

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

**Eighty-First Session  
May 14, 2021**

The Committee on Judiciary was called to order by Chairman Steve Yeager at 9:12 a.m. on Friday, May 14, 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 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:**

Assemblywoman Melissa Hardy (excused)

**GUEST LEGISLATORS PRESENT:**

Senator Melanie Scheible, Senate District No. 9  
Senator James Ohrenschall, Senate District No. 21  
Senator James A. Settelmeyer, Senate District No. 17

**STAFF MEMBERS PRESENT:**

Diane C. Thornton, Committee Policy Analyst  
Ashlee Kalina, Assistant Committee Policy Analyst

Minutes ID: 1198



Bradley A. Wilkinson, Committee Counsel  
Bonnie Borda Hoffecker, Committee Manager  
Traci Dory, Committee Secretary  
Melissa Loomis, Committee Assistant

**OTHERS PRESENT:**

Tonja Brown, Private Citizen, Carson City, Nevada  
Annemarie Grant, Private Citizen, Quincy, Massachusetts

**Chairman Yeager:**

[Roll was called. Committee protocol was explained.] We have nine bills on our work session this morning. We will start with Senate Bill 6 (2nd Reprint).

**Senate Bill 6 (2nd Reprint): Revises provisions governing orders for protection against high-risk behavior. (BDR 3-394)**

**Diane C. Thornton, Committee Policy Analyst:**

Senate Bill 6 (2nd Reprint) was sponsored by the Senate Committee on Judiciary on behalf of the Nevada Supreme Court and was heard in Committee on April 27, 2021 [[Exhibit C](#)].

Senate Bill 6 (2nd Reprint) makes various changes to provisions governing orders for protection against high-risk behavior. Among other things, the bill:

- Replaces the term "ex parte order" with "emergency order";
- Revises various procedures and requirements associated with filing an application for an order for protection against high-risk behavior;
- Establishes various procedures relating to hearings on an application for an order for protection;
- Removes custody of a firearm from the list of factors a court may consider in finding whether a person poses an imminent risk of causing a self-inflicted injury or injuring another person;
- Revises the persons to whom an adverse party must surrender firearms;
- Requires a court to order the return of any surrendered firearm of an adverse party upon the expiration of an extended order for protection;
- Revises provisions relating to the dissolution of orders for protection; and
- Eliminates the requirement for a court clerk or designee to assist certain persons relating to orders for protection.

There is one amendment to the bill proposed by Senator Scheible, and it proposes to:

1. Revise section 1.3, subsection 1, paragraph (b) by adding that upon request of either party and showing of good cause by that party, the court may schedule a hearing in accordance with section 1.5 of this act;
2. Revise section 6, subsection 1, paragraph (a), to require that the court must issue an extended order if it finds by clear and convincing evidence that the person poses a risk of causing a self-inflicted injury or a personal injury to another person by possessing, controlling, purchasing, or otherwise acquiring any firearm;
3. Revise section 9, subsection 2, to provide that the law enforcement agency must serve the adverse party personally with the application and any supplemental documents that were submitted to the court;
4. Amend section 9 by adding a new subsection 8 to provide that:
  - (a) The court may withhold or redact certain information from the application;
  - (b) Upon the request of the adverse party, the court must provide the party or the party's attorney or agent with an opportunity to interview the applicant or witness in an environment that provides for protection of the applicant or witness; and
  - (c) Any information or documents redacted must be maintained in a confidential file and be made available to the adverse party to inspect and copy or photograph prior to the hearing.

**Chairman Yeager:**

Committee, we are just seeing the amendment for the first time. Are there any questions on S.B. 6 (R2) as detailed in the work session document?

**Assemblywoman Cohen:**

Senator Scheible and I have been discussing section 9, subsection 8, the interview portion. I wanted to confirm that the interview happens at the courthouse before the hearing if there is certain information that was redacted from the application for the high-risk protective order.

**Senator Melanie Scheible, Senate District No. 9:**

Yes, that is correct. This language is borrowed from the criminal statute and it was approved by the public defenders, the Eighth Judicial District Court, and the Administrative Office of the Courts. You are exactly correct. The idea is that we do not want to be serving people who are the subject of a high-risk protective order with information that is incendiary, that is going to provoke them to retaliate against the person who is seeking the order. However, they are also entitled to have that information before they have to respond on the record to the allegations. There may be a circumstance in which the easiest way to facilitate that

transfer of information is simply to allow the attorney for the person who the order is being sought against to talk to the applicant for the order, and then the court would be able to set any parameters. We have witness rooms at the Eighth Judicial District Court. They might have a bailiff go with them. They might do it in the courtroom but off the record or something like that, just trying to be accommodating of the unique circumstances that come with high-risk protection orders.

**Chairman Yeager:**

Thank you for being here this morning, Senator Scheible. Are there any additional questions from Committee members on S.B. 6 (R2) as detailed in the work session document? [There were none.] I would be looking for a motion to amend and do pass S.B. 6 (R2).

ASSEMBLYWOMAN NGUYEN MOVED TO AMEND AND DO PASS  
SENATE BILL 6 (2ND REPRINT).

ASSEMBLYWOMAN MARZOLA SECONDED THE MOTION.

Is there any discussion on the motion?

**Assemblyman O'Neill:**

I will be a no on this, but I want to explain. I appreciate the work that has been done on it. I understand that, actually, with some of the amendments, various firearm groups have gone to a neutral position on it. I will be a no because basically, it is the whole premise that I still have problems with on Second Amendment rights in the process.

**Chairman Yeager:**

Is there any further discussion on the motion? [There was none.] Senator Scheible, I appreciate your working on the amendment. I know there were a lot of interested parties on this one, so thank you for bringing what appears to be consensus in terms of those who are actually in the courtroom trying to process these hearings.

THE MOTION PASSED. (ASSEMBLYMEN O'NEILL AND WHEELER  
VOTED NO. ASSEMBLYWOMAN HARDY WAS ABSENT FOR THE  
VOTE.)

I will assign the floor statement to Assemblywoman Bilbray-Axelrod. We will go next to Senate Bill 45 (1st Reprint).

**Senate Bill 45 (1st Reprint): Revises provisions relating to crimes. (BDR 18-421)**

**Diane C. Thornton, Committee Policy Analyst:**

Senate Bill 45 (1st Reprint) was sponsored by the Senate Committee on Government Affairs on behalf of the Office of the Attorney General and was heard in Committee on April 16, 2021 [[Exhibit D](#)].

Senate Bill 45 (1st Reprint) changes the name of the Office of Ombudsman for Victims of Domestic Violence within the Office of the Attorney General to the Office of Ombudsman for Victims of Domestic Violence, Sexual Assault and Human Trafficking to reflect the expanded scope of the Office to include the crimes of sexual assault and human trafficking and makes conforming changes to the name, duties, and qualifications of the ombudsman. In addition, the bill revises the composition and duties of the Committee on Domestic Violence. The bill also revises the punishment imposed upon a person convicted of a first offense of domestic violence against a pregnant victim to require that the offender be imprisoned in county jail for not less than 30 days, but not more than 6 months. The offender may be further punished by a fine of between \$500 and \$1,000 and must participate in weekly counseling for not less than 12 months, at his or her expense.

There is one amendment to the bill proposed by Assemblywoman Nguyen. The amendment proposed revising section 7, subsection 4, paragraph (a) of the bill to do the following:

1. Revise the mandatory minimum from 30 days to 20 days and removes the 6-month maximum for the first offense of battery which constitutes domestic violence against a victim who was pregnant; and
2. Delete the proposed increase in the period of mandatory counseling for not less than 12 months, thereby restoring the requirement that the person must participate in weekly counseling sessions for not less than six months.

**Chairman Yeager:**

Committee, you may remember there was some discussion when we heard this bill about the mechanics of how it will work. I want to thank Assemblywoman Nguyen and Ms. Jessica Adair, who I think have figured it out to make sure that this is going to work given the way folks are supervised and the sentencing structure. That is what you see in the amendment. Are there any questions on S. B. 45 (R1) as detailed in the work session document? [There were none.] I will take a motion to amend and do pass S.B. 45 (R1).

ASSEMBLYWOMAN NGUYEN MOVED TO AMEND AND DO PASS  
SENATE BILL 45 (1ST REPRINT).

ASSEMBLYWOMAN GONZÁLEZ SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYWOMAN HARDY WAS ABSENT  
FOR THE VOTE.)

I will assign the floor statement to Assemblywoman Kasama. We will take Senate Bill 94 (1st Reprint) next.

**Senate Bill 94 (1st Reprint): Provides that an unlocked gate does not, in and of itself, constitute a public nuisance. (BDR 15-440)**

**Diane C. Thornton, Committee Policy Analyst:**

Senate Bill 94 (1st Reprint) was sponsored by Senator Settlemeyer and was heard in Committee on April 27, 2021 [[Exhibit E](#)].

Senate Bill 94 provides that an unlocked gate does not, in and of itself, constitute a nuisance. There are two amendments to this measure.

1. Senator James Settlemeyer proposed an amendment clarifying when an unlocked gate, in and of itself, does not constitute a public nuisance:
  - A gate in counties with populations less than 100,000 must be placed and maintained on the road in a manner according to and consistent with the specifications, standards, and requirements of the county developed under certain provisions in statute; and
  - A gate in counties with populations over 100,000 must be authorized by ordinance and/or by written agreement with the county.

Further, Senator Settlemeyer proposed that it is not a public nuisance for a person to fence or otherwise enclose public land where the fencing is required or authorized by the appropriate federal agency.

2. Assemblyman Orentlicher proposed deleting the language, "Where vagrants resort, is a public nuisance" in section 1, subsection 2, paragraph (g).

**Chairman Yeager:**

This was the bill we had opposition testimony, closed opposition, and then had to come back to opposition because there were folks in neutral but who were in opposition. The reason I tell you all of that is the amendment proposed by Senator Settlemeyer certainly backed off the opposition to where they are in a place of neutral, if not support, of the measure. That is why you see the amendment, and then you may remember, Assemblyman Orentlicher had a couple of suggestions on changing the vagrancy or the nuisance statute. In consultation with Senator Settlemeyer, we agreed to take out "where vagrants resort, is a public nuisance" but leave everything else in there perhaps for a further discussion on another day.

We do have Senator Settlemeyer here with us. Are there any questions from Committee members on S.B. 94 (R1) as detailed in the work session document? [There were none.] I would be looking for a motion to amend and do pass with both amendments.

ASSEMBLYMAN O'NEILL MOVED TO AMEND AND DO PASS  
SENATE BILL 94 (1ST REPRINT).

ASSEMBLYWOMAN KRASNER SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYWOMAN HARDY WAS ABSENT  
FOR THE VOTE.)

I will assign the floor statement to Assemblyman Wheeler. Thank you for being here, Senator Settlemeyer. That takes us to Senate Bill 107 (1st Reprint).

**Senate Bill 107 (1st Reprint): Makes various changes relating to the statute of limitations for certain causes of action. (BDR 2-872)**

**Diane C. Thornton, Committee Policy Analyst:**

Senate Bill 107 (1st Reprint) was sponsored by Senator Ohrenschall and was heard in Committee on May 4, 2021 [[Exhibit F](#)].

Senate Bill 107 (1st Reprint) provides for a two-year statute of limitations to commence an action in tort for common law wrongful termination of employment. The statute of limitations is tolled during consideration of any pending related state or federal administrative charge on the matter until 93 days after the conclusion of the administrative proceedings. The bill also requires the default statute of limitations of four years to apply to certain causes of action whose statute of limitations is not otherwise prescribed by law, regardless of whether the underlying cause of action is analogous to any other cause of action with a statute of limitations expressly prescribed by law. There are no amendments to this measure.

**Chairman Yeager:**

Committee, you might remember this is the bill we heard where there was some opposition that I think was based on a misunderstanding. There was a belief that some existing law in the *Nevada Revised Statutes* was being deleted by way of an amendment, which was not the case. The reason I tell you that is, we heard that testimony from Clark County. They had indicated to me that they were simply misunderstanding the way the bill was operating. They moved into a neutral position and they let me know that by email, so they are no longer in opposition, if anybody was concerned about that.

Are there any questions on S. B. 107 (R1) as detailed in the work session document? [There were none.] I am looking for a motion to do pass.

ASSEMBLYWOMAN NGUYEN MOVED TO DO PASS SENATE BILL 107 (1ST REPRINT).

ASSEMBLYWOMAN BILBRAY-AXELROD SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEN HANSEN, O'NEILL, AND WHEELER VOTED NO. ASSEMBLYWOMAN HARDY WAS ABSENT FOR THE VOTE.)

Thank you, Senator Ohrenschall, for being here for any questions. I will assign the floor statement to Assemblywoman Marzola. That takes us to Senate Bill 166 (1st Reprint).

**Senate Bill 166 (1st Reprint): Revises provisions relating to crimes motivated by certain characteristics of the victim. (BDR 15-246)**

**Diane C. Thornton, Committee Policy Analyst:**

Senate Bill 166 (1st Reprint) was sponsored by Senator Scheible and was heard in Committee on April 28, 2021 [[Exhibit G](#)].

Senate Bill 166 (1st Reprint) removes a provision from law which requires that, in order for certain penalty enhancements to apply to felonies committed because of characteristics of the victim—including color, gender identity or expression, mental or physical disability, national origin, race, religion, or sexual orientation—the perpetrator must not share those characteristics with the victim. Instead, this bill provides that the perpetrator may be punished by an additional penalty if the crime was committed based solely on the characteristics of the victim, which makes the standard for these crimes the same as the standard that applies in misdemeanor cases.

Kendra G. Bertschy, Deputy Public Defender, Washoe County Public Defender's Office, and John J. Piro, Chief Deputy Public Defender, Legislative Liaison, Clark County Public Defender's Office, proposed the following amendments:

1. Amend section 1 by striking the language "by reason of" and replacing it with "because of" to clarify that the actual or perceived characteristic must be the primary cause of the willful violation of certain provisions in statute;
2. Provides a definition of "because of"; and
3. Amend section 2 to provide conforming changes.



**Chairman Yeager:**

Before I take questions, I will let the Committee know that you have an amendment. In speaking to legal, I think the amendment is likely going to need some work and some tidying up, which is what legal does on a regular basis when we process amendments. I just wanted to let Committee members know that the amendment that comes back from legal might not look exactly like the one you see on your work session document. We are going to try to make sure that we are being consistent with how we characterize things in terms that we use in statute. Then, of course, you always have a chance to review that amendment before there would be a potential floor vote on the bill as well.

Are there any questions on S.B. 166 (R1) as detailed in the work session document? [There were none.] I will take a motion to amend and do pass.

ASSEMBLYWOMAN GONZÁLEZ MOVED TO AMEND AND DO PASS  
SENATE BILL 166 (1ST REPRINT).

ASSEMBLYWOMAN NGUYEN SECONDED THE MOTION.

Is there any discussion on the motion?

**Assemblywoman Summers-Armstrong:**

Thank you, Senator Scheible, for hearing me and my concerns and working with the public defenders to address that. I really appreciate it.

**Chairman Yeager:**

Is there any further discussion on the motion?

**Assemblywoman Krasner:**

I will be voting yes to get it out of Committee but want to reserve my right.

**Chairman Yeager:**

Is there further discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEN HANSEN, KASAMA,  
O'NEILL, AND WHEELER VOTED NO. ASSEMBLYWOMAN HARDY  
WAS ABSENT FOR THE VOTE.)

I will assign the floor statement to myself. We will go next to Senate Bill 203 (1st Reprint).

**Senate Bill 203 (1st Reprint): Revises provisions relating to civil actions involving certain sexual offenses. (BDR 2-577)**

**Diane C. Thornton, Committee Policy Analyst:**

Senate Bill 203 (1st Reprint) was sponsored by Senator Dondero Loop and was heard in Committee on April 28, 2021 [[Exhibit H](#)].

Senate Bill 203 (1st Reprint) sets a 30-year statute of limitations on commencing a civil action to recover damages for sexual abuse or exploitation that occurred when the plaintiff was less than 18 years of age and for injuries suffered by a victim of pornography involving minors. A plaintiff may bring such an action against a perpetrator or whoever knowingly benefits financially or receives anything of value from participation in a venture which that person knew or should have known was an act that violates provisions of the bill. A person who is found liable to a plaintiff under these provisions is liable for treble damages as well as reasonable attorney's fees. The bill also provides that the mere rental of a hotel room in an establishment having more than 200 rooms does not constitute proof of a benefit to a defendant.

There are two proposed amendments to this measure.

1. Senator Marilyn Dondero Loop and the Nevada Justice Association proposed an amendment, which does the following:
  - Provides in section 1, subsection 2 that an action to recover damages for an injury suffered by a victim of pornography involving minors may be commenced at any time against the perpetrator;
  - Provides in section 1, subsection 3 that an action to recover such damages must be commenced within 20 years after the victim reaches 18 years of age;
  - Revises in section 2, subsection 2 that a person is liable to a plaintiff for damages if the person knowingly benefits, financially or by receiving anything of tangible value;
  - Revises in section 2, subsection 4 the number of rooms to 175 from 200 in a hotel, motel, or other establishment deemed not to benefit, or to have gained a benefit, from the rental of a room in relation to the sexual abuse or exploitation of another person; and
  - Revises in section 2, subsection 5 the definition of "sexual abuse" and adds the definition of "sexual exploitation."
2. Senator Marilyn Dondero Loop proposed adding Assemblywoman Krasner as a cosponsor of the bill.

**Chairman Yeager:**

Before we take questions, I had a question for legal in looking at the amendment that is proposed in the work session document. In section 1, it adds the phrase "against the perpetrator," which is somewhat concerning because it is a civil suit, so we do not usually speak of perpetrators. I wanted to ask Mr. Wilkinson if that language was necessary in the amendment or if it was already covered by existing statute.

**Bradley A. Wilkinson, Committee Counsel:**

The term "perpetrator," as you mentioned, is not used elsewhere in the statute. More importantly, the underlying statute, *Nevada Revised Statutes* 41.1396, clearly establishes the person against whom one of these civil actions may be brought, which is a person who promotes, possesses, or uses the Internet to access the child pornography. It also establishes that the person has to be 18 years of age or older, so it would not apply to a minor and it would not apply to any type of corporation, nonprofit organization, or other business entity.

**Chairman Yeager:**

Thank you, Mr. Wilkinson. When we get to the motion section, I will probably ask that we remove those words just for clarity because I think they are already included. Are there any questions on S.B. 203 (R1) as detailed in the work session document? [There were none.] I am looking for a motion to amend and do pass with the clarification.

ASSEMBLYWOMAN KRASNER MOVED TO AMEND AND DO PASS  
SENATE BILL 203 (1ST REPRINT) WITH THE CLARIFICATION.

ASSEMBLYWOMAN NGUYEN SECONDED THE MOTION.

Is there any discussion on the motion?

**Assemblyman Orentlicher:**

I think it is unfortunate that in section 2.4 we have this carve-out for larger hotels that will not be held accountable for sexual exploitation that they are aware of, but I will not let the perfect be the enemy of the good, and I will support this.

**Chairman Yeager:**

Is there any further discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEN HANSEN, KASAMA,  
O'NEILL, AND WHEELER VOTED NO. ASSEMBLYWOMAN HARDY  
WAS ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblywoman Krasner. We will hear Senate Bill 212 (1st Reprint) next.

**Senate Bill 212 (1st Reprint): Revises provisions relating to the use of force by peace officers. (BDR 14-215)**

**Diane C. Thornton, Committee Policy Analyst:**

Senate Bill 212 (1st Reprint) was sponsored by Senator Harris and was heard in Committee on April 23, 2021 [[Exhibit I](#)].

Senate Bill 212 (1st Reprint) places restrictions on the use of restraint chairs by peace officers and prohibits a peace officer who is responding to a protest or demonstration from

discharging a kinetic energy projectile indiscriminately into a crowd or targeting the head, pelvis, spine, or other vital areas of a person. Prior to using a chemical agent, an officer must first declare that the protest or demonstration constitutes an unlawful assembly and then provide orders to disperse, an egress route, and reasonable time for protesters or demonstrators to disperse.

The bill also requires a peace officer to employ de-escalation techniques and other alternatives consistent with his or her training before resorting to higher levels of force to effect an arrest. If an officer uses a higher level of force, the officer is to identify himself or herself as a peace officer—if this can be done safely—and is to use only the objectively reasonable amount of force necessary to safely accomplish a lawful purpose.

Law enforcement agencies are required to adopt written policies on the threat posed by certain persons to peace officers and to others and are required to report data on the use of force to the Central Repository for Nevada Records of Criminal History. Law enforcement agencies are required to participate in the National Use-of-Force Data Collection program of the Federal Bureau of Investigation, but the data collected may not be used against a peace officer during any criminal proceeding.

Senator Harris proposed an amendment, which does the following:

- Revises section 2 by requiring each law enforcement agency's written policy on the threat that certain persons pose to peace officers or others to include certain information on the use of force;
- Revises section 3.3, subsection 1 by requiring each law enforcement agency to annually make available to the public and on a monthly basis submit to the Central Repository a report that includes statistics relating to incidents involving the use of force that occurred within the previous month;
- Revises section 3.3, subsection 4 to allow the Central Repository to accept gifts, grants, and donations from any source for the purpose of carrying out the provisions of the section;
- Provides in section 3.7 that a peace officer is prohibited from using deadly force against a person based on the danger that the person poses to himself or herself, if a reasonable peace officer would believe that the person does not pose an imminent threat of death or serious bodily harm to the peace officer or another person;

- Revises section 4, subsection 7, paragraph (b), subparagraph (3) to provide that in response to a protest or demonstration, if there is an immediate threat of physical harm or death to a person then no order to disperse must be provided. If there is an immediate threat of harm to property, then only one order to disperse must be provided; and
- Makes conforming changes in section 4.5.

**Chairman Yeager:**

We do have Senator Scheible here to answer any questions on behalf of Senator Harris. Are there any questions on S.B. 212 (R1) as detailed in the work session document?

**Assemblywoman Cohen:**

If we are talking about a situation where a family member calls the police because their family member is having a mental health crisis and is making suicidal threats, and that person who is making the suicidal threats has a gun because that is what they are going to use, so maybe they are held up in a room in the house, saying, I am going to use it on myself, I am going to do it, and the officer comes to deal with the situation. Does the imminent threat language in section 3.7 mean that the person who is threatening to commit suicide has to actually aim the gun at the officer, or are we saying that just because they have the gun is not considered an imminent threat?

**Senator Melanie Scheible, Senate District No. 9:**

I think that is more of a question for legal, but I can represent that in our discussions about it, we discussed a case where somebody does have a gun and that would not rise to the level of an imminent threat just because they have it, if they are making those threats to harm themselves so it is clear that is why they have the gun. They would have to change their behavior, point it at an officer, threaten an officer, or something like that.

**Chairman Yeager:**

Are there any additional questions on S.B. 212 (R1) as detailed in the work session document? [There were none.] I will take a motion to amend and do pass S.B. 212 (R1).

ASSEMBLYWOMAN NGUYEN MOVED TO AMEND AND DO PASS  
SENATE BILL 212 (1ST REPRINT).

ASSEMBLYWOMAN GONZÁLEZ SECONDED THE MOTION.

Is there any discussion on the motion?

**Assemblyman O'Neill:**

I want to compliment Senators Harris and Scheible on their diligent work with some of the law enforcement groups to try to refine it. I will be voting no because I think there is still some work that needs to be done to get there and I am not quite in the yes place.

**Chairman Yeager:**

Is there further discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEN HANSEN, KASAMA, KRASNER, O'NEILL, AND WHEELER VOTED NO. ASSEMBLYWOMAN HARDY WAS ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblyman Miller. We will go next to Senate Bill 358.

**Senate Bill 358: Revises provisions relating to wire communications. (BDR 15-1008)**

**Diane C. Thornton, Committee Policy Analyst:**

Senate Bill 358 was sponsored by the Senate Committee on Judiciary and was heard in Committee on April 16, 2021 [[Exhibit J](#)].

Senate Bill 358 provides an exception to the general prohibition against intercepting any wire communication for situations wherein a person has barricaded himself or herself, is not exiting or surrendering at a peace officer's lawful request, and there is an imminent risk of harm to the life of another person resulting from the barricaded person's actions or the barricaded person has created a hostage situation.

Assemblyman Yeager proposed an amendment clarifying the circumstances when an interception or attempted interception of a wire communication is authorized, including when a person has barricaded himself or herself or created a hostage situation.

**Chairman Yeager:**

A point of clarification on the amendment. I do not know that it came out in the hearing, but some of the language that was in S.B. 358 was already in *Nevada Revised Statutes* (NRS) in a different statute. I think it was NRS Chapter 174. In working with legal, the Senate Majority Leader, and some other folks who were interested in this bill, I think we found the appropriate solution here in the amendment, which essentially allows for the recording of a phone call only back and forth in these hostage situations. Everything else in the statute would stay the same with respect to having to get ratifications of warrants. Essentially what the amendment does is, it says in this limited context, it is a one-party consent. As long as the officer doing the recording is consenting to record the call, then it makes it okay under the laws of our state. The reason I did that is, I think we want to incentivize recording of those conversations because if they are not recorded, then the public does not have the benefit of the transparency of knowing what those conversations were between whoever is in the hostage situation or barricade situation and the officer, and I think this will ensure that those conversations are recorded and can later be reviewed.

With that very long explanation of a very short amendment, are there any questions on S.B. 358 as detailed in the work session document? [There were none.] I will take a motion to amend and do pass S.B. 358.

ASSEMBLYWOMAN MARZOLA MOVED TO AMEND AND DO PASS  
SENATE BILL 358.

ASSEMBLYMAN O'NEILL SECONDED THE MOTION.

Is there any discussion on the motion?

**Assemblywoman Bilbray-Axelrod:**

I would like to thank you for that explanation because I was a little squishy on this and I appreciate it.

**Chairman Yeager:**

Is there any further discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYWOMAN HARDY WAS ABSENT  
FOR THE VOTE.)

I will assign the floor statement to Assemblyman O'Neill. Committee, that takes us to our final bill on the work session at this time, Senate Bill 359 (1st Reprint).

**Senate Bill 359 (1st Reprint): Provides additional penalties if a fire or explosion results from the commission of certain prohibited acts. (BDR 40-1006)**

**Diane C. Thornton, Committee Policy Analyst:**

Senate Bill 359 (1st Reprint) was sponsored by the Senate Committee on Judiciary and was heard in Committee on April 21, 2021 [[Exhibit K](#)].

Senate Bill 359 (1st Reprint) provides that if a fire or explosion occurs as the result of the unauthorized manufacturing or compounding of a controlled substance other than marijuana, the person who has engaged in such unlawful activity is also guilty of a category C felony. Similarly, if a person unlawfully manufactures, grows, plants, cultivates, harvests, dries, propagates, or processes marijuana or extracts concentrated cannabis and that activity results in a fire or explosion, the person is also guilty of a category C felony.

Assemblyman Steve Yeager proposed the following amendment:

- Amend section 1 of the bill to provide that if a person commits a violation of the section by manufacturing or compounding a controlled substance other than marijuana and the violation causes a fire or explosion, then the person is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 3 years and a maximum term of not more than

20 years and may be further punished by a fine of not more than \$100,000. This means that the potential maximum term is increased by 5 years from the existing maximum of 15 years to 20 years;

- Amend section 2 of the bill to provide that the existing penalty for a violation of this section is reduced from a category C felony (minimum 1 year, maximum 5 years) to a category D felony (minimum 1 year, maximum 4 years), but if the violation causes a fire or explosion, then the person shall be punished by an additional, equal term of imprisonment that runs consecutively to the underlying offense; and
- Amend section 2 by adding language regarding the determination of the additional penalty imposed.

**Chairman Yeager:**

Committee members, I will let you know I worked with the Senate Majority Leader as well as the public defenders, who I believe were in support. We are still working on the language. They have seen this language, and they are in agreement that this is the best way to go forward with the bill, so I do not know of any opposition at this point. Are there any questions on S. B. 359 (R1) as detailed in the work session document? [There were none.] I am looking for a motion to amend and do pass.

ASSEMBLYMAN WHEELER MOVED TO AMEND AND DO PASS  
SENATE BILL 359 (1ST REPRINT).

ASSEMBLYMAN MILLER SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYWOMAN HARDY WAS ABSENT  
FOR THE VOTE.)

I will assign the floor statement to Assemblywoman Hansen. That takes us through our agenda that we have this morning. I will open it for public comment.

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

On behalf of Advocates for the Inmates and the Innocent, we would like to thank you and let you know how much we appreciate the hard work you have put in during this legislative session. We would also like to state that over the years Nevada has created some wonderful legislation on criminal justice reform. However, there are some areas of criminal justice reform that has yet to be addressed. My hope is that in 2023 when our legislators return, they would look into making criminal justice reform complete by strengthening some of the previous laws that have passed, such as Assembly Bill 268 of the 79th Session, the DNA bill. In the original bill, it was asked to allow DNA testing to be conducted at the inmate's own expense if the court denied testing. There was opposition by the district attorney's office and



that part was removed. The district attorney's office continues to fight against DNA testing and the inmates are losing any chance of exonerating their names. That was not the intent of that bill.

Also, we talk about criminal justice reform. There are several areas of justice reform that need to be revised from the ground up. Those areas deal with the district attorney's office and their qualified immunity for any violations without any repercussions to them. When a prosecutor withholds evidence at the expense of an innocent person, they must be held accountable. Prosecuting attorneys must do their jobs if it means going against one of their own. And the statute of limitations must be revised.

**Chairman Yeager:**

Ms. Brown, we are right at two minutes so if could you please wrap up your comments.

**Tonja Brown:**

I am done. Thank you.

**Chairman Yeager:**

Is there anyone else wishing to provide public comment?

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

I am the sister of Thomas Purdy, murdered by Reno Police Department and Washoe County Sheriff's Office. This session I have asked you to hold police accountable, and some of the bills passed out of this Committee are a step in the right direction. I would like to see the focus remain on police but also consider, next legislative session, holding prosecutors accountable for their actions. We need to take away qualified immunity.

I have listened to not only this Committee, but other committees over the session. Over and over I have heard the district attorneys' response that, We have a policy for that "type"—for any type of legislation that would provide oversight of them. Policy is not law and it is much easier to say, We are following our policy, than to have mandated legislative oversight. When *Brady* [*Brady v. Maryland*, 373 U.S. 83 (1963)] violations were brought up in one hearing, the district attorneys' representative acknowledged that there are no true consequences when a district attorney withholds evidence. Basically, what the response was, Well, we just never would do that. We would never defy a Supreme Court order. The personal assurance from other district attorneys that nobody from their office would do anything to jeopardize their good standing just is not sufficient insurance to the public that justice is truly just and fair. The resistance is concerning. I personally know of a case in which the public defender in the postconviction hearing provided a poor and inadequate performance at the hearing. The defendant could not understand why. The defendant was able to understand when he later found out that his public defender already had accepted a job from the appeals unit at the Washoe County District Attorney's Office, the very unit the defendant was going up against at that hearing. This is unacceptable when someone's freedom is on the line.

I would like to see legislatively mandated wrongful conviction units for Washoe. The Conviction Integrity Committee (CIC) has reviewed one case since inception and chose to only look at court orders when they should be looking at the entire case including the defendant's pleadings. If the CIC lead member stated, in that case, the CIC cannot offer a more thorough assessment of your claim than the 12 citizens that served on the jury—a jury that did not get to see all of the evidence, by the way—if that is their position, why even have a Conviction Integrity Committee? It appears to be a dog and pony show and further proves as to why we need legislation on this. If you do not hold them accountable with legislation, nobody can.

I would just like to mention in closing that today is the four-year anniversary of the asphyxiation murder of Tashii Brown by Las Vegas Metropolitan Police Department officer Kenneth Lopera. Brown died in 2015 after being tased and placed in a chokehold. Please keep his mother, Trinita Farmer, in your thoughts today.

**Chairman Yeager:**

Is there anyone else for public comment? [There was no one.] Last Wednesday was our legal counsel's birthday so I wanted to wish Mr. Wilkinson a belated happy birthday.

Committee, for the rest of the day, here is where things are at. We have gotten through the agenda. There are three more Senate bills that are still sitting in our Committee that could be work-sessioned today. That is to be determined, but I wanted to let the Committee know which bills those are so you might be ready for them. They are Senate Bill 57 (1st Reprint), which was presented by Clark County, about fines and fees being added to the tax roll. Next is Senate Bill 317 (1st Reprint), which is the juvenile justice employees back pay bill. And the third one is Senate Bill 369 (1st Reprint), which is one of the bills relating to bail. There is still some work being done on them. I do not yet know if we are going to work-session those or not. In terms of my best guess, if we do consider them today, it will be sometime in the afternoon. I do not think we will have it ready before we get to noon, and then I will be in Senate Committee on Judiciary for a little while this afternoon with a lot of work session bills myself. I would ask members to remain within 20 to 25 minutes of the building so in case I have to call you back, you are close. Thank you for your patience.

[The meeting was recessed at 9:57 a.m.]

**Chairman Yeager:**

We will come back to order [at 7 p.m.]. Welcome to late night, Committee, which I think is the first time this session. Thank you for your patience, Committee, as we work through some issues today. We have three additional bills on the work session document that we are going to consider at this time. You will find the work session document on Nevada Electronic Legislative Information System, with the three bills at the end of the work session document. The bills are not in chronological order because we finished the nine from this morning. We will pick up with Senate Bill 57 (1st Reprint).

**Senate Bill 57 (1st Reprint): Revises provisions governing the imposition of certain special assessments by a board of county commissioners or a governing body of a city. (BDR 20-403)**

**Diane C. Thornton, Committee Policy Analyst:**

Senate Bill 57 (1st Reprint) was sponsored by the Senate Committee on Government Affairs on behalf of Clark County and was heard in Committee on May 5, 2021 [[Exhibit L](#)].

Senate Bill 57 (1st Reprint) authorizes a board of county commissioners or a governing body of a city to recover an unpaid fine or fee for an offense relating to real property by making it a special assessment against the real property, which may be collected in the same manner as ordinary county taxes. The bill also eliminates the requirement that 180 days or 12 months, as applicable, have elapsed for a special assessment to be imposed.

Justin Harrison, Principal Management Analyst, Administrative Services, Clark County, proposed an amendment, which does the following:

- Revises section 1, subsection 2, paragraph (a) by deleting "and";
- Revises section 1, subsection 2 to provide that an ordinance adopted by a board of county commissioners to recover any unpaid fine or fee for an offense relating to real property must provide a process in which a special assessment against the property can be extinguished if the property comes into compliance and remains in compliance for 180 days; and
- Amends section 1 to include a definition of an "offense relating to real property" to include any violation of the transient lodging laws or abandoned properties.

**Chairman Yeager:**

The amendment that was referenced is the amendment that was presented at the hearing. I will let Committee members know there were a lot of additional efforts to try to find additional compromise or amendments on this measure. Ultimately, those efforts were not fruitful. Before I take questions, I will let members know on this particular bill, I intend to take a motion to amend and send to the floor without a policy recommendation. That will be the contemplated motion, just so everyone knows. Are there any questions on S.B. 57 (R1) as detailed in the work session document?

**Assemblywoman Kasama:**

It sounds like the assessments were not able to be made a junior lien to the banks, is that correct?

**Chairman Yeager:**

There were robust discussions about that. In the end analysis, we did not get to a place where we felt like we were comfortable doing that and that it made sense statutorily. At this time,

there is no secondary lien status. It would remain a primary lien because it would be part of the tax lien, which is already primary.

**Assemblywoman Kasama:**

Unfortunately, I would have to be a no then, because that would interfere with the first deed of the banks and that could increase premium pricing on loans in areas. I have trouble with that.

**Chairman Yeager:**

Are there any other questions from the Committee? [There were none.] I am looking for a motion to amend and send to the floor without recommendation.

ASSEMBLYWOMAN NGUYEN MOVED TO AMEND AND SEND TO THE FLOOR WITHOUT RECOMMENDATION SENATE BILL 57 (1ST REPRINT).

ASSEMBLYWOMAN MARZOLA SECONDED THE MOTION.

Is there any discussion on the motion?

**Assemblyman Wheeler:**

I appreciate your trying to send it to the floor without recommendation, but I am still going to have to go no on it just because I do not like it.

**Assemblywoman Bilbray-Axelrod:**

I will be a yes out of Committee but still think the bill needs some work.

**Chairman Yeager:**

Is there any further discussion? [There was none.] Let me just say, I have had a lot of discussions on this bill. I do not know that the bill is in the place where it needs to be. I understand that Clark County, in particular, has a problem, but I also understand some of the counter-arguments. The reason we are doing the motion this way is to essentially give it a lifeline for another week to see if some compromise or solution can be reached. I understand the problem, but I do not know that we are there yet. That is why we are taking this motion, I believe, for the first time this session in this Committee.

THE MOTION PASSED. (ASSEMBLYMEN HANSEN, KASAMA, KRASNER, O'NEILL, AND WHEELER VOTED NO. ASSEMBLYWOMAN HARDY WAS ABSENT FOR THE VOTE.)

I will assign the floor statement to myself. We will go next to Senate Bill 317 (1st Reprint).

**Senate Bill 317 (1st Reprint): Revises provisions relating to juvenile justice.  
(BDR 5-1016)**

**Diane C. Thornton, Committee Policy Analyst:**

Senate Bill 317 (1st Reprint) was sponsored by Senator Ohrenschall and was heard in Committee on May 4, 2021 [[Exhibit M](#)].

Senate Bill 317 (1st Reprint) provides that if an employee of a juvenile justice services department in a county whose population is more than 700,000, currently Clark County, is put on leave without pay, pending the outcome of a criminal prosecution, the employee will be awarded back pay for the duration of the leave if the charges against the employee are dismissed, the employee is found not guilty at trial, or the employee is not subjected to punitive action in connection with the alleged misconduct.

The bill also provides that the period of 180 days during which an employee of such a juvenile justice services department may resolve pending criminal charges begins after arrest.

Richard P. McCann, Executive Director, Nevada Association of Public Safety Officers, proposed an amendment, which does the following:

- Provides that a peace officer employed by a department of juvenile justice services shall be awarded back pay if: (a) the charges are dismissed or the peace officer is found not guilty at trial; and (b) the peace officer is not subjected to punitive action in connection with the alleged misconduct.

**Chairman Yeager:**

Are there any questions on S.B. 317 (R1) as detailed in the work session document?

**Assemblyman Wheeler:**

I am looking at the amendment changing from "employee" to "peace officer," which I think is a good idea. The amendment presented to me in my office looks a little different here. Maybe legal could tell me. Wait, I see it here. I am sorry, never mind. It is getting late and I am getting old.

**Chairman Yeager:**

It is no problem, Assemblyman Wheeler. It is getting late, and it has been a long week. Are there any other questions from the Committee?

**Assemblyman O'Neill:**

I just wanted to clarify. I keep hearing there is another amendment. Is this the only one that is being proposed?

**Chairman Yeager:**

This is the only one we are intending to work-session at this time. You are indeed correct. Mr. Ortiz is with us in the room and he has been working on a further amendment that

I honestly think is worthy of consideration. But given the hour, it is not something we are going to be able to get up and down today without keeping you all here until midnight, which I do not want to do. I will say that I am very much looking forward to discussions continuing to happen next week, if this bill is to get out of Committee, to potentially incorporate some of that amendment. Welcome, Senator Ohrenschall.

**Assemblyman O'Neill:**

Can I just speak out of turn, Chairman? I want to be a yes on this. I am confused right now on the amendments. With all due respect, I am going to end up being a no, but I know we can get to a yes. It is my confusion, late at night, but for now I will be a no.

**Chairman Yeager:**

Thank you, Assemblyman O'Neill. Senator Ohrenschall, just for your edification, what we were discussing is that the motion I intend to take is the one that includes the amendment that was proffered from Mr. McCann. There are no other amendments in the work session document, but Assemblyman O'Neill raised the question of an additional amendment. I had indicated that Mr. Ortiz, in fact, is working on another amendment that I think can be discussed and considered next week if the bill is to get out and make the best determination about how to proceed. I wanted to fill you in on that discussion so far and ask if you had anything else you wanted to add.

**Senator James Ohrenschall, Senate District No. 21:**

Yes, we have very recently, as of a few hours ago, gotten an amendment from Mr. Ortiz. I know that Mr. McCann and Mr. Richardson from the Juvenile Justice Probation Officers Association had been reviewing it. I would like to say that we are all in agreement, but unfortunately, we are not there yet. I still think it is possible and hope that the bill can live another day to try to get to a point where there is agreement.

**Chairman Yeager:**

Are there any additional questions from the Committee? [There were none.] At this time, I will take a motion to amend and do pass.

ASSEMBLYWOMAN NGUYEN MOVED TO AMEND AND DO PASS  
SENATE BILL 317 (1ST REPRINT).

ASSEMBLYWOMAN COHEN SECONDED THE MOTION.

Is there any discussion on the motion?

**Assemblyman Wheeler:**

I think I can get there on this bill. I think it needs a little bit more work, and I think Mr. Ortiz and Mr. McCann and the Senator working together may just get me there on this bill. I will vote no in Committee but reserve to go yes, I probably do not have to tell you when I get down there if I go yes.

**Chairman Yeager:**

We will eagerly await that day when your no in Committee turns to a yes on the floor. I do not know if that has happened yet this session.

**Assemblyman Wheeler:**

It has not yet, but we will give it a try on this one if they can get together.

**Chairman Yeager:**

Is there any further discussion on the motion?

**Assemblywoman Krasner:**

I am going to vote yes to get it out of Committee and reserve my right.

**Chairman Yeager:**

Is there any further discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEN HANSEN, KASAMA, O'NEILL, AND WHEELER VOTED NO. ASSEMBLYWOMAN HARDY WAS ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblyman Orentlicher. Thank you, Senator Ohrenschall, for being here. We will move to our last item on the work session, Senate Bill 369 (1st Reprint).

**Senate Bill 369 (1st Reprint): Revises provisions relating to criminal procedure. (BDR 14-375)**

**Diane C. Thornton, Committee Policy Analyst:**

Senate Bill 369 (1st Reprint) was sponsored by the Senate Committee on Judiciary on behalf of the Committee to Conduct an Interim Study of Issues Relating to Pretrial Release of Defendants in Criminal Cases and was heard in Committee on April 29, 2021 [[Exhibit N](#)].

Senate Bill 369 (1st Reprint) revises statutes regarding the imposition of bail or other conditions of release to comport with the *Nevada Constitution*. The bill removes provisions requiring an arrested person to show good cause in order to be released without bail. Additionally, the bill consolidates existing procedures for releasing a person with or without bail into a standard procedure for courts to follow in making pretrial custody determinations. A court must only impose bail or a condition of release, or both, on a person if it deems doing so to be the least restrictive means necessary to protect the safety of the community and ensure the person will appear at all times and places ordered by the court.

A prosecuting attorney may request bail but must prove by clear and convincing evidence why it is necessary to protect the community and ensure the accused will appear. Finally, if a person used a firearm in committing the act for which the person was arrested, there is a rebuttable presumption that the least restrictive means necessary to secure the community's

safety and ensure the person will appear in court includes the imposition of bail or a condition of release, or both.

Senators Harris and Scheible proposed an amendment revising section 3 of the bill. The amendment does the following:

1. Amends subsection 1 by changing "and" to "or" to clarify that bail may be imposed only for two purposes: to protect the safety of the community or to ensure the appearance of the accused at all stages of the proceedings;
2. Makes conforming changes in subsection 2 by changing "and" to "or";
3. Adds language from *Nevada Revised Statutes* 178.484 regarding the right to bail and provides language that the court may impose reasonable conditions on the person as it deems the least restrictive means necessary to protect the safety of the community or to ensure that the person will appear at all times and places ordered by the court;
4. Adds language from the mockup of Assembly Bill 424 (Proposed amendment 3374 to AB 424) presented in the Senate by Senator Dallas Harris:

Section 8. (9) If a court imposes bail or any condition of release, or both, other than release on recognizance with no other conditions of release, the court shall make findings of fact for such a determination and state its reasoning on the record, and if the determination includes the imposition of a condition of release, the findings of fact must include why the condition of release constitutes the least restrictive means necessary to:

(a) Protect the safety of the community; or

(b) Ensure the person will appear at the times and places ordered by the court.

5. Strikes subsection 5 from the bill, which allowed a sheriff or chief of police, upon a showing of good cause, to release without bail any person charged with a misdemeanor;
6. Revises subsection 6 to provide that a person must sign a document before his or her release stating that the person will appear in court, comply with any other conditions imposed, waive the right to extradition proceedings if the person fails to appear and is arrested in another state, and understands that the court may revoke the release without bail;
7. Revises subsection 7 to provide that the document is effective upon the person's signature; and



8. Revises subsection 8 by authorizing the court to revoke bail and remand the person into custody.

**Chairman Yeager:**

Are there any questions on S.B. 369 (R1) as detailed in the work session document?

**Assemblywoman González:**

I am curious if all the stakeholders who litigated this bill are in agreement with this bill and the amendment.

**Senator Melanie Scheible, Senate District No. 9:**

I think that with the exception of the defense bar, which is still in opposition to the added policy of a presumption that anybody who commits a crime with a firearm will have some conditions imposed on them before release, yes, everybody is in agreement. This reflects the law as it was stated by the Nevada Supreme Court in the *Valdez-Jimenez* [*Valdez-Jimenez v. Eighth Judicial District Court*, 163 Nev. Adv. Op. No. 20, April 9, 2020] decision. There were also a couple of other places where we had to make some decisions about how to reflect the Nevada Supreme Court's decision; for example, the process by which somebody could be released prior to their hearing, and that language has been vetted with the public defenders, the courts, the district attorneys, and the Nevada Attorneys for Criminal Justice. To the best of my knowledge and ability, it reflects a consensus, and I am still happy to work with stakeholders if there is something that we missed because it has been a very lengthy process and many provisions of multiple bills.

**Chairman Yeager:**

Are there any additional questions from the Committee? [There were none.] I will be looking for a motion to amend and do pass S.B. 369 (R1).

ASSEMBLYMAN O'NEILL MOVED TO AMEND AND DO PASS  
SENATE BILL 369 (1ST REPRINT).

ASSEMBLYMAN WHEELER SECONDED THE MOTION.

Is there any discussion on the motion?

**Assemblywoman Nguyen:**

These are bills that came out of an interim study that we both sat on. Unfortunately, at this time I am a no on this. I will continue to work with you. I know that I have spent a great deal of time with you, Senator Harris, Assemblyman Flores, and others working on this bill. I just feel with the amendment and the rebuttable presumption when it comes to firearms, that this is a step backward from the *Valdez-Jimenez* decision. At this time, I will be voting no out of Committee but I look forward to working with you to continue to try to get the language right.

**Assemblywoman Summers-Armstrong:**

I am going to ditto Assemblywoman Nguyen. I think there is some room for discussion, and I am happy to have that discussion.

**Assemblywoman González:**

Ditto.

**Chairman Yeager:**

Thank you for keeping your comments brief on a Friday night. Is there any further discussion on the motion?

**Assemblyman Wheeler:**

What I am hearing is everybody has a little problem with the bill so therefore, it is the perfect bill. I will be voting yes.

**Chairman Yeager:**

You did not say it was a simple bill, so it was not the kiss of death. Is there further discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYWOMEN GONZÁLEZ, NGUYEN,  
AND SUMMERS-ARMSTRONG VOTED NO. ASSEMBLYWOMAN  
HARDY WAS ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblyman O'Neill. Thank you, Senator Scheible.

That takes us through everything on our agenda. We have already taken public comment this morning. Just a couple of announcements. One, I wanted to congratulate all of our law school graduates from the William S. Boyd School of Law at the University of Nevada, Las Vegas, who graduated this morning. Assemblywoman Hardy's daughter graduated this morning, which is why she was not with us today. Congratulations to all of those new attorneys. Please, when you are in front of the Assembly Committee on Judiciary as a future attorney, if you could keep your comments brief, that would be appreciated.

Committee, I want to thank you for today. I know it was a very long day and we were waiting around quite a bit. I appreciate that. In terms of next week, we do not have any bills, so Monday's meeting has been cancelled. I am going to wait to see if we get a bill on the Assembly floor on Monday afternoon. So, there is a chance we could have a meeting Tuesday. If you are asking me to bet, I would say we probably are not going to have one on

Tuesday. With all of that behind us, please get some rest this weekend. Next week is going to be another long week as we march towards Friday's deadline. Again, I really appreciate you, Committee. We will see you in the near future.

The meeting is adjourned [at 7:20 p.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 the work session document for [Senate Bill 6 \(2nd Reprint\)](#), presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is the work session document for [Senate Bill 45 \(1st Reprint\)](#), presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit E](#) is the work session document for [Senate Bill 94 \(1st Reprint\)](#), presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit F](#) is the work session document for [Senate Bill 107 \(1st Reprint\)](#), presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit G](#) is the work session document for [Senate Bill 166 \(1st Reprint\)](#), presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit H](#) is the work session document for [Senate Bill 203 \(1st Reprint\)](#), presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit I](#) is the work session document for [Senate Bill 212 \(1st Reprint\)](#), presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit J](#) is the work session document for [Senate Bill 358](#), presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit K](#) is the work session document for [Senate Bill 359 \(1st Reprint\)](#), presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit L](#) is the work session document for [Senate Bill 57 \(1st Reprint\)](#), presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit M](#) is the work session document for [Senate Bill 317 \(1st Reprint\)](#), presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit N](#) is the work session document for [Senate Bill 369 \(1st Reprint\)](#), presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.