ASSEMBLY BILL NO. 96–ASSEMBLYMEMBER GONZÁLEZ

PREFILED NOVEMBER 18, 2026

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to domestic violence. (BDR 3-604)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.
Effect on the State Highway Fund: No.

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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 orders for protection; revising provisions relating to temporary and extended orders for protection against domestic violence; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes a court to grant a temporary or extended order for protection against domestic violence. (NRS 33.020) **Section 1** of this bill requires a court that denies an application for a temporary or extended order to state the specific reasons for the denial in writing or on the record at the hearing. **Sections 2 and 4** of this bill make conforming changes to reflect the renumbering of subsections made by **section 1**.

Existing law requires a court to order the appropriate law enforcement agency to personally serve an adverse party with a temporary order for protection against domestic violence. (NRS 33.060) **Section 3** of this bill additionally authorizes a court to direct a bailiff or deputy marshal to serve a temporary order on an adverse party who is present at the courthouse. **Section 3** also eliminates the requirement for service by a law enforcement agency if the adverse party has already been served at the courthouse.

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

Section 1. NRS 33.020 is hereby amended to read as follows:

33.020 1. If it appears to the satisfaction of the court from specific facts shown by a verified application that an act of domestic violence has occurred or there exists a threat of domestic violence,

the court may grant a temporary or extended order. A court shall only consider whether the act of domestic violence or the threat thereof satisfies the requirements of NRS 33.018 without considering any other factor in its determination to grant the temporary or extended order.

2. A temporary or extended order must not be granted to the applicant or the adverse party unless the applicant or the adverse party has requested the order and has filed a verified application that an act of domestic violence has occurred or there exists a threat of domestic violence. If the applicant reasonably believes that disclosing his or her address and contact information in the application would jeopardize his or her safety, the applicant may decline to disclose his or her address and contact information in the application. If the applicant declines to disclose his or her address and contact information in the application, then such information:

(a) Must be disclosed to the court and, for criminal justice purposes, to any other authorized agency of criminal justice to allow the agency of criminal justice to carry out any duty required pursuant to NRS 33.017 to 33.100, inclusive;

(b) Must be maintained in a separate, confidential, electronic document or database which is not publicly accessible; and

(c) Must not be released, disclosed or made accessible to the public, except as authorized by the court.

3. The court may require the applicant or the adverse party, or both, to appear before the court before determining whether to grant the temporary or extended order.

4. A temporary order may be granted with or without notice to the adverse party. An extended order may only be granted after notice to the adverse party and a hearing on the application.

5. A hearing on an application for an extended order must be held within 45 days after the date on which the application for the extended order is filed. If the adverse party has not been served pursuant to NRS 33.060 or 33.065 and fails to appear at the hearing, the court may, upon a showing that law enforcement, after due diligence, has been unable to serve the adverse party or that the adverse party has sought to avoid service by concealment, set a date for a second hearing which must be held within 90 days after the date on which the first hearing was scheduled.

6. If the adverse party has not been served pursuant to NRS 33.060 or 33.065 and fails to appear on the date set for a second hearing on an application for an extended order pursuant to subsection 5, the court may, upon a showing that law enforcement, after due diligence, has been unable to serve the adverse party or that the adverse party has sought to avoid service by concealment,

set a date for a third hearing which must be held within 90 days after the date on which the second hearing was scheduled.

7. The court shall rule upon an application for a temporary order within 1 judicial day after it is filed.

8. ***If a court denies an application for a temporary or extended order, the court shall state the specific reasons for the denial in writing or on the record at the hearing.***

9. If it appears to the satisfaction of the court from specific facts communicated by electronic means to the court by an alleged victim that an act of domestic violence has occurred and the alleged perpetrator of the domestic violence has been arrested and is presently in custody pursuant to NRS 171.137, the court may grant a temporary order. Before approving an order under such circumstances, the court shall confirm with the appropriate law enforcement agency that the applicant is an alleged victim and that the alleged perpetrator is in custody. Upon approval by the court, the signed order may be transmitted to the facility where the alleged perpetrator is in custody by electronic or telephonic transmission to a facsimile machine. If such an order is received by the facility holding the alleged perpetrator while the alleged perpetrator is still in custody, the order must be personally served by an authorized employee of the facility before the alleged perpetrator is released. The court shall mail a copy of each order issued pursuant to this subsection to the alleged victim named in the order and cause the original order to be filed with the court clerk on the first judicial day after it is issued.

~~[9.]~~ ***10.*** In a county whose population is 52,000 or more, the court shall be available 24 hours a day, 7 days a week, including nonjudicial days and holidays, to receive electronic communications and for the issuance of a temporary order pursuant to subsection ~~[8.]~~ ***9.***

~~[10.]~~ ***11.*** In a county whose population is less than 52,000, the court may be available 24 hours a day, 7 days a week, including nonjudicial days and holidays, to receive electronic communications and for the issuance of a temporary order pursuant to subsection ~~[8.]~~ ***9.***

~~[11.]~~ ***12.*** The clerk of the court shall inform the protected party upon the successful transfer of information concerning the registration to the Central Repository for Nevada Records of Criminal History as required pursuant to NRS 33.095.

~~[12.]~~ ***13.*** As used in this section, "agency of criminal justice" has the meaning ascribed to it in NRS 179A.030.

Sec. 2. NRS 33.030 is hereby amended to read as follows:

33.030 1. The court by a temporary order may:

(a) Enjoin the adverse party from threatening, physically injuring or harassing the applicant or minor child, either directly or through an agent;

(b) Exclude the adverse party from the applicant's place of residence;

(c) Prohibit the adverse party from entering the residence, school or place of employment of the applicant or minor child and order the adverse party to stay away from any specified place frequented regularly by them;

(d) If it has jurisdiction under chapter 125A of NRS, grant temporary custody of the minor child to the applicant;

(e) Enjoin the adverse party from physically injuring, threatening to injure or taking possession of any animal that is owned or kept by the applicant or minor child, either directly or through an agent;

(f) Enjoin the adverse party from physically injuring or threatening to injure or taking possession of any animal that is owned or kept by the adverse party, either directly or through an agent; and

(g) Order such other relief as it deems necessary in an emergency situation.

2. The court by an extended order may grant any relief enumerated in subsection 1 and:

(a) Specify arrangements for visitation of the minor child by the adverse party and require supervision of that visitation by a third party if necessary;

(b) Specify arrangements for the possession and care of any animal owned or kept by the adverse party, applicant or minor child; and

(c) Order the adverse party to:

(1) Avoid or limit communication with the applicant or minor child;

(2) Pay rent or make payments on a mortgage on the applicant's place of residence;

(3) Pay for the support of the applicant or minor child, including, without limitation, support of a minor child for whom a guardian has been appointed pursuant to chapter 159A of NRS or a minor child who has been placed in protective custody pursuant to chapter 432B of NRS, if the adverse party is found to have a duty to support the applicant or minor child;

(4) Pay all costs and fees incurred by the applicant in bringing the action; and

(5) Pay monetary compensation to the applicant for lost earnings and expenses incurred as a result of the applicant attending any hearing concerning an application for an extended order.

3. If an extended order is issued by a justice court, an interlocutory appeal lies to the district court, which may affirm, modify or vacate the order in question. The appeal may be taken without bond, but its taking does not stay the effect or enforcement of the order.

4. A temporary or extended order must specify, as applicable, the county and city, if any, in which the residence, school, child care facility or other provider of child care, and place of employment of the applicant or minor child are located.

5. A temporary or extended order must provide notice that:

(a) Responding to a communication initiated by the applicant may constitute a violation of the protective order; and

(b) A person who is arrested for violating the order will not be admitted to bail sooner than 12 hours after the person's arrest if:

(1) The arresting officer determines that such a violation is accompanied by a direct or indirect threat of harm;

(2) The person has previously violated a temporary or extended order for protection; or

(3) At the time of the violation or within 2 hours after the violation, the person has:

(I) A concentration of alcohol of 0.08 or more in the person's blood or breath; or

(II) An amount of a prohibited substance in the person's blood or urine, as applicable, that is equal to or greater than the amount set forth in subsection 3 or 4 of NRS 484C.110.

6. In addition to the requirements prescribed by subsection 5, if an application for an extended order is filed at the same time as a temporary order issued pursuant to subsection ~~[8]~~ ***9*** of NRS 33.020, the temporary order must:

(a) Advise the incarcerated adverse party that if the incarcerated adverse party is still in custody on the date of the hearing on the application for an extended order, the incarcerated adverse party may contest the application by filing a written response with the court. The written response must:

(1) Be filed with the court not later than 14 calendar days after the date on which the incarcerated adverse party receives service of the temporary order for protection at the facility where the incarcerated adverse party is in custody;

(2) Consist solely of a statement indicating whether the incarcerated adverse party contests the issuance of an extended order; and

(3) Be filed with the court in accordance with the procedures established by the facility where the incarcerated adverse party is in custody.

(b) Notify the incarcerated adverse party that if the incarcerated adverse party does not file the written response described in paragraph (a) within 14 calendar days after the date on which the incarcerated adverse party receives service of the temporary order for protection, the court may:

(1) Hold a hearing on the extended order in the absence of the incarcerated adverse party; and

(2) Grant an extended order without further input from the incarcerated adverse party.

Sec. 3. NRS 33.060 is hereby amended to read as follows:

33.060 1. The court shall transmit, by the end of the next business day after the order is issued, a copy of the temporary or extended order to the appropriate law enforcement agency which has jurisdiction over the residence, school, child care facility or other provider of child care, or place of employment of the applicant or the minor child.

2. The ***court may direct a bailiff or deputy marshal to personally serve a temporary order upon an adverse party who is present at the courthouse. A bailiff or deputy marshal who serves a temporary order pursuant to this subsection shall file proof of service with the clerk of the court.***

3. Unless the adverse party has been personally served with the temporary order pursuant to subsection 2, the court shall order the appropriate law enforcement agency to serve, without charge, the adverse party personally with the temporary order. If after due diligence, the law enforcement agency has attempted and been unable to personally serve the adverse party with the temporary order, the law enforcement agency shall leave a notice in a conspicuous place at the last known address of the adverse party. The notice must include, without limitation, a statement that contains the following information:

(a) That the adverse party must contact the law enforcement agency within 24 hours of the attempted personal service and the exact time in which the 24-hour period expires; and

(b) The contact information for the law enforcement agency, including, without limitation, the phone number of the law enforcement agency.

~~[3.]~~ ***4.*** If the adverse party responds to the notice pursuant to subsection ~~[2,]~~ ***3,*** the law enforcement agency must obtain the necessary information from the adverse party to serve the adverse party personally with the temporary order.

~~[4.]~~ ***5.*** If after due diligence, the law enforcement agency has attempted and been unable to serve the adverse party with personal service of the temporary order three times and the adverse party has not responded to the notices pursuant to subsection ~~[2,]~~ ***3,*** the

applicant may petition the court to order the law enforcement agency to serve the adverse party with the temporary order at his or her place of employment, if applicable. The petition must include, without limitation, affidavits, declarations or other evidence setting forth specific facts demonstrating:

(a) That the law enforcement agency, with due diligence, attempted to locate and personally serve the adverse party three times and left corresponding notices at his or her place of residence after each attempted service pursuant to subsection ~~[2,]~~ ***3;*** and

(b) The contact information of the adverse party, including, without limitation, the known or last known phone number and residential address of the adverse party and the name and commercial address of his or her place of employment.

~~[5.]~~ ***6.*** If the adverse party is unemployed or after due diligence, the law enforcement agency has attempted and been unable to serve the adverse party with the temporary order at his or her place of employment pursuant to subsection ~~[4,]~~ ***5,*** the applicant may petition the court to order the law enforcement agency to serve the adverse party by an alternative service method pursuant to the Nevada Rules of Civil Procedure.

~~[6.]~~ ***7.*** Except as otherwise provided in subsection ~~[7,]~~ ***8,*** service of an application for an extended order and the notice of any hearing thereon must be served upon the adverse party:

(a) Pursuant to the Nevada Rules of Civil Procedure; or

(b) In the manner provided in NRS 33.065.

~~[7.]~~ ***8.*** If the applicant files an application for an extended order at the same time as his or her application for a temporary order or before ~~[such time that a law enforcement agency is able to successfully serve]~~ the temporary order ***is served*** on the adverse party, the application for the extended order and notice of the hearing thereon must be served with the temporary order in accordance with the procedures set forth in subsections 1 to ~~[5,]~~ ***6,*** inclusive, regardless of whether ~~[the law enforcement agency has commenced]~~ service of the temporary order ***has commenced*** pursuant to subsections 1 to ~~[5,]~~ ***6,*** inclusive.

~~[8.]~~ ***9.*** A law enforcement agency shall enforce a temporary or extended order without regard to the county in which the order was issued.

~~[9.]~~ ***10.*** The clerk of the court shall issue, without fee, a copy of the temporary or extended order to the applicant and the adverse party.

Sec. 4. NRS 1.130 is hereby amended to read as follows:

1.130 1. No court except a justice court or a municipal court shall be opened nor shall any judicial business be transacted except by a justice court or municipal court on Sunday, or on any day

declared to be a legal holiday according to the provisions of NRS 236.015, except for the following purposes:

(a) To give, upon their request, instructions to a jury then deliberating on their verdict.

(b) To receive a verdict or discharge a jury.

(c) For the exercise of the power of a magistrate in a criminal action or in a proceeding of a criminal nature.

(d) To receive electronic communications related to the issuance of:

(1) A temporary order pursuant to subsection ~~[8]~~ ***9*** of NRS 33.020; or

(2) An emergency order for protection against high-risk behavior pursuant to NRS 33.570.

(e) For the issuance of any temporary or emergency order listed in paragraph (d).

(f) For the issue of a writ of attachment, which may be issued on each and all of the days above enumerated upon the plaintiff, or some person on behalf of the plaintiff, setting forth in the affidavit required by law for obtaining the writ the additional averment as follows:

> That the affiant has good reason to believe, and does believe, that it will be too late for the purpose of acquiring a lien by the writ to wait until subsequent day for the issuance of the same.

All proceedings instituted, and all writs issued, and all official acts done on any of the days above specified, under and by virtue of this section, shall have all the validity, force and effect of proceedings commenced on other days, whether a lien be obtained or a levy made under and by virtue of the writ.

2. Nothing herein contained shall affect private transactions of any nature whatsoever.

3. As used in this section, "electronic communication" includes, without limitation, communication made by telephone, wireless phone or electronic mail or through the use of an Internet or network site.

Sec. 5. This act becomes effective on July 1, 2027.

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