

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

**Eighty-First Session  
May 6, 2021**

The Committee on Judiciary was called to order by Chairman Steve Yeager at 9:04 a.m. on Thursday, May 6, 2021, Online and in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, 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/81st2021](http://www.leg.state.nv.us/App/NELIS/REL/81st2021).

**COMMITTEE MEMBERS PRESENT:**

Assemblyman Steve Yeager, Chairman  
Assemblywoman Rochelle T. Nguyen, Vice Chairwoman  
Assemblywoman Shannon Bilbray-Axelrod  
Assemblywoman Lesley E. Cohen  
Assemblywoman Cecelia González  
Assemblywoman Alexis Hansen  
Assemblywoman Melissa Hardy  
Assemblywoman Heidi Kasama  
Assemblywoman Lisa Krasner  
Assemblywoman Elaine Marzola  
Assemblyman C.H. Miller  
Assemblyman P.K. O'Neill  
Assemblyman David Orentlicher  
Assemblywoman Shondra Summers-Armstrong  
Assemblyman Jim Wheeler

**COMMITTEE MEMBERS ABSENT:**

None

**GUEST LEGISLATORS PRESENT:**

Senator Roberta Lange, Senate District No. 7

**STAFF MEMBERS PRESENT:**

Diane C. Thornton, Committee Policy Analyst  
Ashlee Kalina, Assistant Committee Policy Analyst  
Bradley A. Wilkinson, Committee Counsel

Minutes ID: 1109



Bonnie Borda Hoffecker, Committee Manager  
Traci Dory, Committee Secretary  
Melissa Loomis, Committee Assistant

**OTHERS PRESENT:**

Layke Martin, Executive Director, Nevada Dispensary Association  
Brandon Wiegand, Regional General Manager, The Source Dispensaries and The Source Holding  
Aaron Ford, Attorney General  
Jessica Adair, Chief of Staff, Office of the Attorney General  
Kyle E.N. George, First Assistant Attorney General, Office of the Attorney General  
Jennifer P. Noble, Chief Deputy District Attorney, Legislative Liaison, Washoe County District Attorney's Office; and representing Nevada District Attorneys Association  
Tonja Brown, Private Citizen, Carson City, Nevada  
Eric Spratley, Executive Director, Nevada Sheriffs' and Chiefs' Association  
Edward Ableser, representing Nevada Police Union  
Annemarie Grant, Private Citizen, Quincy, Massachusetts  
Chuck Callaway, Police Director, Office of Intergovernmental Services, Las Vegas Metropolitan Police Department  
Troyce Krumme, Vice Chairman, Las Vegas Metro Police Managers and Supervisors Association  
Janine Hansen, State President, Nevada Families for Freedom  
Melissa Clement, President, Nevada Right to Life  
Bob Russo, Private Citizen, Gardnerville, Nevada  
Lynn Chapman, State Vice President, Nevada Eagle Forum  
Kimberley Perondi, Deputy of Commercial Recordings, Office of the Secretary of State

**Chairman Yeager:**

[Roll was called. Committee protocol was explained.] We have three bills on the agenda this morning. We will take the bills slightly out of order. I will open the hearing on Senate Bill 168 (1st Reprint). Welcome, Senator Lange, to the Assembly Committee on Judiciary for the first time this session.

**Senate Bill 168 (1st Reprint): Revises provisions relating to cannabis. (BDR 56-135)**

**Senator Roberta Lange, Senate District No. 7:**

Senate Bill 168 (1st Reprint) deals with curbside pickup, packaging and labeling, and modernizing how establishments maintain their delivery records. We drafted the bill's language in collaboration with the Cannabis Compliance Board. Tyler Klimas, Executive Director of the Cannabis Compliance Board, is also available for questions. Matthew Walker

and I will trade places, and he will be available to answer questions as well. Here to discuss the bill and the amendment is Ms. Layke Martin, Executive Director, Nevada Dispensary Association.

**Layke Martin, Executive Director, Nevada Dispensary Association:**

The Nevada Dispensary Association (NDA) is a nonprofit trade association representing the majority of dispensary owners in Nevada as well as cultivation, production, and distribution licensees. Briefly, I will summarize what the bill intends to do and then we will go section by section. We will cover curbside pickup first and then move to packaging and labeling and digital records.

This bill would allow dispensaries to continue to provide curbside pickup to customers. Curbside pickup was authorized by Governor Steve Sisolak's Declaration of Emergency Directive 016 issued on April 29, 2020. The Cannabis Compliance Board (CCB) provided written guidance for how dispensaries should implement curbside pickup on May 1, 2020. Initially, curbside pickup helped dispensaries comply with COVID-19 restrictions, reducing in-store capacity. As it turns out, customers really liked the convenience of curbside pickup. It is especially convenient for elderly customers or medical patients who have difficulty or prefer not to leave their car. Dispensaries asked the NDA to work on making curbside pickup a permanent feature. The CCB agreed that curbside pickup has worked out well and the CCB and the NDA worked together on this legislation.

The proposed bill language would allow for curbside pickup and authorize the CCB to adopt regulations. Those regulations will be just like what is currently being implemented under the current guidance. Some of the features of curbside pickup include designated spaces, security cameras with a direct line of sight, no one under 21 years of age may be in the vehicle, and orders must be placed in advance. The proposed language of the bill will also allow local governments to determine whether curbside is appropriate based on the location's characteristic or compliance with other local regulations.

With respect to labeling, the bill removes language in the statute that would limit the ability of the CCB to make commonsense reforms to the regulations of the Cannabis Compliance Board dealing with packaging and labeling. At the same time, none of the proposed language would alter the warnings or other information that is required to be conveyed in statute. The reason for the proposed revisions is to allow the CCB and stakeholders to develop packaging and labeling regulations that have clear, easy to understand definitions that clearly convey safety information and are in line with best practices and safety standards. Many of the packaging and labeling regulations have not been updated in years, and therefore do not reflect modern production, new safety standards, or public health expertise. The current patchwork of statutory and regulatory language is confusing and duplicative, which can obscure critical safety information that ends up being buried in overly detailed text and warnings.

We submitted some pictures as an exhibit to go along with our presentation [pages 5, 6, and 7, [Exhibit C](#)]. You will see examples of some current labels on packages in stores in Nevada followed by a picture of what they could look like if we adopted standards to make labeling more clear, consistent, and consumer friendly.

With respect to maintaining digital records, both the CCB and the industry agree that it makes sense for delivery records to be maintained in an electronic format rather than paper copies. This is a commonsense update to reflect modern recordkeeping practices, and the CCB agrees with this language in updating their requirements as well.

Section 1 of the bill adds specific language to *Nevada Revised Statutes* (NRS) 678A.450 authorizing the CCB to adopt regulations relating to the packaging and labeling of cannabis products. The CCB has already adopted regulations to this effect under the authority given to the CCB in other sections of the statute, but this language seeks to make this all the more clear.

Section 3 explicitly allows for curbside pickup at a cannabis sales facility and states that the CCB shall adopt regulations necessary for implementation. Section 3, subsection 3, also provides that local governments retain authority to determine whether curbside pickup is appropriate at a particular location. Subsection 4 of section 3 defines "curbside pickup" as "the delivery of cannabis or cannabis products by a cannabis sales facility to a consumer in a motor vehicle located on the premises of the cannabis sales facility."

Section 5 moves required labeling language from subsection 3, paragraph (b), to subsection 1, paragraph (h), and removed the language "affix a label." Those warnings, ingredients, and THC information do not go away. They move to the section on warnings in NRS 678B.520(1). Also, both the "keep out of reach of children" and the amount of THC were already required by cannabis establishments in other parts of the section. Again, this section still requires that the information be conveyed on a label, but it does not require production facilities to convey it by "affixing a label." It is a very small distinction but removing that language "affix" can make the difference between having a number of labels stuck to a package or having a clear, consistent label that may be printed directly onto the packaging or on a flow wrapper. Similarly, where under section 5, subsection 6, there is a list of warnings that must be conveyed by written notification, this bill seeks to revise that language to state instead that the information shall be conveyed in a manner to be determined by the Cannabis Compliance Board. That is to allow the CCB to adopt regulations that factor in expertise and guidance from other jurisdictions regarding how warnings are best conveyed.

Section 6 allows for delivery records to be kept in an electronic format. Again, this is just modernizing the statute to allow for the digital management of records. That concludes our presentation on the bill. We are available for questions as is the CCB, whom we have worked closely with in drafting this bill.

**Chairman Yeager:**

This brings me back to 2017. I think that was when we first worked on the labeling issue. It was former Senators Patricia Farley and Tick Segerblom, neither of whom are in the building anymore. I had the pleasure of working on some of that in the Assembly Committee on Judiciary, so let me say that I am happy to see that we keep evolving into better language and a better process. I particularly appreciate the removal of the word "affix." Members, we did not have the PowerPoint showing, but if you have a chance to look on the Nevada Electronic Legislative Information System, there is a brief PowerPoint [[Exhibit C](#)] with some photos. You will notice, as noted, that most dispensaries actually do affix a very large label to the product when you buy it. It is a little bit unwieldy to be honest, and I think many consumers just remove it and throw it out. Having the ability to actually have the information on the package is, I think, something that makes sense. Frankly, I am a little disappointed we did not think about that back in 2017. Thank you for the suggestion and for catching that.

Are there any questions from Committee members? [There were none.] Is there anyone who would like to testify in support?

**Brandon Wiegand, Regional General Manager, The Source Dispensaries and The Source Holding:**

I am speaking on behalf of Nevada Organic Remedies, Henderson Organic Remedies, and Wellness Orchards of Nevada in support of S.B. 168 (R1). This bill makes two critical changes to two aspects of the cannabis industry: curbside pickup for dispensary customers and packaging and labeling.

Nevada Organic Remedies supports the passage of the bill because it provides a pathway to regulating curbside delivery following the expiration of existing emergency orders implemented as a result of the COVID-19 pandemic. Further, it allows the CCB to promulgate commonsense packaging and labeling regulations that are much needed in the industry. Following the onset of the COVID-19 pandemic, the cannabis industry, like many others, was placed in a precarious position. Though the industry was permitted to remain open as a result of its status as an essential business, social distancing mandates and general customer apprehension limited dispensaries' abilities to service customers in store. As part of the evolving COVID-19 response, cannabis establishments were permitted to conduct previously prohibited curbside sales as part of social distancing protocols. The result has been a welcome alternative to shopping in the store. The customers have come to expect and appreciate an option that should remain following the conclusion of the pandemic. The industry has been responsible and thoughtful about rolling out curbside service in a way that protects customers, team members, and communities as a whole. Moreover, the industry has invested heavily in infrastructure and technology to support curbside operations. These investments advance our industry and there is no reason to see these advancements end with the pandemic.

The bill also provides much needed changes to packaging and labeling by allowing the CCB to provide commonsense regulations that are easily understood and applied. The current framework is wasteful and leaves customers frustrated with the amount of packaging and labels that accompany products. The running joke among our customers is that a gram of flower is accompanied by 10 grams of packaging and labels. More cost-effective and environmentally friendly options are available that will still ensure the customer is provided with all the information needed upon purchase. Dispensaries are already required to ensure that all products leave the store in a resealable childproof package. There is no reason why the required labeling cannot be placed within that packaging rather than affixed to the product itself, which is another source of customer frustration. The bill will allow the CCB to revise these unnecessary requirements to reflect not only a more environmentally friendly solution, but also to reflect modern production and public health expertise. Thank you for your consideration.

**Chairman Yeager:**

Is there anyone who would like to testify in support? [There was no one.] Is there anyone who would like to testify in opposition? [There was no one.] Is there anyone who would like to testify in neutral? [There was no one.] Before we go to concluding remarks, we have a question from Assemblywoman Krasner.

**Assemblywoman Krasner:**

I just had a quick question about the labeling in section 5, subsection 1, paragraph (h), where you basically keep the labeling the same except you remove the part on the label that would say the total content of THC measured in milligrams. Why will that no longer be on the label?

**Layke Martin:**

It is only removing it because section 5, subsection 1, paragraph (f), already requires the amount of THC on the label. It was just a duplication in the statute that we are removing to make more clear.

**Assemblywoman Krasner:**

It will still be on the label. Is that correct?

**Layke Martin:**

That is correct.

**Chairman Yeager:**

Are there any other questions from the Committee? [There were none.] I would invite Senator Lange back for any concluding remarks.

**Senator Lange:**

I want to leave you with this: This bill is not about whether you like or do not like cannabis; it is codifying what is already allowed by the Governor's emergency order for curbside pickup. It allows for the CCB to adjust the regulations for labeling. Allowing people to use curbside pickup has been very successful during the pandemic. I urge you to support this bill.

**Chairman Yeager:**

Thank you, Senator Lange. Ms. Martin, would you like to provide concluding remarks? She has indicated no. I did not mention in my comments, but I think curbside pickup was one of the real innovations. Unfortunately, it needed a pandemic for it to happen, but I think once it went that direction, it seems to make a lot of sense. I appreciate the thought you have put into this bill and allowing the industry to continue to flourish in that way. If I could ask you next if we could take on those long CVS receipts in some way while we are it, I think that would be helpful. I will close the hearing on S.B. 168 (R1).

I will open the hearing on Senate Bill 50 (1st Reprint). There is an amendment [[Exhibit D](#)] on the Nevada Electronic Legislative Information System brought forward by the Office of the Attorney General, so that is obviously a friendly amendment.

**Senate Bill 50 (1st Reprint): Revises provisions relating to warrants. (BDR 14-405)**

**Aaron Ford, Attorney General:**

Joining me virtually and in person this morning are members of my staff. I have with me today Chief of Staff Jessica Adair, First Assistant Attorney General Kyle George, and Second Assistant Attorney General Christine Jones Brady. Thank you for taking the time this morning to hear this important bill.

I am going to break convention by starting this testimony where it usually ends, by acknowledging the stakeholders who worked with us to bring this bill to this point. When this bill was introduced, we heard from stakeholders across the board regarding how this bill fell short of what it could be. However, these stakeholders gave their time and expertise to shape this bill into what you see before you today. As a result of our collaborative efforts, this bill passed out of committee unanimously, and passed the Senate unanimously.

The version of the bill before you today was supported by a diverse coalition that included the Nevada Sheriffs' and Chiefs' Association, the American Civil Liberties Union (ACLU) of Nevada, the Nevada Attorneys for Criminal Justice, the Nevada District Attorneys Association, public defenders, our state's largest police agencies, and police unions including the Nevada Police Union, the Nevada Association of Public Safety Officers, and the Las Vegas Metropolitan Police Managers and Supervisors Association. I would like to publicly thank them for working with my office and with me on this bill, which is a direct response to the outcries and demands from the community for more transparency and accountability from our law enforcement agencies.

The Fourth Amendment of the *United States Constitution* provides that "no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized." A lawfully issued warrant gives law enforcement lawful authority to enter premises without the consent of those controlling the property.

In practice, law enforcement officers use two methods to gain entry into premises covered by the warrant: first, via what is commonly known as a "knock and announce," or second, under a "no-knock" warrant. A knock and announce warrant is exactly as it sounds: the police will knock on the door announcing something along the lines of, "Police! Search warrant!" before gaining entry or being let in. A no-knock entry, on the other hand, is used by law enforcement to capitalize on the element of surprise by swiftly securing the premises before the subject has the opportunity to respond. With a no-knock entry, officers gain entry and try to control the scene before the subject has an opportunity to react.

The Supreme Court of the United States has upheld the use of no-knock warrants, but the constitutionality of a practice is merely the threshold question that we must analyze. It is not the sum total of the analysis. We know that in certain circumstances, no-knock warrants can be problematic.

As I mentioned a moment ago, the purpose of a no-knock warrant is to secure persons, premises, or evidence before the subject is able to respond. But from the perspective of the subject, she only knows that an armed person has violently entered her premises, and in those immediate moments, she does not know their intent. An armed subject may reasonably believe that the officers serving the warrant are home invaders and respond accordingly. The situation is rife with danger for both law enforcement and subjects.

In 2017, *The New York Times* conducted an investigation and reported that at least 81 civilians and 13 law enforcement officers died in such raids from 2010 to 2016. Scores of others were maimed or wounded. One of the most recent examples of such a tragedy is the killing of Breonna Taylor in Louisville, Kentucky. I need not go into the details of that incident, as I am sure all Committee members are quite familiar with it. Suffice it to say, the police who were investigating Taylor's apartment had a no-knock warrant to enter. Execution of that no-knock warrant led to Ms. Taylor's death. Her death gave rise to my bringing this bill forward.

The state of Nevada's largest law enforcement agencies significantly limit the usage of no-knock warrants except in the most urgent circumstances. For example, at least one law enforcement agency generally prohibits dynamic entry except for deliberate hostage rescue caused by immediate life rescue exigency, and under those circumstances a no-knock is not necessary. As a result of this policy, that agency has not executed a no-knock warrant in years. Another agency has similarly adopted policies that constrains when a no-knock warrant is appropriate and requires several levels of sign-off. As with the first agency I mentioned, in practice, no-knock warrants are extremely rare with this one, too.



In short, Nevada's police have done a good job of policing themselves on the use of no-knock warrants. The restraint we have seen exercised here is the result of internal policy, however, and not law. Senate Bill 50 (1st Reprint) codifies these good policies into law by providing that no-knock warrants can only issue in very limited circumstances.

First, I will address the elephant in the room. I know that some are calling for a complete prohibition of the use of no-knock warrants, particularly in light of the events in Kentucky last year. But in my judgment, there may be rare examples where a no-knock warrant may be justified and needed to protect life, if planned and executed appropriately. I recognize my own limitations and know that I cannot imagine every circumstance imaginable that law enforcement may face. Thus, I do not through this bill seek to ban no-knock warrants in their entirety. I am, however, presenting a solution today that sets up a framework that better ensures no-knock warrants are utilized as sparingly as possible, with the equally important imperatives of officer and public safety.

With the Chairman's permission, I would like to turn the Committee's attention to the language of the bill. The substantive matter in this bill is broken into two sections. Section 1 pertains to arrest warrants under *Nevada Revised Statutes* (NRS) Chapter 171, and section 2 pertains to search warrants in NRS Chapter 179.

Existing law contains mandatory language that when an applicant establishes probable cause, the court must issue the arrest warrant. Section 1.1 of this bill strikes a portion of that mandatory language so that if the underlying offense is simply that the subject has failed to provide adequate identification during a stop, while operating a watercraft, or while engaging in activities regulated by the Department of Wildlife, the court has discretion to issue a summons instead of an arrest warrant. We have preserved existing language in the law that allows a district attorney to directly apply for a summons instead of an arrest warrant.

Section 1.1, subsection 3, provides that a no-knock warrant can only be issued if four conditions are satisfied. First, the no-knock warrant should not be utilized for misdemeanor crimes, for property crimes, or simple drug possession crimes. Therefore, the first element an application must satisfy is that the underlying offense is a felony that involves a significant and imminent threat to public safety. This element also requires the applicant must explain why identifying themselves as law enforcement prior to entering is likely to create a significant and imminent threat of substantial bodily harm to the officers or to others.

Second, the application must articulate with specificity why there are no reasonable alternatives to a no-knock warrant. Third, the application must specify whether the no-knock warrant can be executed during the day, and if not, why it cannot be. This is consistent with existing law regarding the manner of executing a warrant. Fourth and finally, the application for a no-knock warrant must certify that the warrant will be executed under the supervision and guidance of peace officers who are trained in the execution of warrants.

I want to flesh out this last point. It is a common misconception that every police officer possesses the skills necessary to execute a search warrant. Executing no-knock warrants, however, requires specialized skills and training that patrol officers may not possess. We worked closely with the Nevada Sheriffs' and Chiefs' Association to ensure that this language would be workable in rural jurisdictions that lack dedicated warrant execution teams.

Section 1.1, subsection 6, is the product of extensive discussions regarding the enforceability of the bill. I will first note that the first reprint did not quite capture the provisions agreed upon by the stakeholders. In recent days, we have worked with the Legislative Counsel Bureau to amend this language and would like to draw the Committee's attention to the exhibit filed before the hearing, which is the amendment [[Exhibit D](#)] that Chairman Yeager referenced. The Nevada District Attorneys Association, the Nevada Attorneys for Criminal Justice, the public defenders, and the ACLU—who are generally the folks litigating this issue—have confirmed that the language in this exhibit is faithful to our agreement.

Section 1.1, subsection 6, gives teeth to the bill by providing safeguards against abuse of this process. If a defendant subsequently challenges a no-knock warrant on the basis that an applicant deliberately misrepresents or omits a material fact when applying, then the reviewing court can engage in a two-step inquiry regarding the materiality of the fact at issue.

First, the court will conduct a *de novo*, or brand new, review of the warrant application that either includes a fact that was omitted or omits the fact that was misrepresented. The court will then determine whether a no-knock warrant could have been lawfully issued if the now-included or now-omitted fact was in the original application. If the court determines it should not have been issued, then the original warrant was invalid and subject to the usual consequences of an invalid warrant. This framework is consistent with that established by the United States Supreme Court in *Franks v. Delaware*, 438 U.S. 154 (1978).

Sections 1.2 and 1.3 pertain to the form of the warrant itself and contain no substantive provisions. Section 1.4 addresses how the no-knock warrant must be executed. First, immediately before executing a no-knock warrant, the officers on the scene must newly assess whether the circumstances that necessitated the need for a no-knock warrant at the time of application still exist. If those circumstances no longer exist, the officers may not lawfully proceed with executing the warrant in a no-knock fashion.

Second, all officers executing a no-knock warrant must wear prominent insignia that identifies them as law enforcement officers. This provision reduces the likelihood that the officers are mistaken for anything other than what they are, law enforcement officers. Third, all officers executing a no-knock warrant must wear body cameras as provided under existing law. Fourth, officers may only use as much force as is necessary to enter the premises. This is a circumstance-specific determination that will vary according to the specific facts of a given warrant execution. Lastly, although a no-knock warrant by definition allows officers to enter without verbally identifying themselves, they must do so as soon as practicable after entering the premises.

The balance of section 1 contains technical provisions and definitions. In the interest of time, I can characterize section 2 by simply stating that it duplicates the no-knock arrest warrant requirements in NRS Chapter 171 that we just covered and the NRS Chapter 179 search warrant sections of Nevada's laws.

I would like to close where I started by thanking the numerous stakeholders who worked with us to bring this bill to this point. Over the past year, we have seen and heard the cries for reform. As you all know or may know and if not, I want to invite you to take a look at the Justice and Injustice forums that my office put on in the immediate aftermath of the George Floyd killing. It is now available on Cox Demand. Pick up your remote and say, "Justice and Injustice," and you can watch several of those who participated in the drafting of this say that they were interested in doing this. I suspect you will also see some who are now opposing this on the screen during that same time period advocating for such changes. Keep that in mind as you proceed.

Over the past year, again, you heard cries for reform. This summer I joined many of you in responding to those. This bill is one of the products of those conversations. We now have the opportunity to put words into action and to enact meaningful change. I want to thank this Committee for hearing this important bill, and I am happy to entertain any questions you may have.

**Chairman Yeager:**

Thank you for your work on this bill. I know it has been a long process to get where we are here today, and just let me say on behalf of the Committee, I appreciate your work and your team's work. I know it was a group effort; to all of those who have participated over the last several months to get us to the place, we certainly appreciate that hard work. I know it is not always easy and is very time-intensive, but I think it shows in the product that we have in front of us. Are there any questions from the Committee?

**Assemblywoman Hardy:**

I wanted to make sure I have a couple of things that you said correct in my notes. This is basically internal policy of law enforcement in Nevada already, and this would be putting the policy in statute. Is that what you stated?

**Attorney General Ford:**

You heard me correctly in that regard. I do not know if all of our agencies, but many of our agencies and the two largest at least, have policies already that limit and restrict these no-knock warrants. But they are policies, and policies change as administrations change. What I look to do with this is to codify what is clearly a best practice for no-knock warrants into our law so that we can have the gold standard in that regard.

**Assemblywoman Hardy:**

Could you give me an example? As I understand, you said there is an arrest warrant and a search warrant. Those are the two different types, correct?

**Attorney General Ford:**

I was mentioning that there were two types of warrants, no-knock warrants or knock and announce warrants. When you watch *Law & Order*, you will hear them run up to the door with their insignia and paraphernalia on and they will scream, "Police!" and crash the door open. That is called a knock and announce. Or sometimes they will walk up and will not say a thing and you will see them number to each other, one-two-three, and then they will slam the door in. That is a no-knock warrant. It is the latter that this is addressing predominantly.

**Assemblywoman Hardy:**

Could you give me an example if this is passed of what circumstance—I know you cannot cover everything—would they want to use a no-knock warrant or could use it?

**Attorney General Ford:**

Let me answer the reason why it is important that we modify or put into law what I am suggesting here two ways. I do not know if you are familiar with the Breonna Taylor case. She was killed with the wrongful execution of a no-knock warrant. We want to avoid that and so do our law enforcement agencies. That was the impetus behind my bringing this bill. The reasons why they could use it, as I mentioned in the testimony for example, would be a hostage situation, something that presents exigent circumstances that could lead to imminent bodily harm to the officers or the people inside. Very few and far between, which is already the case in our state.

**Assemblywoman Hardy:**

Thank you. I am just trying to learn. It is only in limited circumstances, and of course we want to protect the subjects and the law enforcement. Thank you for the explanation and clarification.

**Jessica Adair, Chief of Staff, Office of the Attorney General:**

While I completely agree with everything the Attorney General said, I wanted to provide a specific hypothetical situation. If a suspect has demonstrated that he or she may be violent specifically towards police officers—and this individual is subject to a lawful arrest warrant—then it may be appropriate, given the specific facts and circumstances regarding that subject, that a police officer by virtue of knocking and announcing, "Police!" may then make it more dangerous for that officer to enter because that specific subject has shown specific facts and circumstances to make it more likely that the suspect may then respond violently to that officer. In this instance, a no-knock warrant may be appropriate to protect that officer's safety when executing a warrant. I want to be clear that in order to get a no-knock warrant under this bill, the affidavit that the peace officer would file in order to issue a warrant would have to very explicitly and under oath testify as to why that suspect would need a no-knock warrant because of their history, and the court would then make a determination to see if that was sufficient to justify a no-knock warrant.

**Assemblyman Miller:**

I have a couple of questions that I think will help me with some clarity. I am also learning more about our process. I noticed in section 1.1, subsection 2, where it talks about the summons and warrants, and please forgive me if this is a remedial question, but could I get some clarity on the difference between a summons and a warrant and when it would be necessary to proceed with a no-knock warrant?

**Kyle E.N. George, First Assistant Attorney General, Office of the Attorney General:**

The difference between a warrant and a summons is simple. A warrant is a court order directing law enforcement to seek out and arrest the individual named in the warrant. A summons is a legal notice by the court sent directly to the person inviting them or instructing them to appear in court on a certain date and time. One is voluntary for the person to show up when commanded to do so, and the second instructs law enforcement to seek out and arrest that person.

**Assemblyman Miller:**

That means that they would be summoned and then if they did not appear, then there would be a standard warrant issued for their arrest for them to appear, is that correct?

**Kyle George:**

It depends on what the underlying crime is. In existing law there is a provision that says the court must issue a warrant for arrest for certain trivial crimes: basically traffic violations, hunting violations, and watercraft violations where the subject may not have had identification at the time they were stopped. This bill takes that out and gives the court some discretion to say these are not public safety crimes that we are concerned about; therefore, we will invite the person to give them the opportunity to show up in court to resolve that issue. If, on the other hand, the person fails to respond to that summons, at that point a warrant will, in fact, issue for their arrest and it reverts back to the regular warrant procedure.

**Assemblyman Miller:**

It appears that there could be multiple summons and warrants issued. How many of those before we would move to a no-knock warrant?

**Kyle George:**

Under the proposals contained within this bill, never. We do not anticipate using no-knock warrants for misdemeanor crimes. We believe it should be reserved only for the most serious and significant crimes, which must be felonies to begin with, as well as presenting some risk to public and officers' safety, and the other criteria. Under the scenario we talked about where someone is being summoned in for a minor traffic offense and then fails to show up repeatedly, under this bill a no-knock warrant should never issue from those particular circumstances because that would not amount to a felony.

**Assemblyman Miller:**

In section 2.5, paragraph (a), the officer must determine if any change in circumstance has obviated the need for a no-knock entry. If we could get some context, because from what I understand or what I may believe, in the Breonna Taylor case there is some debate on whether or not they had the person they were looking for in custody already. I am assuming that this would require them to do a check to make sure before they exercise another no-knock warrant that they have not already obtained the suspect. What are the ways that they must use to determine whether or not the no-knock is still necessary?

**Attorney General Ford:**

I will refer that to Kyle George for an answer. However, my preliminary remark is that this is entirely fact-specific, Assemblyman Miller. If they walk up to the door and recognize something on the scene that says, Okay, I no longer need a no-knock warrant—it could be, as you have indicated, we just got a call saying we got the guy in custody already. It could be something else. Maybe the door is open and as they walk up, they saw someone. I could make up a whole bunch of scenarios in which they would need to reassess whether they need to do a no-knock warrant or not. That is the point of this, to ensure that they do, in fact, do a reassessment of the circumstances before executing it. I will let Mr. George speak more on that issue.

**Kyle George:**

I think that covers most of the answer to that question. The one other example I would add is law enforcement may show up on scene and notice the presence of children. Based on that, they are no longer able to safely execute a no-knock warrant and therefore determine at that point perhaps the subject is not present, there are kids around, and they may decide to knock on the door and be given access into the premises as opposed to executing a no-knock warrant. I think the Attorney General really encapsulated the underlying, perhaps the best example of when circumstances would change.

**Assemblyman Miller:**

Are there any requirements or steps that they must take before? For example, do they have to check in anywhere with any superiors or anything to see if there has been a change in circumstances in the case before they execute the no-knock warrant?

**Attorney General Ford:**

The affidavit requirement lays out some specific requirements that the peace officers have to go through before they can even get the no-knock warrant. The reassessment of the scene is also going to be something that is required. To your specific question whether they have to call a superior, that is not necessarily laid out as a requirement, but in the totality of circumstances that is something that should be considered, I suspect.

**Kyle George:**

Under this process, the applicants must make specific representations to the court underlying why it is necessary to have a no-knock warrant in these circumstances. They may, for example, list five different reasons. If upon arriving at the scene, two of those are no longer

there, the need for a no-knock warrant may no longer be present. So, no, there is no specific requirement that they call anyone. Perhaps the people with the best knowledge are actually on-scene. One thing I would point out, the bill does require that the no-knock warrant will be executed under the guidance of a peace officer who is trained in the execution of warrants. That is one safety check. Right prior to gaining entry, they would probably go through a checklist: Okay, this is what we represented to the court, and these factors are all still present. Yes, we can still do this safely; we can now proceed, or perhaps not.

**Chairman Yeager:**

Assemblyman Miller, I will just add on because you asked the question and I think it is an important distinction. If someone has a summons, as Mr. George indicated, telling them they need to be in court, if they do not show up in court, the judge will issue what is called a "bench warrant." That is just the judge saying, I am issuing a bench warrant. That is a warrant and essentially that warrant means if law enforcement happens to run you or encounter you, they are going to say there is a warrant and they are probably going to arrest you.

The warrants that are contemplated in S.B. 50 (R1) are two different types. These are warrants where you actually have to swear out an affidavit in front of a judge and give particular facts. There are two things going on. The standard bench warrant, I would say, is not as burdensome; it is just a judge saying you did not show up and so you are going to be arrested. Usually, that does not necessarily mean law enforcement is actively looking for you. It is just if they happen to find you, they are going to arrest you. In these circumstances, whether it is an arrest warrant or a search warrant, we are talking about law enforcement taking active steps to either arrest you or to search a premises that may be associated with you. The standards are a little bit different. Sometimes you hear those phrases interchangeably—bench warrant, arrest warrant, and search warrant.

They are all different, and I think the ones that we have in S.B. 50 (R1) are the most difficult to get because there is a direct judicial oversight and there have to be sworn affidavits from law enforcement or prosecutors to support them. Hopefully, that does not muddy the water and clears it up just a little bit for you. If you have additional questions, please do feel free to ask. We are happy to walk you through all of that.

**Assemblywoman Summers-Armstrong:**

I wanted to ask you a little more probatively about section 1.1, subsection 6, if a peace officer deliberately misrepresents a material fact. We have had a case in Nevada, Las Vegas specifically, that ended in the death of someone where there was a misidentification. It was very sad, and a young man lost his life. Do you believe that these additional requirements to substantiate the need for a no-knock warrant will help us in the future to avoid misidentification? In that case, it was really kind of blatant. The names were the same, but the description was completely different, and someone lost their life. How do you see these extra steps helping avoid that?

**Attorney General Ford:**

I appreciate the question. I am not certain that this bill would directly address an honest mistake of misidentification. What this bill seeks to do is to ensure that under the section you are talking about specifically, a peace officer shall not deliberately misrepresent a material fact. In other words, they do not need to be lying. If they have lied about something that is material to their receiving the affidavit in the first place, there are judicial remedies now that have been put in. This specific provision was heavily negotiated. The ACLU, for example, was like, We need to insert some language that is going to allow for some level of accountability if this happens. We worked well with the Nevada District Attorneys Association and others to come up with this language. It is language that is similar to what is in the law related to misrepresentations and what happens when affidavits contain misrepresentations. I do not know if it would have affected, for example, the circumstance you are talking about. If it was an honest—and I hate to say "honest" in the context of someone losing their life—but if it was not a deliberate misrepresentation of a material fact. If, for example, the name was the same and the officer knew that the person was white as opposed to Black and put in Black, leading to a Black man's killing, this absolutely would kick in to address that. However, if there were not a deliberate misrepresentation of a material fact, it is not likely that the circumstance would have been addressed.

**Assemblywoman Summers-Armstrong:**

Would this allow for judicial remedy or are we still stuck with a remedy only being within the confines of police policy?

**Attorney General Ford:**

It does provide for a judicial remedy that addresses this. The warrant will be deemed to have not been validly issued in the first place. There are subsequent consequences in the criminal legal procedures that will manifest that type of finding.

**Assemblywoman Summers-Armstrong:**

Thank you. At least in the communities that I represent and just throughout the state, we are seeing and hearing about this every single day. We have a person who calls in every day and gives us information. I think there is a frustration—and this is a follow-up comment and not a question—that we want to support law enforcement. We understand that there is a need for the law, but when we see things happening outside the construct of what we believe is fair application of the law, there does not seem to be any remedy. People just want accountability, and they want there to be clarity and results. If my son is out there acting up and you all come and get him, first of all, he was raised better, and you should come get him if he is cuttin' up. If my son, Brandon, is mistaken for someone else and the police come and behave in a manner that is not acceptable, we also want them to be held accountable if there is poor behavior. We just appreciate you so much for bringing this, thank you.

**Attorney General Ford:**

Listen, I know your children. You know my children. And if either of our kids get caught up, we are going to call each other. That is how we operate. I appreciate that comment. I know it was a comment and not a question, and if you will indulge me just a moment,



Chairman Yeager. When I brought this bill and the pattern of practice bill that you have already passed, it was a direct result of the outcry from the community. Our community said they wanted some accountability. They wanted transparency. We had our Justice and Injustice forum where we had law enforcement—both union representation and brass so to speak—ACLU, community members, everybody on the screen in the immediate aftermath of George Floyd. Here is the issue: When asked during that time what could allies do because they felt our pain, I was in my own trauma and I could not offer anything specific. One of your colleagues reached out to me, and I could not offer anything specific. However, what I have learned is this: Almost a year later, some of that fervor has died down. People have gotten complacent. They say one thing on the record, so to speak, and then when it comes time to support the actual policy that they say they claim to support, they will not do it.

What we see here, what we saw in the Senate on this bill in particular, was a unanimous vote coming out of committee which I think tells the public that we are listening to them. We heard what you said, and not only do we hear what you are saying, we are unified in responding to it. It came out of committee unanimously, and then it came out of the Senate floor unanimously. Pray tell, if this is going to come out unanimously from this Committee and hopefully from the Assembly floor as well. But these are our requirements to respond. As the top law enforcement officer in the state, I take the onus upon myself to try to present these, notwithstanding the fact that I am getting arrows in the back from doing some of these things. Assemblywoman Summers-Armstrong, it is not bravery from my perspective, because I am not scared of this. It is what I feel compelled to do and I will do it irrespective of the challenges that are coming our way. Thank you for your comment, and thank you, Chairman Yeager, for letting me filibuster a little bit.

**Assemblyman O'Neill:**

You mentioned that there is an agency in the United States that does not allow no-knock warrants. What is that agency?

**Attorney General Ford:**

I do not think I mentioned it was an agency. I said there are some folks who are pressing for the complete abolition of no-knock warrants. That is not my effort or my desire. There may be agencies, and in fact, I believe Colorado passed a complete ban. I could be mistaken, but I think Colorado passed a complete ban of no-knock warrants. Other jurisdictions have done so as well. I just did not take that approach, because, again, I know my own limitation and I cannot foresee every single instance in the world of when this may very well be needed. That is the reason why I did not seek to ban it.

**Assemblyman O'Neill:**

I must have misunderstood you. I agree with you. A complete ban is absolutely irrational. We try to take emotion out of a lot of our actions when we make laws and deal with the facts, not the emotion.

**Attorney General Ford:**

I will say that reasonable minds can disagree. I am not chastising Colorado for banning it. That is their desire and in their reasonable mind, they thought a ban was more appropriate than a limitation. I do not want to be misunderstood as chastising them for doing so. I just thought in my own mind, I wanted . . .

**Assemblyman O'Neill:**

And I agree with you on that. Right now, if a peace officer deliberately falsifies information in an affidavit for a warrant, that to me is a crime, is it not?

**Attorney General Ford:**

It is perjury.

**Assemblyman O'Neill:**

So we are just once again codifying what is already in statute?

**Attorney General Ford:**

Yes, sir, but this is also indicating that in addition to a criminal charge of perjury, there is also in the process of the criminal proceeding that is occurring relative to a particular subject, there is a remedy as well. And that is that the warrant that was issued for that particular subject would be declared invalid.

**Assemblyman O'Neill:**

That is my second question. When you say that it becomes void, are you saying that the arrest of the individual did not occur, that he walks free, and that the process must start all over again? Also, you said in your second section, you basically mirror it. So now any evidence found is now part of the poisonous tree?

**Attorney General Ford:**

That could very well be the case. I do not want to speak with whole cloth on that particular issue, but there are absolutely procedural ramifications for misrepresenting material facts. One of which may be, yes indeed, the entire arrest is thrown out and every piece of evidence that has been obtained because of the poisonous tree that you have referred to cannot be used. That is current constitutional law, but there may be other iterations of ramifications that I cannot articulate off the top of my head right now that others may want to chime in on as well.

**Assemblyman O'Neill:**

Really, that is what I wanted to get on the record, that void means that it did not occur. Then the poisonous tree doctrine would come into effect, unfortunately.

**Jessica Adair:**

I want to give Mr. George a chance to talk because he worked very hard on the amendment [[Exhibit D](#)] and the amendment is the section you are referring to. The important part of that amendment is also section 1.1, subsection 6, paragraph (b) [page 2, [Exhibit D](#)]. Let us say an

officer represents facts A, B, C, and D in their affidavit. Fact A is a deliberate misrepresentation; it is not true, but facts B, C, and D are true. If the court looks at that affidavit and then takes fact A out, and facts B, C, and D are sufficient to have warranted a no-knock warrant on their own, then the warrant would still be valid. However, if fact A was that lynchpin that tied everything together, then the court would determine that the warrant is void. It gives the court the option—the discretion—to make a decision about if this misrepresentation was gone, would I have made the same decision. That is why this amendment is so important.

I just want to be clear that regardless, it would be a gross miscarriage of justice if a peace officer commits perjury in a misrepresentation to the court. That peace officer is then dealt with accordingly. However, the warrant was still allowed to be valid and the person who was the subject of that warrant goes to prison. To me, that seems like it is absolutely a perversion of our judicial system. So that is what we are getting at: to ensure that peace officers are doing their hardest, relying on information, and putting forward an affidavit that they swear to under oath is appropriate. I do want to commend the many law enforcement organizations who worked with us on this amendment so they can be clear that their officers are held to the highest standard but not an impossible one for mistakes that do happen honestly in this line of work. At the end of the day, they are just people.

**Assemblyman O'Neill:**

We are talking about a no-knock warrant. Maybe the facts do not justify the no-knock warrant, but they would have justified a search warrant or an arrest warrant. But you are saying it is void. That is what I am trying to clarify. You are saying a no-knock is void, but a warrant would have been appropriate. Does the evidence, does the arrest, become void? We have two warrants, that is what I was trying to clarify on that.

**Jessica Adair:**

Thank you for that clarification because it is an important one. The answer I think is yes. Even if a regular arrest or search warrant would have been appropriate with those facts and circumstances, would it still be void? Yes. Is that a risk that we take by putting this in this bill? Yes. But I think the more important risk is to allow deliberate misrepresentations to stand and to permit warrants to remain valid if there are deliberate misrepresentations. I hope that clarifies the answer to your question.

**Assemblyman O'Neill:**

It does, and I think we may agree to disagree on this.

**Chairman Yeager:**

Assemblyman O'Neill, I would certainly invite you continue those discussions with the Attorney General and his staff. In the interest of time, we are going to take one more question because we do have a lot of folks who want to testify on this bill, and I want to make sure we get through that testimony.

**Assemblyman Orentlicher:**

I would like to follow up on Assemblywoman Summers-Armstrong's question. As you point out, people make mistakes. We are not going to punish somebody for a mistake. But I think about all of the changes in the health care setting to prevent mistakes from happening, all of the double-checks they do to make sure I am David Orentlicher and you are Aaron Ford before we take your blood or cut off your foot. Are there things that you do to double-check to make sure it really is a valid no-knock warrant or other warrant and so that if there is an innocent mistake, you catch it before you issue the warrant?

**Attorney General Ford:**

I think the answer is contained within the final requirement that says they have to reassess the situation before executing on the no-knock warrant. While this bill and the law would not dictate necessarily every single action item that a law enforcement officer would have to undergo in order to ensure that everything is lined up, it does require a final assessment of the facts. I think as Mr. George indicated earlier, it very well could be a last-minute phone call from a supervisor saying, actually, wrong house, go next door; or actually, we got the guy in custody. Those are the types of things that in practice would be occurring on the ground. It is required by purposes under this statute that they do assess before executing the no-knock warrant. I do not know if Mr. George wants to offer any additional thoughts on that.

**Kyle George:**

I just wanted to follow up with one point on this. The reason we brought this bill is because of the gravity of the no-knock warrant. We do not mean to undermine the regular warrant process in any way, but when we seek and execute a no-knock warrant, we should be held to a higher standard, and that is what this bill brings. We understand that it may put additional burdens on law enforcement in some way, but one of the things we vetted with them before bringing this bill forward in this form is to ensure that none of this is unworkable for the professionals who actually are on the ground, executing these warrants. To the question of whether there is a last-minute check, every officer should be doing that anyway when executing these high-risk warrants because of the potential danger to public safety and officer safety. I do think as a matter of practice, the trained professionals who execute these specialized warrants will do so just to ensure one last time that everyone is as safe as possible before it is executed.

**Assemblyman Orentlicher:**

That is reassuring. In other settings, like health care, they will have written protocols to check off as they are done. If we are not doing that, it might help prevent the innocent mistakes.

**Attorney General Ford:**

Is the protocol you are referencing in the medical context a matter of policy, or is it something written into the law that says that they have to check all of these before they amputate?

**Assemblyman Orentlicher:**

My guess is it is part of policy, but it may also be part of accreditation requirements. Given life and death here too, it might be worth putting into law.

**Chairman Yeager:**

If any Committee members have additional questions, I encourage you to follow up offline. Is there anyone who would like to testify in support?

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

We are here today in full support of S.B. 50 (R1). I want to thank Attorney General Ford, Kyle George, and Jessica Adair for really bringing together a very diverse group of stakeholders and not locking us in a room, but putting us in a room all day. They did feed us pizza and there was coffee, but we were in there for the duration. Thanks to vaccines and masks, the result is the bill you see before you. It is the true result of good-faith participation by everybody, and I urge you to support it.

**Tonja Brown, Private Citizen, Carson City, Nevada:**

Advocates for the Inmates and the Innocent supports this bill. It is good legislation and is long overdue. I want to thank the sponsors of this bill. I just want to touch on if this bill existed throughout the country years ago, a lot of people's lives would have been saved. I have a friend whose son was killed by a no-knock warrant. He had been growing a couple of marijuana plants. Police broke in early in the morning, and he thought somebody had broken in and did not know what was going on. He brought his gun out and he was shot and killed in his hallway outside his bedroom door. Some years ago, Reno Police Department showed up at a home because the neighbors had called the police. The police showed up, and they knocked on the door. He opened the door. He did not want to speak to the officers, and he shut the door. They opened fire on him and killed him. Perhaps things like this could be prevented. Yes, we are in strong support of this bill.

**Chairman Yeager:**

I wanted to let the Committee know on the Nevada Electronic Legislative Information System there are a number of letters in support from Progressive Leadership Alliance of Nevada [[Exhibit E](#)], Make it Work Nevada [[Exhibit F](#)], American Civil Liberties Union of Nevada [[Exhibit G](#)], the Clark County Public Defender's Office and the Washoe County Public Defender's Office [[Exhibit H](#)], and Battle Born Progress [[Exhibit I](#)]. The reason they have submitted those letters in support rather than testify, is they wanted to make sure that affected family members would have time to testify on the phone today given our time constraints. I want to thank those organizations for putting their comments in writing. I do not know that we have ever had that happen before in this Committee, but I certainly appreciate your willingness to do that and to provide affected community members a chance to weigh in. Is there anyone on the phone who would like to testify in support of Senate Bill 50 (R1)?

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

We are in support of S.B. 50 (R1).

**Edward Ableser, representing Nevada Police Union:**

The members of the Nevada Police Union want to thank Attorney General Ford and his dynamic staff for all of their hard work in reaching out and connecting with various groups across the state regarding S.B. 50 (R1). We appreciate the work that his team has done, and on behalf of the Nevada Police Union and our over 900 members in the state, we call in support of this bill.

**Annemarie Grant, Private Citizen, Quincy, Massachusetts:**

I am the sister of Thomas Purdy, who was killed by Reno Police and Washoe County Sheriff's Office. I support the bill though I do believe no-knock warrants need to be abolished completely. I look at no-knock warrants as death warrants and no-knock raids are supposed to be used only in the most dangerous situations. But what people do not realize or are not told is how infrequently police get killed when they do bust into a suspected criminal's home unannounced. Twenty-six years before Breonna Taylor, officers executed a no-knock warrant at the home of a suspected drug dealer. Officers entered apartment 2L instead of apartment 3L and tackled a 75-year-old reverend named Accelyne Williams. Mr. Williams suffered heart failure and died during the raid.

On May 16, 2003, a dozen New York City police officers stormed the apartment of Alberta Spruill on a no-knock warrant. Before entering, they tossed a flash grenade. The boom stunned Alberta and she died two hours later from a heart attack. On November 21, 2006, three plainclothes officers of the Atlanta Police Department broke down the door of 92-year-old Kathryn Johnston, a retiree living alone. She fired one shot from her rusty revolver at the intruders. The officers responded with 39 shots, 5 or 6 of which hit Ms. Johnston. The officers handcuffed her as she was dying. The list continues on. Aiyana Stanley-Jones, a 7-year-old, was killed during a no-knock warrant. At least 81 civilians died executing these types of search warrants from 2010 through 2016. These numbers only include deaths, they do not include people who have been permanently injured or wounded or have property damage as a result of these raids. I do support the bill because it is a start and a step in the right direction.

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

We want to thank the Office of the Attorney General for including us in the working group. I think that was a very beneficial way for us to work out the details of this bill. We are in support of S.B. 50 (R1). I did just want to put on the record in the Senate and today in the Assembly, the lines sometimes tend to get a little blurred between a no-knock warrant and a tactical entry such as what a SWAT team would do in a hostage situation. I just wanted the record to reflect that those are two entirely separate things: a no-knock warrant does not necessarily equate to a tactical entry. We are in support and we thank the Attorney General for including us.

**Troyce Krumme, Vice Chairman, Las Vegas Metro Police Managers and Supervisors Association:**

We represent the sergeants, lieutenants, and captains of the Las Vegas Metropolitan Police Department. We would like to thank the Attorney General for his invite to take part in the working group. We think it was an effective group and feel that the changes in the amendment to address the exclusionary rule for allowing a thorough review to ensure that warrants that meet the Fourth Amendment but might have an issue on the no-knock side would still be authorized to have that evidence in. We feel that was a genuine amendment. We feel that enhanced oversight on no-knock warrants because of the danger involved in them is the right way to go in the state of Nevada. We encourage your support.

**Chairman Yeager:**

Is there anyone else who would like to testify in support? [There was no one.] Is there anyone who would like to testify in opposition? [There was no one.] Is there anyone who would like to testify in the neutral position? [There was no one.] I would invite Attorney General Ford back for any concluding remarks on S.B. 50 (R1).

**Attorney General Ford:**

Thank you for entertaining this bill. It is important. I think the unanimity coming out of the other chamber demonstrates that we are listening. I hope that we can get comparable support from this Committee and from the Chairman in that regard. I also want to indicate that I got an email from the National Association for the Advancement of Colored People, Reno-Sparks Chapter who also wanted to voice their support for the bill.

**Chairman Yeager:**

Thank you, Attorney General Ford for your work on this, and I think we have seen the magic of pizza and coffee in a locked room. I would recommend donuts if you were going to invite me to the next one, but food and caffeine always does the trick. I will close the hearing on Senate Bill 50 (1st Reprint). I will open the hearing on Senate Bill 62 (1st Reprint).

**Senate Bill 62 (1st Reprint): Revises provisions relating to the solicitation of contributions. (BDR 7-413)**

**Jessica Adair, Chief of Staff, Office of the Attorney General:**

Senate Bill 62 (1st Reprint) is intended to increase transparency of organizations soliciting charitable contributions in Nevada and give the state additional tools to fight charity fraud. First, I want to express my deep gratitude to Kimberley Perondi, who is the Deputy Secretary of State for Commercial Recordings; Secretary of State Cegavske and her entire office for their assistance in the formulation of this bill. It has undoubtedly improved the bill so that it best serves the state in our mutual goals to promote transparency and trust.

Before I begin discussing the text of the bill, I want to give some brief background. Charitable giving is one of the most important financial transactions of our society. United States donors in 2019 gave more than \$449 billion to charity, with 69 percent of funds coming directly from individuals according to the National Philanthropic Trust. Charitable

giving allows nonprofit organizations to serve important causes and those in need and allows an individual to express their wishes, benevolence, and even religious faith by supporting causes close to their hearts. Unfortunately, there are those who seek to exploit the generosity of others for their own greed.

Charitable organizations registered with the Internal Revenue Service (IRS) as a 501(c)(3) organization must submit lengthy verification and documentation to demonstrate that it is organized and operated exclusively for charitable, religious, educational, scientific, literary, or other approved purposes. It must not be organized or operated for the benefit of private interests, and no part of the net earnings may inure to the benefit of any private shareholder or individual. Fraudulent organizations clearly cannot meet this threshold. Many turn to other kinds of entities that are easily formed and simply call it a charity. Common examples of these entities include political action committees (PACs) and limited liability companies (LLCs). You are probably familiar with PACs. While most PACs serve a legitimate political purpose, there are those who use the more relaxed registration requirements to masquerade as a charity, solicit contributions from well-meaning people, and then pocket the cash. They often choose misleading names that sound like charities or even use slightly modified versions of a name of an existing charity to take advantage of the public goodwill of a legitimate organization.

Our office receives complaints regarding charity fraud, particularly after a disaster when people are vulnerable and others seek to assist them. Yet, these scam organizations can escape our jurisdiction and punishment. At the federal level, the IRS cannot revoke the tax-exempt status of an organization that never registered as a 501(c)(3) in the first place. Under *Nevada Revised Statutes* (NRS) 598.1305, the Office of the Attorney General has jurisdiction under the Deceptive Trade Practices Act (DTPA) to prosecute charities that make false claims in their solicitations, but—and here is the key part—this section only applies to organizations "who the Secretary of the Treasury has determined to be tax exempt pursuant to the provisions of section 501(c)(3) of the Internal Revenue Code" [NRS 598.1305(4)(a)]. If an organization is not a 501(c)(3), the statute does not apply, and we do not have jurisdiction.

This is the problem that we are trying to solve with this bill. Scam charities do not serve the public. Scam charities dupe well-meaning people out of their money and put legitimate charities at a disadvantage. Turning to the bill, section 1 expands the definition of a charity to include any organization that:

(b) Is or purports to be established for:

(1) Any benevolent, philanthropic, patriotic, educational, humane, scientific, public health, environmental conservation, civic or other eleemosynary purpose; or

(2) The benefit of law enforcement, firefighting or other public safety personnel; or



(c) In any manner employs:

- (1) A charitable appeal as the basis of any solicitation; or
- (2) An appeal that suggests there is a charitable reason for the solicitation.

The purpose of this is to require all charities, not just 501(c)(3) organizations, to register with the Secretary of State. This information is then available to the public as a business entity, searchable on the Secretary of State's SilverFlume website. Charities are also required to file an annual financial report with the Secretary of State with extremely basic information that would normally be included on a charity's Form 990 [Return of Organization Exempt from Income Tax] with the Internal Revenue Service. It is as simple as one single page.

Section 2 clarifies that a contribution does not include bona fide fees or membership dues. This is not intended to apply to clubs or hobby organizations, people who pay a due to be a member of a club and they are not actively soliciting charitable contributions from the general public. It also clarifies that a contribution does not have to be tax-deductible. Donations to PACs or chipping into an LLC is clearly not tax-deductible.

Sections 3 and 4 make conforming changes. Section 5 makes conforming changes to what an organization is required to report to reflect the types of organizations has been expanded. Sections 6 and 7 also make conforming changes.

Section 8 expands the jurisdiction of the Secretary of State and the Attorney General to refer and prosecute violations of the DTPA for false statements when soliciting contributions to all charitable organizations, not just those that are 501(c)(3) organizations. Section 9 makes conforming changes. That is all I have for the bill presentation today, and I am happy to take any questions.

**Chairman Yeager:**

Are there any questions from the Committee?

**Assemblyman Wheeler:**

I just wanted to compliment Ms. Adair on the word on page 2, line 11, "eleemosynary." I wanted to let you know after the Chairman put it up on Twitter last night, I went and looked at my word-of-the-day calendar and it was not in there. So I added a page to May 6, and that is now my new word of the day. I wanted to thank you for that.

**Jessica Adair:**

Thank you, Assemblyman Wheeler. I have to give credit to the Legislative Counsel Bureau. That is their drafting, and I completely butchered the pronunciation of that word when this bill was heard on the Senate side.

**Chairman Yeager:**

I am happy to report that you did pronounce it correctly this time. I had to ask legal counsel how to pronounce that word. I am assuming that nobody else on the Committee had heard that word, and you will be interested to know that it is actually in our state *Constitution*. That is where the word comes from. It is in the same sentence as perpetuities. We will find that citation for everyone. That is definitely the word of the day, so I challenge everyone on the Committee to try to use the word "eleemosynary" at some point today. You will get confused looks from our colleagues, I am sure. Are there any questions from the Committee?

**Assemblyman Orentlicher:**

Section 1, subsection 2, has an exclusion for religious purposes, and I just want to make sure that I am understanding. If you look at the definition from the Secretary of the Treasury that you cite section 501(c)(3), it does include religious purposes. Even though the IRS allows religious, we are not going to. While I understand the separation of church and state, recent United States Supreme Court decisions suggest that may not be permissible. Is that what this is doing, or is it doing something different?

**Jessica Adair:**

That language in the bill is existing Nevada state law. We are not seeking to change state law. Because religious organizations often do file as a 501(c)(3), they are already covered. In section 1, subsection 1, paragraph (a), they are already required to register with the Secretary of State as a 501(c)(3) organization, and we are not trying to change any of that status currently.

**Assemblywoman Krasner:**

The bill expands the type of organizations required to register with the Secretary of State as charitable organizations. In section 1, subsection 1, it says, "'Charitable organization' means any person who, directly or indirectly, solicits contributions." I am just wondering about the little girl and her sister who start up a lemonade stand in their front yard to raise money for the poor. Are they going to be caught up in this and have to register with the Secretary of State?

**Jessica Adair:**

We wanted to make sure that did not happen. There is current regulation already under the Secretary of State regulations that exclude those very small mom-and-pop lemonade stands. We are not seeking to change any of those current regulations because that was very important to us. The reason it is a "person" is because the individual will file as an officer of that organization with the Secretary of State. We are not seeking to expand the definition to those existing small organizations.

**Chairman Yeager:**

Are there any additional questions from the Committee?

**Assemblywoman Kasama:**

It seems to me that we are starting a whole new area of people filing, and probably a lot of people do not know they need to file. It just seems to me that the bad actors are not going to file, so it seems like there is just a whole bunch of policy and regulation that I do not think is needed because you know the bad actors are not going to come and do that, and then you are still going to get complaints from them. We know there are so many organizations. Everybody puts military or something for their organization looking for money, and as you said, preying on emotions from people. I guess I am trying to think of how you think this will help in the big picture.

**Jessica Adair:**

You are right. We do not expect scam organizations to register, but because of that in this bill, we can then go after those organizations for failure to register. When we get complaints from an individual who said, Hey, I got this solicitation who says that they are raising money for Las Vegas Metro but it is not the Las Vegas Metropolitan Police Foundation. It is some other random organization. We look through the Secretary of State's website and do not see it. We talk to the Secretary of State, and they are not registered. Because that organization is soliciting and would be required to register under this law and they have not registered, we can then take action against that organization for the act of not registering. Then, if they do register and they start making false solicitations, we can go after them for the DTPA violation. I think you are right; criminals do not follow the law. But that is why we design the law to ensure that we have the tools to then go after those who do not abide by the existing law.

And also, I misspoke when I answered Assemblywoman Krasner's question. I said "regulation." I meant "law," and it is in section 4 and it is existing law. There are existing statutes in the law that are exceptions for small organizations, and it is currently in the bill in section 4. I apologize for misspeaking on that.

**Chairman Yeager:**

Are there additional questions from the Committee?

**Assemblywoman Hansen:**

Along those lines of what you were answering to my colleague that you would be able to go after them, I have had these calls and I have actually even forwarded stuff to the Attorney General's Office. How do you find them? Do you feel confident that you will be able to go after these scammers?

**Jessica Adair:**

Yes. We do rely on those constituent complaints. We are a complaint-driven office. We are not going to be able to conduct sting operations, for example, on these types of organizations. But we do get these complaints. Right now, it is so frustrating for our office to not be able to do anything about the Americans for America organization that is raising money for cancer research. We know that they are not a legitimate organization, and people think that they are donating to a legitimate organization that would assist in cancer research. Yes, I believe that

we will. Working with the Secretary of State on this bill, they are very interested in working on these issues as well because it serves us all. We would be happy to receive those complaints. I cannot tell you how frustrating it is for our office to know that there is nothing that we can do under the current law if they are not an actual charity.

**Chairman Yeager:**

Are there any additional questions from the Committee? [There were none.] I wanted to let the Committee know that I found the section in the *Nevada Constitution*. It is Article 15, Miscellaneous Provisions, which is a quite fascinating part of our *Constitution*. It establishes Carson City as the seat of government [Section 1]; it has term limits [Section 11]; it indicates when the general election should happen [Section 5]; and it indicates that the number of legislators shall never exceed seventy-five [Section 6]. But most importantly in Section 4, this is the entirety of the provision, "No perpetuities shall be allowed except for eleemosynary purposes." That is where the language came from.

**Jessica Adair:**

Thank you, Chairman. I believe I deserve a donut for correctly pronouncing the word, and I am sure Assemblywoman Torres is very sad that she missed yet another discussion on the rule against perpetuities.

**Chairman Yeager:**

Is there anyone who would like to testify in support? [There was no one.] Is there anyone who would like to testify in opposition?

**Janine Hansen, State President, Nevada Families for Freedom:**

We oppose S.B. 62 (R1) requiring many additional nonprofit organizations to register and provide financial information to the Secretary of State. Registering these nonprofit organizations is the first step before requiring nonprofits to disclose their donors, which will expose them to the cancel culture, intimidation, retaliation, harassment, and violence. This has already happened in California.

The law in California is being challenged in court by Americans for Prosperity Foundation which filed against the former Attorney General Xavier Becerra. The law requires charities and tax-exempt nonprofit organizations to provide the government with names and addresses of donors. Robert Alt of the Buckeye Institute who is one of the attorneys for the lawsuit said, "In fact, it is an alarming violation of the First Amendment right of free association and would have a chilling effect on free speech."

Courts have consistently held that forced disclosure of donors can threaten freedom of association since the ruling in the 1958 landmark *NAACP* case [*NAACP v. Alabama*, 357 U.S. 449 (1958)]. The brief in California argues that freedom of association is threatened because of potential retaliation and additional scrutiny from the government if certain officials disagree with the mission of the nonprofit. Americans for Prosperity and its donors could be a potential target of retaliation because the nonprofit often takes stances against the government.

As I repeat, this bill, S. B. 62 (R1), is the first step for what they are doing in California. It will pave the way for the same kind of government overreach subjecting donors to the cancel culture, intimidation, retaliation, harassment, and violence. We do not want or need more government policing of our charitable giving. Do not interfere with our freedom.

[Ms. Hansen also submitted [Exhibit J.](#)]

**Melissa Clement, President, Nevada Right to Life:**

We are in opposition to S.B. 62 (R1). While I understand the desire to protect the public from scam charitable organizations, we are rightly concerned that this could be used in future sessions and in the future to require organizations, 501(c)(4)s, PACs, et cetera, to disclose their donors. This has been used in California and other locations to dox donors who hold opinions contrary to special interests. This threatens freedom of speech and freedom of association. In recent months, we have seen individuals losing their jobs, being threatened for holding opinions that vary on life, liberty, election integrity, and any other manner of topics. For this reason, we oppose S.B. 62 (R1).

**Chairman Yeager:**

Is there anyone else who would like to testify in opposition?

**Bob Russo, Private Citizen, Gardnerville, Nevada:**

I oppose S.B. 62 (R1). I will say first off, ditto to Janine Hansen's testimony, and I will say that I have the same concerns regarding the potential for government overreach with the potential for disclosure of donors. The government overstepping its constitutional limits is nothing new. We saw this in play when Judicial Watch obtained IRS documents proving that the Obama Administration ordered that agency to target and destroy conservative organizations. According to an article in Newspunt from April 5, 2017, nearly 700 pages of Obama IRS scandal documents showed that officials working under Obama used inappropriate political labels to have conservative tax-exempt organizations receive unfair treatment by the IRS. Government overreach, be it on the federal or state level, is a threat to the liberty of Americans and must be avoided. Senate Bill 62 (1st Reprint) encourages overreach, so I urge you to please oppose it.

**Lynn Chapman, State Vice President, Nevada Eagle Forum:**

We oppose S.B. 62 (R1). The people of this great country have always come together to speak, to discuss, to debate, and to celebrate on just about anything and everything. We have always known how important it is to be able to do that. We sometimes come together in organizations and sometimes not so organized. But it seems that our state government wants to stifle our free thought and free speech and our gatherings. The more we want to enjoy our freedoms and liberties, the more government wants to regulate them and have us report everything about our lives, even our giving to charities. We have concerns about where this reporting and regulating can be leading us and where we could end up, such as having to disclose a list of our donors. A quote from Thomas Jefferson, "the care of human life & happiness, & not their destruction, is the first & only legitimate object of good government." We are not happy with this bill. Please oppose S.B. 62 (R1).

**Chairman Yeager:**

Is there anyone else who would like to testify in opposition? [There was no one.] Is there anyone who would like to testify in the neutral position?

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

You may have already seen my comments as they were posted to the Nevada Electronic Legislative Information System while in the Senate Committee on Judiciary [Senate Committee on Judiciary, February 17, 2021, Exhibit I]. We wanted to put it on record here as well.

The Secretary of State's Commercial Recordings Division is a filing office for official records and is responsible for the processing and recording of organizational and amendatory documents of business entities pursuant to the laws of the state of Nevada under NRS Title 7. Legislation was originally crafted in 2013 requiring Nevada nonprofits under NRS Chapter 82 to register with our office before soliciting charitable contributions [Assembly Bill 60 of the 77th Session]. In 2015, these requirements were placed under NRS Chapter 82A and expanded to include in-state and out-of-state organizations. I will note there are some exemptions listed as was previously discussed by Ms. Adair. The existing filing requirements in NRS Chapter 82A include the name of the organization, their jurisdiction, place of business, their purpose, names of their officers, directors and executive personnel, and certain federal tax status and financial report information. There is no fee to file these documents. These documents are recorded in our database and available to the public at no charge.

I thank Ms. Adair for bringing Senate Bill 62 (1st Reprint) to our attention in its draft stage for review and comment. The proposed changes to NRS Chapter 82A under this bill cause no deviations to our current filing process nor do we anticipate any fiscal impact to our office. It is possible the expanded definition may cause an increase in the number of filings our office processes as well as the number of inquiries and investigations of complaints. However, at this time we do not expect that to be enormous or unmanageable. We do work closely with the Attorney General's Office in referring and prosecuting fraudulent soliciting activities. Therefore, the Office of the Secretary of State is neutral on this bill.

**Chairman Yeager:**

Is there anyone else who would like to testify in the neutral position? [There was no one.] I would invite Ms. Adair back for any concluding remarks on S.B. 62 (R1).

**Jessica Adair:**

Thank you for the opportunity to make some concluding remarks because I was very surprised to hear the opposition today. This is the first we have learned of this opposition. If you are still on the line, opposition folks, I really wish you would have come to our office before the hearing so we could have talked about your concerns.

I want to make a lot of clarifications here because the testimony in opposition results in a serious misunderstanding of this bill. First of all, this bill did not come from legislation from California. It came from model legislation from Ohio. Ohio has a scam PAC law that we thought was a great example of what states can do in this realm, and we modeled our legislation after that.

Deputy Secretary Perondi just testified as to the financial requirements that must be listed when filing, but if you are interested, members of the Committee, it is on page 6 of the bill. It is very simple, and it contains absolutely no information that is related to donors. None, not a single thing. I will note that many of the folks who were testifying in opposition talked about donor information requirements as they relate to 501(c)(3) organizations and PACs. This bill does not change anything as it relates to 501(c)(3) organizations and PACs. As members of this Committee probably know very intimately, PACs have significant reporting requirements as it pertains to donors. There is a lot of transparency required in terms of donations to and from PACs. This bill does not change anything, and if you notice in the listing of types of organizations to require, the word "political" is not included in terms of the types of organizations. Currently, 501(c)(3)s also have donor reporting requirements. Those are confidential and they go to the IRS. This bill does not change anything as it pertains to 501(c)(3) organizations. Frankly, the purpose of this bill does not pertain to 501(c)(3) organizations at all. They are legitimate charity organizations. That is not what we are concerned with. What we are concerned with are organizations that register as organizations beyond 501(c)(3) that say that they are a charity and solicit charitable contributions from the general public. That is what we are concerned with here.

If the members of the Committee are concerned that this bill could be used to obtain donor information, I would encourage you to read the bill. If you have any questions about the text of the bill or its intent, please do not hesitate to contact me or the Secretary of State's Office. I want to be extremely clear that there is nothing in this bill that pertains to donor information. If the Committee has any questions here or offline, I am happy to make myself available.

**Chairman Yeager:**

Are there any questions from the Committee?

**Assemblywoman Hansen:**

Thank you for that clarification. In section 1, subsection 3, paragraph (b), what is the definition of "patriotic" if we are not talking political? What would that mean?

**Jessica Adair:**

We do not define "patriotic." Because we do not want to be too over inclusive or under inclusive, I would take the plain meaning. The Americans for America organization wants you to chip in to help America. What we are concerned about if it is a PAC, they are already required to register with the Secretary of State as a PAC. Here is what our problem is with those organizations: A PAC is not subject to our jurisdiction for DTPA for false statements when soliciting charitable contributions. If a PAC is soliciting political contributions, great,

they fall under the Secretary of State's authority for appropriate political contributions to that PAC. There are so many requirements that they have to follow. If a PAC is not soliciting political contributions, if they are soliciting charitable contributions that they say will be used for putting up flags outside of a business or down the street and then they do not do that, but just take the money themselves, that is a lie and a misleading statement in order to solicit that charitable contribution. That is a really long answer to your very simple question. But I want to make really clear that there is already a lot of registration and reporting requirements as they pertain to political organizations. It is not what we are trying to get into. We do not need to add to that. What we do need is DTPA jurisdiction for those scam organizations that will make it more difficult for some of the organizations that testified today.

**Assemblywoman Kasama:**

I read through section 4 again where you talk about these small groups that would be exempt. As I read through that, it says fewer than 15 persons. If the school has a fundraiser and the child is selling cookies and the goal is to get 20 or 25 people, it seems to me that they would have to register now. Is that correct?

**Jessica Adair:**

No. The charity organization, however, that they are raising money for does need to register. If they are raising money for the Susan G. Komen foundation, they are already a 501(c)(3) organization and they would register. Those kids are just agents of the organization soliciting contributions. I also want to be clear that if the contributions are directed to only people who are within your family, say a fundraiser for someone's medical expenses, that is not what we are trying to capture here. I think these are important exceptions so that we do not catch up the folks who are just trying to do a good deed. What we are really after here are those scams.

**Chairman Yeager:**

I will close the hearing on S.B. 62 (R1). I will open it up for public comment.

**Annemarie Grant, Private Citizen, Quincy, Massachusetts:**

My brother, Thomas Purdy, was killed by Reno Police and Washoe County Sheriff's Office during a mental health crisis. Today I would like to talk about Stanley Lavon Gibson. He was born in Las Vegas and was a lifelong resident. He served in the United States Army during the first Gulf War. He was a decorated soldier receiving medals, including the Army Good Conduct Medal, Army Service Ribbon, Kuwait Liberation Medal (Saudi Arabia), Southwest Asia Service Medal, and the National Defense Service Medal. He had an honorable discharge. His mother had to bury her son; his wife had to bury her partner of 11 years. Not only do police murders of community members weaken the public's trust in law enforcement but it is the community and the taxpayers who ultimately pay for these bad actors.



Stanley was 43 years old when he was shot and killed by Las Vegas Metropolitan Police Department Officer Jesus Arevalo in the early morning hours of December 12, 2011. An inferior police plan to force Stanley out of his car led to the shooting. The officer erroneously thought he was being shot and returned fire. He fired seven shots into Stanley's Cadillac. His wife, Rondha, said he suffered from post-traumatic stress disorder from his time proudly and bravely serving our country during the Gulf War. Stanley Gibson was unarmed. His jacket would later be returned to his wife riddled with bullet holes and his service medals still attached to his jacket. I do not think the general public is aware of how many veterans are killed by police while in crisis.

Stanley was killed less than two years after 21-year-old unarmed Trevon Cole, who was shot by Las Vegas Metropolitan Police Department in his apartment bathroom. Stanley's murder is a perfect example of how the mental health care system failed. Stanley had been arrested two days prior and was ordered to have a psychological evaluation done at the jail. That never took place and he was released. These unnecessary murders by police have been occurring for far too long in Nevada.

I would just like to mention Ronal Zendejas was killed May 4, 2020, by Reno Police Department and Sparks Police Department, and Washoe County District Attorney Chris Hicks has yet to release his officer-involved report. Over a year later, his family and the community wait for the report and the body camera footage. Please support bills that promote transparency and accountability from law enforcement.

**Chairman Yeager:**

Is there anyone else wishing to provide public comment? [There was no one.] Are there any questions or comments from Committee members? [There were none.] We will start tomorrow at 9 a.m. with a work session. As of today, we have heard all the bills that are within our Committee. I do believe we will be getting more bills potentially, but as of now we do not have any more left. I do not yet know what next week holds for us, but I will have more information for you tomorrow. Thank you, Committee, for your attention and hard work. Please go forward in an eleemosynary spirit.

The meeting is adjourned [at 11:05 a.m.].

RESPECTFULLY SUBMITTED:

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Traci Dory  
Committee Secretary

APPROVED BY:

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Assemblyman Steve Yeager, Chairman

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

## EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a copy of a PowerPoint presentation titled, "Senate Bill 168," submitted and presented by Layke Martin, Executive Director, Nevada Dispensary Association.

[Exhibit D](#) is a proposed mock-up amendment to [Senate Bill 50 \(1st Reprint\)](#), dated April 28, 2021, submitted and presented by Aaron Ford, Attorney General.

[Exhibit E](#) is a letter dated May 6, 2021, submitted by Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada, in support of [Senate Bill 50 \(1st Reprint\)](#).

[Exhibit F](#) is a letter dated May 5, 2021, submitted by Quentin Savvoir, Deputy Director, Make it Work Nevada, in support of [Senate Bill 50 \(1st Reprint\)](#).

[Exhibit G](#) is written testimony submitted by Holly Welborn, Policy Director, American Civil Liberties Union of Nevada, in support of [Senate Bill 50 \(1st Reprint\)](#).

[Exhibit H](#) is a letter dated May 5, 2021, submitted by John J. Piro, Chief Deputy Public Defender, Legislative Liaison, Clark County Public Defender's Office; and Kendra G. Bertschy, Deputy Public Defender, Washoe County Public Defender's Office, in support of [Senate Bill 50 \(1st Reprint\)](#).

[Exhibit I](#) is written testimony submitted by Maria-Teresa Liebermann-Parraga, Deputy Director, Battle Born Progress, in support of [Senate Bill 50 \(1st Reprint\)](#).

[Exhibit J](#) is written testimony dated May 5, 2021, submitted by Janine Hansen, State President, Nevada Families for Freedom, in opposition to [Senate Bill 62 \(1st Reprint\)](#).