form by this Legislature and then go to a vote of the people in 2020.

SENATOR SCHEIBLE MOVED TO DO PASS S.B. 137, S.B. 221, S.B. 244  
AND S.J.R. 1 OF THE 79TH SESSION.

SENATOR HAMMOND SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

\* \* \* \* \*

Senate Committee on Judiciary  
March 14, 2019  
Page 4

CHAIR CANNIZZARO:

I will take the Floor statements on S.B. 137 and S.B. 244. The Floor statement for S.B. 221 is assigned to Senator Settlemeyer, S.J.R. 1 of the 79th Session is assigned to Senator Parks. I will close the work session on S.B. 137, S.B. 221, S.B. 244 and S.J.R. 1 of the 79th Session. The meeting is now adjourned at 8:22 a.m.

RESPECTFULLY SUBMITTED:

---

Jenny Harbor,  
Committee Secretary

APPROVED BY:

---

Senator Nicole J. Cannizzaro, Chair

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

EXHIBIT SUMMARY				
Bill	Exhibit / # of pages		Witness / Entity	Description
	A	1		Agenda
	B	4		Attendance Roster
S.B. 137	C	1	Patrick Guinan	Work Session Document
S.B. 221	D	1	Patrick Guinan	Work Session Document
S.B. 244	E	1	Patrick Guinan	Work Session Document
S.J.R. 1	F	1	Patrick Guinan	Work Session Document