

**MINUTES OF THE MEETING  
OF THE  
ASSEMBLY COMMITTEE ON GOVERNMENT AFFAIRS**

**Eighty-First Session  
February 18, 2021**

The Committee on Government Affairs was called to order by Chair Edgar Flores at 9:05 a.m. on Thursday, February 18, 2021, Online. 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/81st2021](http://www.leg.state.nv.us/App/NELIS/REL/81st2021).

**COMMITTEE MEMBERS PRESENT:**

Assemblyman Edgar Flores, Chair  
Assemblywoman Selena Torres, Vice Chair  
Assemblywoman Natha C. Anderson  
Assemblywoman Annie Black  
Assemblywoman Tracy Brown-May  
Assemblywoman Venicia Considine  
Assemblywoman Jill Dickman  
Assemblywoman Bea Duran  
Assemblyman John Ellison  
Assemblywoman Susie Martinez  
Assemblyman Andy Matthews  
Assemblywoman Clara Thomas

**COMMITTEE MEMBERS ABSENT:**

Assemblyman Richard McArthur (excused)

**GUEST LEGISLATORS PRESENT:**

None

**STAFF MEMBERS PRESENT:**

Jered McDonald, Committee Policy Analyst  
Erin Sturdivant, Committee Counsel  
Judith Bishop, Committee Manager  
Zachary Khan, Committee Secretary  
Cheryl Williams, Committee Assistant



**OTHERS PRESENT:**

Mandi Davis, Deputy Administrator, Division of Child and Family Services,  
Department of Health and Human Services  
Erika Pond, Victims' Services Supervisor, Division of Child and Family Services,  
Department of Health and Human Services  
Serena Evans, representing Nevada Coalition to End Domestic and Sexual Violence  
Joanna Jacob, Government Affairs Manager, Clark County  
Jason Lewis, Chief, State Collections and Disbursement Unit, Division of Welfare  
and Supportive Services, Department of Health and Human Services

**Chair Flores:**

[Roll was called. Protocol was explained]. I will open up the hearing for Assembly Bill 21.

**Assembly Bill 21: Revises provisions governing the confidentiality of personal information of certain persons. (BDR 20-304)**

**Mandi Davis, Deputy Administrator, Division of Child and Family Services,  
Department of Health and Human Services:**

I have with me Erika Pond, our Victims' Services Supervisor. Thank you for the opportunity to present Assembly Bill 21 this morning. This bill changes some of the confidentiality requirements for our confidential address program. We will start with Ms. Pond providing a brief overview of the program, and I will go through each section of the bill.

**Erika Pond, Victims' Services Supervisor, Division of Child and Family Services,  
Department of Health and Human Services:**

Thank you for the opportunity to present this overview of the confidential address program [[Exhibit C](#)]. I oversee the federal and state victim service grants that are administered by the Division of Child and Family Services (DCFS) within the Department of Health and Human Services, the victims of crimes compensation program, and the confidential address program. The confidential address program is known as the CAP program and it functions to assist victims of domestic violence, sexual assault, human trafficking, and stalking from being located by a perpetrator through public records. Once an applicant for the CAP program is approved, that participant along with any family members residing with the participant are provided with a fictitious address and a confidential mail forwarding service through DCFS. The Division of Child and Family Services CAP staff receives and forwards mail to the CAP participants, and in terms of volume, currently there are 1,467 CAP participants. Since 2017, the program size has increased from 200 to 400 participants per year. On average, 26 new applications are processed monthly, with upwards of 18,000 pieces of mail processed annually, and around 1,500 pieces of mail processed monthly.

The program is governed by *Nevada Revised Statutes* (NRS) 217.462 through NRS 217.471. The confidential address program was established by the Legislature in 1997 and began accepting participants in 1998. The confidential address program originally operated out of the Office of the Secretary of State followed by the Office of the Attorney General before it

was transferred to the Division of Child and Family Services in 2017. Assembly Bill 41 of the 80th Session was passed, requiring governmental entities and utility providers to allow the usage of a fictitious address upon the request of a CAP participant.

In order to apply for the CAP program, potential applicants must apply through an advocate that is staffed through a domestic violence agency. This is either a nonprofit or a local government organization. A complete list of the agencies across Nevada is available on our website. There is a link by county listed there, so an applicant can click on their county and view agencies in their area or download a printable list of all agencies in Nevada. The applicant must present specific evidence to the advocate that indicates the applicant is a victim of domestic violence, sexual assault, human trafficking, or stalking. An example would be a copy of a police report, a record of conviction, a temporary restraining order, or another protective order.

Once the information is verified by the advocate, the advocate presents and submits an application on behalf of the applicant to DCFS for review. Per *Nevada Revised Statutes*, any application that is received by DCFS is processed within five business days. Once the participant is activated in the DCFS database, a welcome packet is sent to the participant. It explains the CAP program, along with an approval letter, and they are issued a CAP identification card, which includes a unique identification number. This card can be presented to agencies, such as the Department of Motor Vehicles (DMV), in order to verify the participant's active status in the CAP program. Each CAP participant remains active in the program for a period of four years, and participation in the program can be renewed as long as the participant can present additional information that there is a continued threat of imminent danger. That concludes my CAP overview presentation.

**Mandi Davis:**

I am going to go through each section of the bill and provide a brief overview of what those changes would be completing. Section 1 changes the process to request confidential information through the county recorder's office. Currently, participants in the CAP program are required to obtain a court order to request that the county assessor or county recorder keep their information confidential. Section 1 of this bill would change that requirement so the CAP participant can keep their information confidential without requesting a court order. Under the bill as it is currently proposed, they would be required to submit an affidavit that they are a participant of the program.

Section 2 adds the CAP participants to the list of individuals who may request the county recorder keep their information confidential. Sections 3 and 4 do those same changes, but that section only makes the changes to the county assessor's office. Those would be the same requirements where they would only have to submit an affidavit to the county assessor's office saying that they are a participant of the program. Existing law authorizes certain persons to request that the DMV display an alternate address on a person's driver's license, commercial driver's license, or identification card.

Section 5 would add the Secretary of State or county clerk to those same requirements and would also add the telephone number and the email address of those CAP participants to the list of information that must remain confidential.

Section 6 would add CAP participants to the list of individuals who would be authorized to make such a request as well. Under current law, CAP participants can register to vote and update their voter registration records, and it prohibits the county clerks from making their name, address, or personal information available to a public inspection or inclusion in any public records.

I would note that on page 5, line 2, there is a typo that made it into the bill draft request. It references the county recorder. This section has to do with the county assessor, so at the end of line 2 it would just be county assessor. We have been in communication with the counties regarding these proposed changes. We are in continued conversation and are willing to propose friendly amendments, if needed, to change the requirement, instead of the affidavit, the CAP participants would also be required to submit a copy of their participation card through us or some type of verification through our office to confirm that they are a participant of the CAP program. I would be happy to answer any questions.

**Assemblywoman Considine:**

My question is not necessarily about this specific request, but in looking at the list in NRS 247.530, are there any expiration dates for any of these confidential requests? For example, I am elected as a judge, I served six years, I ask during that time period for all of my information to be made confidential. I do not see anything in this statute, if any of that information becomes unconfidential, unless I ask for it after I am out of office, 10 years, 15 years, or any time during my life.

**Mandi Davis:**

Currently, the participation in the CAP program is every four years. If it exceeds that time, they would need to provide additional documentation saying that the danger still exists from the perpetrator or some other reason that would still allow them to remain enrolled in the program. Looking through the statutes right now, I do not see an expiration date for how long those confidentiality requests would remain active, but we would be happy to come back to the Committee with that information.

**Assemblywoman Thomas:**

The bill is for victims of domestic violence, human trafficking, et cetera. My question is, with all of the confidentiality that would come with this, what about the voters? As you know, this was an unseemly election period and people had questions about whether or not correct addresses were put in there. Have you spoken with anyone, legal or whomever? Would this be a problem for people to be able to vote if their records are fictitious or confidential?

**Erika Pond:**

Regarding our CAP participants who would like to register to vote, we work closely with the Secretary of State's Office to verify the CAP participant's status in the program and then they are given the information on those participants who want their information to remain confidential but are registered to vote.

**Assemblyman Ellison:**

This is not quite related to this, but you might be able to answer some of these questions. I am getting calls from constituents. I do not know if most of the offices are shut down or if they are working from home or what, but we have had kids that are 20-something years old, 24, 25, who are still paying child support and they cannot get any kind of record. Can you answer that, and where can I send them, because they are not getting any help out of the district attorney's office, I can tell you that.

**Mandi Davis:**

The Division of Welfare and Supportive Services runs the Child Support Enforcement program, so they would be the division to contact regarding any collections of child support. We would be happy to provide their contact information, but that program is not run by the Division of Child and Family Services.

**Assemblyman Ellison:**

I did not know if you knew who I could contact, so I will try that. Thank you very much.

**Assemblywoman Black:**

I have a question about the wording in section 1, for county recorders/assessors is different than sections 2 and 5. Section 1 requires someone to provide an affidavit, they have a fictitious address from the Department of Health and Human Services, but sections 2 through 5 state that if they were issued such an address that they make a request. Can you give me some clarification on that?

**Mandi Davis:**

Under current law, in section 1, subsection 1, participants are required to submit a court order to be able to request that their information remain confidential through the county assessor or county recorder's offices. The changes in this bill in section 1, subsection 2, the participant would need to submit an affidavit directly to the county assessor or recorder's office to be able to request that information remain confidential. They would not have to go through the court order process as the bill is currently written.

**Assemblywoman Black:**

Can you tell me, to clarify the requirements on getting a fictitious address from the Department of Health and Human Services one more time, is it a court order, or what exactly do you need?

**Erika Pond:**

A potential applicant will have to go to a domestic violence agency in their area that staffs an advocate, and the advocate is the one who will be submitting the CAP application to DCFS on their behalf. The process is that the applicant would present information that verifies that they are a victim of a qualifying crime, and once the advocate verifies that that information is correct, they submit the application to DCFS, and DCFS staff reviews what the applicant submitted and what the advocate has written in the application. Once that is verified, we activate the participant in the program.

**Chair Flores:**

I am not sure if we have anybody else wishing to ask a question, but if I have skipped anybody, please unmute yourself and announce your name. [There was no one]. I do not believe there are any further questions. At this time, I would like to invite those wishing to speak in support of A.B. 21 who are calling in. [There was no one]. At this time, I would like to invite those wishing to speak in opposition to A.B. 21 to please call in now. [There was no one]. At this time, I would like to invite those wishing to speak in the neutral position for A.B. 21.

**Serena Evans, representing Nevada Coalition to End Domestic and Sexual Violence:**

I apologize, I am in support. I do not know if you would like to come back to me, I was having technical difficulties and I was just able to log on for the neutral testimony, would you like me to continue?

**Chair Flores:**

No worries. At this time, we will come back to those wishing to speak in support. Please continue.

**Serena Evans:**

Thank you so much, Chair Flores. We are here today in strong support of A.B. 21. After a victim survivor is fortunate enough to have the courage and support to leave an abusive relationship, they are still not promised safety. In fact, the time after a victim survivor has left is the most dangerous time for victim survivors, with the majority of domestic violence and homicides occurring after the victim survivor has left and ended the relationship. To protect themselves and their families, many victim survivors enroll in the CAP program to create a sense of safety, knowing that their address is not public information for their abuser to find. While the confidential address program provides victim survivors with safety and comfort, having to apply for the program can be a daunting process and require a bit of the survivor's time. Having to then give an additional court order to maintain their privacy through public records with the county recorder's or assessor's office is another time-consuming burden that many victim survivors may not have the luxury of committing to. Allowing victim survivors to sign an affidavit rather than petition the court to remove private information from public record is a step in the right direction of increasing survivor safety without putting a further burden onto survivors themselves.

**Chair Flores:**

At this time, we will go back to those wishing to speak in the neutral position for A.B. 21.

**Joanna Jacob, Government Affairs Manager, Clark County:**

I am neutral today because we have been in communication with Ms. Davis and, as she testified on the record, we are working through the process of how this would work for the counties. Jamie Rodriguez from Washoe County is caught in a budget hearing and wanted me to put on the record that Washoe County will also work with DCFS on trying to figure out the process that we will undertake to implement this bill. I think the concern that we had when we first reviewed it was just that we would like to have a copy of whatever is issued by DCFS attached to the affidavit so that it is uniform and consistent and recognizable for our county recorders or assessors, and we also need to work out the notification to our county election department, but I think we are going to get there, Mr. Chair.

**Chair Flores:**

I appreciate your testimony. My understanding is you are neutral because you are working on the bill, but as the bill stands, you are in opposition, is that correct?

**Joanna Jacob:**

Yes, we are neutral because we are working on the amendment with the agency. Under the rules of the Committee, if you would like to put me as opposed as currently written, but we are really neutral because we have been working on that process, and we will work with the state on the amendment that will make us neutral.

**Chair Flores:**

I understand. I know when we are working together, the last thing we want to do is say, I am working with you and I am going to come in in opposition, but it is completely fine. You are in opposition as the bill stands, but you are working with the sponsor and you intend to get to a place where everybody is going to be comfortable. To our presenters, please note that is standard, it is completely okay to be in opposition and it does not mean that they are not going to work with you. Do we have anybody else wishing to speak? [There was no one]. At this time, I would like to have our sponsors please come back with any closing remarks you may have.

**Mandi Davis:**

Thank you for the opportunity to present this bill. We look forward to working with our county partners to make sure that we can come to an agreement on a bill that is acceptable to all parties.

**Chair Flores:**

I am confident that you will get there. Please reach out to the Committee if we can assist while those conversations are ongoing. [[Exhibit D](#) and [Exhibit E](#) were submitted but not discussed and are included as exhibits of the hearing.] With that, I am going to close out the hearing on A.B. 21, and next I would like to open up the hearing on Assembly Bill 70.

**Assembly Bill 70: Revises provisions governing the deposit of child support payments collected by the Division of Welfare and Supportive Services of the Department of Health and Human Services. (BDR 31-299)**

**Jason Lewis, Chief, State Collections and Disbursement Unit, Division of Welfare and Supportive Services, Department of Health and Human Services:**

The State Collections and Disbursement Unit, known as CADU, within the Department of Health and Human Services receives and processes all child support payments for the State of Nevada. Per federal regulations, the state agency must establish and operate a unit for the collection and disbursement of payments under support orders. The State Collections and Disbursement Unit has a payment processing system through our vendor to process child support payments. The State Collections and Disbursement Unit receives over \$220 million per year in child support. Child support payments are received via electronic funds transfer, credit cards, and cash; CADU receives approximately 22,000 mailed-in payments per month, averaging more than \$10,000 per day. Due to the dollar amount, state law requires us to deposit all payments by the close of the next business day. Payments with accurate child support information and financial instrument information are matched directly through the system without staff intervention. Payments lacking information are researched by staff, which could include contacting the individual or employer who sent the payment. This cannot always be done within the established statutory time frame. Also, almost daily, payments cannot be properly identified because the payment was never meant for Nevada. The policy on these payments requires CADU to issue a refund check back to the payer instead of returning the payment with an explanation note. Assembly Bill 70 will allow CADU one additional business day to deposit identified payments which will align with federal requirements for disbursing payments to families. From identified payments, A.B. 70 will allow a total of five business days to identify and deposit or return to the payer. This will expedite both the time for payments made in error to be returned timely and to get payments into the hands of the families it was intended for. Thank you, and at this time I can answer any questions you may have.

**Chair Flores:**

Thank you for that quick synopsis and breakdown. At this time, we will open it up for questions.

**Assemblywoman Black:**

If you know who the payment is going to, why do you need an extra day?

**Jason Lewis:**

We need an extra day sometimes due to the volume that we receive. Sometimes we will receive over 2,000 pieces of mail in a day, and with that volume, it is sometimes difficult to complete all those payments within the one day.

**Chair Flores:**

Are there any additional questions? [There were none]. Easy enough. You did such an amazing job with your bill presentation that every single possible question has been



answered. At this time, I would like to invite those wishing to speak in support of A.B. 70. [There was no one]. At this time, I would like to go to those wishing to speak in opposition to A.B. 70. [There was no one]. We will go to those wishing to speak in the neutral position for A.B. 70. [There was no one]. With that, if I can have our sponsor please come back and give any closing remarks you may have.

**Jason Lewis:**

Thank you for the opportunity to present today.

**Chair Flores:**

With that, we will close out the hearing on A.B. 70. If we could please go to public comment. [There was none]. Members, I want to say thank you. We were able to hear a few bills this week. We have knocked out quite a number of presentations. I hope that everybody at this point is getting into the rhythm and is getting comfortable with what we are doing. Thank you for all the work, specifically to our staff. I know we have been pushing them real hard, and we are incredibly grateful for their hard work.

With that, members, as you have noticed, we do not have a meeting scheduled for tomorrow. Hopefully, that allows you to get some additional rest and take advantage of the morning. We will be meeting again Monday, February 22 at the hour of 10 a.m. We have two bills that we will be hearing, Assembly Bill 52 and Assembly Bill 86. Please utilize this time and the weekend to become familiar with those bills and reach out to the sponsors with any questions ahead of time so that we can maximize efficiency and the utilization of this time in the Committee. I hope you feel that we have gotten some good work done this week. I look forward to working with you all next week. [Meeting was adjourned at 9:39 a.m.]

RESPECTFULLY SUBMITTED:

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Zachary Khan  
Committee Secretary

APPROVED BY:

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Assemblyman Edgar Flores, Chair

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

## EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a copy of a document titled "Nevada Confidential Address Program," submitted by Mandi Davis, Deputy Administrator, Division of Child and Family Services, Department of Health and Human Services.

[Exhibit D](#) is a copy of a letter submitted by David A. Dawley, Assessor, Carson City, in opposition to Assembly Bill 21.

[Exhibit E](#) is an email dated February 18, 2021, submitted by Steven Cohen, Private Citizen, Las Vegas, Nevada, neutral to Assembly Bill 21.