

**MINUTES OF THE
SENATE COMMITTEE ON JUDICIARY**

**Eightieth Session
April 12, 2019**

The Senate Committee on Judiciary was called to order by Chair Nicole J. Cannizzaro at 8:34 a.m. on Friday, April 12, 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 James Ohrenschall
Senator Marilyn Dondero Loop
Senator Melanie Scheible
Senator Scott Hammond
Senator Ira Hansen
Senator Keith F. Pickard

GUEST LEGISLATORS PRESENT:

Senator Pete Goicoechea, Senatorial District No. 19
Senator Pat Spearman, Senatorial District No. 1

STAFF MEMBERS PRESENT:

Patrick Guinan, Committee Policy Analyst
Nicolas Anthony, Committee Counsel
Andrea Franko, Committee Secretary

CHAIR CANNIZZARO:

I will open the hearing of the Senate Committee on Judiciary. Senate Bill (S.B.) 391 is removed from today's work session. We will open the work session with S.B. 173.

Senate Committee on Judiciary
April 12, 2019
Page 2

SENATE BILL 391: Revises provisions relating to deputy marshals in certain courts. (BDR 1-69)

SENATE BILL 173: Revises provisions relating to criminal convictions of victims of sex trafficking and involuntary servitude. (BDR 14-595)

PATRICK GUINAN:

The work session document ([Exhibit C](#)) summarizes S.B. 173.

SENATOR SCHEIBLE MOVED TO PASS AND DO PASS AS AMENDED
S.B. 173.

SENATOR PICKARD SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR CANNIZZARO:

We will close the work session on S.B. 173 and open the work session on S.B. 245.

SENATE BILL 245: Revises provisions relating to civil actions. (BDR 3-965)

MR. GUINAN:

The work session document ([Exhibit D](#)) summarizes S.B. 245.

SENATOR SCHEIBLE MOVED TO PASS AND DO PASS AS AMENDED
S.B. 245.

SENATOR PICKARD SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR CANNIZZARO:

I will close the work session on S.B. 245 and open the work session on S.B. 252.

Senate Committee on Judiciary
April 12, 2019
Page 3

SENATE BILL 252: Authorizes the residential confinement or other appropriate supervision of certain older offenders. (BDR 16-1050)

MR. GUINAN:

Senate Bill 252 is described in work session document ([Exhibit E](#)). Senator Cannizzaro proposes to amend the bill by raising the ages of offenders to whom these provisions apply.

SENATOR HANSEN MOVED TO PASS AND DO PASS AS AMENDED
S.B. 252.

SENATOR HAMMAND SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR CANNIZZARO:

We will close the work session on S.B. 252 and open the work session on S.B. 265.

SENATE BILL 265: Revises provisions relating to certain records of mental health. (BDR 14-1042)

MR. GUINAN:

The work session document ([Exhibit F](#)) summarizes S.B. 265.

SENATOR HARRIS MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 265.

SENATOR PICKARD SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR CANNIZZARO:

I will close the work session on S.B. 265 and open the work session on S.B. 342.

SENATE BILL 342: Revises provisions relating to animals. (BDR 14-748)

MR. GUINAN:

Work session document ([Exhibit G](#)) summarizes S.B. 342 and the amendment.

SENATOR SCHEIBLE:

The amendments do not alter the spirit of the bill.

SENATOR HAMMOND MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 342.

SENATOR OHRENSCHALL SECONDED THE MOTION.

SENATOR PICKARD:

I have not had time to look at the amendment, but there seems to be substantive changes. Section 8 adds a fitness test, but there is no guidance given for the test.

SENATOR SCHEIBLE:

The bill addresses two situations. One instance is when an animal is impounded when the owner is detained for any reason, and "able and fit" applies to owners who have had pets seized pursuant to a cruelty investigation.

SENATOR PICKARD:

Is the fitness test in another section of law?

SENATOR SCHEIBLE:

It is caselaw.

THE MOTION CARRIED. (SENATOR PICKARD VOTED NO.)

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CHAIR CANNIZZARO:

I will close the work session on S.B. 342 and open the work session on S.B. 438.

SENATE BILL 438: Establishes the circumstances in which a confession by itself is sufficient to warrant the conviction of a defendant. (BDR 14-927)

Senate Committee on Judiciary
April 12, 2019
Page 5

MR. GUINAN:

Senate Bill 438 is summarized in work session document ([Exhibit H](#)).

SENATOR HANSEN MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 438.

SENATOR PICKARD SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR OHRENSCHALL VOTED NO.)

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CHAIR CANNIZZARO:

We will close the work session on S.B. 438 and open the work session on
S.B. 480.

SENATE BILL 480: Revises provisions relating to the number of justices of the
peace in each township. (BDR 1-978)

MR. GUINAN:

The work session document ([Exhibit I](#)) summarizes S.B. 480.

SENATOR PICKARD MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 480.

SENATOR HANSEN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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CHAIR CANNIZZARO:

I will close the work session on S.B. 480. We have Senate Bill 325 as a
re-referral to Senate Finance.

SENATE BILL 325: Establishes the Nevada Child Adoption Grant Program to
provide grants to assist certain prospective adoptive parents with certain
costs of adoption. (BDR 11-163)

Senate Committee on Judiciary
April 12, 2019
Page 6

SENATOR OHRENSCHALL MOVED TO REREFER S.B. 325 TO THE SENATE COMMITTEE ON FINANCE.

SENATOR DONDERO LOOP SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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CHAIR CANNIZZARO:

I will close the work session on S.B. 325 and open the work session on S.B. 368.

SENATE BILL 368: Revises provisions relating to protections for victims of crime. (BDR 2-166)

MR. GUINAN:

The work session document ([Exhibit J](#)) summarizes S.B. 368. The most recent amendment ([Exhibit K](#)) and supporting documentation ([Exhibit L](#)) are in your packets.

CHAIR CANNIZZARO:

The language in the amendment is not seeking to institute a new pre-prosecution diversion program, it would apply to existing programs. Victims of sex trafficking have access to pre-prosecution diversion programs when they are arrested for charges of prostitution.

Section 21 will be deleted.

SENATOR PAT SPEARMAN (Senatorial District No. 1):

We are willing to compromise on the statute of limitations in order to pass the bill.

SENATOR SCHEIBLE MOVED TO AMEND AND DO PASS AS AMENDED S.B. 368.

SENATOR HARRIS SECONDED THE MOTION.

Senate Committee on Judiciary
April 12, 2019
Page 7

THE MOTION CARRIED. (SENATORS HAMMOND AND HANSEN VOTED
NO.)

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Senate Committee on Judiciary
April 12, 2019
Page 8

CHAIR CANNIZZARO:
The Senate Committee on Judiciary adjourned at 4:14 p.m.

RESPECTFULLY SUBMITTED:

Andrea Franko,
Committee Secretary

APPROVED BY:

Senator Nicole J. Cannizzaro, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit / # of pages		Witness / Entity	Description
	A	2		Agenda
	B	3		Attendance Roster
S.B. 173	C	3	Patrick Guinan	Work Session Document
S.B. 245	D	5	Patrick Guinan	Work Session Document
S.B. 252	E	1	Patrick Guinan	Work Session Document
S.B. 265	F	5	Patrick Guinan	Work Session Document
S.B. 342	G	9	Patrick Guinan	Work Session Document
S.B. 438	H	2	Patrick Guinan	Work Session Document
S.B. 480	I	2	Patrick Guinan	Work Session Document
S.B. 368	J	1	Patrick Guinan	Work Session Document
S.B. 368	K	3	Senator Pat Spearman	Revised Proposed Amendment
S.B. 368	L	2	Senator Pat Spearman	Supporting Documentation