MINUTES OF THE
SENATE COMMITTEE ON JUDICIARY

Eighty-first Session
April 26, 2021

The Senate Committee on Judiciary was called to order by Chair Melanie Scheible at 1:00 p.m. on Monday, April 26, 2021, Online and in Room 2135 of the Legislative Building, Carson City, Nevada. Exhibit A is the Agenda. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Melanie Scheible, Chair
Senator Nicole J. Cannizzaro, Vice Chair
Senator James Ohrenschall
Senator Dallas Harris
Senator James A. Settelmeyer
Senator Ira Hansen
Senator Keith F. Pickard

STAFF MEMBERS PRESENT:

Patrick Guinan, Policy Analyst
Nicolas Anthony, Counsel
Pam King, Committee Secretary

GUEST LEGISLATORS PRESENT:

Assemblywoman Venicia Considine, Assembly District No. 18
Assemblywoman Rochelle T. Nguyen, Assembly District No. 10

OTHERS PRESENT:

Andre Wade, State Director, Silver State Equality
Kimberly Surratt, President, Nevada Justice Association
Holly Welborn, American Civil Liberties Union of Nevada
Julie Hammer
Emily Mimnaugh, Pacific Justice Institute-Center for Public Policy
Nakia Bahns
Lyudmyla Pyankovska

Tiffany Wagner
Mr. Hall
Heather Korbulic
Jolie Brislin, Regional Director, Anti-Defamation League, Nevada Regional Office
Beth Holtzman, Western Civil Rights Counsel, Anti-Defamation League
Serena Evans, Nevada Coalition to End Domestic and Sexual Violence
Maria-Teresa Liebermann-Parraga, Battle Born Progress
Chuck Callaway, Las Vegas Metropolitan Police Department
Eric Spratley, Nevada Sheriffs' and Chiefs' Association
John Jones, Clark County District Attorney's Office; Nevada District Attorneys Association
Jim Hoffman, Nevada Attorneys for Criminal Justice
Becky Harris, Professor, International Gaming Institute, William S. Boyd School of Law, University of Nevada, Las Vegas
Tanner Britton, Student, William S. Boyd School of Law, University of Nevada, Las Vegas
Erica Adler, Student, William S. Boyd School of Law, University of Nevada, Las Vegas

CHAIR SCHEIBLE:
We have four bills to hear today with some special guests from the Assembly. I open the meeting on Assembly Bill (A.B.) 115.

ASSEMBLY BILL 115 (1st Reprint): Revises provisions relating to domestic relations. (BDR 11-118)

ASSEMBLYWOMAN ROCHELLE T. NGUYEN (Assembly District No.10):
I am here to present A.B. 115 which revises provisions relating to parentage. I will give a little background information and turn it over to my copresenters, Andre Wade and Ms. Kim Surratt.

In Nevada, 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 stability, protect their families and ensure the family relationship is recognized by law. Children often experience significant trauma when separated from a parent as a result of the law not recognizing the nature of such families. As such, states like California have passed similar legislation that most children have two parents, but in some cases children have more than two people who are parents in every way.

Separating that child from a parent has a devastating psychological and emotional impact, and the courts must be given power to protect those children from that type of harm.

Statute only allows for two adults to be formally and legally recognized as parents. This bill proposes to amend existing law and allow for three adults to be formally and legally recognized as parents without having to terminate the rights of any other parent.

Unfortunately, Devon Reese, Reno City Councilman, who testified in the Assembly was not able to be here today, but I would encourage all members of this Committee to watch that proceeding because his story is powerful. Assembly Bill 115 affects families and maintains the family relationship. God forbid anything happen to me or my husband where our two children, Henry and Hannah, aged 9 and 11, were put into a situation where they had multiple grandparents who wanted to take care of them. This law and A.B. 115 would allow all of those grandparents to take a role in my children's life if anything were to happen to us. That is what this bill does. It recognizes parents who want to take legal and formal responsibility for children and incorporate that into Nevada law to protect Nevada families.

I will share some of my time with Andre Wade, the State Director for Silver State Equality, to make a statement in support of A.B. 115 as part of the presentation.

ANDRE WADE (State Director, Silver State Equality):
I am State Director for Silver State Equality, a Nevada-based Statewide LGBTQ+ civil rights organization. We bring the voices of LGBTQ+ people and analyze the institutions of power in Nevada and across the United States, striving to create a world that is healthy and fully equal for LGBTQ+ people.

Parenting looks different for every family. There are single-parent households, two-parent households and households with stepparents. There are situations where children have more than two parents who are actively engaged in parenting duties. This often happens when a stepparent desires to legally take on responsibility of caring for a child in addition to the natural-birth parent.

Another example may include two women in a same-gender marriage who form a family with the help of a male friend who is not only willing to help the

women conceive a child but also fully parent the child with the couple by sharing duties and responsibilities of caring for and raising the child.

In these situations, families should be afforded certain legal rights and options to supervise, provide stability, protect their families and ensure their family relationships are recognized by law through adoption.

According to a brief released in February by the United States Census Bureau, American Community Survey determined that Nevada is 1 of 11 states plus the District of Columbia with a higher percentage than the national percentage in 2019 of same-sex couple households. Although census data does not capture households where multiparent situations occur because only household relationships were collected, we do know that same-gender couples are more likely than their opposite gender 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 moving to Nevada may involve children who have more than two parents and are in need of legal protections to ensure their safety and well-being.

Assembly Bill 115 will help create uniform and consistent parenting via laws throughout the State. Only a select number of judges allow multiparent adoptions in a decreased parent situation where only parents with financial means can access their rights to form their modern family through adoption.

Also, the law can prevent situations where a child is separated from one of his or her parents due to a lack of clarity and protections in the law that may result in a traumatic situation for the child. With these provisions in place, the best interests of children being cared for by more than two parents will continue to be the center of how modern families are formed by way of adoption.

ASSEMBLYWOMAN NGUYEN:
Many of you are familiar with Kim Surratt because any time anything comes up with family law, she is my go-to person. She serves on the Family Law Section, State Bar of Nevada, but she is here in her private capacity today. She has been crucial in helping me try to get the language right and the intent of this bill on the record.

KIMBERLY SURRATT (President, Nevada Justice Association):
I am a private family law attorney and also the President of Nevada Justice Association. I just finished my eight-year term on the Family Law Executive Council with the State Bar of Nevada.

As stated, I assisted with the language in this bill and also helped testify to each of the sections. I will give some guidance on the language. In Assembly Bill 115, section 3 clarifies the intent of the bill but not the substantive part of the bill. Section 5.2 starts with the most pertinent language. In the past, *Nevada Revised Statutes* (NRS) 127.030 stated that you could only have any adult person or any two persons married to each other to adopt. Prior to domestic partnerships and same-sex marriage, that caused a lot of problems in our State and caused a lot of judges to even state that we could not have a same-sex marriage. Marriage has been cured, but what has not been cured is the ability to have a third parent on the birth certificate and/or the ability for two unmarried individuals to adopt.

In my practice, I do a significant amount of this work. An example would be the scenario where Assemblywoman Nguyen stated both parents have passed away and we now have grandparents on both sides of the family who know they cannot take care of the child 100 percent of the time, but it is best for the child to stay within the family. We also have scenarios with stepparents. A significant number of stepparent cases come in front of me where the biological parents or legal parents of the child would like a stepparent to adopt and also be a parent but do not have the ability to do that. That example was given by Reno City Councilman Devon Reese on the Assembly side, as his ex-wife Emily had passed away and his partner wanted him to be able to adopt. That adoption was not possible until after her death from cancer, yet after her death, the birth certificate has never been amended because the children do not want their mother removed from their birth certificate to add their new stepparent.

In other examples, we have had situations where an individual has raised a child, believing a biological relation, for up to 10 to 12 years of that child's life when with a sudden controversy in the marriage, perhaps the biological mother brings out the genetic father of the child. We had three people who thought they were genetically related to the child as a parent, and now they either do not want to be removed or do not want to have parental rights.

The only option for these families is our third-party visitation chapter. That chapter is limited appropriately based on constitutional rights of a parent to be a parent and make decisions about who the child spends time with, but when you have families willing to consent to the adoption and raise that level of parental rights to an adoption level, they should be able to do that. The third-party visitation chapter says you have to be completely cut off from a child before you have standing to use the chapter. So if they are seeing the child once a month when previously raising the child 24 hours a day, 7 days a week, that one day a month is sufficient to prevent standing. I have had extremely nasty litigation cases with third-party visitation where they wanted a person to stop being called "mom" or stop being called "dad" as part of a petition process. It is really quite gross, honestly. It is some of the worst litigation I have been in. Oftentimes, it parallels a divorce litigation, so you have two separate actions with a heavy amount of attorney litigation happening in the case.

A proposed conceptual amendment to section 5.2 was based on my communications with Senator Pickard. The intent within the Assembly and the language is if there are legal parents to the child, they have to be a party to that adoption, and they have to be consenting to it. This is not to force the adoption on parents who do not want to allow in a third person. The amendments to section 5.2 clean up that language. The legislative intent is to the legal parents of the child, and I am not using biological because they may have adopted to start with or used reproductive technology, so we do not want to use biology as the marker for that. The legal parents have to be petitioners to the case whether we use the word "petitioner" or "party." There is discussion to be had about that, but they need to be a party to the case.

Going through A.B. 115, section 5.2, subsection 6 came out of the testimony on the Assembly side when discussing frustrations in stepparent adoptions in the process and discussion was, "Well, the most frustrating part is paying for an attorney to have to go to a hearing that lasts all of five or ten minutes." The parties used to have to drive down to the courthouse to participate in a hearing, but it is a little bit easier now with web conferencing. In a lot of those cases, a second parent or stepparent, depending upon what language you are utilizing, or a third parent may be the petitioner now. All are subject to whether the court deems it necessary to waive the hearing. We would like the court to have the discretion over that. That came out of the hearing on the Assembly side. Section 5.2, subsection 7 is additional clarifying language about the intent of the bill.

Quite a few changes concern that issue about legal parents versus natural parents used through the whole chapter. We do not use the term "natural parent" in other family law chapters in NRS 127.030, so we are trying to define what we mean by the legal parents of the child.

Under A.B. 115, section 5.65 for NRS 127.110, additional language was added that needs to be in the petition for adoption. This is not on point with the issue of multiparent adoptions, but it was added at the request of Assemblywoman Jill Tolles, who was concerned about human trafficking issues within adoption, in general, and in the broader picture of adoption; we discussed adding this as a requirement within the petitions we would know. In my discussions with Assemblywoman Tolles, we know that asking someone to put this into a petition for adoption will not stop human trafficking, but we are hoping to raise awareness by having it included in the adoption petitions.

The new amended language is in the next conceptual amendment to section 5.8 that amends NRS 127.160. In an effort to achieve the legal parent's language, we had an obvious mistake where we had mentioned "consents" but not "relinquishments." The difference is that a relinquishment is to an adoption agency or social services, and a consent is a private consent in a direct placement adoption that does not utilize agency services.

These two terms are treated differently. Social services and/or the agency gains greater control over the child through the relinquishment process; but the amendment adds in relinquishments that should have been added originally.

That is all of the substantive sections. There was some discussion regarding the issue of parents being a party to the action and whether additional sections should clarify how that would work. The reality is adoptions are multiperson petitions. We often have more than one party because by their own nature, we already have two parties when couples are adopting. By saying that the legal parents have to be petitioners, the intent and the legislative intent is clear on that. My concern with creating some new provision just for the joint petitioning process is that we will make mistakes and not pull enough of the other language in from the adoption chapter.

ASSEMBLYWOMAN NGUYEN:
Chair, I would like to add some context because it is important to look at how this bill potentially can influence Nevadans, so I have a Nevadan here who

happens to be one of your own. I would like Senator Harris to provide her testimony.

SENATOR DALLAS HARRIS (Senatorial District No. 11):
I want to tell you about my fantastic family and how in 2021, things are looking a little bit different and our laws need to be flexible enough.

In 2019, I got married to a wonderful young woman who has an excellent, smart, gregarious son named Lawrence, who is now my son as well. We all live together. I would like to share and show a photo of my handsome son. This is our family. Lawrence has a father—as I imagine you all would expect, whom my wife was married to at one point—who is very involved in Lawrence's life. He is his father, and none of us have any expectation of taking that away. Let me show you another picture of Lawrence with his father. They spend multiple days together per week, and he does a great job and is a great role model for Lawrence. None of us have any interest in taking his parental rights away.

The way this bill comes into play is that as it stands right now, I have no legal parental rights for Lawrence. If something were to happen either to his mother or his father, or God forbid both at the same time, legal difficulties would ensue. I wanted to come before you all and let you know that if this bill passes, I would be first in line to get some parental rights for Lawrence so that he can have three parents legally. He already has parents in practice, but I would like to be on the books—his mother wants me to be on the books; his father wants me to be on the books. I get all of the school emails, and I tried to go to Career Day this year, but Legislative Session got in the way. It is time that the law actually conform to what a lot of families in Nevada are doing. There is no reason why we have to limit the parental line to two people anymore. We have the court process to make sure that things do not go off kilter and those protections remain in place.

SENATOR SETTELMEYER:
I appreciate the bill and the concept. We have so many parents out there helping to raise, sometimes, other people's kids due to either deceased parents or just circumstances. In that respect, I appreciate the bill. I am questioning the mechanics of it. Who decides whose names go on the birth certificate? Can the mom elect that at birth and name two extra individuals, or however many in that respect, or is the situation after the fact in a court process with judges? Who does it after a person petitions for that? How does that work?

MS. SURRATT:
It depends on how that child was created. If it was, for example, the scenario like Senator Harris' family, then it is after the fact, and that is an adoption. If it is through reproductive technology, our assisted reproductive technology statutes passed in 2013 are already gender-neutral, number-neutral, marital status-neutral, but we did not have the mechanism with vital records until we had this conversation regarding this bill. The Office of Vital Records has promised us that it is not an issue. We did not receive a fiscal note from it. The Office knows this is achievable. We have provided Vital Records with sample birth certificates from other states that have had de facto parenthood-type language on the books for a lot of years where three parents were involved. We are in good shape with the Office on that, but through this chapter, it is just through adoption, after the child is born and depending upon the circumstances.

I have also had another bill in another session for affidavits of parentage. With a lot of my same-sex couples who used reproductive technology, instead of paternity, we also added in parentage that allows them to fill a form out at the hospital with both placed on the birth certificate. This is the way you would proceed as an unmarried opposite sex couple, swearing through your affidavit of paternity that this is the father.

SENATOR SETTELMEYER:
What happens in a situation where the mother, in her opinion, knew who the father was at the time of conception but since then has established a relationship with a person also added, resulting in two fathers on the paperwork. Unfortunately, a couple of years later, it does not work out and the mother then goes after child support. Do both fathers pay child support because both fathers are the father? How does that work out?

MS. SURRATT:
Yes, the contemplation is that child support will apply to any parent in this scenario. The Committee to Review Child Support Guidelines will have to take a look at the language and determine if any changes are needed. I am the Chair of that Committee, so I will have it on the agenda. The way the language is written within the child support chapter, I still cannot see where too many changes are needed other than a little gender-neutralizing type language. It is possible that both parents will need to pay some child support.

SENATOR SETTELMEYER:
So would that be joint and separate liability?

MS. SURRATT:
Based on the other states that have had three-parent adoptions, yes, it becomes an issue for the court. It is in the discretion of the court to determine what is happening. It may be based on the scenario where the genetic dad comes out of the woodwork 15 years later, has no time with the child and does not have an interest of time with the child. Determinations would be made as appropriate for the child based on the best interest of the child.

SENATOR SETTELMEYER:
That brings up another host of questions on the concept of joint and separate liability. So you are saying that even though both of them are the father, the two fathers—one is biological and one helped raise the child—are both materially responsible for making sure that this child is taken care of. One person could potentially have 100 percent of the economic burden and the other person not? That could be a decision of the court?

MS. SURRATT:
That would be dependent upon the custody arrangement and who has custody of the child. When we have joint physical custody, I doubt the court determines it is in the child's best interest to have time with all three parents equally. The reality is that the child was spending the most time with two parents, and the parent who came out of the woodwork does not even know the child.

It comes back to the best interests of the child and is dependent upon the split and time if mom has primary custody and the other two have visitation or parenting time.

SENATOR SETTELMEYER:
Let me go further into the weeds. It does not matter if you are the biological father, you have a responsibility to take care of your child, regardless of visitation. I do not see the visitation aspect.

I have to follow up offline to get more information. I have seen where sometimes a woman, after having a child, will not put anyone on the birth certificate. Then the father, who wants to have time, has to go into a court of

law and do a paternity test on the mother for the father to have time with his own child.

ASSEMBLYWOMAN NGUYEN:
I understand other scenarios and circumstances are outside of this. The intent on this bill is for parents who want to be a part of their children's lives in a legal sense. There are many families like Senator Harris's family where both consenting natural, legal parents to a child want to have that other parent recognized formally.

The intent of including this language is to allow those parents to accept and have all of those legal responsibilities. Even given unforeseen outcomes, should the relationship between the parties crumble, it is our intent in this language that they would be full legal parents and responsible for child support, visitation and any of those things. That is the intent of this legislation. Obviously, it sounds like other issues go on with regard to paternity and other things, but that is why we wanted to contain this in the adoption statutes.

MS. SURRATT:
This does not fix all of those problems out there. There are a lot of scenarios where people have to fight for their parental rights. These are the people consenting to it.

Senator Pickard had an example for me, too, where I said, "Well yes, they could have used the old law even for the adoption chapter because it was just two people," but unfortunately, this is a narrow window. It is the people who sign up for it and agree to it, mutually, as a team. If they are subject to brutal child support wars down the road, they signed up for it, raised the child and had the intent to bring the child into the world; now they are responsible.

SENATOR SETTELMEYER:
I appreciate those answers. I worry about the concept that sometimes you consent in the beginning and sometimes not so much consent at the end.

CHAIR SCHEIBLE:
I want to get something on the record for clarity sake. Are there already situations in family court where more than one person might be responsible for child support payments be it because of a legal adoption, a certain amount of

time spent with the child or assumed parentage? Is it novel to suggest that we might have a situation where there is more than one parent in question?

MS. SURRATT:
I have seen it. I have had it in cases. The beast of family law is that every family in the State has different circumstances and situations. You may have guardians collecting child support from two legal parents because the guardians had to take over custody of the child. For time with the child and rights to see the child, we are much more flexible in collecting money from people than we are on their time with the child. They tend to turn into nasty litigation.

SENATOR PICKARD:
As the two practicing family lawyers here with more than a decade of practice in this area for each of us, there are many different facets to this. I want to acknowledge that I agree with you to the extent that if we have a joint request by parents, particularly in blended families, I do not think gender makes a difference—same-sex marriage or otherwise. I am in a blended family, and I raised some of my children since their toddler years. I was as much of a parent as anyone in their lives. Although I do not enjoy the status of one possessing parental rights, I was more involved than some of the others.

This is not what we are discussing today. I appreciate Ms. Surratt talking with me about this. I would like to touch on a couple of things that you and I spoke on. I agree that where all parties agree, then I do not have a problem with this because that is the outset of the relationship. We end up in a situation where the two natural parents—to use the terms of the existing statute—are in agreement with allowing this third party to come in. We also see in surrogacy cases and in open adoption cases where a party is technically relinquishing their rights to NRS 432B cases, or under a normal family law case they are signing a consent to termination to allow a stepparent to adopt because everybody—all three parents—agrees that this is in the child's best interest. Then if that relationship comes apart, we have a pecking order or priority status, and the person who has either relinquished or terminated his or her rights has a lesser standard because of agreeing to the idea that it was in the child's best interest in the beginning.

However, this would change that. Under section 5.2 that amends NRS 127.030, even with the proposed amendment that you have provided, the joint petition—as we have learned from many Nevada Supreme Court cases:

Rivero v. Rivero, 125 Nev. 410 (2009), *Schwartz v. Schwartz,* 107 Nev. 378, 812 P.2d 1268 (1991) and *Potter v. Potter,* 121 Nev. 613 (2005)—where the legislature has not created the structure and guidance for the courts to follow. This bill does not particularly talk about any of the best interest standards that would apply in these cases.

CHAIR SCHEIBLE:
Senator, I am going to ask you to focus in on a question for one of the presenters to answer.

SENATOR PICKARD:
I am getting there. This is just to get some of the conversation on the record so that everyone understands the basis for the question. The problem we face is if we talk in technical terms, it loses everyone else.

CHAIR SCHEIBLE:
Senator Pickard, the three attorneys on the dais and two at the table are perfectly capable of understanding your question. If you would go ahead and ask it, please.

SENATOR PICKARD:
The Nevada Supreme Court direction is that the Legislature gives guidance to the courts. How is it that the term "joint petitioner" without the structure of a joint petition, which is not allowed under this bill or statute, advises the court how to manage that case?

MS. SURRATT:
The problem is with the word "joint" because of the fact that we have the other statutory structure for a joint petition for a divorce. It is its own beast. We happen to use the term "petitioners" within adoption orders or decrees and petitions.

We already have more than one party in most of those petitions. We do not have to use the word "joint" for two people to adopt because the language said, "any adult" or any "two persons." We have allowed the multiple persons, and we have also said, "But if you are also keeping your rights, you need to be a party to the case and you have to consent." The statutory structure behind a joint petition for divorce or dissolution of a marriage is a very different legal

beast because it causes you to waive a new trial, an appeal, and there are specific things to it.

I do not want to create a joint petition for adoption and ignore 90 percent of the adoption chapter and accidentally not pull in all of the pertinent, relevant pieces of the adoption process. That still needs to be part of it to which the chapter applies. Instead of any adult person or two persons, we are now onto one or more adults. And that language existed without having joint petition language in the original adoption chapter.

SENATOR PICKARD:
I agree with that. However, these situations only become problematic when being litigated at the termination of that relationship where the parties are splitting up, and now we have to divide the time with the child across the multiple parents. What happens when you have three people who are fighting over custody of the child? Now you have multiple people withstanding and equal parental rights? Without guidance to the court, how do we divide up the time with the child? We are not addressing those parts of the statute, so we are giving the courts no guidance as to how to address the parental rights of each parent. Do we start with the assumption, by the way this is structured, that each parent will have equal parental rights?

MS. SURRATT:
Yes, sir.

SENATOR PICKARD:
Consider the parent who postdivorce is a noncustodial parent and maybe only had visitation every other weekend and the occasional time during the summer—so significantly reduced time. The new set of parents is divorcing and in a situation where that person has not had those rights. Can he or she collaterally attack this relationship?

MS. SURRATT:
Yes, but every single one of our family law cases goes on the best interest of the child and is just as complicated and nasty. I do not personally believe that just because a third-party had actual legal rights versus the nasty cases we have in third-party visitation chapters, separate and apart from the divorce, where a couple may not be talking to each other and where they get truncated, and/or told they cannot be called mom or dad anymore or any of the other nasty

repercussions. I would much rather have a complicated matter within family court that is one matter for this child's best interests. Our principles are intact for that.

SENATOR PICKARD:
That is a point of disagreement. I agree with the position to make this situation where parents who want to be parents get to be parents. I am with you on that. Having been one, I get that at the most visceral level. As a practitioner, does this not make it more difficult for the court now that we have three or maybe four people engaged in this litigation? I am imagining four desks with different parties. This is going to look like a construction defect case where we have multiple angles of attack from potentially four different parties. Someone has said more parties than that. I cannot envision myself in a situation more challenging to decipher.

Will this make it harder to determine? The best-interest factors under NRS 125C.0035, subsection 4 do not address any of these situations specifically; they are more broad. Will this make it harder for a court to determine what is actually in the best interests of the child?

MS. SURRATT:
I have had those cases without this chapter. I have had them with grandparents, parents and potential adopted parents in the room. I have had attorneys all the way around with child advocacy attorneys for the child and guardians who already exist; they just get truncated rights and terrible outcomes. With this, at least we know where they stand. They at least have a fighting chance. Those cases exist. The litigation is out there. The number of people opting into this are not going to be the ones who are the most contentious and fighting.

They are people like myself and my ex-husband who works in this building and has an amazing new wife, who I love and adore, and we are not those people.

ASSEMBLYWOMAN NGUYEN:
There are also things we want to make sure we get to even before looking down the road when things crumble. I realize, as a practitioner, that is where your mind goes because that is usually when you see the cases. You do not see them as frequently on the front end when people are trying to become these families who are legally recognized.

You need consent of all the parties to get it and even after consent, you have to go to a judge who makes that determination.

That is why I agree with you. You will not get 40 parents in a room wanting to adopt a child and then later having to dissolve equal custody among 40 parents, 10 parents or not more than 4 parents or legal parents.

The process in place and the intent in the record in the Senate and Assembly is that these are consenting adoptions. These are situations where everyone has to consent, and then the court has to agree with the protections and conversations about abuse or any of those things. There has to be that kind of conversation. If you have a situation where six parents wanted to recognize legal guardianship and five of them all agreed, a judge would still have to look at that and say "Is this in the best interest of the child to agree to this consensual adoption on these multiple parents?" That is the intent.

When we first introduced this language, it was in the wrong chapter. If you look at the Assembly side versus what has come to the Senate, we did relocate it from the wrong chapter into the correct one, working with the Legislative Counsel Bureau (LCB) and local practitioners to overcome some of those concerns expressed.

It is a dynamic document. Obviously, we have some other conceptual amendments in work if we are fortunate to have a work session in this House on A.B. 115.

SENATOR PICKARD:
I appreciate that. We have this starting point of two people and only two people who possessed at any given time the parental rights—the ultimate right to determine what is in their child's best interest. This would undo that.

Why are we limiting a waiver for a hearing to the third degree of consanguinity? Can you explain why consanguinity applies here?

MS. SURRATT:
Because those are the ones based on consent. I still left it to the court to have discretion to waive it because when it sees a three-parent adoption, the court will want to have a hearing. I wanted to keep that intact. It is the reason I did not want to use the language from a different discussion about a summary

disposition. I do not want it automatically granted because all of this has to be taken into consideration for the best interests of the child.

When a child is adopted outside of the third degree of consanguinity, there has to be an investigation and report to go in front of the court. A hearing has to occur before all of that can be accomplished. You cannot get around it. You do not have that in the third degree of consanguinity cases. Well, you could. The court could say you have to, but you usually ask for a waiver and typically get one.

SENATOR PICKARD:
Right, and in my experience you almost always get those waivers, particularly where everyone is consenting anyway.

Section 5.8 is different from section 5.3 in that it only deals with terminations. You talked about the difference between relinquishments and terminations, and I appreciated you getting that on the record. Is it your intention to modify the statute to provide for termination?

MS. SURRATT:
A set of statutes within this chapter deal with consents and relinquishments, when they are valid and when they can be revoked—which is a narrow window. All of that is staying intact and has not been touched. When you pointed that out to me, I took a hard look to make sure it was not just specific to consents. I added the relinquishments because of a difference when the agency takes a relinquishment and gets more control than in a consent scenario. I wanted to make sure it was appropriate here, but I kept it intact, all of the validity of the consents and relinquishments.

SENATOR PICKARD:
Perfect. Section 8 deals with extending parental rights to any person who has a parent-child relationship. *Nevada Revised Statutes* (NRS) 125C.050 establishes a nonparent may obtain visitation rights after proving that a child has established a meaningful relationship, and we have used that elsewhere. However, he or she is limited to visitation, and this does not extend to parental rights. Does not this section tend to change the parental preference in custody matters under the NRS 125C.050 standard?

MS. SURRATT:
There is potential for that, yes. It would be appropriate to analyze that for the best interest of each child, depending on the family's circumstances.

SENATOR PICKARD:
Would it not make sense then to also add some best-interest factors within NRS 127 instead of NRS 125C.050 that give guidance to the court to establish those best-interest factors?

MS. SURRATT:
I agree that additional work remains throughout all of the family law chapters to assist all of our LGBTQ+ families to have success in their families and parenting. I have done that incrementally over the years to gender-neutralize different bills.

SENATOR PICKARD:
My concern is when we do not give guidance to the court, the Nevada Supreme Court will either make it up or not opine on the issue because we have not delivered that kind of guidance. Would it make sense? Are you amenable to provide guidance to the court so we can establish some factors, not all-inclusive, in how to assess what is in the child's best interests—particularly since we have multiple parents all vying for time with the child?

ASSEMBLYWOMAN NGUYEN:
It is an ongoing conversation. You have had detailed, long conversations with Ms. Surratt regarding potential changes. We have been working with LCB staff to make sure there are not any concerns and providing clear legislative history in all of these hearings to incorporate some of your recommendations. Assembly Bill 115, as we have it, stands with limited changes forthcoming in any potential work session to satisfy some of those concerns.

SENATOR OHRENSCHALL:
While I practice in a family courthouse, I do not consider myself a family law attorney. I practice in juvenile court. One thing that I like about the bill is in juvenile court, I often see a real vacuum as to placements for children. A bill like this could lead to more possible placements for children with someone who loves them and wants to nurture them.

Often, juvenile court agencies and our social workers look for kin to see if we can place a child with them because we do not have enough options due to folks on the birth certificates being unable to care for the child, deceased, incarcerated and so on.

I like A.B. 115 giving more options for placement and possible good consequences for children facing juvenile court.

One question I have is to the language on section 5.2, page 3. The proposed new language on page 3, lines 9 through 11 states, "Each prospective adopting adult and each legal parent seeking to retain his or her parental rights must be joined as a petitioner." I like that joined language about the legal parents. What would be weighed in terms of whether the legal parent is seeking to retain his or her parental rights? Would the parent need to be actively involved in the court process or would that be defined if this new language is passed into law?

MS. SURRATT:
"Joined as a petitioner" is the key language at the end of that sentence because I want them to be a party in the case. Using the word "petitioner" for adoption petitions is a slurred word between "party" and "petitioner."

This conversation has come up many times among stepparent adoptions in the past where I have had a lot of practitioners ask, "Do I make the current parent a petitioner in the action?" I reply, "By practice that is what we do when we are in front of the court, but the chapter was silent on that all along whether you were supposed to do that." I have always said it was good practice, so this is maybe the first time we have statute making them a "party."

SENATOR OHRENSCHALL:
Thank you for that clarification. I appreciate the language.

SENATOR CANNIZZARO:
I am supportive of A.B. 115. I appreciate Assemblywoman Nguyen highlighting that in an action under this particular bill, we are still dealing with a court system, still dealing with a court structure that requires the court to make a determination. The court still has to weigh all of those things, and it would still be considering the best interests of the child, which is a common thing for anyone who has practiced in this area of law to understand and articulate. Of course, that will be different for every case.

One of the nice parts about A.B. 115 is that it allows us to recognize that there may be more than just a mom and a dad who care very much for a child. When we put that into the context of parental rights, know there are a lot of parents whose parental rights mean nothing for the support of that child because they are either unable or unwilling to care for, support and be there in that child's life. A lot of people are willing to step up and do that. The fact that we are looking to confer legal rights on those people does nothing except to help that child's understanding that there are people in this world who love them very much, even if the people who were supposed to have those parental rights do not.

When we talk about a mom and a dad who are married, somehow, that is messy for anyone who has been in the middle of any kind of divorce case or knows people who have or are children of divorce, but that is not the case in a lot of situations. Sometimes, where multiple people are involved who all really care about a child, it does not have to be messy. Maybe it is anyway, but at least we are putting some legal constructs around ensuring that children have people there to care for them not only in their day-to-day lives but from a legal sense.

That is why A.B. 115 is such an important piece of legislation. You are still working on language for amendments, but this goes a long way in allowing us to set up a system that really does benefit the child in the end.

ASSEMBLYWOMAN NGUYEN:
That was our intent. When the concept and the need was brought up by Silver State Equality, it immediately resonated with me given friends in this situation, but it potentially affects everyone. It is a family situation. Our families are complex. Families are messy and divorces are messy; adoptions are messy, and it does not mean that those children should not have the love of parents in every circumstance. There are situations where siblings are taking care of their nieces and nephews and are every part the parent in those situations. If they want that legal recognition and the consenting parents want that as well, we should allow children to receive much love and attention not only in their hearts but also under the law. Assembly Bill 115 is a step in the right direction.

CHAIR SCHEIBLE:
I am cosponsor of the bill because this is an incredibly important part of making the law reflect the community we live in and ensuring that people who love and

care for children who are their own—that is what children become when you adopt them—have legal recognition. We have heard multiple stories both in the Assembly and the Senate that demonstrate this need exists. It is not hypothetical, it is not theoretical. We have seen real families who benefit from having the ability to recognize an additional parent. If we can do that for families going forward, preventing kids and parents' heartache, then it is well worth our while.

HOLLY WELBORN (American Civil Liberties Union of Nevada):
The American Civil Liberties Union of Nevada (ACLU) supports A.B. 115, which is an incredible piece of legislation.

JULIE HAMMER:
I am in opposition to A.B. 115. One thing that needs to be made painfully clear in this legislation is with amending parentage rights under NRS 126 or NRS 127. A critical requirement if pushing forward three, four, five or six parent adoptions is that the biological and natural, legal married parents be required to terminate their rights first under NRS 432B and then come on a united front with five or six parents under NRS 127.

My family has been subjected to unauthorized intrusions. We have not seen our eldest daughter in years because the babysitter moved for parental rights of our child without our daughter being joined to the action, without the father being joined to the action. There was no hearing held. The court unilaterally decided there would be no hearing. The court literally awarded this married woman and her husband rights under NRS 126, against my stepparent's wishes. My husband and I are married and have two children, and we have not seen our daughter in years. Our daughter has called the police, wanting and fighting to come home. She was taken from us at six and a half years old.

This legislation in its current format is filled with so many holes and so much room for error and misinterpretation. Guidance to the judges needs to be crystal clear with no room for interpretation so that fit parents' rights are not violated.

I understand that coming together on a united front means written, notarized authorization presented to the court by the litigants—not by their attorneys, not by some other representative—themselves to prevent any misinterpretation or people alleging that other parties were served when they were never served.

That is my biggest opposition in that this legislation is filled with so many errors that can create disaster such as has been created in my family for eight years.

EMILY MIMNAUGH (Pacific Justice Institute-Center for Public Policy):
Simply put, A.B. 115 is bad for Nevada. I have provided opposition testimony (Exhibit B).

NAKIA BAHNS:
This proposed legislation is irresponsible. To give this court system that already has so much abuse of discretion in the way it rules and what it does is a disaster.

I have been a victim of the family court, and passing this legislation would be awful. I have not seen my eight-year-old son in almost two years. I have no idea where he is because a judge used discretion to do whatever she wanted. This relates to a man who never was involved with my son—there was never paternity testing—who walked into court and walked out with my child. There was no reason as to why. There is already an ongoing problem with so many families who continue daily to be destroyed because judges get to use their discretion. This is demonic. It is not okay that the court is unclear on a lot of things. To propose something like this without specifics and things being outlined to avoid no other interpretation is a disaster.

My son is eight years old. He has three siblings who have not seen him. His grandparents have not seen him. We do not know where he is because of what a judge did via the ruling she made using her discretion. She did it because I was a Black woman and the other party was White. These kind of things cannot have room for error, and it does have a lot of room for error. I oppose Assembly Bill 115.

LYUDMYLA PYANKOVSKA:
I oppose A.B. 115. I have provided opposition testimony (Exhibit C).

TIFFANY WAGNER:
I am 100 percent in opposition to A.B. 115. It is disastrous. Nobody is talking about the impracticality of the ability to give parenting rights to an unlimited amount of people. How do you divide a child four, five, six, seven unlimited ways? How do you divide a child's time like that? It is inarguably not in the child's best interest to have this kind of legislation passed. There is already

legislation for guardianship and adoption. As stated before, there are too many hurdles to overcome. Family court is completely muddled as is. The judges already have an unlimited amount of discretionary power. They do not need to be granted more.

Biological parents should absolutely have their rights justifiably terminated first before giving rights to any other party.

MR. HALL:
I am anything but neutral on A.B. 115. We have a family court system that is completely, astonishingly off-the-chain crazy. When I say crazy, I mean like genuine insanity. For example, I am involved in a case in family court which is now headed to the Supreme Court. My ex-wife is responsible for the death of our two-year-old son. Her new husband has over 20 felony counts on his record, including child endangerment and shooting live weapons inside the house. He is responsible for the death of three of his children.

I do not see any way possible to give any more discretion to a court that is just unhinged. Not only that, but the person who proposed this bill is sitting across the desk in black. Here is the problem that I have with her. She has been responsible for it, and I have not done that.

ASSEMBLYWOMAN NGUYEN:
It sounds like some of the callers in opposition have concerns with our family court system. This law mandates and requires consent of the parents. This would never be a situation where you had two parents who got a divorce and another parent wanted to adopt that child without consent. Both of those two original parents would have to first consent to an adoption by that third parent.

In addition, the judge would also have to review the consent. There has to be consent before it even goes to the judge for that determination. I want to make that very clear. A new stepparent cannot come in and take custody rights away from another parent or unadopt a child from two existing parents.

Some comments in opposition were misguided. The plain language of the bill addresses and requires that consent.

CHAIR SCHEIBLE:
I will now close the hearing on Assembly Bill 115 and open the hearing on Assembly Bill 296.

ASSEMBLY BILL 296 (1st Reprint): Establishes a civil cause of action for the dissemination of personal identifying information or sensitive information under certain circumstances. (BDR 3-121)

ASSEMBLYWOMAN ROCHELLE T. NGUYEN (Assembly District No. 10):
I am here to present A.B. 296. This establishes penalties for those who engage in doxing. This bill does not create criminal penalties, it creates a civil cause of remedy.

Doxing is a form of online harassment that has been gaining popularity. Doxing is the posting of private or identifying information about an individual, group or organization with the intent of that information being used against the target for an unlawful purpose.

These actions are a severe threat to our community, particularly individuals of protected classes affecting the ability of already marginalized communities to be safe both in digital and physical spaces. Doxing should be codified into Nevada State law so we can protect targets and hold perpetrators accountable for their malicious and reckless actions.

There is no question that doxing can be extremely serious and harmful— particularly when the offender intends for the disclosure of that personal information to result in the death, injury or stalking of the target—and must be taken seriously under Nevada law.

The issue of doxing became real to me about a year ago when I had the privilege to meet Tonya Gersh. For people not familiar with her story, and by example only, a publisher of a neo-Nazi website called The Daily Stormer, was one of the organizers of the 2017 white supremacist rally in Charlottesville, Virginia. At the time, he posted the name and address of a Jewish real estate agent in Montana. He posted photos of her children and had all of his thousand-some website followers also respond. His purpose and intent was to stalk and terrorize this poor soccer mom. His followers understood that all too well and responded with hundreds of threatening calls, anti-Semitic messages and posts on Facebook, social media and websites like Yelp. Her family was

subject to squatting. Her parents were in fear, and she was worried about her children and their safety when they walked out of her house.

In this case, A.B. 296 would distinguish and not capture conduct that simply involves identifying people online with a purpose that they may be protecting others, tracking down extremists or reporting on a public interest story.

Unlawful doxing is different from the work of advocates, researchers and the press, including those at the Anti-Defamation League who are doing this to identify extremists and help law enforcement agencies to investigate these for possible crimes.

These activists and researchers are not operating unlawfully, maliciously or recklessly with a reckless state of mind. The same goes for journalists who break important stories and people who take on powerful institutions and their interests by disclosing information such as political donations and things like that. People who report abuse of power otherwise act as whistleblowers. This law does not apply to those individuals.

Anti-doxing laws should not apply to the extent that people are publishing information to share facts and not acting with this level of intent to harass individuals with the reckless regard for others to carry out criminal conduct such as death, injury or stalking. When it comes to online harassment, it is a fine line to walk. It is important when we are enacting anti-doxing legislation to keep this in mind.

I have been fortunate enough to work with the Anti-Defamation League, and Jolie Brislin will be speaking to this issue. I also have the testimony of Heather Korbulic, who has her own personal story toward supporting this type of legislation to prevent others from having the same kind of experience that she had.

HEATHER KORBULIC:
I am here today to provide personal testimony on A.B. 296. In April 2020, Governor Steve Sisolak asked me to step into the role of the Interim Director for the Department of Employment, Training and Rehabilitation (DETR).

A month beforehand, the Governor had made an incredibly difficult and drastic decision to shut down the State of Nevada in the best interests of public health.

The Department of Employment, Training and Rehabilitation was receiving an unprecedented number of unemployment claims as a result. With the highest rate of unemployment ever recorded in the Country's history, hundreds of thousands of Nevadans found themselves filing unemployment insurance claims on a system never intended to scale at such a rapid pace. Nevadans were desperate to reach someone at DETR to get answers to their questions and resolve issues on their unemployment claims. The Department of Employment, Training and Rehabilitation was staffed at a level that accommodated the State's best economy. Literally overnight, the State experienced its worst economic landscape in recorded history. Tens of thousands of Nevadans were justifiably frustrated and scared. Adding to the significant challenges that DETR was facing, the U.S. Congress had just introduced a new unemployment program to support the hundreds of thousands of newly unemployed Nevadans who would not be eligible for standard unemployment insurance.

Launching the Pandemic Unemployment Assistance program was an enormous undertaking in and of itself. I would be walking into a critically important response effort facing Nevadans who were upset and needed answers.

Because I have led agencies through challenging times before, I had to make important decisions quickly. I needed to be transparent about our efforts, and I needed to constantly communicate with the public. I did my best to learn and move fast, and I am proud of what was achieved during my short tenure and even more proud of DETRs continued response.

Thousands of Nevadans reached out directly to me while I served as the Director, and all of them had equally compelling stories of desperation and fear. Every day, my heart was heavy and I felt an overwhelming responsibility to help. A small percentage of these people targeted their anger directly at me, calling me names and slandering my reputation. An even smaller percentage of those people chose to harass and threaten me with the intent to scare me. Those people posted my home address and my personal phone number online with an intent to encourage and promote others to join in their harassment. They targeted me on every social media platform and other online mechanisms available to them. Some of them questioned whether I should be alive any longer. I do not remember all of the threats, thankfully, but I remember exactly how they made me feel, and it was terrifying.

Two incidents stand out in my mind. The first legitimate threat to my safety came during a time when my husband and children were out of town. At the time, we did not have a security system, but we do now. A law enforcement officer spent the night parked in front of my home; I came home that night after an exhausting day, and my neighbors walked out to ask what was happening and why was an officer parked in front of my home. I told them about the threat and I asked that they be on the lookout for suspicious activity. They were all loving and supportive, but they were also afraid for their own safety. I went inside, called my husband, sobbed, told him I was done and I could not live like this. He told me that I was stronger than the people who were threatening me and that he would cut short his trip, come home and install a security system. I am really grateful for his belief in me and of his support. My family returned, and my children, who were used to playing in the front yard by themselves, were forbidden from leaving the house without supervision.

I was so scared that someone would take my children or hurt them. They saw my fear and it confused them, scared them and they were angry with me. I kept my chin up, worked as hard as I possibly could and tried to forget. One day, a few weeks later, in the middle of a meeting with lawmakers, someone posted my personal cellphone number on a Facebook page. Within minutes, I had over 100 calls, and my voicemail was immediately full of hateful messages. I tried to use my phone to call Verizon to change my phone number, but I could not even dial out because the calls kept coming in so fast. I sat down, cried at my desk and decided that I could no longer tolerate putting my family in this position. I could and would not live in fear for simply trying to do my job.

During this time, my close friends and family who knew what was happening, sent me articles from across the Country with stories of public health officials and others who were experiencing similar threats and harassment. It made me sick to read about the terrifying experiences of these dedicated civil servants who simply wanted to protect people.

I am here today doing something that I did not want to do because I believe in what Assemblywoman Nguyen is putting forward in A.B. 296. Nobody under any circumstances should be made to feel the way my family and I felt when people were using my personally identifiable information to threaten and harass me.

ASSEMBLYWOMAN NGUYEN:
Thank you for sharing your story.

CHAIR SCHEIBLE:
We will take a brief pause to thank Ms. Korbulic for having the courage to be here today and to share with us. It is unfathomable what you have gone through, and I am truly sorry.

SENATOR CANNIZZARO:
The fact you are here speaks truth and life into the words from your husband that you are stronger than any of the threats. We should all be so thankful for the incredible work you have done for Nevada. To not only stand up and lead us in developing the exchange program in the State—which is helping a lot of Nevadans access healthcare—to your amazing work leading us through the process and ensuring there is a system to provide help to Nevadans. Over and above, you were asked and called to do one of the most impossible tasks anyone in public service could be asked to do.

In a position and on a platform that could not have dealt with the magnitude of what the Covid-19 pandemic has put and thrust upon it, the fact that you said "yes" in the first place speaks to your strength and capabilities. Frankly, when I heard that you were coming on to do that I thought, "Oh my goodness, the State found one of the best people possible to put in this position, and if there is a way out, Ms. Korbulic will be the person to help us find it." That we have someone like you here in Nevada is remarkable. I am personally grateful and there are many Nevadans who are so grateful, even if they do not know that you are the person. That you are still continuing that work, that you are now also working hand-in-hand to make sure that we can do the business of the Legislature, I cannot thank you enough. It is hard to share these kinds of stories, and I cannot imagine how terrifying this whole ordeal has been. But know that a lot of people in the State appreciate the work that you are doing, and you have demonstrated to all of us that you are so much stronger than anything people can throw at you. That does not mean we should not also take action to make sure this does not happen to someone else; sharing your story helps to lead the pathway to that. The amazing things that you have done for Nevada, we should all be so lucky to have even just one of you here in the State. Thank you for being here and for sharing your story.

JOLIE BRISLIN (Regional Director, Anti-Defamation League, Nevada Regional Office):
I thank Heather for sharing her story and having so much courage. Because of her testimony, I hope to prevent this from happening to other people.

On behalf of the Anti-Defamation League (ADL), I appreciate the opportunity to speak with you this afternoon regarding A.B. 296. Founded in 1913, ADL has a timeless mission to stop the defamation of the Jewish people and to secure justice and fair treatment for all. Today more than ever, this mission's relevance endures. At ADL, we work to combat anti-Semitism, prejudice and hate of all kinds while defending our democratic ideals and civil rights.

Unfortunately, hate and extremism are on a rise, and digital space is not immune. These fallacies are stark in terms of which communities are particularly impacted by hate. According to a recent national study that ADL released, 27 percent of Americans experience severe online hate and harassment defined as including sexual harassment, stalking, physical threats, swatting, doxing and sustained harassment. Additionally, in this 2021 report, 33 percent of respondents attributed at least some of the online harassment they experienced to their identity, defined as their sexual orientation, religion, race or ethnicity, gender identity or disability. Generally, 28 percent of respondents reported having experienced race-based harassment. African-American respondents reported a sharp rise in race-based harassment from 42 percent last year to 59 percent this year. Additionally, more than one in five Americans reported experiencing harassment based on their religion with 57 percent of Muslims and 31 percent of Jewish respondents reporting harassment because of their religious identity.

We must do more to protect against online hate and harassment and its consequences to people's personal and professional lives. Such actions include the emerging threat of doxing. The ADL urges this Committee to support A.B. 296 to address doxing in Nevada statute. If passed, this law would prohibit a person from posting another person's information online with the intent to harm and reckless disregard of causing death, bodily injury, stalking or mental anguish. According to ADL's 2021 report, 81 percent of Americans agree that laws should be strengthened to hold perpetuators of online hate accountable for their conduct. This bill empowers victims and targets of this digitally enabled hate to seek recourse.

SENATOR PICKARD:
Ms. Korbulic, I agree it is sad and frightening when we have public officials targeted for doing their job. I join with everyone else in applauding you. We all thought that you would do a fantastic job coming in. Your reputation preceded you, and we thought we had a chance of getting this fixed; then we saw what happened.

Assemblywoman Nguyen, I am glad to see this kind of attention. I am just a little concerned with section 1, subsection 3, paragraph (b), where public officers acting in their official capacity are excluded from application of this bill. Neither Ms. Korbulic's perpetrators nor law enforcement officers would be subject to the penalties in this bill.

We just saw what LeBron James did to the Ohio officer acting to save a life, and yet here we are once again, inviting the public to dox these law enforcement officers. Can you address that issue and what we are trying to accomplish?

ASSEMBLYWOMAN NGUYEN:
With any of the doxing legislation proposed, including this bill, a lot of people are concerned about the legal overreach of doxing bills. A fine line between protecting free speech both online and offline rightfully raises serious and legitimate questions about how it comes to codifying these laws and who they apply to, especially in this free speech realm. Beth Holtzman, who is on Zoom, has been working tirelessly across the Country in developing anti-doxing legislation, is probably in the best position to address your concerns on why certain people, public officials, elected officials and law enforcement would be specifically excluded from the provisions of this civil litigation.

BETH HOLTZMAN (Western Civil Rights Counsel, Anti-Defamation League):
It is hard because a lot of public officials' information is being shared. Assembly Bill 296 focuses on enabling communities to still hold law enforcement officers and public officials accountable for their actions that violate the law, such as people exposing bad behavior in a whistleblower capacity. A high intense standard for this bill will prevent it from being abused in situations where contact information is shared casually. It really needs to be shared with the intent to cause severe harm.

SENATOR PICKARD:
I am referring to the opening sentence,

> The provisions of this section do not apply to the dissemination of personal identifying information or sensitive information which depicts a law enforcement officer acting under the color of law or a public officer acting in an official capacity.

As written, this bill would not apply to the perpetrators for Ms. Korbulic's harassment nor would it apply to the Ohio officer, Nevada officer or any other public officer acting in an official capacity. I am not talking about those who are committing illegal acts like Derek Chauvin, but even then to release personal identifying information that could lead those who would harass directly to their doorstep. Why is that not illegal for any recipient? For any person who is doing a job in an official capacity, this does not apply to those individuals. How is that even remotely appropriate?

ASSEMBLYWOMAN NGUYEN:
We are doing baby steps to get to the legislation, make sure it is crafted appropriately and that protects free speech.

As an elected official, our addresses are public record. We are in a different situation. You have to have your address listed because you have to live within the district in which you are running for office. There are certain things that, as an elected official, place you in a different situation. You are in a different scenario of individuals. You can and should be held accountable for your decisions, statements and actions as a public official and especially an elected official.

As far as law enforcement, our intent was to not prohibit it and make the language too difficult. For example, with the insurrection in Washington, D.C., you want to help law enforcement capture and identify some of the individuals involved in the death of the police officer, the beatings that took place against security officers, the vandalism and such. We were able to do that by publishing photographs and information to identify individuals who committed those particular crimes.

We have seen all too often that without recordings by members of the press and individuals out on the street, we would not find that information

unfortunately acting in bad faith, criminally or recklessly. It is important to find a balance that enables free speech and for members in these important areas of public interest to be held accountable. That was our intent. Ms. Holtzman might have information when it rises to the level of violence or threats of violence in stalking.

MS. HOLTZMAN:
I would just add that in the intent of this bill, we were focusing on individuals such as Tonya Gersh, who was not a public figure. She was just a real estate agent who suffered unlawful doxing and was harassed and stalked by several people as her family and children were threatened repeatedly. That is the target. Although this bill has the exemption for public and law enforcement officers, perhaps we can fill a gap in the future, but we are focusing on the individuals who are not the public figures, do not need to be held accountable and are helpless in these situations.

SENATOR PICKARD:
I misunderstood the intent because when Ms. Korbulic came up and talked about her story, I thought it applied to the bill. Obviously, it does not. We are going after the private individual. If this is narrowly targeted to avoid doxing of private individuals, I do not think a police officer signed up for what I signed up for. When officers join the police force, they do not sign up for their families being targeted for their acts. Publishing their information is not any more appropriate. We do not need the language of section 1, subsection 3, paragraph (b) at all if that is the case.

CHAIR SCHEIBLE:
I would like to shed some light on paragraph (b) of subsection 3 on page 3. I read it to say, "provisions of this ... section do not apply to the dissemination of ... information ... which depicts a law enforcement officer acting under the color of law or a public officer acting in an official capacity."

Stop me if I am wrong and explain why, but it sounds like this is allowing individuals to produce and publish things like pictures, videos and screenshots of something a public officer did in an official capacity, standing in front of a room of Legislators, standing in front of a crowd and speaking in an official capacity, posting on one's official Facebook page any type of speech that you could screenshot and share with the public.

What it does not say is that you can search for that public officer's personal address and publish it along with additional commentary that says, "You should go to so and so's address and harass him or her." If the public official was posting his or her own address, you could share it. But this allows someone to reproduce and disseminate information already made available by nature of someone being a public official. It does not empower anyone to dig up additional information, find the information through a means not depicted in a normal photo, video, screenshot or email and utilize that information in a way intended to inspire violence toward or harassment of that person.

ASSEMBLYWOMAN NGUYEN:
That is correct. Other statutes protect the personal and private information of our law enforcement officers, as well as a big laundry list of our first responders.

SENATOR HARRIS:
I will echo the comments of my colleagues. Ms. Korbulic, thank you for sharing your story. I am wondering about how this is not already an actionable lawsuit? Is this not a classic intentional infliction of emotional distress? Or is some other tort already in place? Why do we need to create something new?

MS. HOLTZMAN:
It is possible to bring a case under intentional infliction of emotional distress; however, we found in other states that it is difficult in that state laws are not often written to contemplate the realities of online spaces and how cyber harassment and cyberstalking occurs. Doxing and the online elements of it are not always reflected in other sorts of torts.

We find it is most helpful to enact a statute with proper language that takes into consideration and focuses on these particular actions that occur online, reflecting that and providing a civil cause of action for individuals who suffer from and experience unlawful doxing.

ASSEMBLYWOMAN NGUYEN:
It was our intent to look at this because a lot of the emerging technologies that people are using to harass, target and express this hate is online. Unlike someone coming and yelling something at you in person, this online hate survives indefinitely. It is repeated and traumatic over and over again for the victims.

When I spoke with Tonya Gersh, she talked about how people told her to just get off Facebook, Twitter and all social media platforms. In truth, it is so tied in with how we communicate, govern with communities, families and our business interests that it is unrealistic to do that. Our laws need to reflect this new online space exploited to target hate and violence.

SENATOR HARRIS:
I do not know if we have taken the time to update our harassment laws to sufficiently capture the ways you can be harassed online. Releasing personal information is not the only way people are harassed online. It is a little late in the Session, but if we need to pick up that topic and make sure that harassment covers the ways people are acting nowadays, we should fix that too.

SENATOR OHRENSCHALL:
Director Korbulic, thank you for sharing what happened to you, and thank you for leading DETR during an unprecedented time that no one could have imagined. It is terrible that you and your family had to go through this kind of harassment and threats when you were just trying to make a system designed in the 1950s and 1960s work with an unprecedented pandemic.

My question is for Ms. Holtzman. In states that have adopted laws like this, have there been many successful lawsuits brought, and what kind of damages have the victims received from the courts? Have any states enacted any enhanced damages, treble damages, for people who distribute this kind of personal identifying information in an attack on someone?

MS. HOLTZMAN:
States have passed this just in the last year, so we have not seen them being litigated yet. However, other states, in addition to damages, have done criminal penalties for unlawful doxing. That has been more of what we have seen. I can look into this and follow up if there is additional information needed.

SERENA EVANS (Nevada Coalition to End Domestic and Sexual Violence):
I am in support of A.B. 296. We know that stalking and harassment takes place in many different forms. Now in these online spaces, it creates this new level of harassment. I want to share a horrific story that gets shared in the advocacy community of a jealous ex-boyfriend. They break up and he shares the girlfriend's personal information online with an address, what time she will be home, where she lives, how to break in and paints this picture to his followers

that she wants to live out a rape fantasy and to break into her house at this time to rape her because she wants to experience "stranger rape." While this act may not come through, it also creates this level of harassment online where these people may be following, stalking, sending vulgar messages to an individual online and creating a heightened sense of fear.

MARIA-TERESA LIEBERMANN-PARRAGA (Battle Born Progress):
We are in support of A.B. 296. In the digital space, our organization works on that every single day. We have seen multiple times where folks on all sides of the aisle have been doxed, or attempts to dox have a serious toll on people. There is a difference between holding people accountable and actively trying to hurt them by doxing them and putting out personal information for dangerous purposes.

CHUCK CALLAWAY (Las Vegas Metropolitan Police Department):
I was neutral on A.B. 296 in the Assembly, but with the amendments added, I am in a position now to come forward in opposition.

First of all, it troubles me that the criminal penalties are being removed from the statute. I worked with the Legislature several sessions ago regarding a slotting bill, which codified in statute some of the penalties used for this type of behavior. Section 1, subsection 1, paragraph (a), subparagraph (1) of A.B. 296 describes this behavior as "With the intent to ... encourage, facilitate ... any criminal offense ... likely to cause death, bodily injury ... ." This is serious activity. While the ability to file a civil suit is good, we need to consider keeping the criminal penalties.

I share the same concerns raised by Senator Pickard regarding the way this language is written. It says the provisions do not apply, and it lists public officer and also police officer. If the intent is to protect whistleblowers and people who are reporting unlawful activity that law enforcement officers or public officials are engaged in, mechanisms and protections are in place to make those complaints. You do not report unlawful activity by doxing someone. The intent to facilitate a criminal offense likely to cause death or bodily harm is not how you report someone engaged in unlawful criminal activity.

The way this is written, you could be protesting in front of someone's home, a Legislator's home, because you believe that person has violated the Constitution of the State. You reasonably believe the individual violated the law so you were

protesting in front of his or her home, livestreaming the address and encouraging others to come there and potentially cause harm. The bill language would exempt you from the penalties. There are legitimate ways to report unlawful activity, and doxing people is not the way to do that. I am here in opposition of Assembly Bill 296.

ERIC SPRATLEY (Nevada Sheriffs' and Chiefs' Association):
We oppose A.B. 296. It is well intended but poorly written and leaves certain people unprotected by the language. In the testimony you heard, no one, including law enforcement or elected people, should have to go through that anguish.

MS. WELBORN:
The ACLU is in neutral of A.B. 296. We share the commitment of protecting people from terrifying harassment and from racist and bigoted attacks. It is our position that this bill makes clear the statute cannot be used by government officials as a tool to punish innocent behavior in constitutionally protected speech.

Posting information online is one of the few ways ordinary people have of holding people in a position of power accountable. It was imperative that this bill not capture activities protected by the First Amendment and essential to our ability as citizens to expose and address racism, violence and corruption in society and our government institutions.

So many defining moments in our Nation's fight against prejudice and systemic racial injustice have been the result of a bystander taking out the camera, filming a video of an individual engaging in negative or violent behavior and sharing that video and accompanying identifying information online.

This bill is in a good place, and we look forward to continuing conversation.

CHAIR SCHEIBLE:
I would like to turn to our Committee counsel, Nicholas Anthony, to clarify if it would affect peace officers. Specifically, I believe NRS 289.025 already prohibits sharing a peace officer's home address, but if you could just clarify for us what would and would not be allowed under this proposed law?

NICHOLAS ANTHONY (Counsel):
Referring to A.B. 296 on page 3, section 1, subsection 3, and the exceptions discussed earlier, the paramount component is in paragraph (b) which depicts a law enforcement officer or a public officer acting. The bill, as written, does not apply after hours. For example, someone is at home and being harassed. Yes, that would clearly be doxing under the letter of this bill.

The language accepts, for instance, if someone walks into this room and takes a picture of a public official, a law enforcement officer, while that person is acting in an official capacity.

The provision in NRS 289.025 does prohibit the sharing of law enforcement officers' home addresses or personal information. That is confidential by statute under that law.

ASSEMBLYWOMAN NGUYEN:
I will continue to reach out to work with the opposition. This is the first time I had heard of any opposition to A.B. 296 and hearing counsel clarify the intent and who would be covered by this bill. People say that bills do not go far enough or do enough, but that is not a reason to throw out what could be a good first step in targeting doxing and targeting it for individuals. This is a new concept in law, and this bill is a step in that right direction to target those individuals.

Under the provisions of this law, a situation like Ms. Korbulic and her experience would actually be covered in A.B. 296. This is not talking about her job duties when giving a press conference or is in her office or place of business. She does not have the protections of her address being protected like first responders or law enforcement officials. This would directly be on her and targeting her family, phone number, personal information, her children and her husband. That is the intent in this legislation. We need to balance those First Amendment rights with those in protecting our community in this new online area.

CHAIR SCHEIBLE:
I will now close the hearing on Assembly Bill 296 and open the hearing on Assembly Bill 214.

ASSEMBLY BILL 214 (1st Reprint): Revises provisions governing sexual assault. (BDR 15-103)

ASSEMBLYWOMAN VENICIA CONSIDINE (Assembly District No. 18):
I am here today to present A.B. 214 which revises language in the sexual assault and seduction statute.

This bill originated last Session with former Assemblywoman Connie Munk, who envisioned a larger bill. The bill I am presenting today is a smaller version of that bill; it simply removes gender language in NRS 200.366 and replaces it with inclusive language.

There are five changes in the bill and a Proposed Amendment 3323 (Exhibit D).

I am also joined by Serena Evans from the Nevada Coalition to End Sexual and Domestic Violence. My goal today is to go through the bill, explain Proposed Amendment 3323, turn the presentation over to Ms. Evans to provide testimony and then take some questions.

On A.B. 214, there are five changes to section 1, subsection 1, paragraphs (a) and (b) and subsection 5, paragraph (b). In all of these changes, we have taken gender language and changed it to gender-neutral language. The changes in this language are for three main reasons: to recognize the spectrum of genders; to understand that men can be perpetrators and victims; and to align with other chapters in NRS that have already incorporated inclusive language, for example, the domestic relations chapter of NRS. Proposed Amendment 3323 begins to address the larger issues that were part of Assemblywoman Munk's original bill in 2019.

Proposed Amendment 3323 pertains to all of section 2 and essentially creates a subcommittee to conduct an interim study concerning sexual assault and make a report. The study and the report will include an evaluation of the laws of sexual assault in our State, the laws governing sexual assault in other states and territories of the United States and any other matter that the Advisory Commission on the Administration of Justice determines is relevant to the discussion. Recommendations and input from attorneys, victims and any other stakeholders concerning necessary statutory changes relating to sexual assault will be included, and the subcommittee shall report the result of the study and any recommendations for legislation to the full Advisory Committee no later than September 1, 2022.

Section 1 of A.B. 214 becomes effective on October 1, and section 2, the amended portion, becomes effective on July 1.

MS. EVANS:
The Nevada Coalition to End Domestic and Sexual Violence (NCEDSV) is the Statewide coalition of domestic and sexual violence service providers.

This bill is a product of a lot of conversations, outreach and collaboration over the Interim. As mentioned earlier, this was the work of former Assemblywoman Connie Munk, and we are thankful to her for getting that ball rolling.

Throughout the Interim, NCEDSV had been repeatedly contacted by programs, sexual assault advocates throughout the State, expressing interest in wanting to work on the NRS definition of sexual assault, stating their concerns that it was not inclusive or expansive enough to cover all victim survivors throughout our State. In response to the reoccurring interest that NCEDSV was getting on this topic, we convened a work group of sexual assault advocates throughout the State in July 2020. This work group was not anything formal, but I brought together advocates and listened to their concerns with statute, and we had a conversation of what the ideal statute of sexual assault would look like for the State.

One concern was that gender language in NRS 200.366 is problematic and not necessarily inclusive of all victim survivors. So many clients that our wonderful advocacy organizations serve do not identify as female or male and fall into the nonbinary gender spectrum. The current "himself" or "herself" language used in NRS is exclusive of these nongender-conforming survivors, and many LGBTQ+ survivors did not feel safe to come forward about their sexual violence victimization. Many LGBTQ+ victim survivors also felt that their victimization was not fully valid or taken seriously with the current use of gender language.

The other part is this traditional narrative that sexual violence perpetrators are always male and the victim survivors are traditionally always female. We know that is not true. Regardless of gender or sexual orientation of the victim or perpetrator, people can feel safe coming forward with their sexual violence and sexual assaults.

Replacing the language with "themselves" and gender-neutral language will allow for all survivors to feel comfortable and safe coming forward.

Section 1 of A.B. 214 comes down to the power of language. Inclusive language is necessary for the safety of everyone—super-small changes but meaningful impact.

According to the *2015 U.S. Transgender Survey*, 47 percent of transgender people are sexually assaulted at some point in their lifetime—that is nearly half. According to the U.S. Department of Justice, sexual assault is one of the most under reported violent crimes with only about one-third of victim survivors reporting to law enforcement.

If we can make this small change to increase the likelihood of more survivors feeling comfortable enough to come forward and potentially report to law enforcement, we increase the number of perpetrators who can be held accountable.

The second part of this bill in section 2 of Proposed Amendment 3323 is the first step in a larger effort to address sexual assault laws in Nevada. This proposed amendment adds the language that the Advisory Commission on the Administration of Justice will bring together all of the stakeholders to collaborate on the sexual assault and consent language.

Throughout our work group there was a laundry list of what the ideal definition of sexual assault would look like. Over the Interim, we were working with different stakeholders, but we were being rushed and did not have the time to create a perfect definition that would work for everyone and for victim survivors. We and other stakeholders are committed to working on this throughout the Interim to make sure that the final product comes before you in the next Legislative Session as a good piece of legislation that stakeholders, survivors and advocates all feel comfortable bringing forward. The intent is to look at the definition of sexual assault and not just limit it to rape, which it currently is, look at our consent laws and create the sexual assault statute that encompasses the many different acts of sexual violence.

SENATOR PICKARD:
I occasionally represent these victims, and I am pretty passionate about this subject as well. I want to get the language as tight as we can. Also, I sit on the

Advisory Commission; I assume someone has spoken to the leadership there and it can take this on because we are pretty busy.

Two sections are ambiguous or maybe mistaken. Section 1, subsection 1, paragraph (a), of A.B. 214 replaces "himself or herself" with "themselves." It says, "Subjects another person to sexual penetration, or forces another person to make a sexual penetration on themselves ... ." I think we can change the language to reflect that we are not worried about the person offending against themselves, the individual against the same individual.

In section 1, subsection 1, paragraph (b) it is backwards. We want to say the "perpetrator" instead of the "child" because we do not commit a sexual penetration upon a child under the age of 14 or cause a child under the age of 14 years to make a sexual penetration on the child themselves. It should say the "perpetrator." I think that was the verbiage before and how I read it, that the perpetrator committing the penetration on a child or causing the child to do the offense against the perpetrator. Do I have that wrong?

ASSEMBLYWOMAN CONSIDINE:
My understanding of the language was written was that section 1, subsection 1, paragraph (a) "subjects another person to sexual penetration, or forces another person to make a sexual penetration on "himself or herself." It is the same thing with subsection 1, paragraph (b), "commits a sexual penetration upon a child under the age of 14 years or causes a child under the age of 14 years to make a sexual penetration on himself or herself ... ."

MS. EVANS:
We interpret this the same way. So it is "on themselves."

SENATOR PICKARD:
I read that in the other direction so maybe we have a third condition that we should consider because my wife—being a district court judge and now having previously had the position of hearing the juvenile sex offense cases—will tell you that all three conditions exist, and we might want to address that.

ASSEMBLYWOMAN CONSIDINE:
I want to follow up with that. Thank you for bringing that up and enforcing that we added section 2 in the amendment to have the subcommittee look at all of this and update the statutes because they are old and need more effectiveness.

SENATOR PICKARD:
In section 1, subsection 4, we are talking about a Category A felony and a possibility of prison without the possibility of parole for a 16- to 18-year-old. There is no reference to whether that individual has been directly reported to the adult court, and I believe the Supreme Court has come out with life without the possibility of parole being unconstitutional for a minor, so we might want to look at that language as well.

I am completely supportive of the bill. I just want to make sure we tighten it up and address ambiguity so that there are no loopholes or no way to get around this. If they have done this act, we nail them to the wall.

CHAIR SCHEIBLE:
I would like to clarify something that might be more of a question for Mr. Anthony than for the sponsors of the bill. As a person who prosecutes these kinds of cases, I utilize both subsections of NRS 200.366, to address pretty much every possible scenario. My understanding is that section 1, subsection 1, paragraph (a), "subjects another person to sexual penetration" is what we traditionally think of as rape. That would be where the perpetrator inserts his or her fingers, penis or other object into the child's genital opening.

Then the next part of that section, "forces another person to make a sexual penetration on themselves or another" is the part where an individual is forcing someone to either sexually penetrate the perpetrator or put an object or fingers in his or her own genital opening. Paragraph (b) is the same thing for a child.

Is that accurate?

MR. ANTHONY:
Thank you, Chair. Yes, that is absolutely correct.

JOHN JONES (Clark County District Attorney's Office; Nevada District Attorneys Association):
We are in support of A.B. 214. The purpose of this bill is to degenderize the sexual assault statute, and we completely support that effort. The intent is not to substantively change any other part of the sexual assault statute.

I appreciate Senator Pickard's question. Maybe in section 1, subsection 1, paragraph (b), we should add "themselves" after the word "child." Additionally,

where section 1, subsection 5, paragraph (b) says "the person's," we should probably change that to the "perpetrators" to be consistent with the change made in section 1, subsection 1, paragraph (a).

We are fully supportive of the intent behind the bill. We just want to get the language corrected as Senator Pickard indicated.

JIM HOFFMAN (Nevada Attorneys for Criminal Justice):
We support the concept of replacing the gendered language in this definition. This simple step will help make the bill more inclusive and protect more people. We support A.B. 214.

The Public Defender's Office in both Clark and Washoe Counties wanted me to convey that they also support A.B. 214.

CHAIR SCHEIBLE:
I will now close the hearing on A.B. 214 and open the hearing on A.B. 405.

ASSEMBLY BILL 405 (1st Reprint): Revises provisions relating to gaming. (BDR 41-643)

BECKY HARRIS (Professor, International Gaming Institute, William S. Boyd School of Law, University of Nevada, Las Vegas):
I am an adjunct law professor at the University of Nevada, Las Vegas and teach gaming law policy. Assemblyman Steve Yeager generously made a bill available for the law class. We would like to provide the Committee with some context about the genesis and development of A.B. 405.

Prior to the start of this semester, gaming attorneys throughout Nevada were surveyed for changes to aid in the regulation of gaming. Those who were willing made suggestions to the class in providing context for how their suggested changes would benefit the regulation of the gaming industry. After hearing suggestions, the students selected an issue they wanted to study and advocate. Assemblyman Yeager graciously agreed to include each student's issue in the bill. Students then wrote papers and drafted bill draft requests (BDR) for their issues, both of which were submitted to Assemblyman Yeager. I understand that our draft BDRs were referred to the LCB Legal Division. The students are also driving the advocacy for A.B. 405 and have reached out to over

55 stakeholders within the gaming industry in Nevada for feedback, including the Nevada Gaming Control Board.

You will hear testimony directly from two of the students; one of them has a conceptual amendment based on stakeholder feedback from the Nevada Gaming Control Board.

TANNER BRITTON (Student, William S. Boyd School of Law, University of Nevada, Las Vegas):
I am a third-year student at Boyd School of Law in the gaming law policy seminar. Through the course of the last semester, myself and four other classmates worked hard to draft the five sections of A.B. 405. I am here to speak on behalf of section 5 of the bill as the drafter of that section. The remaining four sections of the bill have since been amended with Amendment No. 325 incorporated in the first reprint. We have an additional proposed amendment.

Section 5 of A.B. 405 further amends NRS 465.070 regarding criminalization of match-fixing. With the rise of legalized sports wagering nationwide, the issue of match-fixing becomes more prevalent than ever in the eyes of law enforcement. The definition of match-fixing in the Sports Bribery Act, in concurrence with other research on the topic, involves when a person, partnership, corporation or just an entity in general attempts to influence the outcome of a sporting event. The most common means of doing so is bribery; however, threats of extortion and blackmail are also two other prevalent topics within the world of match-fixing.

The *Marquette Law Review* has chronicled in detail over 30 gambling-related incidents between 1945 and 1998. Since then, the repeal process and the prevalence and acceptance of sports waging nationwide renders match-fixing as more of a hot-button issue. It occurs at both a professional and leisure level; however, it is disproportional where collegiate athletes are targeted by these potential match fixers.

The issue that affects Nevada—a fixed match or even the possibility of a fixed match—violates the integrity of these events and the integrity of events wagered on at sportsbooks in Nevada.

The amendment to NRS 465.070 is not the be-all and end-all solution to the issue of match-fixing. After reaching out to law enforcement and law enforcement agencies, it is good to provide clarification on this issue that can be a gray area.

Assembly Bill 405, section 5 would be unique. No other state has the statute defining and clarifying the issue of what constitutes match-fixing. Assembly Bill 405 would keep Nevada at the forefront of gaming regulation. At the same time, it also guides law enforcement in the protection of the integrity of matches and the integrity of match-wagering by sportsbooks while also protecting college athletes.

ERICA ADLER (Student, William S. Boyd School of Law, University of Nevada, Las Vegas):
I will be presenting the foreign gaming section of this bill, which was amended on the Assembly Judiciary Committee. Since that hearing, I have worked with the Nevada Gaming Control Board, and we have come to an agreement on an amendment (Exhibit E).

The new proposed amendment simply removes subsection 1, paragraph (b) from NRS 463.710, which requires that a Nevada Gaming licensee who operates gaming outside of Nevada submit to the Nevada Gaming Control Board "the systems of accounting and internal control utilized in the foreign gaming operation and any amendments to the systems as soon as made." The removal of this paragraph would effectively reduce some of the reporting requirements that some licensees submit to the Nevada Gaming Control Board regarding their operations in other jurisdictions.

To provide background, the foreign gaming statute was enacted in 1977 in response to New Jersey legalizing casinos. The statute then required Nevada casinos to first get the Nevada Gaming Commission's approval before doing gaming operations in other jurisdictions.

In 1993, this requirement of first having approval was removed by the Legislature and replaced with the foreign gaming reporting requirements in statute. This change from an approval process to only reporting requirements was done because in the early 1990s, was a wave of jurisdictions legalizing gaming across the United States and Nevada gaming companies wanted to expand into those markets, but the approval process took too long. The

Legislature found that instead of an approval process, reports would be a more efficient means of ensuring Nevada gaming companies operating in these new markets were doing so in accordance with Nevada's high gaming standards.

Gaming is a lot more expansive today than in 1993, but the reporting requirements in this statute have not since been changed. The proposed amendment would update that statute. After the last Board hearing, we agreed to this proposed amendment, Exhibit E, to remove section 1, subsection 1, paragraph (b) from NRS 463.710 as a means to update how foreign gaming is reported by Nevada gaming licensees to the Board.

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CHAIR SCHEIBLE:
I will now close the hearing on A.B. 405. This concludes our meeting at 3:46 p.m.

RESPECTFULLY SUBMITTED:

Pam King,
Committee Secretary

APPROVED BY:

Senator Melanie Scheible, Chair

DATE:

EXHIBIT SUMMARY				
Bill	**Exhibit Letter**	**Begins on Page**	**Witness / Entity**	**Description**
	A	1		Agenda
A.B. 115	B	1	Emily Mimnaugh / Pacific Justice Institute-Center for Public Policy	Opposition Statement
A.B. 115	C	1	Lyudmyla Pyankovska	Opposition Statement
A.B. 214	D	1	Assemblywoman Venicia Considine	Proposed Amendment 3323
A.B. 405	E	1	Erica Adler / William S. Boyd School of Law, University of Nevada, Las Vegas	Proposed Amendment