

ASSEMBLY BILL NO. 412—COMMITTEE ON JUDICIARY

MARCH 27, 2023

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to juvenile justice.
(BDR 5-492)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to juvenile justice; creating the Nevada Children's Commission; prescribing the membership and duties of the Commission; creating the Advisory Council for the Nevada Children's Commission; providing for the establishment of subcommittees of the Commission; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides generally for a system of juvenile justice in this State. (Title 5 of NRS) **Section 7** of this bill: (1) creates the Nevada Children's Commission; (2) provides for the membership of the Commission; (3) prescribes the duties of the Commission; and (4) directs the Commission to, among other duties, increase awareness of the challenges children and families face in the child welfare and juvenile justice systems.

Section 8 of this bill creates the Advisory Council for the Nevada Children's Commission and directs the Council to advise the Commission on certain matters. **Section 8** requires the Commission to appoint a total of 25 members to the Council who represent various interests or specialize in certain fields that are relevant to the work of the Commission.

Section 9 of this bill: (1) requires the Commission to establish certain subcommittees; and (2) authorizes the Commission to establish such additional subcommittees as the Commission determines necessary to carry out its duties.

Sections 3-6 of this bill define certain terms for the purposes of this bill.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 62B of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 9, inclusive, of this act.

Sec. 2. *As used in sections 2 to 9, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3 to 6, inclusive, of this act have the meanings ascribed to them in those sections.*

Sec. 3. *"Agency which provides child welfare services" has the meaning ascribed to it in NRS 62A.015.*

Sec. 4. *"Commission" means the Nevada Children's Commission established by section 7 of this act.*

Sec. 5. *"Council" means the Advisory Council for the Nevada Children's Commission established by section 8 of this act.*

Sec. 6. *"Foster care system" has the meaning ascribed to it in NRS 424.088.*

Sec. 7. 1. *The Nevada Children's Commission is hereby established.*

2. *The Commission is comprised of the Chief Justice of the Supreme Court or his or her designee and:*

(a) The following members appointed by the Chief Justice:

(1) One member who is a retired justice of the Supreme Court;

(2) Three members who are district court judges consisting of:

(I) One district judge from the Second Judicial District;

(II) One district judge from the Eighth Judicial District;

and

(III) One district judge from any rural area of the State;

(3) Three members who are representatives of district attorneys in this State consisting of:

(I) One representative from the Office of the District Attorney of Washoe County;

(II) One representative from the Office of the District Attorney of Clark County; and

(III) One representative from the Office of the District Attorney of any rural area of the State;

(4) One member who is a child under the age of 18 years and who is or was subject to the jurisdiction of the juvenile court;

(5) One member who is a representative of the foster care system; and

(6) One at-large member.



(b) Two members from the Division of Child and Family Services of the Department of Health and Human Services appointed by the Governor; and

(c) Two members of the Legislature consisting of:

(1) One member of the Senate, appointed by the Majority Leader of the Senate; and

(2) One member of the Assembly, appointed by the Speaker of the Assembly.

➤ In making appointments to the Commission, the appointing authorities shall consider whether the membership generally reflects the geographic diversity of this State.

3. The appointed members of the Commission serve terms of 4 years. Members may be reappointed for an additional term of 4 years in the same manner as the original appointments.

4. The members of the Commission serve:

(a) At the pleasure of the appointing authority.

(b) Without compensation but are entitled to receive the per diem allowance and travel expenses for in-person meetings, as is similarly provided for state officers and employees generally.

5. If a vacancy occurs during the term of a member, the Chief Justice shall appoint a person similarly qualified to replace that member for the remainder of the unexpired term.

6. The Commission shall:

(a) Review and consider matters related to the welfare of the children in this State; and

(b) Increase awareness of the challenges children and families face in the child welfare and juvenile justice systems through:

(1) Judicial leadership;

(2) The reformation of judicial practice; and

(3) The dissemination of information relating to policy affecting the child welfare and juvenile justice systems.

7. The Chief Justice, upon recommendation of the Commission, shall appoint an Executive Director of the Commission who has successful experience in the administration and promotion of a program comparable to that provided by this section.

8. The Executive Director of the Commission shall:

(a) Direct and supervise the technical and administrative activities of the Commission;

(b) Attend and organize meetings of the Commission;

(c) Compile, for approval by the Commission and submission to the Chief Justice, a biennial report regarding the work of the Commission and such other matters as the Executive Director may consider desirable; and

(d) Provide research and act as an advisor to the Commission.



9. The Commission shall meet at least four times each year at the call of the Chief Justice. At least two meetings of the Commission must be held in-person; and any other meeting may be held by videoconference. All meetings of the Commission are open to the public and must be conducted in accordance with the provisions of chapter 241 of NRS.

10. A majority of the members of the Commission constitutes a quorum for the transaction of business, and a majority of the members of a quorum present at any meeting is sufficient for any official action taken by the Commission.

Sec. 8. 1. The Advisory Council for the Nevada Children's Commission is hereby established.

2. The Council consists of 25 members appointed by the Commission who represent various interests or specialize in certain fields that are relevant to the work of the Commission, including, without limitation:

(a) Persons who are parents or legal guardians of pupils enrolled in public schools.

(b) Persons who represent an agency which provides child welfare services.

(c) Persons who represent service providers in the juvenile justice system.

(d) Persons who specialize in the field of child education.

(e) Persons who specialize in mental health issues in juveniles.

(f) Persons who specialize in the prevention of and recovery from substance use disorders in juveniles.

(g) Persons who are children under the age of 18 years who are or were subject to the jurisdiction of the juvenile court.

➤ In making appointments to the Council, the Commission shall consider whether the membership generally reflects the geographic diversity of this State.

Sec. 9. 1. The Commission shall establish the following subcommittees:

(a) The Juvenile Subcommittee, which is comprised of the Juvenile Justice Oversight Commission established by NRS 62B.600;

(b) The Child Welfare Subcommittee;

(c) The Child Education Subcommittee;

(d) The Child Mental Health Subcommittee; and

(e) The Juvenile Court Improvement Subcommittee.

2. The Nevada Children's Commission may establish such additional subcommittees as the Commission determines necessary to carry out the duties of the Commission.



1 **Sec. 10.** This act becomes effective on July 1, 2023.

