

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

**Eighty-First Session
February 26, 2021**

The Committee on Judiciary was called to order by Chairman Steve Yeager at 8:06 a.m. on Friday, February 26, 2021, Online. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/81st2021.

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 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:

Assemblywoman Alexis Hansen (excused)

GUEST LEGISLATORS PRESENT:

Senator Melanie Scheible, Senate District No. 9



STAFF MEMBERS PRESENT:

Diane C. Thornton, Committee Policy Analyst
Ashlee Kalina, Assistant Committee Policy Analyst
Bradley A. Wilkinson, Committee Counsel
Bonnie Borda Hoffecker, Committee Manager
Traci Dory, Committee Secretary
Linda Whimple, Committee Secretary
Melissa Loomis, Committee Assistant

OTHERS PRESENT:

Devon Reese, Private Citizen, Reno, Nevada
André Wade, State Director, Silver State Equality
Catherine Sakimura, Family Law Director, National Center for Lesbian Rights
Kimberly Surratt, representing Nevada Justice Association
DaShun Jackson, Director, Children's Safety and Welfare Policy, Children's Advocacy Alliance
Holly Welborn, Policy Director, American Civil Liberties Union of Nevada
Annemarie Grant, Private Citizen, Quincy, Massachusetts

Chairman Yeager:

[Roll was called. Committee protocol and rules were explained.] We have one bill and a work session on the agenda today. We will start with the bill and then do the work session. I will open the hearing on Assembly Bill 115, with Assemblywoman Nguyen presenting the bill. There was a conceptual amendment from Assemblywoman Nguyen that should be available on the Nevada Electronic Legislative Information System [[Exhibit C](#)]. It makes some substantive changes to the bill, so you want to be sure you are working off that copy. I would also like to welcome some of our other presenters who will be helping Assemblywoman Nguyen present this morning: Devon Reese, Catherine Sakimura, Kimberly Surratt, and André Wade.

[Assembly Bill 115](#): Revises provisions relating to parentage. (BDR 11-118)

Assemblywoman Rochelle T. Nguyen, Assembly District No. 10:

Assembly Bill 115 revises provisions to parentage. For a little background information about this bill and how it came about, families often have more than two adults who are actively engaged in parental duties and responsibilities. These families should be afforded certain legal rights and options to maintain that stability, protect their families, and ensure that the family relationship is recognized by law. Children often experience significant trauma when separated from a parent as the result of a law not recognizing the nature of such families.

As the California legislature stated in 2013 when it passed similar legislation, most children have two parents. In some cases, children have more than two parents who are the child's parent in every way. Separating a child from a parent has a devastating psychological and

emotional impact on a child and the courts must be given some power to protect children from this harm. Existing law only allows for two adults to be formally and legally recognized as parents. This bill proposes to amend existing law and allow for additional adults to formally and legally be recognized as parents without having to terminate the rights of another parent.

The changes in the conceptual amendment are major [\[Exhibit C\]](#). Most of the sections in the original bill are being deleted and new and/or additional language is being added to *Nevada Revised Statutes* (NRS) Chapter 127. We will be working off that conceptual amendment, so if you have any questions regarding the language of the bill, that is our starting place.

As many of you know or will learn, sometimes the intent of the bill does not always match the language needed to implement the practice. We will continue to work with our local experts who work in the adoption area in our family courts to make sure that this language matches the spirit of the bill.

Additionally, I know that several other Assembly members, including Assemblywoman Shannon Bilbray-Axelrod, have indicated that they would also like to be amended as sponsors of this bill. After the presentation of the bill, I am hopeful that many of the other members of this Committee will ask to be added to the sponsorship as well.

With your permission, I would like to share some time with Devon Reese, a Reno City Councilman, Catherine Sakimura with the National Center for Lesbian Rights, and Kimberly Surratt, who is with the family law section of the State Bar of Nevada and who practices in the area of family law. She helped craft the language so the intent matches what we want implemented by our courts when they are using discretion with this added section. Additionally, we have André Wade, who is the State Director with Silver State Equality. They will be here to provide additional background and contextual information as well as address any concerns with the legal and technical aspects of the bill.

I would like to turn this over to Reno City Councilmember, Devon Reese, as I know he has an appointment to get to, and I want to make sure we hear his story because it is powerful, real, and is an example of how A.B. 115 will make real changes in the lives of Nevadans.

Devon Reese, Private Citizen, Reno, Nevada:

I am here in my personal capacity this morning. I am humbled to support A.B. 115 and believe strongly that it creates a framework for all families to gain the legal recognition they deserve. I am going to share with you my own personal story so you can see how this bill might impact a family like mine. I married my college sweetheart, Emily, in 1997 and we began our lives together. I attended law school at the University of Kansas where our first child, Max, was born. We quickly had two more children, K.J. and Thomas. We raised them in Reno. In 2006, our lives took a very different turn as I came out as gay to my wife. The next several years were complicated and at times very messy. We never lost sight of how important our family was to us. I met my now-husband, Felipe, and our collective lives then began to revolve—much like all of yours who probably have children—around school

activities, sports, competitions of every kind, slumber parties, and typical family life. In 2009, Emily and I divorced but we remained very fierce friends and committed co-parents. Life was not easy, and not everyone got us, but I think we were very happy. In 2010, sadly our lives were forever altered by the word no family wants to hear, which is cancer. Emily was diagnosed with stage IV colon cancer at the age of 36. The next several years looked very much like the prior years with us shuttling from basketball to soccer. I was working as a lawyer, but all the while Emily struggled to fight a very insidious disease. Diagnosis, remission, recurrence—those became the constant themes of our household. Felipe, my husband, became our children's primary caregiver, chauffeur, tutor, mentor, friend, and dad. Unfortunately, Emily died in November 2018. Her death left a huge hole for all of us and we struggled. We struggle even today to fill the gap that she left in our lives. She was radiant. Her motto was, Live life, love life, impact others.

Before Emily died, she had several important requests. Her most important request was that Felipe adopt our children. Emily always strongly believed that we were a family. We may have been a family with one mom and two dads, but we were a family, and she always felt it was in the best interest of our children that they have three parents. Unfortunately, while she was living, this was not an available legal option for us. It created many headaches and heartaches during the period of time that she was fighting her cancer. Emily's wish fortunately was fulfilled about a year after her passing at a small gathering at the courthouse with Judge Grossman, and today Emily's children have two dads, me and Felipe.

I fundamentally believe that A.B. 115 is a reflection that families like ours should and absolutely must have the legal recognition and protections they deserve. I humbly ask you to support the legislation. I believe this will allow families like ours to have the protections they so deservedly should have. I also believe it is part of Emily's legacy of impacting others.

Chairman Yeager:

Thank you for sharing your personal story. Those of us who know you followed Emily and her year-long battle and we are really sorry for your loss.

André Wade, State Director, Silver State Equality:

We are a statewide LGBTQ civil rights organization in Nevada. As Assemblywoman Nguyen mentioned in her opening statement, families look different. There is a lot of diversity in families and the way that families are formed. Sometimes you will have a same-gender marriage, two women as an example, who form a family by reaching out to a male friend who is not only willing to help the women conceive a child, but who also wants to have equal parenting duties and share those duties. It would be great for a family situation like that to have legal protections under the law by way of adoption.

According to a brief released in February 2021 by the United States Census Bureau, the American Community Survey determined that Nevada is one of 11 states, plus the District of Columbia, with a higher percentage than the national average in 2019 of same-sex couple households that have children. Although census data does not capture households where

most multiparent situations occur and because only relationships to the householder were collected, we do know that same-gender couples are more likely than their opposite cohorts to form families through adoption.

Moreover, a significant number of states are recognizing that children have more than two parents. A number of these families are moving to Nevada and may involve children who have more than two parents and are in need of legal protections to ensure their safety and wellbeing. Ultimately, we know that these provisions, once in place, will ensure that children will be safe and well cared for because they are at the center of these modern families and we want these protections to be in place. We urge you to support A.B. 115.

[A letter in support was submitted, [Exhibit D](#).]

Catherine Sakimura, Family Law Director, National Center for Lesbian Rights:

I have had the opportunity to be involved with a number of states' developments of similar laws, recognizing that there are families with more than two parents and that some recognition and ability of these families to be protected and given the same dignity and respect as other families is vital for the well-being of these children. Although most children have two parents, some children have more than two parents. For them, each of their parents is equally important and the relationship they have with each of their parents is equally important. This bill takes a step toward recognizing those families by allowing those families to seek an adoption in which everyone agrees that there are more than two parents and that a child should be recognized as being the child of all those people. It is similar to how other states have done this. It is similar to how California has had this law for many years, allowing both adoption and parentage recognition of children with more than two parents, and there are a number of other states that have laws recognizing that children can have more than two parents as well. It is currently in the 2017 Uniform Parentage Act, which has been adopted by a number of states.

There are a growing number of states recognizing this and taking steps to affirmatively address the needs of these families. There are children from other states who have adoptions or other judgments recognizing that they have more than two parents who certainly could move to Nevada or any other state. There are likely families having more than two parents in Nevada, even families who have adoptions from other states. It is important for your law to recognize that. This bill not only allows for adoption, but recognizes that where anything in the law states that a child has two parents, or that two parents have equal rights, it should include all parents who are legally recognized. That step is important to ensure that children who are already living in Nevada have that recognition.

Assemblywoman Nguyen:

I would like to go to Kimberly Surratt next. She has worked extensively in the area of family law and particularly with these issues. She is the one who brought Devon Reese's life story to light, and I think it is a very powerful story about how they attempted to recognize all three parents of their children and unfortunately were not able to. I think, to this day, those birth certificates and adoptions only have two parents on it where they should have three.

Kimberly Surratt, representing Nevada Justice Association:

I serve on the Family Law Executive Council for the State Bar of Nevada. I am not speaking on behalf of the Family Law Section. We have massive amounts of procedures in order to do so. We have to put votes out. We have not done that with this bill with the State Bar. I am an unpaid lobbyist with the Nevada Justice Association. The Nevada Justice Association is behind this bill, and I can speak on behalf of that domestic committee.

As stated before, we gutted all the language. We did not hit the mark on the first draft of this bill on what the intent was. It was not bad language; it was decent language. It was scattered throughout all the chapters of NRS, but it is not language that we were aiming for. We were not aiming for a custody case to have other family members to be able to access parentage without going through an actual parentage procedure. We want them to become parents either through adoption or a reproductive chapter. The reproductive chapter is a different conversation. That chapter already allows for more than two parents by the nature of its own language.

The intent was to go straight into the adoption chapter and make the changes needed to say that we were not limited to just two parents. The key sentence that needed to be changed is in NRS 127.030, subsection 1. The current language of that statute states, "Any adult person or any two persons married to each other may petition the district court of any county in this state for leave to adopt a child." That is the key sentence that needed to be changed and modified in order to allow attorneys like myself who do family law to be able to access the courts and give the courts the flexibility to allow more than two parents. We added an additional sentence at the end of that subsection that says, "One or more adults may petition to adopt a child," to make it extremely clear what the goal of this bill is [page 2, [Exhibit C](#)].

The last part of it is to add to NRS 127.030, subsection 1, "Each prospective adopting adult and each legal parent seeking to retain their parental rights must be joined as a petitioner" [page 2]. That may seem benign, but in my world as a family law attorney, that is not a benign sentence. It is incredibly important. A month ago, I received a call from another attorney saying, If I have a stepparent who is adopting, do I have to make the parent, who is keeping their parental right, as a petitioner in the case? I said, That is interesting; that chapter is silent on it. I have always done it in practice. It is something that is silent that attorneys who do a lot of this work know about, and we do it because, obviously, the parent who is retaining their rights needs to give consent and needs to be part of the case. What we are seeking by this and what is really critical in this, is that the existing legal parents of the child need to consent. For any concerns that someone can insert themselves as a parent through these changes, they cannot. They cannot force themselves on two parents. Grandparents, for example, cannot force themselves in and say they are going to adopt and they are going to make you allow them to adopt. The legal parents have to consent.

There are numerous changes in the conceptual amendment [[Exhibit C](#)]. All the additional changes go along the lines of making sure that consent is available, making sure that the language is from singular to plural. We made sure to clean up that it is the legal parents consenting to add an additional parent. Or it could be that three parents are coming in to

adopt. It is a different scenario. I can give you many examples. I choke up when I think about City Councilmember Reese because Emily was a good friend of mine. We had many talks about this. My son has a stepmother who I adore and is the most amazing human being on the planet. Would I like her to be a mother? Yes, if I pass away. If I pass away, do I want to be removed from the birth certificate of my son? No. I want to live on into eternity as his mother. Just because a third parent is added into the future, I should not be removed from the birth certificate. I should remain as his mother. Others who have legal responsibility or want to take over legal responsibility for my son should be added in but not have me removed as a parent.

This bill has a very critical element. It allows me to live into eternity as his mother. I have many scenarios in which both birth parents passed away and both sets of grandparents want to adopt. They are elderly; they cannot handle a child 100 percent on their own in their house; but they are all going to jump in and they are all going to parent this child together. When one set of grandparents adopt, they sever the legal relationship with the other set of grandparents. That is also something that should not happen in life. Just because the parents passed away does not mean that you should sever the inheritance rights or sever that link. It is important that if the original legal parents stayed on that birth certificate, there would not be a severance of that. The inheritance rights would stay intact and the child would continue to be a child of both sides of the family.

We talked to the Office of Vital Records of the Division of Public and Behavioral Health of the Department of Health and Human Services and had a very good meeting with them about the birth certificates and the functionality of being able to do this and to make sure that we were not going to have a fiscal note. They are not concerned. They have not put a fiscal note on here. It is feasible. They are able to do this for us. They have the means and they were happy and excited to do the change. We are not concerned in that area. We also had phone calls with child protective services and some of the district attorneys. The concerns all came from the original language. Once I explained the intent with the amendment, those concerns disappeared. However, with the new language, because it is a complete gut, I will field any questions. I am not going to presume I got it right on my first draft on this because I had to draft it from scratch to replace the original language. Knowing that, we will entertain amendments. We will entertain the fact that maybe I got it wrong in the drafting process.

Chairman Yeager:

I do not practice in this area of law. Something you said in your testimony struck me because I did not realize this and I want to confirm that I got it right. When you have a scenario in which the birth parents pass away and grandparents adopt, are you saying that they actually go back and change the birth certificate to take the original parents off the certificate and they put the new adopted parents on? Is that how it works now?

Kimberly Surratt:

Yes, that is the way it works. Right now it is clear cut. When someone adopts, the child's prior parents, legal circumstances, and inheritance rights are severed completely, and the new individuals adopt. You do not have to amend the birth certificate. You can get a court order

for the adoption and just not amend the birth certificate. You have court orders saying you have legal rights. That birth certificate, by not amending it, you are doing it out of respect. Can you go out into the world and function without a birth certificate? Yes, you can get away with using a court order as much as possible, but we all know that when you have a birth certificate and your name is listed on it, life is a little easier for you to function in the world.

Devon Reese:

It was that way for us. My children are Emily's children, so we did not change the birth certificate in that way. It is a strange wrinkle in Nevada law that could be corrected with the bill.

Chairman Yeager:

You indicated that the legal parents have to consent and someone cannot force their way into this. I have never participated in one of these proceedings, but I have heard that adoptions can take quite a long amount of time. Would you give the Committee a general sense of how long this process takes? How much is a judge involved? If a parent does not consent, does the adoption just not happen or does the judge have flexibility?

Kimberly Surratt:

There are two different types of adoptions that can occur under NRS Chapter 127. We have the stepparent adoption which is adding in a parent, or an adoption out of the system where the child's parents have been terminated and you are adopting out of the system. This bill and the intent of the language is that if you are in the system where you are adopting out of the system, you can have three people adopt out of the system if the court finds that it is in the child's best interest. Do you have to have parents consenting? No, you do not, because they will be terminated, but you will need the court's consent.

Out of the system, where it is not an add-in in a stepparent sense, those adoptions do take a greater amount of time. It includes a home study, an inspection, and a report from the social services unit that is in the area reporting to the court. The termination takes the longest part of the adoption process. Usually, when people weigh in about how bad the adoption process is, it is because trying to terminate the parental rights of the abusive or neglectful parents takes the most amount of time. This bill will not change the length of that because it is a different chapter and a different issue. On the actual adoption itself, once we file an adoption, we can get a hearing within a reasonable amount of time. We have to wait at least 30 days, but usually we can get a hearing with the court within 30 to 90 days.

There is language in the adoption chapter [NRS Chapter 127] that allows for when one of the petitioners is within the third degree of consanguinity of the child; then we can waive the report, waive the home study, and it is a shortcut process for stepparent adoptions. If we are adding in a third or fourth parent but you have a consenting parent who is keeping their parental rights, it is a shortcut process. We do not have to do the home study part of it, and we do not have to go through that process.

Pursuant to the adoption chapter right now, it still requires a hearing in front of the court. There have been a lot of complaints over the years by stepparents and parents about having to go to a hearing for those proceedings. When you have a consenting parent and everyone is consenting, it is an easy process. The intent of this bill was to add in additional parents. I did not address the issue of the hearings within this, but it is an amendment that if you were to canvass the public, they would probably say to get rid of the hearing requirement because it takes time and a lot more money from attorneys having to appear on their behalf for something they are all consenting to. There is really no reason for the court to overturn it. We show up for all of 5 to 15 minutes and the only reason we take 15 minutes is maybe pictures and glad-handing with the judge to do those hearings. They pay attorneys a lot of money to do that. Other parents with a consenting parent would not mind getting rid of the hearing requirement.

Chairman Yeager:

I am assuming you have never seen a scenario where you have parents consenting and then you go in front of the judge and the judge says no. It sounds like it is pretty much a go if everyone is consenting. Is that your experience?

Kimberly Surratt:

That is correct; I have not. It is always in the cases in which someone is trying to adopt a child out of the system and they do not pass the home study.

Chairman Yeager:

There are two types of adoptions and the one we are not talking about today is the scenario in which you have a child in the child welfare system and the parental rights have been terminated for some reason because of abuse or neglect. This bill does not have anything to do with that process. This bill is about consenting parents whose rights are not being terminated, so they are going to remain as parents. Hopefully, that provides some clarification. The termination of parental rights procedure may be something we discuss in later bills. Occasionally, we get bills in this Committee touching on that and it is a much more complicated process.

Assemblyman Miller:

As someone who is a product of having amazing stepparents in my life, the bill speaks to me personally. With that in mind, I have a clarity question for myself. Stepparents have to go through the adoption process to be covered by this law; is that correct?

Kimberly Surratt:

Yes, stepparents have to go through the adoption process. It would not hurt to eliminate the hearing because it is kind of ridiculous and silly at that point when everyone is consenting.

Assemblyman Miller:

I grew up in a family in which my parents had multiple divorces. I love my stepparents and we still get along and love each other to this day. I am curious to know how—after a divorce or separation of a family, which is a very real thing that we know happens every day—does

the law then affect it? Do they have to go through custody hearings? What would be the impact?

Kimberly Surratt:

Once you adopt, you are a parent. That is all there is to it. There is complexity within a divorce, such as additional custody proceedings to deal with the stepparents and visitation time with the stepparents and how custody will be delved out. That is the concern for a divorce attorney. The reality is that we have that work anyway because we have stepparents trying to use the third-party visitation chapter in order to get that time with the child that they literally raised from an infant up to 16 years old and now they are getting cut off because they had no parental rights. This is a major step. Parents will need to stop and think about the adoption process because it makes you a full parent with all the rights and responsibilities. You raise this child, you want to become a parent, you are going to adopt, and you are going to have everything that comes with it.

Catherine Sakimura:

There are a number of states—not only California—that have similar laws: Washington, Vermont, Maine, Louisiana, and California. Maine has had this law for a number of years. Louisiana has a law that allows three parents in some situations for decades. We know how this plays out in other states. There are relatively few families who fall into these categories. As Ms. Surratt mentioned, everyone is a parent who has full rights to custody and full obligation to provide child support. In many ways, it is not more complicated than between two parents—you have other people who have close relationships with the child seeking to have visitation in some way. Courts have looked at the situation and may decide that two parents should have joint custody, essentially share most of the primary custody, and another parent does not have as much of a role and should have more limited visitation. It does not mean that a child is moving to a different house every two days and there are three or four houses in most situations. Typically, in families with multiple parents, there are some parents who do not play as much of a role in the day-to-day care of the child. It is not a difficult question. The cases that go to trial or have some sort of dispute in custody are always a minority. About 15 percent of cases are a rule of thumb that people say are highly contested. That seems to play out similarly in cases with multiple parents.

Assemblywoman Cohen:

My question is about service requirements with siblings. As we know with families, we often have siblings with different parents or not the same combination of parents. Would you address if we are going to have the requirements of notice to have a sibling, who may already be an adult, and is not part of the concern about adoption?

Kimberly Surratt:

After the termination is taken care of, we have no service requirements within this chapter that affect the sibling part of it. The sibling service requirements are all within the termination of parental rights chapter and all regarding that side of those cases. None of that will be changed. The priorities of social services for placement of children with consideration of visitation with siblings will all still be intact. Remember, in this chapter we

are not terminating a parent's rights for a stepparent adoption for additional parents to be added in. If you have three people wanting to adopt out of the system, do that adoption process. All of that would have been taken care of through the termination with notice to all the relatives and siblings before the termination takes place.

Assemblywoman Cohen:

In NRS 127.040, are we talking about permanent or temporary guardian [page 2, [Exhibit C](#)]? Are we differentiating?

Kimberly Surratt:

We are not differentiating. It would be a temporary or a permanent guardian. The point here is that they are the ones who need to be participating in the process. Instead of "notice," you are getting "consent." Anyone else who is raising the child at that moment needs to consent if he or she has that guardianship over the child. If you have a guardian over the child, the parents may have already been terminated or there is something else going on.

Assemblywoman Cohen:

A temporary guardian cannot give consent that takes the place of the parent's consent. Is that correct?

Kimberly Surratt:

No, it does not take the place. If there are legal parents, they need to give consent. It may be a language issue with what is written in the amendment under NRS 127.040, subsection 1, between paragraphs (a) and (b) with the "or" [page 2]. Maybe you and I need to think about the "or" and see if we need to change it to be "and," or "if" there is a legal guardian, he or she needs to consent. I can take a look at that and figure out the right wording to make sure we are hitting the mark with your question.

Assemblywoman Cohen:

I would very much like to also sign on as a cosponsor.

Assemblywoman Nguyen:

Thank you; I will add you to the list.

Assemblywoman Summers-Armstrong:

I think my question has been answered, but I will ask it just to make sure that I am really clear. Like Assemblyman Miller, I had a mixed family. I was divorced from my first husband, had two sons, and we ended up co-parenting. There were two dads and one mom. I often worried about what would have happened if something happened to me. In this instance, my current husband would have had the ability with this law as it is written to adopt our sons so that all three sons are cohesive without my ex-husband giving up his parental rights. Am I hearing that correctly?

Kimberly Surratt:

Yes, with parental consent. He could not do it on his own. You and your ex-husband would have to consent.

Assemblywoman Krasner:

I understand there are two different types of adoption: the natural parents and working out of the system. Both original parents must consent to allow a third person to be known as a parent. Is that correct?

Kimberly Surratt:

Yes, that is correct so long as those parents are alive.

Assemblywoman Krasner:

You said three people can be known as parents. How about if two females, two males, and then they want the grandparents. There are six of them. Can they all be the natural parents or known as the legal parents for the child they adopt out of the system? How does that work if one of them is an anti-vaxxer, and another one of them wants the child to have the vaccine? Who does the pediatrician go to in order to have the legal permission? They get divorced, who is paying child support to whom?

Kimberly Surratt:

Let me break that into a couple of pieces so I can answer your question. The first part is about adopting out of the system. For example, you have six people who want to adopt a child out of the system. You have to remember that through the system, they still have to get consent of the social workers or who has custody over that child. It has to be in the child's best interest. They are not going to grant consent for adoption from six people who do not get along or who are not on the same page. The most likely use of this chapter is going to be stepparents. Could you have three people who go into the court and say, We want to adopt this child, and all three are not relatives of the child? You could, under this bill, but the social workers still have to consent that it is in the best interest of the child.

When I talk about stepparents being able to do the shortcut process for an adoption in which you might have two women and two men who want to all be parents of the child, for the shortcut process, someone has to be within the third degree of consanguinity. We have a nice fancy chart that shows the degrees of consanguinity. It is at the grandparent and aunt/uncle level. When you get past that level, it is the cousins. You have to go through the full four-step process of the home study, inspection, report, and consent of the court. If the court decides it is not in the child's best interest because they are all over the place and there are too many of them and it is not going to make sense for the child, they are not going to consent to it and it is not going to get approved. It probably will not make it through social services saying they are going to assign the child to those parents as potential adoptive parents. The complexity of child support and custody, you are probably going to have that. We also have the complexity of third-party visitation actions that are separate from the divorce. This would minimize that and at least get to the heart of the fact that when they did this adoption and more than two parents decide there should be more than two parents, they

decide it was already in the best interest of that child and the court does not have to make that analysis. They are jumping to the heart of where should this child be and who should be paying child support and who should not.

Assemblywoman Krasner:

If you can have three people adopting out of the system, why not four? What would be the rationale? If they all get along really well, they think they are the best people in the world, things change ten years later, and there is a divorce or two divorces. Is the child now going to four different houses, one week here, one week there? I can see there might be a lot of unintended consequences.

Chairman Yeager:

Assemblywoman Krasner, I think your questions are getting a little far down the line. I will be happy to have Ms. Surratt answer that one, but what might happen at a later proceeding when parents do not get along? We have those issues now with current family law. That is why we have judges, social workers, and child advocates. I want to try to stick to the substance of the bill rather than what might happen down the road. I will let Ms. Surratt try to answer that question to the extent she can because every situation is going to be really different depending on the circumstances.

Kimberly Surratt:

It is really easy to try to throw out those hypotheticals. When we look across the nation, we just have not seen the problems in the other states that allow multiparent adoptions. They do not occur. They do not get as complex as people think they are going to be. Family law is complex already in and of itself, and getting to what is the best interest of the child as to whom he or she should spend time with takes a huge chunk of litigation and time that we are skipping with this process because they have already agreed that that is what is in the child's best interest in seeing those people.

Catherine Sakimura:

We really have not seen in other states these fears about lots of people becoming parents through this process. There are certainly three-parent families and four-parent families that come about. Four-parent families come about where you have a gay male couple and a lesbian couple who have children together. They have always functioned as parents together and they do not just want one of each of their couple to be parents. Those are the most common four-parent families that we see, and they usually have a long history of parenting together. Certainly, some of them break up and courts have to deal with that. If the parents are not going to be able to cooperate after the breakup, courts do not have to give all parents equal legal decision-making and they do not have to give all parents equal custody time.

Courts look at the historical role of each person in parenting that child and making decisions, and what is the parent's ability to make those decisions together even after separating. That is a role courts already play in two-parent family cases, and it plays out similarly in multiparent families. In many ways, from what we have seen in the multiparent families that have broken up, they have more experience with cooperation and dealing with conflict

because they have already necessarily had to deal with multiple people making a decision together. We do not really see these super high-conflict, inability-to-cooperate cases very often with multiparent families because they have already had to navigate those hard questions with people they are not even in a relationship with.

For many years, these laws have been in a number of states, including California, which has a very large population and has had these laws for about nine years. We have seen a number of families who have become parents and then later separated, and it has not really played out in the ways that there were initial fears of the complexity. The positive side is for child support purposes; there are more people who are available to support that child to avoid going on public assistance. In a situation where one parent becomes incapacitated, incarcerated, or otherwise unable to care for the child, there are more opportunities for that child to stay with the parent rather than entering the child welfare system.

Chairman Yeager:

Assemblywoman Krasner, if you have additional questions along those lines, I would encourage you to reach out to the presenters after the hearing. Are there any other questions from the Committee? [There were none.] Is there anyone who wishes to testify in support of A.B. 115?

DaShun Jackson, Director, Children's Safety and Welfare Policy, Children's Advocacy Alliance:

We stand in support of A.B. 115, the third-parent adoption legislation. We believe this bill would aid in preventing trauma caused by the loss of a parental figure. It would assist in ensuring the relationship is maintained.

[A letter in support was submitted, [Exhibit E](#)].

Holly Welborn, Policy Director, American Civil Liberties Union of Nevada:

We support this legislation because we have been at the forefront in the battles to defend rights of LGBTQ parents throughout this country for decades. I am incredibly pleased that my dear friend, Councilmember Reese, is presenting this bill today. I knew Emily incredibly well. She knew that the "Reeses and their pieces"—that is how she referred to her family—were in great hands. Their family is a beautiful example of the support and compassion that we foster when we dismantle discriminatory laws and embrace inclusion. Live life, love life, impact others—we can certainly impact others with this legislation. For these reasons we support this bill.

Senator Melanie Scheible, Senate District No. 9:

I am a member of the Nevada State Senate and represent Senate District No. 9 in the southwest part of Las Vegas. I wanted to call in and voice my support for this bill. I think it is really important that we start to recognize that there are different forms of families besides two parents. Who appears on a birth certificate is important so that everyone has access to that kind of legal recognition. I am very proud to be a cosponsor of this bill and encourage you to support it.

Chairman Yeager:

Thank you for your testimony. It is always good to hear my senator calling in on these meetings, and I am sure I will be returning the favor in the Senate Committee on Judiciary in the very near future. Is there anyone else who would like to give testimony in support of A.B. 115? [There was no one.] Is there anyone who wishes to testify in opposition? [There was no one.] Is there anyone who wishes to testify in neutral? [There was no one.] Assemblywoman Nguyen, would you like to make any concluding remarks?

Assemblywoman Nguyen:

Thank you to everyone for your stories, especially Mr. Devon Reese for sharing his personal story. It had a significant impact when I heard it. It motivated me to move forward with A.B. 115, and I am so glad that he was willing and able to share it. I think it highlights what this bill would hope to accomplish if passed. I would strongly encourage your supporting A.B. 115.

Kimberly Surratt:

I know that we may not have gotten all the questions out today based on replacing the language. As I stated earlier in my testimony, I am here for any questions if adjustments in language are needed. I encourage you to pass this bill.

Catherine Sakimura:

We are in strong support of this bill. Recognizing that families come in so many different forms, what is most important for children is that the actual realities of their family lives be recognized and supported by the state. We do not unnecessarily separate children from their parents when circumstances change, and we should ensure that children have that ability to maintain a relationship with all their parents when something happens or a crisis arises. We urge your support.

Assemblywoman Nguyen:

I would like to finish with André Wade from Silver State Equality. I know that Silver State Equality is fairly new to Nevada and they have made just an amazing big splash in bringing this needed change to our existing law to my attention. I know there are a lot of letters potentially in support that will be forthcoming, so I encourage our members to also check on the Nevada Electronic Legislative Information System for any of the supporting documentation that has been provided in addition to the testimony heard today.

André Wade:

I would like to echo everything that everyone said. I really appreciate people hearing about the diversity of families and recognizing that this is not just an LGBTQ issue. It is a family issue and a children's issue. We hope that Nevada will continue to lead the charge in being a state that is welcoming and inclusive, no matter what a family looks like. We are in full support.

Chairman Yeager:

I will close the hearing on A.B. 115.

[[Exhibit F](#) was submitted but not discussed and will become part of the record.]

I will now open our work session. We originally had Assembly Bill 59 on the work session, but we ended up revising the agenda as we are not going to consider A.B. 59. There is still some work to be done, so look for it on a future work session document. At this time, we will start with Assembly Bill 17.

Assembly Bill 17: Revises provisions relating to the discharge of certain persons from probation or parole. (BDR 14-334)

Diane C. Thornton, Committee Policy Analyst:

As nonpartisan staff, I am not here to advocate for issues but to assist members with policy issues brought forward to this Committee. Our first bill on work session today is Assembly Bill 17, sponsored by the Assembly Committee on Judiciary on behalf of the Division of Parole and Probation of the Department of Public Safety, and heard in the Committee on February 10, 2021 [[Exhibit G](#)]. This bill eliminates the distinction between an honorable discharge and a dishonorable discharge from parole or probation. The bill makes other conforming changes. There is one amendment for this bill, sponsored by Victoria Gonzalez, Executive Director, Department of Sentencing Policy (DSP). The amendment revises the reporting requirements in *Nevada Revised Statutes* 176.01343 that the Division of Parole and Probation of the Department of Public Safety is required to submit to the Nevada Sentencing Commission of the DSP. The amendment is on the following page [page 2, [Exhibit G](#)].

Chairman Yeager:

Are there any questions about A.B. 17 as detailed in the work session document with the amendment? [There were none.] I am looking for a motion to amend and do pass A.B. 17.

ASSEMBLYWOMAN NGUYEN MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 17.

ASSEMBLYWOMAN GONZÁLEZ SECONDED THE MOTION.

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

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

I will assign the floor statement to Assemblywoman González.

Assembly Bill 23: Revises provisions regarding the procedure to commit an incompetent criminal defendant. (BDR 14-291)

Diane C. Thornton, Committee Policy Analyst:

Assembly Bill 23 was sponsored by this Committee on behalf of the Division of Public and Behavioral Health (DPBH) of the Department of Health and Human Services and heard in this Committee on February 17, 2021 [[Exhibit H](#)]. This bill revises the procedure to commit certain criminal defendants who are found to be incompetent by the court. There is one proposed amendment to this measure. This amendment was proposed by Elizabeth Neighbors, Licensed Psychologist, DPBH, Department of Health and Human Services; Kendra G. Bertschy, Deputy Public Defender, Washoe County Public Defender's Office; and John J. Piro, Chief Deputy Public Defender, Clark County Public Defender's Office. The amendment revises the time allowed for DPBH to complete the comprehensive risk assessment from a "reasonable time" to within 40 calendar days after receipt of the request. Additionally, the court may grant DPBH a continuance to complete the comprehensive risk assessment.

Chairman Yeager:

The Committee may remember that the real testimony on this was how many days the Division would have to do this report. It looks like they reached an agreement, so what you see in the amendment is 40 calendar days instead of reasonable time. There is a possibility for an extension as well. Are there any questions on A.B. 23?

Assemblyman Wheeler:

I want to thank Dr. Neighbors and the Clark County Public Defender's Office for getting together and making sure we have a bill that absolutely nobody is unhappy with. It is the perfect bill.

Chairman Yeager:

Are there any other questions about A.B. 23? [There were none.] I am looking for a motion to amend and do pass.

ASSEMBLYWOMAN BILBRAY-AXELROD MOVED TO AMEND AND
DO PASS ASSEMBLY BILL 23.

ASSEMBLYMAN WHEELER SECONDED THE MOTION.

Are there any further comments before we vote? [There were none.]

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

I will assign the floor statement to Assemblywoman Bilbray-Axelrod.

Assembly Bill 24: Revises provisions relating to a forensic facility to which certain offenders and defendants with a mental illness may be committed. (BDR 14-292)

Diane C. Thornton, Committee Policy Analyst:

Assembly Bill 24 was sponsored by this Committee on behalf of the Division of Public and Behavioral Health of the Department of Health and Human Services and heard in Committee on February 17, 2021 [[Exhibit I](#)]. This bill revises the definition of a "forensic facility" to mean a secure facility of the Division of Public and Behavioral Health or a facility designated by the Division as appropriate for the evaluation and treatment for offenders and defendants with mental disorders. There are no amendments to this measure.

Chairman Yeager:

Are there any questions about A.B. 24 as detailed in the work session document? [There were none.] I am looking for a motion to do pass.

ASSEMBLYMAN O'NEILL MOVED TO DO PASS ASSEMBLY BILL 24.

ASSEMBLYWOMAN NGUYEN SECONDED THE MOTION.

Are there any comments on the motion? [There were none.]

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

I will assign the floor statement to Assemblyman O'Neill.

Assembly Bill 27: Revises provisions relating to the administration of child support. (BDR 11-300)

Diane C. Thornton, Committee Policy Analyst:

Assembly Bill 27 was sponsored by this Committee on behalf of the Division of Welfare and Supportive Services of the Department of Health and Human Services. It was heard in this Committee on February 12, 2021 [[Exhibit J](#)]. This bill revises provisions of the Uniform Interstate Family Support Act that governs the issuance of certain orders redirecting child support. Conforming with an option proposed by the Uniform Law Commission, this bill would allow, in addition to a tribunal, a support-enforcement agency of this state to issue orders redirecting child support. There are no amendments to this measure.

Chairman Yeager:

Are there any questions on A.B. 27 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
ASSEMBLY BILL 27.

ASSEMBLYWOMAN KASAMA SECONDED THE MOTION.

Are there any comments on the motion? [There were none.]

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

I will assign the floor statement to Assemblywoman Kasama.

Assembly Bill 30: Revises provisions relating to the Account for Aid for Victims of Domestic Violence. (BDR 16-260)

Diane C. Thornton, Committee Policy Analyst:

Assembly Bill 30 was sponsored by this Committee on behalf of the Division of Child and Family Services of the Department of Health and Human Services and heard in Committee on February 11, 2021 [[Exhibit K](#)]. This bill revises provisions governing eligibility for a grant from the Account for Aid for Victims of Domestic Violence by changing one of the eligibility requirements that the nonprofit organization provide its services "primarily" rather than "exclusively" for victims of domestic violence. There is an amendment to the bill sponsored by Ross E. Armstrong, Administrator, Division of Child and Family Services, Department of Health and Human Services.

The amendment does the following:

- Revises the name of the Account for Aid for Victims of Domestic Violence to include Sexual Violence;
- Revises provisions in section 1, subsection 4, to provide that in counties under 100,000, applicants must provide its services primarily, rather than exclusively for victims of domestic violence;
- Revises provisions in section 1, subsection 7, to include that the applicant must be able to provide counseling for partners of victims and their family members and domestic violence prevention programs for members of the community; and
- Revises the procedure for the awarding of grants in *Nevada Revised Statutes* 217.450 to provide that in counties under 100,000 no more than one applicant will be funded.

Chairman Yeager:

Are there any questions from Committee members on A.B. 30 as detailed in the work session document? [There were none.] I am looking for a motion to amend and do pass.

ASSEMBLYWOMAN NGUYEN MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 30.

ASSEMBLYWOMAN HARDY SECONDED THE MOTION.

Are there any comments on the motion? [There were none.]

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

I will assign the floor statement to Assemblywoman Hardy.

Assembly Bill 37: Revises provisions relating to the enforcement of obligations for support of children. (BDR 3-301)

Diane C. Thornton, Committee Policy Analyst:

Assembly Bill 37 was sponsored by this Committee on behalf of the Division of Welfare and Supportive Services of the Department of Health and Human Services and heard in Committee on February 12, 2021 [[Exhibit L](#)]. This bill revises provisions regarding the payment of child support. The bill revises the definition of several terms, including "employer," "income payer," and "income." The definition of "income" is changed to expressly include a lump sum payment. The bill requires the reporting and withholding of lump-sum payments by income payers under certain circumstances. The income payer is prohibited from releasing the lump sum payment to the obligor before certain criteria are met. The court is authorized to impose certain penalties on an income payer who refuses to withhold money from a lump sum payment or refuses or intentionally fails to deliver money from a lump sum payment to an enforcing authority. Immunity is provided and liability is discharged for an income payer who complies with a written notice concerning a lump sum payment. Certain restrictions are applied on the total amount of income that may be withheld to all obligors. Various changes are made to the deduction of the fee by an income payer that is required by the state treasurer.

There is one amendment to the bill sponsored by Steve H. Fisher, Administrator, Division of Welfare and Supportive Services, Department of Health and Human Services. The amendment proposes to strike the language in subsections 14 and 15 of section 5 of the bill. This would remove reference to workers' compensation reimbursements and insurance settlements included in the definition of lump-sum payment. These items are duplicative, as they have been addressed in previous legislation, and income payers would not have access to these funds for withholding.

Chairman Yeager:

Committee members, you might remember when we discussed this bill. We did not have the written amendment in front of us, but the sponsor had indicated they wished to strike subsections 14 and 15 because the income payer would not have access to those monies.

What you see in the work session document is just a formalizing of that amendment by the sponsor, and because they were presenting, it was a friendly amendment.

Are there any questions about A.B. 37 as detailed in the work session document? [There were none.] I am looking for a motion to amend and do pass.

ASSEMBLYWOMAN NGUYEN MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 37.

ASSEMBLYWOMAN SUMMERS-ARMSTRONG SECONDED THE
MOTION.

Assemblyman O'Neill:

I will be voting to pass this out of Committee, but would like to reserve the right to change my vote. I appreciate the amendments that were made; I would just like a little more time to review the bill.

Assemblywoman Kasama:

I also reserve the right to change my vote on the floor.

Assemblywoman Krasner:

I also reserve the right to change my vote on the floor.

Chairman Yeager:

You always have the right to change your vote between the Committee and the floor. I just ask as a courtesy if you would let me know if you are going to do that. It would help me figure out whether we have the votes or not.

Are there any other comments from Committee members on A.B. 37? [There were none.]

THE MOTION PASSED. (ASSEMBLYMAN WHEELER VOTED NO.
ASSEMBLYWOMAN HANSEN WAS ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblyman Orentlicher.

Assembly Bill 107: Revises the procedure for determining whether a person may prosecute or defend a civil action without paying costs. (BDR 2-564)

Diane C. Thornton, Committee Policy Analyst:

Assembly Bill 107 was sponsored by Assemblyman Yeager and heard in Committee on February 19, 2021 [[Exhibit M](#)]. This bill revises the procedure for determining whether a person may prosecute or defend a civil action without paying costs. Under the new procedure, a person who wishes to prosecute or defend a civil action without paying costs is required to file an application to proceed as an indigent litigant. In addition, new certain criteria for the court is established to use in determining whether to grant the application to

proceed as an indigent litigant and prosecute or defend the civil action without paying costs. The order of a court granting or denying an application to proceed as an indigent litigant is not appealable.

There is an amendment proposed to this by Chairman Yeager and the amendment does the following:

- Includes in section 1, subsection 1, language referring to an unsworn declaration under the penalty of perjury;
- Provides in section 1, subsection 2, that the court, based on its review of a person's application, allow the person to commence or defend the action without costs, and file or issue any necessary writ, process, pleading, or paper without charge;
- Deletes language in section 1, subsection 2(a), and replaces it with language that allows the person to submit a statement or otherwise indicate that they are a client of a program for legal aid;
- Revises section 1, subsection 2(c), to clarify that income is referred to as "net income";
- Deletes section 1, subsection 2(d), which refers to liquid assets or other assets; and
- Revises the effective date to 30 days after passage and approval to allow the courts to implement necessary changes while expanding access as soon as practicable.

Chairman Yeager:

Are there any questions from Committee members on A.B. 107 as detailed in the work session document?

Assemblywoman Cohen:

As I recall, this is the bill in which we discussed that there might have been some concern by practitioners due to a lack of uniformity by the Judicial Branch making the determination about who is considered an indigent litigant. I want to make sure that with this conceptual amendment we are not putting that back into play.

Chairman Yeager:

The effort was to try to have a more standardized process throughout the state. I think this amendment accomplishes that. I have been in some further discussions with members of the Judiciary and there could potentially be further amendments to the bill down the line. I do not know that we are 100 percent there, but I want to get this moving through the process. If it is further amended in some fashion, we will have a chance to consent to it if it happens over in the Senate.

Are there other questions as A.B. 107 as detailed in the work session document? [There were none.] I am looking for a motion to amend and do pass.

ASSEMBLYMAN MILLER MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 107.

ASSEMBLYWOMAN NGUYEN SECONDED THE MOTION.

Are there any comments on the motion? [There were none.]

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

I will assign the floor statement to me.

**Assembly Bill 112: Revises provisions relating to compromised claims of a minor.
(BDR 3-806)**

Diane C. Thornton, Committee Policy Analyst:

Assembly Bill 112 was sponsored by Assemblywoman Marzola and Assemblyman Yeager and heard in this Committee on February 24, 2021 [[Exhibit N](#)]. This bill revises provisions relating to compromised claims of a minor. The parent or guardian is not required to establish a blocked financial investment if the net proceeds of the compromise are \$2,500 or less. In addition, the parent or guardian may use the proceeds at his or her discretion for the benefit of the minor, in compliance with any terms or conditions ordered by the court. There are no amendments to this measure.

Chairman Yeager:

Are there any questions on A.B. 112 as detailed in the work session document? [There were none.] I am looking for a motion to do pass.

ASSEMBLYMAN WHEELER MOVED TO DO PASS
ASSEMBLY BILL 112.

ASSEMBLYWOMAN BILBRAY-AXELROD SECONDED THE MOTION.

Are there any comments on the motion? [There were none.]

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

I will assign the floor statement to Assemblywoman Marzola.

Assembly Bill 140: Enacts provisions relating to service of process on certain lessors of vehicles. (BDR 2-544)

Diane C. Thornton, Committee Policy Analyst:

Assembly Bill 140 was sponsored by Assemblywomen Nguyen and Marzola and heard in this Committee on February 24, 2021 [[Exhibit O](#)]. This bill revises provisions governing the service of process in certain actions of proceedings involving short-term lessors of vehicles. The bill requires a car rental company to accept service of a summons and complaint and any

other required documents on behalf of a short-term lessee who is not a resident of the United States and who purchased liability insurance for any crash resulting from the operation of the vehicle within this state during the lease. This bill requires the lessor to provide a copy of the process to the lessee by first-class mail, return receipt requested. There are no amendments to this measure.

Chairman Yeager:

Are there any questions about A.B. 140 as described in the work session document? [There were none.] I am looking for a motion to do pass.

ASSEMBLYWOMAN NGUYEN MOVED TO DO PASS
ASSEMBLY BILL 140.

ASSEMBLYWOMAN KASAMA SECONDED THE MOTION.

Are there any comments on the motion? [There were none.]

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

I want to congratulate Vice Chairwoman Nguyen. Although this is not her first session in the Legislature, this is her first bill of her own to pass out of Committee. She joined us a little late last session and was not able to request any bills of her own. I will assign the floor statement to Assemblywoman Nguyen.

Congratulations to Mr. Randall as well on having his first bill copresented out of the Assembly Judiciary Committee.

That is it for the work session document. Just as a way of announcement and because we have several new members here and you might be wondering what happens next with these bills, if the bills were to pass and they were not amended, they should be going to the floor very soon and we can look forward to voting on them in the very near future. For the bills that were amended, the Legal Division of the Legislative Counsel Bureau is going to have to draft those actual formal amendments. Once they are finished, the bill will be sent to the floor, amended, and voted on. The amended bills take a little longer to get down to the floor.

I will close the work session on the agenda and open it up for public comment.

Annemarie Grant, Private Citizen, Quincy, Massachusetts:

I would like to talk about Tashii Brown who was asphyxiated to death by Las Vegas Metropolitan Police Department officers on May 14, 2017. Tashii was in The Venetian Resort Hotel Casino. He believed he was being chased by someone who wanted to hurt him. When he saw two police officers by a coffee shop inside the casino, he ran to them for help, not knowing his nightmare was about to materialize. Rather than providing him with assistance, calming him down and de-escalating the situation, Kenneth Lopera began chasing

Tashii on foot. Tashii ran through an employee car yard into the parking garage. When Officer Lopera caught up with him, he was at a standstill. Lopera "Tased" Tashii, which caused him to fall down onto the ground and onto his back. In the body cam footage, you can hear Lopera yelling at him repeatedly to get on his stomach. Tashii, with both hands visible and in front of him, kept saying, "I will, I will." But the police officer continued to Tase him, which made it difficult for Tashii to turn over onto his stomach. As Lopera continued to "Tase" him, multiple officers arrived at the scene and began forcibly turning Tashii on his stomach, and he appeared to be writhing in pain coming from the Taser. Lopera punched Tashii's head repeatedly and then placed him in an unapproved martial arts chokehold. When a senior officer commanded Lopera to let him go, he refused and continued to choke Tashii. The body cam video concludes with a view right by Tashii's head as he lay lifeless on the ground. Lopera Tased him seven times, punched Tashii over ten times, and placed him in a chokehold for 1 minute and 13 seconds.

I just want to mention that the other day when Washoe County presented it in the Senate Committee on Judiciary, Sargeant Solferino from Reno said it is only a matter of time—we talked about this at the jail—that it is only a matter of time before it happens again. That physically made me sick. He is right. It is only a matter of time until they acknowledge that crime in the street kills people. Please support bills that support transparency and accountability. Please do not support bills that protect bad police.

Chairman Yeager:

Is there anyone else for public comment? [There was no one.] I will close the public comment portion of our agenda. Is there anything else from our very hardworking Assembly Judiciary Committee members? [There was nothing.] Thank you for a great week. The meeting is adjourned [at 9:52 a.m.].

RESPECTFULLY SUBMITTED:

Traci Dory
Recording Secretary

Linda Whimple
Transcribing Secretary

APPROVED BY:

Assemblyman Steve Yeager, Chairman

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a proposed amendment to Assembly Bill 115 submitted by Assemblywoman Rochelle T. Nguyen, Assembly District No. 10.

[Exhibit D](#) is a letter dated February 25, 2021, written and submitted by André Wade, State Director, Silver State Equality, in support of Assembly Bill 115.

[Exhibit E](#) is a letter dated February 26, 2021, written and submitted by DaShun Jackson, Director, Children's Safety and Welfare Policy, Children's Advocacy Alliance, in support of Assembly Bill 115.

[Exhibit F](#) is a letter written and submitted by Mary Rohmiller, Co-Director of State Policy, Family Equality, and Shelbi Day, Co-Director of State Policy, Family Equality, in support of Assembly Bill 115 with proposed amendments.

[Exhibit G](#) is the Work Session Document for Assembly Bill 17, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit H](#) is the Work Session Document for Assembly Bill 23, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit I](#) is the Work Session Document for Assembly Bill 24, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit J](#) is the Work Session Document for Assembly Bill 27, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit K](#) is the Work Session Document for Assembly Bill 30, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit L](#) is the Work Session Document for Assembly Bill 37, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit M](#) is the Work Session Document for Assembly Bill 107, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit N](#) is the Work Session Document for Assembly Bill 112, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit O](#) is the Work Session Document for Assembly Bill 140, presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.