

Summary of Legislation

Nevada Legislature

77th Session, 2013

Nevada Supreme Court



Kristina Pickering, Chief Justice

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September 2013

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SUPREME COURT OF NEVADA
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September 5, 2013

Dear Friends and Colleagues:

The 77th Session of the Nevada Legislature addressed a host of issues, all impacted by the tough economic times we Nevadans have endured in recent years. Chief among the challenges was delivering a balanced budget despite our straitened circumstances, which the Legislature, working in concert with the executive branch, managed to achieve. In addition, the Legislature passed laws affecting taxes, education funding, marriage equality, immigrant rights, construction defect litigation, public retirements, foreclosure mediation, and environmental protection.

This summary addresses the bills likely to have the greatest impact on the citizens of our state, the legal community, and the judicial branch, some 166 bills in all.

Of greatest importance to the legal community is SJR14* which puts the question of creating a court of appeals before the voters in November 2014. Upon passage and implementation, the new court will bring great benefit to the citizens of Nevada, including quicker case resolution and improvements to our State's legal climate that will far outweigh the minimal fiscal impact to the State. I thank all the members of the 2013 Legislature for their unanimous support for creating a court of appeals, and for their diligent work in addressing the needs of our State.

I would also like to thank all district, justice, and municipal court judges who worked with the court this past session, as well as the many other individuals and entities who contributed to the success of the measures important to the judicial branch.

Finally, I extend the court's deep appreciation to R. Ben Graham, Governmental Relations Advisor, John McCormick, Assistant Court Administrator, and Robin Sweet, State Court Administrator, for their time and effort in the preparation of this Summary. They have dedicated countless hours to compile this information to help bring this summary of the 77th Nevada Legislature to you.

I hope you find this summary helpful in understanding the recent legislative changes and their effect on our existing law.

Sincerely,

A handwritten signature in cursive script that reads "Kristina Pickering".

Kristina Pickering
Chief Justice

Introduction

Thank you for taking the time to read our Summary of Legislation for 2013. We hope you will find it helpful in understanding, preparing for, and implementing the statutory changes enacted this year.

This document provides the most utility when it is viewed and used electronically as a PDF file (download Adobe Reader: <http://www.adobe.com/products/reader.html>). All the hyperlinks herein are active and will take you to the specified destination; be it an NRS, a specific bill, or a resource website. Additionally, the Table of Contents is also linked, so clicking on a bill will take you to that page.

This document also contains a few appendices that provide additional information that you may find useful, including a schedule of the new justice court civil filing fees and a resource list. These sections, as well as each different section of the document, are available separately by contacting the Administrative Office of the Courts (AOC).

This year's version also includes a new section covering bills of interest to the Judicial Branch that were vetoed by Governor Sandoval; including two bills that would have substantively changed DUI victim impact panels and jury selection.

This document will be presented via a live webinar on the Supreme Court's website: www.nevadajudiciary.us. The webinar will also be available for viewing later on the Court's website.

Thank You,
Robin, Ben, and John

A Note on Spacing in this Document

You may notice that for NRS Chapters numbered under 100, extra spaces appear between the NRS and the chapter number when listed in this document. This is due to the indexing feature of Microsoft Word and is intentional.

Table of Contents

Civil	1
I. Estates/Probate.....	1
SB131, On-Line Accounts	1
II. General	1
AB132, Civil Immunity for Nursing Home Workers	1
AB322, Motor Vehicle Personal Injury	1
AB326, Arbitration	1
SB140, Lien for Attorneys’ Fees	2
SB286, SLAPP Suits.....	2
SB351, Healthcare Liens.....	3
SB441, Corporations	3
III. Limited Jurisdiction	4
AB54, Justice Court Civil Filing Fees	4
AB223, Eviction and Constables	5
SB4, Disease Testing Orders	6
SB267, Tanning Establishments	6
Criminal	7
I. New Crimes	7
AB67, Human Trafficking	7
AB146, Involuntary Servitude of Minor.....	7
AB194, Liability for Destruction of Property	8
AB212, Possession of Cell Phones in Jail.....	8
AB246, Selling Animals at Swap Meets.....	9
AB395, HOA Bullying	9
SB11, Possession of Wildlife.....	9
SB72, Horse Tripping	9
SB139, Gender Identity Hate Crimes	10
SB199, Unlicensed Surgery	10
SB365, Stolen Valor	11
SB371, Feeding Big Game Mammals.....	11
SB374, Medical Marijuana	12

SB432, Taxicab Signs	12
II. Post-Conviction/Corrections	13
AB30, Sex Offender Notification	13
AB43, Good-Time Credits	13
AB91, Boot-Camp Programs	13
AB233, DNA Testing Petitions	14
SB32, Corrections Collections	14
SB71, Aggregation of Sentences	14
SB101, Pre-Trial Supervision	15
III. Procedure	16
AB64, Delivery of PSI Reports.....	16
AB97, Habitual Criminals.....	16
AB156, Sealing of Records.....	17
AB423, PSI Reports.....	18
SB45, Sealing of Records	18
SB243, DNA Testing of Felony Arrestees.....	19
SB420, Preliminary Hearing Subpoenas.....	20
IV. Revised Crimes	21
AB55, Enhanced Penalty for Older or Vulnerable Victims	21
AB102, Organized Retail Theft	21
AB116, Accessories to Crimes	22
AB264, Estrays and Feral Livestock.....	22
AB352, Hoax Bombs	23
AB377, School Employee and Volunteer Sexual Contact with Minors	23
AB415, Underling Offense for Burglary	24
AB447, Rest Areas Advertising/Selling	24
SB37, Local Government Metal Theft.....	25
SB73, Reports of Animal Cruelty	25
SB83, Animal/Bird Fighting	25
SB103, Statute of Limitations on Child Sexual Abuse	26
SB136, Homicide by Public Officer	26
SB169, Gross Misdemeanor Sentencing.....	27
SB189, Battery Penalties.....	28

SB237, Protected Sites for Graffiti	28
SB388, Minors and Infamous Crimes Against Nature.....	29
SB410, Hypodermic Devices.....	29
SB449, Solid Waste Disposal	30
V. Specialty Courts	30
AB84, Veterans’ Court Eligibility	30
VI. Studies/Advisory Commission on the Administration of Justice	31
AB444, Death Penalty Study	31
SB264, Advisory Commission Study	31
SB395, Collateral Consequences Study.....	32
VII. Traffic/Watercraft.....	33
AB21, DUI Technical Corrections and Accident Reporting	33
AB117, Proceeding Against Red Lights	33
AB167, Vehicle Registration	34
SB19, DUI Penalty Technical Corrections	34
SB175, DUI Testing Calibration.....	34
SB224, DUI Administrative Assessment.....	35
SB262, Mobile Billboards.....	35
SB303, Driver Authorization Cards.....	36
SB343, Off-Highway Vehicles	36
SB434, Seizure of Watercraft	36
Elections, Campaigns, and Voting.....	37
AB35, Expenditure Reports	37
AB48, Misc. Election/Voting Changes.....	37
AB108, Competency, Guardianships, and Voting	38
AB442, Waiver of Late Filing Penalties.....	39
SB246, PACs	39
Family	40
I. Child Welfare	40
AB82, Evidence in TPR Cases	40
AB155, Child Abuse and Mandatory Reporters	41
AB174, Petition Alleging a Child in Need of Protection.....	42
AB348, Foster Care Homes	43

AB393, Rights of Kids in Foster Care	43
SB97, 432B Petitions	44
SB98, Reasonable Efforts	45
SB99, 432B Kids' Credit Reports.....	46
SB141, Criminal History Records to Rural CASAs	47
SB176, Child Welfare Reports.....	47
SB314, Fundamental Right to Raise Children	48
II. Divorce/Custody/Support.....	48
AB262, Attorneys' Fees.....	48
AB358, Deployed Parents' Custody and Visitation.....	49
AB389, Child as Party to Paternity Actions.....	49
AB421, Gestational Carrier Agreements	50
III. Guardianships	50
SB78, Guardianships.....	50
IV. Juvenile Justice	53
AB202, Juvenile Certification.....	53
AB207, Detention of Adults on Juvenile Parole or Probation	54
SB31, Juvenile Justice Information Sharing	55
SB106, Conversion to Civil Judgments	56
SB107, Corrective Room Assignment	57
SB108, Juvenile Justice.....	57
SB177, County Ordinance Regarding Minors and Tobacco.....	58
SB269, Written Statements of Truancy	59
SB414, Cyber-Bullying.....	59
SB427, Bullying.....	60
SB447, Attendance Officers	60
V. Mental Health.....	61
AB287, Court-Ordered Outpatient Treatment	61
Fiscal.....	62
I. Insurance/Retirement.....	62
SB266, Oral Chemotherapy	62
SB518, PEBP Contributions	62
II. State Finances.....	62

AB507, Appropriations	62
AB511, State Employee Pay	62
SB21, Electronic Payments and Debts Owed to the State	63
Judicial Administration	64
I. Court of Appeals.....	64
SB463, Court of Appeals Implementation	64
SJR14*, Court of Appeals Constitutional Amendment	64
II. Court Interpreters	65
AB365, Language Access	65
III. Court Records/Open Meetings.....	66
AB45, Imaging of Court Records	66
AB65, Open Meeting Law	66
SB22, Findings of Unconstitutionality.....	67
SB74, Public Records	68
SB105, Uniform Electronic Legal Materials Act.....	68
SB364, Personal Identifying Information	69
IV. Legal Defense of Judges	70
SB27, Defense of Judges and Public Officials.....	70
V. Miscellaneous.....	70
AB9, Reno City Charter.....	70
SB272, Storey County and Washoe County Boundary	71
SB405, LCB Reports	71
VI. Notaries.....	71
AB99, Uniform Law of Notarial Act Changes	71
SB419, Marriage by Notaries.....	72
VII. Personnel	73
AB181, Employee Credit Reports	73
AB217, Juvenile Services Background Checks	73
SB127, Employment and Credit Reports	74
SB208, Defines Bailiffs and Marshals for Workers' Comp	74
VIII. Preparation of Legal Documents.....	75
AB74, Preparation of Legal Documents	75
Miscellaneous	76

I. Concealed Weapons	76
SB76, One CCW for all Handguns	76
II. Other.....	76
AB110, Dog Breed Ordinances	76
AB284, Termination of Lease by DV Victims	76
AB512, SB224/SB243 Correction	77
Real Property	78
I. Common-Interest Communities.....	78
AB370, HOA Arbitration and Mediation.....	78
II. Foreclosure/Deeds of Trust	79
AB273, Foreclosure Mediation.....	79
AB300, Foreclosure – Correction of AB284 of 2011	80
SB278, Abandoned Property Registry	80
SB321, Foreclosure.....	81
SB356, Deeds of Trust	82
SB389, Foreclosure.....	83
SB493, Deeds of Trust.....	83
III. Tax Liens	84
SB301, Tax Liens.....	84
Vetoed.....	85
AB150, Legislative Oversight Committee.....	85
AB240, Comparative Negligence	85
SB221, Gun Control Issues	85
SB312, DUI Victim Impact Panels	86
SB373, Judgment Debtors.....	87
SB421, Jury Selection	87
Appendices.....	88
Appendix A – AB54 Justice Court Filing Fee Schedule.....	88
Appendix B – Resource List	89
Appendix C – Misdemeanor Administrative Assessment (AA) Collection Order	92
Index by Article, NRS Title, and/or NRS Chapter Amended or Repealed.....	93

Civil

I. Estates/Probate

[SB131](#) – Existing law sets forth the powers and duties of a personal representative in the administration of the estate of a decedent. This bill authorizes a personal representative to direct the termination of any account of the decedent on any internet website providing social networking or web log, microblog, short message, or electronic mail service.

Effective: October 1, 2013

Amends: Adds new section to [NRS 143](#)

II. General

[AB132](#) – This bill provides immunity from civil liability for the rendering of emergency care or assistance to an elderly person or a person with a disability by a person employed by an agency to provide personal care services in the home if that person: (1) has completed certain courses or training in cardiopulmonary resuscitation or first aid; (2) rendered the care or assistance in the course of his or her regular employment or profession; and (3) rendered the care or assistance in good faith and in accordance with his or her training.

Effective: July 1, 2013

Amends: Adds new section in [NRS 449](#)

[AB322](#) – Under existing law, a party against whom a claim is asserted for compensation or damages for personal injury under a policy of motor vehicle insurance covering a private passenger car may require any attorney representing the claimant to provide to the party and the insurer or attorney of the party, not more than once every 90 days, all medical reports, records and bills concerning the claim, or to provide to the party and the insurer or attorney of the party a written authorization to receive the reports, records and bills from the provider of health care. This bill extends the application of this provision to any passenger car by removing the term “private” from the phrase and newly provides that “passenger car” is defined, for the purposes of this provision, as a motor vehicle designed for carrying 10 persons or less, except a motorcycle or motor-driven cycle.

Effective: October 1, 2013

Amends: [NRS 690B.042](#)

[AB326](#) – This bill requires an agreement which includes a provision requiring a person to submit to arbitration any dispute arising between the parties to the agreement to include specific authorization of the provision by the person. This bill further provides that an agreement which includes such a provision concerning submitting a dispute to arbitration and which fails to include specific authorization of that provision by the person is void. This bill provides an exception to a provision of the Uniform Arbitration Act which governs the validity of an agreement to arbitrate to account for the requirement set forth in this bill. This bill does not cover collective bargaining agreements.

Effective: October 1, 2013

Amends: [NRS 38.219](#) and adds new section in [NRS 597](#)

SB140 – Liens for Attorney's Fees

- Provides for the statutory creation, perfection, and attachment of a retaining lien for attorney's fees.
- Supersedes Nevada common law by providing that the rights under such a lien may be adjudicated by a court at the request of the attorney having the lien or any party who has been served with notice of the lien, rather than only by request of the client whose files have been retained under the lien.
- Revises notice requirements for perfecting a lien.



SB140 – This bill provides for the statutory creation, perfection, and attachment of a “retaining lien” for attorney’s fees. This bill also supersedes Nevada common law by providing that the rights under such a lien may be adjudicated by a court at the request of the attorney having the lien or any other party who has been served with notice of the lien, rather than only by request of the client whose files have been retained under the lien. Finally, this bill revises the provisions relating to the notice requirements for perfecting a lien.

Effective: October 1, 2013

Amends: [NRS 18.015](#)

SB286 – SLAPP Suits

- Provides immunity from certain civil actions based on the right to petition and the right to free speech.
- Establishes burden of proof for a special motion to dismiss and provides for the interlocutory appeal of an order denying such a petition.



SB286 – This bill provides immunity from civil action ([SLAPP Suits](#)) for certain claims based on the right to petition and the right to free speech under certain circumstances, it establishes the burden of proof for a special motion to dismiss, and it provides for the interlocutory appeal from an order denying a special motion to dismiss.

Effective: October 1, 2013

Amends: [NRS 41.637](#), [NRS 41.650](#), [NRS 41.660](#), and [NRS 41.670](#)

SB351 – Personal Injury Actions and Debts/Liens

- A provider of health care that treats a patient for a condition for which the patient intends to file, or has filed a civil claim for damages, may not acquire a debt or lien for services which arise from the same claim and are provided to the patient by another provider/vendor.



SB351 – This bill prohibits a provider of health care or a health facility that treats a patient for a condition for which the patient has filed or intends to file a civil claim to recover damages, or any business in which such a provider or facility has a financial interest, from acquiring a debt or lien for services which arise from the same claim and are provided to the patient by another provider or facility.

Effective: October 1, 2013

Amends: Adds new section to NRS 629

SB441 – This bill provides for personal jurisdiction for certain nonresident persons associated with business entities; it revises provisions governing attendance at certain meetings of corporations and limited-liability corporations; it revises provisions governing the statute of limitations for certain actions relating to the dissolution of corporations and limited liability corporations; it authorizes insurance companies to organize as nonprofit companies; it revises provisions governing the dissolution and winding up of affairs of limited-liability companies; it revises provisions governing domestication of unincorporated organizations; it revises provisions relating to the right of dissent to certain corporate actions; it clarifies certain provisions relating to the demand for payment by a dissenter; it provides for a change of venue for certain actions in business court; and it revises various provisions governing certain business entities.

Effective: October 1, 2013

Amends: NRS 13.050, adds new section to NRS 75, NRS 78.139, NRS 78.315, NRS 78.320, NRS 78.350, NRS 78.585, NRS 80.050, NRS 82.071, NRS 82.106, NRS 82.541, numerous sections of NRS 86, adds new sections to NRS 86, NRS 87.440, NRS 92A.270, NRS 92A.390 to NRS 92A.430 inclusive, NRS 92A.460, NRS 92A.470, NRS 92A.490, and NRS 695B.050

III. Limited Jurisdiction

AB54 – Justice Court Civil Filing Fees

- Increases the civil filing fees charged by justice courts (revises fee schedule in NRS 4.060).
- 25% of total justice court civil filing fees set aside in a special account for the benefit of the justice court.
- Permitted uses of funds include: staff, facilities, technology, and security.
- Copy fee now matches that charged by district court.
- Allows county commission to impose additional filing fee to support law library (NRS 380.010).



AB54 – This bill increases civil filing fees in justice court (NRS 4.060). This bill requires that 25% of the total civil filing fees collected be retained in a special account for the benefit of the justice court that rolls over each fiscal year, and it lists the permitted uses of such funds. Under this measure, each justice court is required to provide its county with an estimate of fees that are expected to be collected as well as plan for the expenditure of the funds for each fiscal year. If the total civil filings fees collected in any year drop below the total amount collected in fiscal year 2013, the county will not be required to set aside funds for the court, nor will the court be required to return extra funds to the county. This bill also allows a county to adopt an ordinance that imposes a fee of up to \$8 on civil filings and answers in justice court to fund law libraries in the county established pursuant to NRS 380.010.

****Note: certain fees that are increased by this bill for justice court also are increased in municipal pursuant to [NRS 5.073 § 2](#).****

Effective: July 1, 2013

Amends: [NRS 4.060](#) and adds new section in [NRS 4](#)

See also: Appendix A – AB54 Justice Court Filing Fee Schedule, [Page 88](#)

AB223 – Eviction and Constables

- Evictions for recreational vehicles may be filed in justice court.
- Constables in townships with a population over 15,000, or in a city with a population over 15,000, must be category I or II peace officer, or become such an officer within 1 year of taking office.
- Constables in townships with a population under 15,000 may not make arrests.
- A constable may only issue a citation related to improper or missing vehicle registration in his or her own township.
- Makes changes to constables offices and personnel.



AB223 – This bill provides that the affidavit of complaint for eviction of a tenant that a landlord or landlord’s agent is authorized to file in justice court or district court applies to tenants of recreational vehicles. It requires a constable in certain townships (population over 15,000 or contains city with population over 15,000) to become certified as a category I or category II peace officer within a certain period after commencing his or her term of office, it prohibits a constable or deputy constable in certain smaller townships from making arrests in the course of his or her duties, it revises provisions governing the appointment of deputy constables and the clerical and operational staff of a constable, it clarifies that a constable may issue a citation for a violation of certain laws governing the registration of motor vehicles only if the motor vehicle is located in his or her township, and it revises various other provisions governing constables.

Effective: July 1, 2013

Amends: [NRS 40.253](#), [NRS 107.087](#), [NRS 171.124](#), [NRS 258.020](#), [NRS 258.060](#), [NRS 258.065](#), [NRS 258.070](#), [NRS 258.110](#), [NRS 258.190](#), [NRS 289.550](#), [NRS 482.231](#), and [NRS 482.385](#)

SB4 – Contagious Disease Testing Orders

- Employee or volunteer of a public agency who comes into contact with blood or body fluids that may expose him or her to a contagious disease may petition a court for an order to test the person who may have exposed him or her to the disease.
- A designated representative of the public employee may make the petition.
- A justice of the peace or municipal court judge may, upon finding probable cause, issue such an order, and a public employee, or representative, may sign the order provided the order is later returned to the judge for signature. If a judge does not sign the order, it is not automatically invalid.
- A judge may conduct a hearing or issue an order via electronic or telephonic means.



SB4 – This bill allows an employee or a volunteer for a public agency, who comes in contact with human blood or bodily fluids in the course of his or her official duties, or his or her employer or the public agency for which he she volunteers, to seek a test of the person or decedent who possibly exposed the public employee or volunteer to a communicable disease. This bill allows a judge or a justice of the peace hearing the petition, upon a determination of probable cause and the ordering of a test, to authorize certain persons acting on behalf of the employer or public agency to sign the name of the judge or justice of the peace on a duplicate order. Such an order is to be deemed an order of the court but must be returned to the judge or justice of the peace for endorsement. Failure by the judge or justice of the peace to endorse the order does not in and of itself invalidate the order. This bill also: (1) requires any records concerning such a petition or proceeding on such a petition to be sealed and kept confidential; and (2) authorizes a court to establish rules to allow a judge or justice of the peace to conduct a hearing or issue an order by electronic or telephonic means. Sections 2 and 3 of this bill authorize justice courts and municipal courts to issue such orders.

Effective: May 27, 2013

Amends: [NRS 4.370](#), [NRS 5.050](#), [NRS 441A.195](#), and [NRS 629.069](#)

SB267 – This bill prohibits an owner or operator of a tanning establishment from allowing a person who is less than 18 years of age to use the tanning equipment, it requires an owner or operator of a tanning establishment to post certain warning signs concerning the use of tanning equipment, and it authorizes certain persons to bring a civil action, in justice court, against an owner or operator of a tanning establishment under certain circumstances.

Effective: July 1, 2013

Amends: Adds new sections to [NRS 597](#)

Criminal

I. New Crimes

[AB67](#) – This bill authorizes victims of human trafficking to bring a civil action; it amends various provisions concerning the investigation and prosecution of sex trafficking, involuntary servitude, and trafficking in persons; it amends various provisions concerning the crimes of pandering, sex trafficking, involuntary servitude, and trafficking in persons; it revises various provisions governing the penalties for pandering, sex trafficking, involuntary servitude, and trafficking in persons; it requires a person convicted of sex trafficking to register as a sex offender; it amends various provisions relating to victims of sex trafficking; and it revises provisions relating to the powers and duties of the Advocate for Missing or Exploited Children.

Effective: July 1, 2013

Amends: [NRS 171.083](#), [NRS 171.085](#), [NRS 171.094](#), [NRS 174.227](#), [NRS 174.228](#), [NRS 179.121](#), [NRS 179.460](#), [NRS 179D.0357](#), [NRS 179D.097](#), and [NRS 179D.115](#)

[AB146](#) – This bill establishes the crime of holding a minor in involuntary servitude and provides that a person who holds a minor in involuntary servitude is guilty of a category A felony and is punished by life imprisonment with the possibility of parole when a minimum of 15 years has been served. This bill provides that a person found guilty of holding a minor in involuntary servitude is subject to the greater penalty for that crime if the act of holding the minor in involuntary servitude could subject the person to a lesser punishment under another statute. This bill also makes changes so that the crime of holding a minor in involuntary servitude is treated the same as the crime of holding a person in involuntary servitude for certain purposes, including, without limitation, the habitual felon statute and civil forfeiture. This bill adds the crime of holding a minor in involuntary servitude to the list of offenses that constitute a crime against a child, thereby requiring a person convicted of holding a minor in involuntary servitude to register with law enforcement as an offender convicted of a crime against a child.

Effective: October 1, 2013

Amends: [NRS 41.690](#), [NRS 127.300](#), [NRS 128.097](#), [NRS 128.106](#), [NRS 176.515](#), [NRS 179.121](#), [NRS 179D.0357](#), [NRS 193.1675](#), [NRS 200.463](#), [NRS 200.464](#), [NRS 200.468](#), and adds new section in [NRS 200](#)

AB194 – Liability for Leaseholders

- Clarifies that a person who holds a leasehold interest in the real property of another person may be criminally liable for the destruction or injury of that real property.



AB194 – This bill clarifies that a person who holds a leasehold interest in the real property of another person may be criminally liable for the destruction or injury of that real property

Effective: October 1, 2013

Amends: [NRS 206.310](#)

AB212 – Possession of Cell Phones in Jail

- An inmate in a county jail may not possess a portable telecommunications device while incarcerated in a city jail, county jail, branch jail, or detention facility.
- Punishment for this offense is dependent upon the underlying offense for which the individual is in jail:
 - Category D felony if underlying offense is a felony.
 - Gross misdemeanor = gross misdemeanor.
 - Misdemeanor = misdemeanor.
 - Offender may request a modification of his or her sentence if the underlying offense is reduced, dismissed, or declined for prosecution.



AB212 – This bill prohibits the possession of portable telecommunications devices by prisoners in county or city jails, branch jails, or detention facilities. This bill provides that a prisoner who violates the prohibition is guilty of: (1) a category D felony if he or she was confined as a result of a felony; (2) a gross misdemeanor if he or she was confined as a result of a gross misdemeanor; or (3) a misdemeanor if he or she was confined as a result of a misdemeanor. This bill also authorizes a person who was convicted of possessing a portable telecommunications device in a jail, branch county jail or other local detention facility to request a modification of his or her sentence if the underlying charge for which the person was in lawful custody or confinement has been reduced, declined for prosecution or dismissed.

Effective: October 1, 2013

Amends: [NRS 212.165](#)

[AB246](#) – This bill provides that a person who sells, attempts to sell, offers for adoption or transfers ownership of a live animal at a swap meet is guilty of a misdemeanor. However, the bill provides an exception for nonprofit organizations if the swap meet complies with certain local ordinances, and the nonprofit ensures the animal is vaccinated.

Effective: October 1, 2013

Amends: Adds new section to [NRS 574](#)

AB395 – HOA Bullying

- A manager, board member, employee, or agent of an HOA as well as, an owner, tenant, owner’s agent, or guest in HOA are prohibited from willfully, and without legal authority, threatening, harassing, or otherwise engaging in a course of conduct against another such person within the HOA, which causes harm, serious emotional distress, reasonable apprehension of harm or distress, or a hostile environment for the other person.
- New misdemeanor crime.



[AB395](#) – This bill prohibits a community manager, an agent or employee of the community manager, a member of the executive board, an officer, employee or agent of an association, a unit’s owner or a guest or tenant of a unit’s owner within a common-interest community from willfully, and without legal authority, threatening, harassing, or otherwise engaging in a course of conduct against another such person, within that same common-interest community, which causes harm, serious emotional distress, or the reasonable apprehension thereof or creates a hostile environment for that person. This bill provides that committing any such act is a misdemeanor.

Effective: October 1, 2013

Amends: [Adds new section in NRS 116](#)

[SB11](#) – This bill makes it unlawful for a person to possess in Nevada any wildlife, as that term is defined by the country or state of origin of the wildlife, that was acquired, hunted, taken or transported in violation of a law or regulation of that country or state and sets forth penalties.

Effective: July 1, 2013

Amends: Adds new section to [NRS 501](#)

[SB72](#) – This bill prohibits a person from intentionally engaging in horse tripping for sport, entertainment, competition, or practice or from knowingly organizing, sponsoring, promoting, overseeing, or receiving money for the admission of any person to a charreada or rodeo that includes horse tripping. It creates an enhanceable misdemeanor.

Effective: October 1, 2013

Amends: [NRS 574.100](#)

[SB139](#) – This bill provides an additional penalty for certain crimes motivated by the victim’s gender identity or expression, it provides certain civil liability for a person who commits certain crimes motivated by the victim’s gender identity or expression, it revises provisions concerning the reporting of certain crimes, and it provides penalties.

Effective: October 1, 2013

Amends: [NRS 41.690](#), [NRS 179A.175](#), [NRS 193.010](#), [NRS 193.1675](#), adds new sections to [NRS 193](#), and [NRS 207.185](#)

SB199 – Surgery without a License

- It is a felony to perform certain medical, dental, or surgical procedures without a license.
- If a provision of this bill provides a greater penalty for such an act, than in existing law, the greater penalty applies.



The image is a graphic with a white background on the left and a dark grey vertical bar on the right. The title 'SB199 – Surgery without a License' is in a large, black, sans-serif font. Below the title are two bullet points in a smaller, black, sans-serif font. At the bottom of the white area is a small, stylized illustration of two surgeons in green scrubs and masks, performing surgery under a light. The dark grey bar has a small orange rectangular section near the bottom.

[SB199](#) – This bill makes it a felony to perform certain health care procedures or surgical procedures without a license and sets forth specific penalties for engaging in such unlawful conduct. This bill amends various provisions of existing law which impose penalties for the practice of certain medical professions without a license to specify that if the provisions of section 5 or 6 provide a greater penalty for engaging in the unlawful conduct, the greater penalty must apply. This bill revises the provision defining when a person is deemed to be practicing dentistry.

Effective: October 1, 2013

Amends: Adds new sections to [NRS 200](#), [NRS 630.400](#), [NRS 630A.590](#), [NRS 630A.600](#), [NRS 631.215](#), [NRS 631.400](#), [NRS 632.315](#), [NRS 633.741](#), [NRS 634.227](#), [NRS 634A.230](#), [NRS 635.167](#), [NRS 636.410](#), [NRS 637.200](#), and [NRS 639.285](#)

SB365 – Crime of Stolen Valor

- It is a gross misdemeanor for any person to knowingly, with the intent to obtain property, money, or another tangible benefit:
 - Fraudulently represent himself or herself to be a recipient of certain military decorations or medals and,
 - Obtain money, property, or another tangible benefit through such a fraudulent representation.



SB365 – This bill provides that a person commits the crime of stolen valor and is guilty of a gross misdemeanor if the person knowingly, with the intent to obtain money, property or another tangible benefit: (1) fraudulently represents himself or herself to be a recipient of certain military decorations or medals; and (2) obtains money, property or another tangible benefit through such fraudulent representation.

Effective: October 1, 2013

Amends: Adds new section to [NRS 205](#)

SB371 – Misdemeanor Feeding of Big Game Mammals

- It is a misdemeanor for a person to intentionally feed a big game mammal without written permission from the Department of Wildlife.
- Penalties are enhanced for second and subsequent offenses.
- Big game mammals are defined as:
 - Deer
 - Elk
 - Antelope
 - Mountain Goats
 - Bears
 - Mountain Lions



SB371 – This bill prohibits a person from intentionally feeding a big game mammal without written permission from the Department of Wildlife. Violations are an enhanceable misdemeanor. A big game mammal is defined as an antelope, bear, deer, elk, mountain goat, or mountain lion.

Effective: October 1, 2013

Amends: [NRS 501.005](#), [NRS 501.386](#), and adds new section to [NRS 501](#)

SB374 – Medical Marijuana

- Establishes marijuana dispensaries, regulated by DHHS, where medical marijuana card holders can purchase marijuana. The number of dispensaries per county is limited and tied to population.
- Makes forging or counterfeiting a medical marijuana card and growing more than 12 medical marijuana plants crimes.
- Creates Subcommittee of the Advisory Commission on the Administration of Justice on Medical Marijuana.
- Establishes excise tax on medical marijuana.



SB374 – This bill relates to medical marijuana; it makes it a crime to counterfeit or forge, or attempt to counterfeit or forge, a registry identification card for the medical use of marijuana; it makes it a crime for a person to grow, harvest or process more than 12 marijuana plants; it provides for the registration of medical marijuana establishments authorized to cultivate or dispense marijuana or manufacture edible marijuana products or marijuana infused products for sale to persons authorized to engage in the medical use of marijuana; it provides for the registration of agents who are employed by or volunteer at medical marijuana establishments; it sets forth the manner in which such establishments must register and operate; it creates a Subcommittee of the Advisory Commission on the Administration of Justice on the Medical Use of Marijuana; and it requires the Health Division of the Department of Health and Human Services to adopt regulations. This bill imposes an excise tax on each sale of marijuana, edible marijuana products and marijuana-infused products.

Effective: July 12, 2013 (regulations) and January 1, 2014

Amends: [NRS 176.0121](#), adds new section to [NRS 176](#), [NRS 207.360](#), adds new section to [NRS 207](#), [NRS 372A.060](#), [NRS 372A.070](#), adds new section to [NRS 372A](#), [NRS 391.311](#), add new section to [NRS 453](#), [NRS 453A.010](#), [NRS 453A.200 to NRS 453A.230](#) inclusive, [NRS 453A.400](#), [NRS 453A.740](#), [NRS 453A.800](#), and adds new sections to [NRS 453A](#)

SB432 – This bill requires each operator of a taxicab business to post a sign notifying passengers of the maximum penalties for committing an assault or battery upon a driver of a taxicab. Failure to post the sign is a misdemeanor.

Effective: October 1, 2013

Amends: [NRS 706.011](#), [NRS 706.756](#), [NRS 706.781](#), [NRS 706.881](#), [NRS 706.8811](#), [NRS 706.885](#), and adds new sections to [NRS 706](#)

II. Post-Conviction/Corrections

[AB30](#) – This bill revises provisions governing the community notification website which provides certain information to the public concerning sex offenders and offenders convicted of a crime against a child and it amends provisions concerning the confidentiality of the content of the record of registration of a sex offender or offender convicted of a crime against a child.

Effective: May 24, 2013

Amends: [NRS 179B.250](#) and [NRS 179D.160](#)

[AB43](#) – This bill clarifies provisions governing credits earned (good-time) by an offender which reduce the term of imprisonment of the offender. Specifically, this bill: (1) clarifies that an offender may not earn more than the amount of credit required to expire his or her sentence; and (2) specifies that such a provision shall not be construed to reduce retroactively the amount of credit earned by an offender if doing so would constitute a violation under the Constitution of the United States or the Constitution of the State of Nevada.

Effective: May 10, 2013

Amends: [NRS 209.432](#) and adds new section to [NRS 209](#)

[AB91](#) – This bill revises the eligibility requirements for a regimental discipline program (boot-camp program) to include persons convicted of felony involving violence if the district attorney stipulates to such an assignment, and if the person has not been incarcerated during his lifetime for a cumulative period of more than 365 days. This bill also requires the Director of the Department of Corrections to make all reasonable efforts to accommodate the person in the program and to consider the facts and circumstances reported in the police report, PSI, or investigative document available to the Director when considering placing the person in the program.

Effective: October 1, 2013

Amends: [NRS 176A.780](#)

AB233 – Petitions for DNA Testing

- Any person convicted of a felony may file a petition requesting DNA analysis of evidence in the possession of the state.
- A person may appeal an order dismissing such a petition, and the state may appeal an order granting such testing.



AB233 – This bill authorizes a person convicted of any felony, regardless of whether the person is under imprisonment for that felony, to: (1) file a petition requesting genetic marker analysis of certain evidence within the possession or custody of the State; and (2) file an appeal of an order dismissing such a petition for genetic marker analysis. This bill further authorizes the State to appeal an order granting such a petition.

Effective: October 1, 2013

Amends: [NRS 176.0918](#)

SB32 – This bill makes various changes to the Department of Corrections including permitting the distribution of money to a governmental entity for certain deductions (including fines, fees, and AAs) from any money deposited in the individual account of offender from any source other than the offender's wages. This bill also makes changes to the collection of restitution from certain offenders, and the eligibility of certain offenders (boating under the influence), for a program of alcohol and drug treatment.

Effective: May 22, 2013

Amends: [NRS 176A.430](#), [NRS 209.241](#), [NRS 209.311](#), [NRS 209.392](#), [NRS 209.3925](#), [NRS 209.425 to NRS 209.429](#) inclusive, [NRS 209.481](#), [NRS 209.4887](#), [NRS 213.126](#), and [NRS 213.375](#)

Repeals: [NRS 209.201](#)

SB71 – This bill requires the aggregation of certain consecutive sentences of imprisonment imposed on an offender, it makes credits earned by a prisoner to reduce his or her sentence applicable to an aggregated sentence, it revises the manner in which certain credits are deducted to reduce the minimum term of imprisonment, and it revises provisions relating to the parole of certain prisoners.

Effective: July 1, 2014

Amends: [NRS 176.035](#), [NRS 176.055](#), [NRS 209.429](#), [NRS 209.443 to NRS 209.449](#) inclusive, [NRS 213.107](#), [NRS 213.1085](#), [NRS 213.1099](#), [NRS 213.1213](#), [NRS 213.1215](#), [NRS 213.15185](#), [NRS 213.1519](#), [NRS 213.625](#), [NRS 213.632](#), and adds new section in [NRS 213](#)

SB101 – Departments of Alternative Sentencing and Pre-Trial Supervision

- A department of alternative sentencing may supervise defendants released from custody before trial and subject to conditions imposed by the court.
- Pre-trial supervisees are subject to same statutory provisions as other persons supervised by a department of alternative sentencing.
- Qualifications of chief of a department of alternative sentencing include experience in pre-trial or pre-sentence release supervision.



SB101 – This bill: (1) authorizes (permissive) a department of alternative sentencing to supervise persons charged with or convicted of misdemeanors, gross misdemeanors or felonies who have been released from custody before trial or sentencing, subject to the conditions imposed by the court; (2) provides that such persons are generally subject to the same statutory provisions as the other persons currently supervised by a department of alternative sentencing; and (3) revises the qualifications of the chief of a department of alternative sentencing to include experience in pretrial or presentence release.

Effective: July 1, 2013

Amends: [NRS 211A.010](#), [NRS 211A.050](#), [NRS 211A.080 to NRS 211A.110](#) inclusive, [NRS 211A.125 to NRS 211A.140](#) inclusive, adds new section to [NRS 211A](#)

III. Procedure

AB64 – Delivery of PSI Reports

- A Pre-Sentence Investigation (PSI) report must be delivered to the Department of Corrections (DOC) no later than the judgment of imprisonment.
- At the discretion of the court, the PSI report may be delivered to the DOC by electronic transmission or by allowing DOC the required access to retrieve the report electronically.
- Copies of the judgment of conviction may also be delivered in paper or electronic format.



AB64 – This bill specifies that a PSI report must be delivered not later than when the judgment of imprisonment is delivered to the Department of Corrections. This bill further specifies that, at the court’s discretion, the report may also be delivered to DOC by electronic transmission or by affording the Department the required electronic access to retrieve the report. This bill also specifies that certified copies of the judgment of conviction may be delivered in paper or electronic format.

Effective: June 1, 2013

Amends: [NRS 176.159](#), [NRS 176.325](#), and [NRS 176.335](#)

AB97 – This bill requires a count alleging that a person is a habitual criminal, a habitual felon or a habitually fraudulent felon to be filed not less than 2 days before the trial unless there is an agreement of the parties to do otherwise or good cause is shown for the delay. This bill also authorizes the prosecution to supplement or amend such a count at any time before sentence is imposed, but, if such a supplement or amendment is filed, the sentence must not be imposed or a certain hearing must not occur until 15 days after the filing.

Effective: October 1, 2013

Amends: [NRS 207.016](#)

AB156 – Sealing of Records

- A person is prohibited from petitioning a court to seal records regarding DUI and boating under the influence offenses that are felonies or result in a homicide.
- Allows a person to petition a court to seal all records related to an arrest if the charges are dismissed or the person is acquitted.



AB156 – This bill prohibits a person from petitioning the court to seal records relating to certain offenses (felonies) related to driving, operating, or controlling a vehicle or vessel while under the influence of intoxicating liquor or a controlled substance. It also authorizes a person who has been arrested for alleged criminal conduct to petition for the sealing of all records relating to an arrest if the charges are dismissed or the person is acquitted.

Effective: January 1, 2014

Amends: [NRS 179.245](#), [NRS 179.255](#), and [NRS 179.295](#)

AB423 – PSI Reports

- P&P is required to disclose the factual content and recommendations of a PSI to the prosecutor, defense attorney, and defendant not later than 7 working days before sentencing, unless the defendant waives the minimum notice period.
- Minimum notice period becomes 14 days on March 1, 2014.
- Minimum notice period becomes 21 days on October 1, 2014.



AB423 – This bill requires the Division of Parole and Probation to disclose the factual content of the report of any presentence investigation made by the Division and the recommendations of the Division to the prosecuting attorney, the counsel for the defendant, the defendant and the court not later than 7 working days before the defendant will be sentenced, unless the defendant waives this minimum period. This bill provides that beginning on March 1, 2014, the minimum period designated pursuant to section 1 becomes 14 working days before sentencing, and beginning on October 1, 2014, the minimum period becomes 21 working days before sentencing.

Effective: October 1, 2013, March 1, 2014, and October 1, 2014

Amends: [NRS 176.133](#), [NRS 176.156](#), and adds new sections to [NRS 176](#)

SB45 – This bill revises provisions governing the sealing of certain records of criminal history. Specifically, it changes what must be contained in a petition to seal the criminal records of a person. It also defines agency of criminal justice.

Effective: July 1, 2013

Amends: [NRS 179.245](#), [NRS 179.255](#), [NRS 179.275](#), [NRS 179.301](#), adds new section in [NRS 179](#), [NRS 179A.030](#)

SB243 – Felony Arrestee DNA Testing and DNA AA

- Biological sample for genetic marker analysis (DNA testing) is to be obtained from anyone who is arrested for a felony.
- If the person is convicted, the DNA sample must be kept but if the person is not convicted the sample and all related records are to be destroyed.
- Penalty for misuse (including disclosure of information) of a DNA sample is increased.
- A new \$3 AA is imposed on every misdemeanor, gross misdemeanor, and felony offense. The money will be accounted for separately and be used to help defray the costs of felony arrestee DNA testing.
- Advisory Commission on the Administration of Justice is to form a Subcommittee to study issues related to felony arrestee DNA testing, including disproportionate minority community impact.



SB243 – This bill establishes the State DNA Database, which is to be overseen, managed, and administered by the Forensic Science Division of the Washoe County Sheriff’s Office. This bill specifies the duties and responsibilities of forensic laboratories with respect to DNA records. This bill requires that a biological specimen be obtained for genetic marker analysis (DNA testing) if a person is arrested for a felony; and it provides that if the person is convicted of the felony, the biological specimen must be kept, but if the person is not convicted, the biological specimen must be destroyed and all records relating thereto must be purged from all databases. This bill increases the penalty for sharing and disclosing the analysis of a biological specimen to a category C felony. This bill imposes a new \$3 administrative assessment (AA) upon any person who is convicted or pleads guilty, nolo contendere, or guilty but mentally ill to any criminal offense: misdemeanor, gross misdemeanor, or felony. This AA is to be accounted for separately and be used to defray the costs of the felony arrestee DNA testing provided for in this measure. Finally, this bill creates a Subcommittee to Review Arrestee DNA of the Advisory Commission on the Administration of Justice to review issues associated with this felony arrestee DNA testing, including any disproportionate effect on minority communities.

Effective: July 1, 2013

Amends: [NRS 176.0121](#), [NRS 176.0611](#), [NRS 176.0613](#), [NRS 176.0911 to NRS 176.0917 inclusive](#), **adds new sections to** [NRS 176](#), [NRS 179.225](#), [NRS 179A.075](#), [NRS 179D.151](#), [NRS 179D.443](#), [NRS 209.247](#), [NRS 209.463](#), and [NRS 211.245](#)

SB420 – Subpoenas for Preliminary Hearings

- The prosecutor or defense attorney may issue subpoenas for witnesses to appear before a court at preliminary hearing.
- Law enforcement may accept delivery of a subpoena via electronic means in lieu of service.
- A person who fails to comply with such a subpoena without an adequate excuse is in contempt of court.



SB420 – This bill specifies that a prosecuting attorney or an attorney for a defendant may issue subpoenas for witnesses in this State to appear before the court at which a preliminary hearing is to be held, it authorizes a peace officer to accept delivery of a subpoena in lieu of service, by electronic means, and it provides that a person who fails to obey a subpoena of an attorney for a defendant without an adequate excuse is in contempt of court.

Effective: October 1, 2013

Amends: [NRS 172.305](#), [NRS 174.315](#), and [NRS 174.385](#)

IV. Revised Crimes

AB55 – This bill imposes an additional penalty for an attempting or conspiring to embezzle, or obtain by false pretense, money (over \$650) from older or vulnerable persons.

Effective: October 1, 2013

Amends: [NRS 193.167](#)

AB102 – Retail Theft Ring

- Replaces crime of participating in an organized retail theft ring with the crime of organized retail theft.
- The crime of organized retail theft is committed by one or more persons who intentionally conduct a series of thefts of retail merchandise, at one or more merchants, with the intent to return the merchandise for value or sell, trade, or barter the merchandise for value.

The illustration consists of three separate icons arranged horizontally. On the left is a grey video game controller with various buttons and a joystick. In the middle is a black silhouette of a person pushing a shopping cart filled with red and green items. On the right are four colorful shopping bags in shades of yellow, pink, purple, and green.

AB102 – This bill replaces the crime of participation in an organized retail theft ring with the crime of organized retail theft and provides that such a crime may be committed by one or more persons who intentionally conduct a series of thefts of retail merchandise at one or more merchants in this State, with the intent to return the merchandise for value or resell, trade, or barter the merchandise for value.

Effective: October 1, 2013

Amends: [NRS 205.08345](#)

AB116 – Accessories to Crimes

- Only a spouse or domestic partner cannot be charged with being an accessory to a crime, after the fact, if the crime is a felony.
- Revises the acts which constitute being an accessory after the offense.
- Bill provides that persons who were previous exempt from prosecution (within 1st or 2nd degree of consanguinity) as an accessory after the crime are guilty of gross misdemeanor, rather than a category C felony.



AB116 – Existing law provides that anyone who is not the husband or wife, brother or sister, parent or grandparent, child or grandchild of an offender and who harbors, conceals, or aids the offender after the commission of a crime is an accessory to the crime. This bill removes every person other than the spouse or domestic partner from that exception if the crime is a felony. This bill also revises the acts which constitute being an accessory to a felony after the commission of the felony by specifically stating that a person acts as an accessory to a felony if he or she destroys or conceals, or aids in the destruction or concealment of, material evidence, or harbors or conceals the offender. Existing law provides that an accessory to a felony is guilty of a category C felony. This bill revises this penalty to provide that a person who harbors, conceals or aids the offender after the commission of a felony and who is the brother or sister, parent or grandparent, child or grandchild of the offender is guilty of a gross misdemeanor.

Effective: October 1, 2013

Amends: [NRS 195.030](#) and [NRS 195.040](#)

AB264 – This bill revises provisions relating to the management, control, placement, and disposition of estrays and feral livestock. Existing law makes it unlawful for a person, other than an authorized agent of the Department of Agriculture, to take up and retain possession of or feed any stray or feral livestock. Under existing law, a person is not cited or charged criminally for the first violation of the prohibition against feeding an stray or feral livestock, but instead receives a warning. (NRS 569.040) Section 5 also makes a second or subsequent violation of such an offense a gross misdemeanor. Under existing law, a person who takes up or retains possession of any stray or feral livestock which is not his or her property and without the owner's consent is guilty of a misdemeanor. (NRS 569.130) Section 8 of this bill increases the penalty for that violation from a misdemeanor to a gross misdemeanor.

Effective: October 1, 2013

Amends: [NRS 561.218](#), [NRS 561.344](#), [NRS 569.0105](#), [NRS 569.031](#), [NRS 569.040](#), [NRS, 569.080](#), [NRS 569.090](#), and [NRS 569.130](#)

[AB352](#) –Existing law provides that it constitutes a gross misdemeanor for a person to manufacture, purchase, possess, sell, advertise for sale, or transport a hoax bomb if the person knows or should know that such actions would make another person believe that the hoax bomb is an explosive or incendiary device. This bill provides that to be guilty of such a crime a person must have the intent to: (1) make a person believe that the hoax bomb is an explosive or incendiary device; (2) cause alarm or reaction by an officer, an employee or a volunteer of a public safety agency; or (3) cause the evacuation of any private or public building. This bill further increases the penalty to a category C felony if the person commits the act in the furtherance of any other felony or to a category E felony if the act causes the evacuation of any private or public building.

Effective: October 1, 2013

Amends: [NRS 202.263](#)

[AB377](#) – Existing law prohibits a person who is employed in a position of authority or who volunteers in a position of authority at a public or private school from engaging in sexual conduct with a pupil who is enrolled in or attending the public school or private school at which the person is employed or volunteering. This bill expands this provision by prohibiting a person who is or was employed in a position of authority or who volunteers or volunteered in a position of authority at a public school or private school from engaging in sexual conduct with a pupil: (1) who is or was enrolled in or attending the public school or private school at which the person is or was employed or volunteering; or (2) with whom the person has had contact in the course of performing his or her duties as an employee or volunteer.

Effective: July 1, 2013

Amends: [NRS 201.540](#)

AB415 – Underlying Offense for Burglary

- Removes crime of petit larceny from the underlying offenses which constitute burglary if the petit larceny was committed at a commercial business during business hours and:
 - 1) The offender has not been twice previously convicted of petit larceny in the last 7 years and,
 - 2) The offender has not been previously convicted of a felony.
- Prohibits a person from lodging in a building if the property is subject to an NOD, is vacant, abandoned, or foreclosed unless the person is the owner or tenant or is otherwise entitled to possession of the property.
- Advisory Commission on the Administration of Justice can accept gifts and grants and is to study issues related to sentencing, parole, and alternative sentencing.
- Authorizes any county to establish a misdemeanor community court.



AB415 – This bill removes the crime of petit larceny from the underlying offenses which constitute burglary if the petit larceny was intended to be committed in a commercial establishment during business hours and the person has not: (1) twice previously been convicted of petit larceny within the previous 7 years; or (2) previously been convicted of a felony. Existing law prohibits a person from lodging in any building, structure or place without certain permission. This bill further prohibits a person from lodging in such a place if the property is the subject of a notice of default and election to sell or is placed on a registry of vacant, abandoned or foreclosed property, unless the person is the owner, tenant or otherwise entitled to possession of the property. This bill authorizes the Advisory Commission on the Administration of Justice to apply for and accept certain money (grants, gifts, etc.). This bill also requires the Advisory Commission on the Administration of Justice to study and report on certain issues, including sentencing, parole, and alternative sentencing. This bill authorizes any county to establish a community court pilot project to provide an alternative to sentencing a person who is charged with a misdemeanor.

Effective: October 1, 2013

Amends: [NRS 176.0121](#), adds new section to [NRS 176](#), [NRS 205.060](#), and [NRS 207.030](#)

AB447 – This bill revises provisions relating to the construction, operation and maintenance of certain facilities to provide information and assistance to the traveling public. Existing law makes it unlawful for any person, firm, corporation, association or other entity, other than a public utility, to sell, exhibit or offer for sale certain goods and services or to erect, place, post or maintain certain signs in any roadside park or safety rest area in this State. A person who violates that provision, or any regulation adopted governing roadside parks or safety rest areas, shall be punished by a fine of not more than \$100 for a first offense and not more than \$500 for each subsequent offense. Section 1 of this bill raises the limit on a fine for a first such offense to not more than \$1,000, and for each subsequent offense to not more than \$5,000.

Effective: July 1, 2013

Amends: [NRS 408.433](#), [NRS 408.557](#), [NRS 408.563](#), and [NRS 408.567](#)

SB37 – This bill: (1) provides that a person who removes, damages, or destroys any property maintained by the State or a local government to obtain scrap metal is guilty of a crime; and (2) requires a person convicted of such a crime, in addition to any other penalty, to pay restitution and to perform 100 hours of community service for a first offense, 200 hours of community service for a second offense and up to 300 hours of community service for any third or subsequent offense. It also revises the definition of “utility property” to include any facility, equipment or other property owned, maintained or used by a company or a city, county or other political subdivision of this State to furnish sewer service or storm water collection or disposal service. This bill makes it a crime to intentionally steal, take or carry away utility property subject to statutory amount thresholds (value \geq \$650 is a felony) and applies the aforementioned community service penalties to such offenses.

Effective: May 24, 2013

Amends: [NRS 202.582](#) and [NRS 205.267](#)

SB73 – Reports of Animal Cruelty

- Deletes existing provision of law which make reports of animal cruelty confidential, and replaces it with a provision that provides that the willful release of information or data identifying the person who made the report is a misdemeanor.

SB73 – This bill deletes the provision of existing law (NRS 574) which makes certain reports of animal cruelty confidential and provides instead, with certain exceptions, that the willful release of any data or information concerning the identity of a person who made the report constitutes a misdemeanor.

Effective: May 27, 2013

Amends: [NRS 574.053](#)

See also: [SB223](#) of the 2011 Session

SB83 – This bill increases the penalties for certain offenses related to the use of an animal or a bird for baiting or fighting; it prohibits a person from manufacturing, owning or possessing a gaff, spur or other sharp implement designed for attachment to a cock or other bird with the intent that it be used in fighting another cock or other bird under certain circumstances; and it provides penalties (Cat. D or E Felony).

Effective: October 1, 2013

Amends: [NRS 574.060](#), [NRS 574.070](#)

SB103 – Statute of Limitations on Child Sexual Abuse

- Charges must be filed before the victim of child sexual abuse is:
 - 36 years old, if the person discovers or reasonably should have discovered the abuse before the age of 36 and,
 - 43 years old, if the person does not discover or reasonably should not have discovered the abuse before the age of 43.



SB103 – This bill provides that an indictment must be found or an information or complaint must be filed for certain crimes related to the sexual abuse of a child before the victim of the sexual abuse of a child is: (1) 36 ~~24~~ years old if the victim discovers or reasonably should have discovered that he or she was a victim of the sexual abuse by the date on which the victim reaches 36 ~~24~~ years of age; or (2) 43 ~~28~~ years old if the victim does not discover and reasonably should not have discovered that he or she was a victim of the sexual abuse by the date on which the victim reaches 36 ~~24~~ years of age.

Effective: October 1, 2013

Amends: [NRS 171.095](#)

SB136 – Existing law provides that homicide committed by a public officer, or a person acting under the command and in aid of the public officer, is justifiable under certain circumstances. This bill provides that homicide by such a person is also justifiable when necessary in protecting against an imminent threat to the life of a person.

Effective: October 1, 2013

Amends: [NRS 200.140](#)

SB169 – Gross Misdemeanor Sentencing

- The maximum jail sentence for a gross misdemeanor is reduced from 1 year to 364 days.
- The period of time after which a person may petition to seal records related to a gross misdemeanor is reduced from 7 to 2 years.
- Bill becomes effective on October 1, 2013, but it authorizes a person who was convicted of a gross misdemeanor before that date, and sentenced to 1 year in jail, to petition the court of original jurisdiction for a modification of sentence.



SB169 – This bill provides that a person convicted of a gross misdemeanor may, in lieu of or in addition to any fine, only be punished by imprisonment in the county jail for a maximum of 364 days. This bill also clarifies that certain crimes which are punishable by imprisonment in the county jail for a maximum of 364 days constitute gross misdemeanors. This bill also reduces the period after which a person may petition a court to seal criminal records related to a gross misdemeanor from 7 to 2 years after the date of release from actual custody or discharge from probation, whichever occurs later. Section 30 of this bill provides that the amendatory provisions of this bill apply to a person who is sentenced on or after October 1, 2013, for a crime committed before, on or after October 1, 2013. Section 31 of this bill authorizes a person who was convicted of a gross misdemeanor before October 1, 2013, and sentenced to a term of imprisonment in the county jail for 1 year to file a petition with the court of original jurisdiction requesting that the court, for good cause shown, order that his or her original sentence be modified to a sentence imposing a term of imprisonment for 364 days.

Effective: October 1, 2013

Amends: [NRS 179.245](#), [NRS 193.140](#), [NRS 193.1605](#), [NRS 193.330](#), all NRS Chapters/Sections that specify the punishment for a gross misdemeanor, and [Statutes of Nevada](#)

See also: [8 USC § 1227](#) (Deportable Aliens)

SB189 – Enhanced Penalties for Assault and Battery

- Students who are studying for a healthcare profession (doctor, dentist, nurse, etc.) are now included in the definition health care provider for purposes of enhancing penalties for assault and battery.



SB189 – This bill revises the definition of provider of health care to include certain persons (health care profession students) for the purposes of enhancing the penalties for assault and battery (cat. D or cat. B felony).

Effective: October 1, 2013

Amends: [NRS 200.471](#)

SB237 – Protected Sites and Graffiti

- List of protected sites as related to graffiti offenses, for enhanced penalties, includes:
 - A place listed on the register of historic resources of a community which is recognized as Certified Local Government ,
 - A place which is listed in the State or National Register of Historic Places and,
 - A place that is more than 50 years old and is in a local or State park.



SB237 – This bill revises the definition of “protected site,” as related to graffiti offenses, to include any site, building, structure, object or district: (1) listed in the register of historic resources of a community which is recognized as a Certified Local Government pursuant to the Certified Local Government Program jointly administered by the National Park Service and the Office of Historic Preservation of the State Department of Conservation and Natural Resources; (2) listed in the State Register of Historic Places or the National Register of Historic Places; or (3) that is more than 50 years old and is located in a municipal or state park.

Effective: October 1, 2013

Amends: [NRS 206.330](#)

SB388 – This bill repeals the crime of solicitation of a minor to engage in acts constituting the infamous crime against nature, it provides that the crime of luring a child includes the solicitation of certain persons to engage in sexual conduct, and it revises certain definitions and references to sex acts.

Effective: October 1, 2013

Amends: [NRS 62H.010](#), [NRS 62H.220](#), [NRS 62H.310](#), [NRS 176.0931](#), [NRS 176.133](#), [NRS 176A.110](#), [NRS 178.5698](#), [NRS 179.245](#), [NRS 179A.073](#), [NRS 179D.097](#), [NRS 179D.495](#), [NRS 209.385](#), [NRS 212.187](#), [NRS 213.107](#), [NRS 213.1214](#), [NRS 213.1255](#), and [NRS 412.562](#)

Repeals: [NRS 201.195](#)

SB410 – Hypodermic Devices

- Authorizes needle exchange programs.
- Possession of a hypodermic device with trace amounts of controlled substances is not crime when the person is enrolled in a needle exchange program.
- Removes hypodermic devices from the list of paraphernalia that is prohibited for delivery, sale, possession, manufacture, or use.
- Hypodermic needles may be sold without a prescription if not prohibited by federal law.
- Repeals crime of misuse of a hypodermic device.

SB410 – This bill authorizes certain entities to establish a program for the safe distribution and disposal of hypodermic devices and certain other material; it requires the county board of health or district board of health for the county in which a sterile hypodermic device program operates to establish guidelines governing such a program; it provides that the possession of a trace amount of a controlled substance is not a criminal offense in certain circumstances; it removes hypodermic devices from the list of paraphernalia that is prohibited for delivery, sale, possession, manufacture, or use in this State; it provides that hypodermic devices may be sold or furnished without a prescription if not prohibited by federal law in certain circumstances; and it repeals a provision which makes it a crime to misuse a hypodermic device.

Effective: July 1, 2013

Amends: Adds new sections to [NRS 439](#), [NRS 453.336](#), [NRS 453.554](#), [NRS 453.560](#), [NRS 453.566](#), and [NRS 454.480](#)

Repeals: [NRS 454.520](#)

SB449 – Existing law sets forth penalties for a person who is found guilty of illegally disposing of solid waste, sewage, or certain other similar materials three or more times during a period of 2 years. Such an offender: (1) is guilty of a gross misdemeanor; and (2) must be imprisoned in the county jail for 1 year, clean up the dump site and perform community service. This bill increases from 2 years to 4 years the period during which a third or subsequent offense involving the illegal disposal of any cesspool or septic tank effluent or solid waste subjects the offender to those penalties.

Effective: October 1, 2013

Amends: [NRS 444.630](#)

V. Specialty Courts

AB84 – Veterans' Court Eligibility

- When determining whether an offense involved the use or threatened use of force or violence, for purposes of determining a veteran's or member of military's eligibility for Veterans' Court, a court is required to consider the facts and circumstances surrounding the offense including, without limitation:
 - Whether the offender intended to place another person in reasonable apprehension of bodily harm.



AB84 – Existing law authorizes a district court to place certain offenders who are veterans or members of the military on probation upon terms and conditions that must include attendance and successful completion of an appropriate program for the treatment of such offenders that is established by the district court. However, the court may not assign an offender to such a program without the prosecuting attorney stipulating to the assignment if: (1) the offense committed by the offender involved the use or threatened use of force or violence; or (2) the offender was previously convicted of a felony that involved the use or threatened use of force or violence. This bill provides that in determining whether an offense involved the use or threatened use of force or violence, the court must consider the facts and circumstances surrounding the offense, including, without limitation, whether the offender intended to place another person in reasonable apprehension of bodily harm.

Effective: January 1, 2014

Amends: [NRS 179A.290](#)

VI. Studies/Advisory Commission on the Administration of Justice

[AB444](#) – This bill requires the Legislative Auditor to conduct an audit of the fiscal costs of the death penalty in Nevada. The audit must include, without limitation, an examination and analysis of the costs of prosecuting and adjudicating capital cases compared to noncapital cases. The Legislative Auditor is required to present a final written report of the audit to the Audit Subcommittee of the Legislative Commission on or before January 31, 2015.

Effective: June 10, 2013

Amends: [Statutes of Nevada](#)

SB264 – Advisory Commission Study

- The Advisory Commission on the Administration of Justice shall conduct an interim study on:
 - Over-criminalization,
 - Criminal sentencing,
 - Duplicative crimes and/or penalties,
 - Reclassification of misdemeanors as violations and,
 - Reclassification of some felonies as misdemeanors.



[SB264](#) – This bill requires the Advisory Commission on the Administration of Justice to identify and study certain issues relating to over-criminalization, including: criminal sentences, duplicative crimes/penalties, reclassification of certain misdemeanors as violations, and reclassification of certain felonies as misdemeanors

Effective: July 1, 2013

Amends: [Statutes of Nevada](#)

AB395 – Collateral Consequences of Conviction Study

- The Advisory Commission on the Administration of Justice shall identify and study the provisions of existing law which impose or authorize a collateral consequence of conviction, and any provision of existing law that allows relief from a collateral consequence.



SB395 – This bill requires the Advisory Commission on the Administration of Justice to identify and study the provisions of existing law which impose or authorize a collateral consequence of conviction and any provisions of existing law allowing relief from those collateral consequences.

Effective: October 1, 2013

Amends: [NRS 176.0125](#)

See also: *Nollette v. State, 118 Nev. 341 (2002)*

VII. Traffic/Watercraft

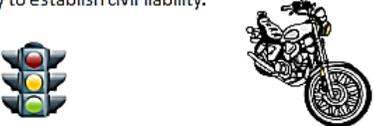
AB21 – This bill revises provisions prohibiting open containers of alcoholic beverages in motor vehicles; specifically, it clarifies that the exemption from the prohibition only applies to the passenger area of vehicles such as limousines. This bill revises provisions governing the requirements and procedures for the reporting motor vehicle accidents by allowing drivers to submit accident reports to DMV via electronic means, and it transfers certain duties relating to the reporting of those accidents from the Department of Motor Vehicles to the Department of Public Safety.

Effective: October 1, 2013

Amends: [NRS 484B.150](#), [NRS 484E.080](#), [NRS 484E.110](#), and [NRS 484E.120](#)

AB117 – Red Lights

- The rider of a motorcycle, moped, tri-mobile, bicycle, or electric bicycle may travel through a red light if:
 - The person waits two full cycles of the light and it does not change,
 - No other device prohibits turns at the intersection and,
 - The person yields right-of-way to other vehicles and pedestrians.
- Violation of these provisions that results in an injury to another person creates a rebuttable presumption of the facts necessary to establish civil liability.



AB117 – This bill allows a person driving a motorcycle, moped, or tri-mobile or riding a bicycle or an electric bicycle to proceed through an intersection against a red traffic signal, after complying with the requirement to stop, if: (1) the person waits for two complete cycles of the lights or lighted arrows of the applicable official traffic-control device and the signal does not change because of a malfunction or because the signal failed to detect the presence of the motorcycle, moped, tri-mobile, bicycle or electric bicycle; (2) no other device at the place prohibits either or both such turns, if applicable; and (3) the person yields the right-of-way to pedestrians and other traffic. This bill specifies that a violation of these provisions that results in an injury to another person creates a rebuttable presumption of all facts necessary to impose civil liability for the injury.

Effective: October 1, 2013

Amends: [NRS 484B.300](#) and [NRS 484B.307](#)

[AB167](#) – This bill requires a nonresident who is not a natural person, owns a vehicle of a type subject to registration in this State and allows that vehicle to be operated in this State for business purposes within this State to register the motor vehicle within 10 days after the commencement of such operation of the vehicle. Such a registration would require the payment of a fee and be valid for 1 year. This bill also requires such a motor vehicle to comply with the registration, insurance and emissions testing requirements, if any, of the out-of-state location where the nonresident is resident. If the location where the nonresident is resident does not require emissions testing, the bill requires such a motor vehicle to undergo emissions testing as if it were the vehicle of a Nevada resident. The provisions of the bill do not apply to certain motor carriers or apportioned vehicles.

Effective: June 11, 2013 (for regulations) and January 1, 2014

Amends: [NRS 482.103](#), [NRS 482.385](#), [NRS 482.500](#), and adds new section in [NRS 482](#)

[SB19](#) – Existing law authorizes the governing body of each city to enact an ordinance adopting the penalties set forth in state law for a misdemeanor offense of driving under the influence of intoxicating liquor or a controlled substance. This bill specifically authorizes the governing body of each county to adopt such an ordinance. This bill also provides that a person convicted of a violation of a city or county ordinance prohibiting driving under the influence is subject to the same legal consequences as a person convicted of a violation of the state law prohibiting the same or similar conduct, including, without limitation, consequences related to the revocation of the driver's license of a person convicted of driving under the influence.

Effective: July 1, 2013

Amends: [NRS 484A.410](#)

See also: [NV Department of Motor Vehicles' Office of Administrative Hearings](#)

[SB175](#) – This bill revises provisions governing the manner in which a chemical solution or gas is determined to have the chemical composition necessary for accurately calibrating, or verifying the calibration of, a device for testing a person's breath to determine the concentration of alcohol in his or her breath. Rather than requiring an affidavit or declaration by the person who prepares the chemical solution or gas, this bill provides that the chemical solution or gas used in calibrating, or verifying the calibration of, a device is presumed to be properly prepared and suitable for use in calibrating, or verifying the calibration of, a device if a person who is certified to calibrate a device by the Director of the Department of Public Safety under existing law and regulations: (1) examines the chemical solution or gas; (2) confirms the concentration of alcohol contained in the chemical solution or gas; and (3) makes an affidavit or declaration which identifies the concentration of alcohol in the chemical solution or gas and which states that the chemical solution or gas has the chemical composition that is necessary for use in accurately calibrating, or verifying the calibration of, a device. Under this measure, the affidavit or declaration of the person who examined the chemical solution or gas is admissible in a criminal or administrative proceeding to prove that the chemical solution or gas has the chemical composition necessary for accurately calibrating, or verifying the calibration of, a device. This bill also provides that the amendatory provisions of this bill do not affect tests to determine the concentration of alcohol in a person's breath that are performed before the effective date of this bill.

Effective: May 24, 2013

Amends: [NRS 50.315](#) and [NRS 484C.190](#)

SB224 - \$100 DUI Administrative Assessment

- In addition to any other AA, penalty, or fine, a judge is required to impose a \$100 AA on a person who is convicted or pleads guilty, guilty but mentally ill, or nolo contendere to a 1st or 2nd offense DUI.
- Judge may convert any or all of the AA to community service if the judge finds the defendant does not have the ability to pay.
- The money is to be accounted for separately and deposited into an account administered by the AOC for use to support specialty court programs.
- AOC is required to report additional statistics regarding specialty court programs, including recidivism, to the Legislature.
- Sunsets on June 30, 2015.



SB224 – This bill requires a court to impose a fee of \$100, in addition to any other administrative assessment, penalty or fine imposed, if a person pleads guilty, guilty but mentally ill or nolo contendere to, or is found guilty of, a charge of driving under the influence of intoxicating liquor or a controlled substance that is punishable as a misdemeanor. If the fee of \$100 is not within a defendant’s present ability to pay, the justice or judge may require the equivalent community service to be performed. Under this bill, the money collected for this fee is deposited with the State Controller for credit to a special account in the State General Fund administered by the Office of Court Administrator and money apportioned to a court from this fee must be used by the court for certain purposes related to specialty court programs. This bill allows the Office of Court Administrator to accept money from gifts, grants and other sources to apportion to courts that provide specialty court programs for those same purposes. This bill also requires a court that provides a specialty court program to submit reports concerning the program to the Office of Court Administrator.

Effective: July 1, 2013, and Expires: June 30, 2015

Amends: [NRS 176.0611](#), [NRS 176.0613](#), and adds new section to [NRS 484C](#)

SB262 – This bill requires that certain devices be installed in vehicles that are designed to display certain advertisements while moving over the highways of this State and it provides certain requirements concerning the equipment used to display such advertisements (creates new misdemeanor).

Effective: October 1, 2013

Amends: Adds section to [NRS 484D](#)

SB303 – Driver Authorization Cards

- DMV may issue a driver authorization card, upon application, to a person who is unable to provide information regarding his or her lawful presence in the United States.
- Generally applies laws governing driver licenses and learner permits to driver authorization cards and instructional permits.



SB303 – This bill provides for the issuance of a driver authorization card to an individual who is unable to provide information regarding his or her lawful presence in the United States, it establishes the contents of an application for a driver authorization card and certain instruction permits, it establishes the information that must be contained on a driver authorization card and similarly obtained instruction permits, it provides for the expiration and renewal of a driver authorization card, and it provides that certain provisions of state law which apply to driver licenses also apply to driver authorization card and similarly obtained instruction permits.

Effective; May 31, 2013 (regulations) and January 1, 2014

Amends: [NRS 481.063](#), [NRS 483.015](#), [NRS 483.020](#), [NRS 483.083](#), [NRS 483.290](#), [NRS 483.292](#), [NRS 483.620](#), and adds new sections to [NRS 483](#)

See also: [Utah Driving Privilege Card Program](#)

SB343 – This bill allows certain off-highway vehicles to be registered as motor vehicles intended for use on a highway, it requires the owner of an off-highway vehicle registered as a motor vehicle intended for use on a highway to obtain and maintain insurance on the vehicle, it allows certain off-highway vehicles to be operated on certain county roads under certain circumstances, and it provides a penalty.

Effective: October 1, 2013

Amends: [NRS 484A.650](#), [NRS 490.010](#), [NRS 490.060](#), [NRS 490.070](#), [NRS 490.082 to NRS 490.084](#) inclusive, [NRS 490.110](#), [NRS 490.520](#), and adds new sections to [NRS 490](#)

SB434 – This bill authorizes a peace officer to seize a vessel without a warrant and to treat the vessel as abandoned under certain circumstances and it revises the circumstances under which an operator of a vessel must file a description of a collision, accident, or other casualty involving the vessel.

Effective: July 1, 2013

Amends: [NRS 488.550](#) and adds new section to [NRS 488](#)

Elections, Campaigns, and Voting

[AB35](#) – This bill revises requirements for reporting contributions, expenditures and campaign expenses relating to special elections by requiring that if a special election occurs on the same day as a primary or general election any campaign finance reports must be filed in accordance with the reporting rules for the primary or regular election. This bill also requires that certain expenditures made for or against a candidate or group of candidates by an outside group or person must be reported, and that expenditures related to a ballot question must be reported even if the question is removed from the ballot by order of a court. This bill revises provisions governing the disposition of unspent contributions. It requires that candidates who end their campaign unofficially, are unopposed, or lose a primary election to file campaign finance reports. This bill establishes a procedure for a candidate to end his or her campaign. This bill also clarifies the existence of certain remedies and penalties relating to campaign finance. It makes various other changes relating to campaign finance.

Effective: July 1, 2013

Amends: [NRS 293.4687](#), adds new section to [NRS 294](#), and numerous sections of [NRS 294](#)

[AB48](#) – This bill provides that a person is guilty of a category D felony if the person: (1) is not a qualified elector and votes or attempts to vote knowing that fact; or (2) votes or attempts to vote using the name of another person. Section 2 of this bill provides that if a vacancy occurs in a nomination for a nonpartisan office during a certain period, a person may become a candidate for the nonpartisan office by filing a declaration or acceptance of candidacy during a certain period. Sections 3 and 55 of this bill change, from the first Tuesday in September to the last Tuesday in August before a general election, the deadline by which a minor political party that wishes to place candidates for President and Vice President on the ballot must file a certificate of nomination with the Secretary of State. Section 4 of this bill provides that provisions relating to the nomination of candidates apply to a special election to fill a vacancy, subject to certain exceptions. Sections 5 and 6 of this bill require county clerks to certify to the Secretary of State lists of candidates who have filed candidacy papers with the county clerks and of candidates who are nominated for office at primary elections. Section 7 of this bill clarifies that an independent candidate for partisan office must file a copy of his or her petition of candidacy before the petition may be circulated for signatures. Section 8 of this bill changes the date by which permanent regulations of the Secretary of State must be effective in order to govern an election from the December 31 immediately preceding the election to the last business day of February immediately preceding the election. Section 9 of this bill provides that certain persons who register to vote by mail or computer must provide, under certain circumstances, certain proof of residency before voting. Under existing law, for the period beginning on the fifth Sunday preceding a primary or general election and ending on the third Tuesday preceding the primary or general election, a person may only register to vote in person. Section 12 of this bill allows a person to register to vote by computer during that period. Section 14 of this bill defines a “committee sponsored by a political party” for purposes of provisions relating to campaign practices. Sections 15, 17, 20, 22-41, 43-49, 51, 53, 54 and 56 of this bill clarify reporting requirements related to campaign finance.

Existing law requires a person who is not under the direction or control of a candidate or candidate group or of a person involved in the campaign of the candidate or candidate group and who makes an expenditure on behalf of the candidate or candidate group to report to the Secretary of State all contributions to and expenditures made by the person in excess of \$100. Sections 30 and 34 of this bill clarify that such a person is making an independent expenditure. Sections 30 and 34 also raise the threshold for expenditures and contributions that must be reported from \$100 to \$1,000. Section 16 of this bill defines the term “independent expenditure.” Sections 21 and 45 of this bill provide that fees for filing declarations or acceptances of candidacy, repayments or forgiveness of loans and the disposal of unspent contributions are considered, and must be reported by candidates as, campaign expenses. Sections 18, 20, 22, 26, 30-38 and 41 of this bill provide that reporting requirements related to campaign finance are the same for a general election, a primary election and a special election that is held on the same day as a primary or general election. Section 47 of this bill removes the requirement that the Secretary of State obtain the advice and consent of the Legislative Commission before making a copy of, or access to, the contribution, expenditure and campaign expense forms designed by the Secretary of State available to a candidate, person, committee, political party or nonprofit corporation. Section 52 of this bill amends the required content and due date of the compilation prepared by the Secretary of State of contribution and campaign expense reports.

Effective: July 1, 2013

Amends: Numerous sections of [NRS 293](#), adds new section in [NRS 293](#), numerous sections of [NRS 294A](#), and adds new sections in [NRS 294A](#).

AB108 – Competency, Guardianships, and Voting

- A person who has been adjudicated mentally incompetent retains the right to vote unless a court finds, by clear and convincing evidence, that the person lacks the mental capacity to vote because that person is unable to communicate, with or without assistance, a specific desire to participate in the voting process.
- A person for whom the court has appointed a guardian retains his or her voting rights unless the court makes a similar finding.



[AB108](#) – This bill specifies that a person is not ineligible to vote on the ground that the person has been adjudicated mentally incompetent unless a court of competent jurisdiction specifically finds by clear and convincing evidence that the person lacks the mental capacity to vote because he or she cannot communicate, with or without accommodations, a specific desire to participate in the voting process. This bill also provides that a person for whom a court has appointed a guardian retains his or her right to vote unless the court makes such a finding.

Effective: October 1, 2013

Amends: [NRS 293.540](#), [NRS 293.542](#), and adds new section to [NRS 293](#)

[AB442](#) – This bill sets forth factors that the Secretary of State may consider when determining whether good cause has been shown to waive a civil penalty imposed for filing late certain campaign reports. The factors to be considered include: (1) the seriousness of the violation; (2) any history of violations committed by the person, committee or entity; (3) various mitigating factors; (4) whether the violation was inadvertent; (5) any knowledge or experience the person, committee or entity has with campaign practices; and (6) any other factor that the Secretary of State deems to be relevant.

Effective: July 1, 2013

Amends: [NRS 294A.420](#)

[SB246](#) – This bill amends the definition of “committee for political action” to include certain organizations and entities that receive contributions or make expenditures in excess of certain amounts for the purpose of affecting an election or ballot question, it requires such organizations and entities to register as committees for political action and report certain information; and it clarifies that political parties and committees sponsored by political parties are not committees for political action.

Effective: October 1, 2013

Amends: [NRS 294A.0055](#) and [NRS 294.230](#)

Family

I. Child Welfare

AB82 – Evidence in TPR Cases

- Evidence of a child's previous sexual conduct is inadmissible in order to challenge the child's credibility in cases regarding the termination of parental rights



AB82 – Existing law provides that evidence may be presented in certain civil proceedings related to the protection of children. This bill prohibits, in any proceeding related to the protection of children, the introduction of evidence of any previous sexual conduct of a child to challenge the child's credibility as a witness unless the child's attorney has presented evidence or the child has testified concerning such conduct. Section 1.5 of this bill similarly prohibits the introduction of such evidence in proceedings regarding the termination of parental rights.

Effective: October 1, 2013

Amends: New section in [NRS 128](#) and new section in [NRS 432B](#)

AB155 – Child Abuse and Mandatory Reporters

- Requires mandatory reporters to be informed in writing or electronically of their duties, and requires that the reporters provide an acknowledgement of receipt of notification.
- Lists the parties responsible for providing the notification, and links notification with renewal of licensure.
- Requires Legislative Committees on Health Care to update list of mandatory reporters after each Session.
- Makes failure to report enhanceable from a misdemeanor to gross misdemeanor for a second or subsequent offense.
- Allows child welfare agencies more discretion in investigation certain allegations when a child aged five or under is in the home.
- Expands 'safe haven law' to include fire departments and ambulance services.
- Exempts attorneys from reporting abuse or neglect if they acquire the knowledge from privileged communication and
 1. The client has been or may be accused of committing the abuse or neglect or,
 2. The client is a child in foster care, unless the child authorizes the reporting of the information.



AB155 – Under existing law, persons in certain professions and occupations are required, if the person in his or her professional or occupational capacity knows or has reasonable cause to believe that a child has been abused or neglected, to report the abuse or neglect to an agency which provides child welfare services or to a law enforcement agency. This bill revises the manner in which those persons are specified in existing law and provides that those persons must be informed in writing or by electronic communication of their duty as mandatory reporters. Those persons must also provide a written acknowledgment or an electronic record of having been so informed. The party responsible for informing the person and maintaining a copy of the acknowledgment or record is: (1) the entity responsible for the licensure, certification or endorsement of the person in this State if such licensure, certification or endorsement is required in the person's professional or occupational capacity; or (2) the employer of the person if no licensure, certification or endorsement in this State is required. This bill requires those mandatory reporters currently holding a license, certificate or endorsement in this State to be informed of their duty as mandatory reporters at the next renewal of their license, certificate or endorsement and requires those current mandatory reporters who are not required to be licensed, certified or endorsed by this State to be informed of their duty as mandatory reporters by their employer on or before December 31, 2013. This bill further requires the Legislative Committee on Health Care to review, after each regular session of the Nevada Legislature, any chapter added to title 39, 40 or 54 of NRS that authorizes or requires the issuance of a license, permit or certificate to a person who provides any service related to health care to determine if the person should be included as a person required to report the abuse or neglect of a child. This bill also requires the Committee, before the next regular session of the Legislature, to prepare and submit to the Legislature a report concerning the findings of the Committee. The report must include, without limitation, any recommended legislation. Existing law requires an attorney to report the abuse or neglect of a child unless the attorney acquired the knowledge of the abuse or neglect from a client who is or may be accused of the abuse or neglect. This bill provides that an attorney is not required to report the abuse or neglect of a child if the attorney acquired the knowledge of the abuse or neglect from a client during a privileged communication if the client: (1) has been or may be accused of committing the abuse or neglect; or (2) is the victim of the abuse or neglect and is in foster care, except that the attorney may report the abuse or neglect with the consent of the child. Under existing law, a failure to report the abuse or neglect of a child by a person with a duty to report the abuse or neglect is punishable as a misdemeanor. This bill provides that a first violation of the duty to report is punishable as a misdemeanor, and any subsequent violation is punishable as a gross misdemeanor. Existing law requires an agency which provides child welfare services to immediately initiate an investigation upon receipt of a report concerning the possible abuse or neglect of a child if the report indicates that: (1) the child is 5 years of age or younger; (2) there is a high risk of serious harm to the child; (3) the child has died; or (4) the child is living in a household in which another child has died, been

seriously injured or shows signs of abuse. This bill deletes the requirement for an immediate investigation when the report concerns the possible abuse or neglect of a child who is 5 years of age or younger. Under existing law, a parent may voluntarily leave a child who is not more than 30 days old with a provider of emergency services under certain circumstances, thereby presumably abandoning the child. That law is commonly referred to as Nevada’s “Safe Haven Law.” This bill expands the definition of “provider of emergency services” to include a volunteer fire department and any ambulance service holding a permit issued in this State.

Effective: October 1, 2013

Amends: [NRS 432B.220](#), [NRS 432B.240](#), [NRS 432B.260](#), [NRS 432B.630](#), and adds new sections in [NRS 432B](#).

AB174 – Petition Alleging a Child in Need of Protection

- If a case does not involve the death of a parent of a child as a result of domestic violence, and a child welfare agency does not file a petition alleging the above-referenced child is in need of protection within 10 days:
 - The agency may recommend against further action and return the child to custody of the person responsible for the child’s welfare or,
 - Any party to the proceeding may schedule an additional hearing with the court to determine whether it is in the best interest of the child to be returned to the person responsible for his or her welfare, who must receive notice of any such hearing.



[AB174](#) – This bill provides that in cases which do not involve the death of the parent of a child as a result of an act of the other parent that constitutes domestic violence, if the agency which provides child welfare services fails to file a petition alleging that the child is in need of protection within 10 days after the hearing on protective custody: (1) the agency may recommend against further action and return the child to the custody of the person responsible for the welfare of the child; or (2) any party to the proceeding may schedule an additional hearing with the court to determine whether it is in the best interests of the child to return the child to the person responsible for the welfare of the child pending further action by the court. This bill further provides for notice of the hearing to a parent or other person responsible for the welfare of the child.

Effective: May 24, 2013

Amends: [NRS 432B.490](#)

AB348 – This bill establishes certain requirements for the operation of a foster care agency, it requires a foster care agency to create and maintain reports on its programs and services, it allows a foster care agency to encourage and assist a potential foster home to apply for a license, it requires a contract between a foster care agency and a provider of foster care with which the foster care agency places a child, it requires a foster care agency to provide certain services to each foster home in which the foster care agency places children, it provides for the operation of independent living foster homes, and it allows a licensing authority to suspend or revoke the license of a provider of foster care in certain circumstances.

Effective: October 1, 2013

Amends: [NRS 392.210](#), [NRS 424.010](#), [NRS 424.013 to NRS 424.018 inclusive](#), [NRS 424.020 to NRS 424.031 inclusive](#), [NRS 424.036 to NRS 424.038 inclusive](#), [NRS 424.0385](#), [NRS 424.040 to NRS 424.047 inclusive](#), [NRS 424.075 to NRS 424.093 inclusive](#), [NRS 424.095 to 424.097 inclusive](#), adds new sections to [NRS 424](#), [NRS 432.515](#), [NRS 432.540 to NRS 432.550 inclusive](#), [NRS 432B.180](#), [NRS 432B.623](#), [NRS 442.405](#), and [NRS 447.030](#)

Contact: [Clark County Department of Family Services](#), (702) 455-5444

AB393 – Rights of Kids in Foster Care

- Right of a child in foster care to have contact with siblings does not apply if that contact is contrary to the safety and well-being of the child.
- The right of a child to contact with siblings extends, as practicable, to contact on a regular basis and on holidays, birthdays, and other significant life events.
- Contact with siblings cannot be withheld as a punishment.
- Child in foster care has a right, consistent with developmental experience of the child, to be informed in a plan to change/change in foster care placement of a sibling, unless prohibited by the court.



AB393 – Existing law affords specific rights to children who are placed in a foster home by an agency which provides child welfare services. Existing law provides a right to a child placed in a foster home to contact and visit his or her siblings, unless prohibited from doing so by court order. This bill provides that this right does not apply if such contact is contrary to the safety of the child or his or her siblings. This bill also adds, to the extent practicable, the right for such a child to have contact with his or her siblings arranged on a regular basis and on holidays, birthdays and other significant life events. This bill further provides that such a child has the right not to have contact or visitation with a sibling withheld as a form of punishment. This bill provides a child who is placed in a foster home with the right, consistent with the age and developmental experience of the child, to be informed of a plan to change, or a change in, the placement of a sibling who is placed in a foster home unless the sibling objects or such notification is prohibited by court order.

Effective: October 1, 2013

Amends: [NRS 432.525](#) and [NRS 432.530](#)

SB97 – 432B Petitions

- A petition alleging that a child is in need of protection needs to include the address of the primary residence of the child at the time of removal, rather than the address at which the child is placed.
- Potential adoptive parents and the current care-giver of a child who has been placed with someone other than a parent now have right to be heard at the semiannual review hearings.
- Court must hold an annual review to make sure that any out-of-state placement of child is in the best interest of the child and that necessary services are available to that child.



SB97 – Existing law requires certain information to be set forth in a petition alleging that a child is in need of protection. This bill specifies that the child’s address included in the petition must be the address of the primary residence of the child at the time of removal, rather than the address of the location where the child was placed after removal. Existing law requires that the court review semiannually the placement of a child with a person other than a parent and annually review the permanent placement of a child. Certain persons, including the parties to any prior proceedings, any persons planning to adopt the child and the persons providing care to the child, are required to be given notice of the hearing and an opportunity to be heard. This bill revises existing law to provide certain persons with the right to be heard. It also requires the court in an annual review to make certain determinations regarding out-of-state placement and transition services.

Effective: October 1, 2013

Amends: [NRS 432B.510](#), [NRS 432B.580](#), and [NRS 432B.590](#)

SB98 – Reasonable Efforts

- Makes changes regarding reasonable efforts in relation to preserving or reunifying a child and family in child welfare matters:
 - Revises findings a court must make in determining if an agency of child welfare is required to make reasonable efforts,
 - Revises definition of reasonable efforts to require the exercise of diligence and care in arranging appropriate, accessible, and available services designed to improve the ability of the family to provide a safe and stable home for the child,
 - A court, when determining if reasonable efforts have been made, must consider whether any efforts made were contrary to the health and safety and if any efforts were made to prevent removal of the child and finalize a plan for placement of the child and,
 - Each determination by a court of reasonable efforts must be made on a case-by-case basis and be based upon specific evidence, and the court must expressly state these facts in its order.



SB98 – Under existing federal law, each state is eligible to receive payments for providing assistance to needy families with children and for providing child welfare services if the state adopts a state plan for foster care and adoption assistance and the plan is approved by the Secretary of the United States Department of Health and Human Services. Each state plan must set forth provisions for providing that assistance, including the imposition of a requirement that reasonable efforts be made to preserve and reunify families: (1) before a child is placed in foster care in order to prevent the need to remove the child from his or her home; and (2) to make it possible to return the child safely to his or her home. Each state plan must also provide that those reasonable efforts are not required to be made concerning a parent of a child if a court makes certain determinations. ([42 U.S.C. § 671](#)) Pursuant to the federal requirement to adopt a state plan, existing law in Nevada requires an agency which provides child welfare services to make reasonable efforts to preserve and reunify the family of a child under the same circumstances as those set forth in federal law. This bill makes various changes to those circumstances. Specifically, this bill: (1) revises the findings that the court is required to make in determining whether an agency which provides child welfare services is required to make reasonable efforts to preserve and reunify the family of a child; (2) revises the definition of “reasonable efforts” to require the exercise of diligence and care in arranging appropriate, accessible and available services that are designed to improve the ability of a family to provide a safe and stable home for each child in the family; (3) requires the court, when determining whether reasonable efforts have been made, to consider whether any efforts made were contrary to the health and safety of the child and to consider the efforts made, if any, to prevent the need to remove the child from the home and the efforts to finalize the plan for the permanent placement of the child; and (4) requires the court, when determining whether reasonable efforts are not required or whether the agency which provides child welfare services has made those efforts, to ensure that each determination is made by the court on a case-by-case basis, is based upon specific evidence and is expressly stated by the court in its order.

Effective: October 1, 2013

Amends: [NRS 432B.393](#)

SB99 – 432B Kids' Credit Reports

- A child welfare agency must pull the credit report of any child in its custody who is 16 years old or older and check the credit report for inaccuracies.
- If child is older than 16 when removed from home, report must be pulled and checked within 90 days of removal.
- Child welfare agency must check the credit report at least annually, and the child must be informed of this requirement.
- Child welfare agency must report work to correct any inaccuracies and report problems that may indicate identity theft to the AG's Office for investigation.



SB99 – This bill requires an agency which provides child welfare services to obtain and examine the credit report of certain children placed into its custody when each child reaches the age of 16 years or, if a child has reached the age of 16 years before being placed into the custody of the agency, within 90 days after placement of the child, and at least once annually thereafter to identify any inaccuracies in the credit report. This bill requires the agency, before obtaining the credit report, to inform each child of this requirement to obtain and examine his or her credit report and to explain to the child how inaccuracies on his or her credit report may be resolved and what financial impact an inaccuracy may have if left unresolved. If the agency finds any inaccuracies, this bill requires the agency to report any information which indicates that a potential instance of identity theft or other crime may have occurred to the Attorney General and to continue to make a diligent effort to resolve each inaccuracy until all inaccuracies have been corrected or the child leaves the custody of the agency. If the child leaves the custody of the agency, this bill requires the agency to notify the child or the person responsible for the welfare of the child of any remaining inaccuracies, how the inaccuracies may be resolved and any community services that may be available to assist in resolving the inaccuracies. This bill authorizes the Attorney General to investigate any such reports and prosecute the persons responsible for any identity theft identified in the investigation.

Effective: July 1, 2013

Amends: Adds new section to [NRS 432B](#)

SB141 – Records of Criminal History to Rural CASA Programs

- Agencies of criminal justice are required to provide records of criminal history to Court Appointed Special Advocate (CASA) Programs in counties with a population under 100,000 as needed in order to ensure the safety of a child who has been appointed a CASA Volunteer.
- Sunsets on June 30, 2015.



SB141 – This bill requires an agency of criminal justice to disseminate a record of criminal history to a court appointed special advocate program in a county whose population is less than 100,000, (currently counties other than Clark and Washoe Counties) as needed to ensure the safety of a child for whom a special advocate has been appointed.

Effective: July 1, 2013, and Expires: June 30, 2015

Amends: [NRS 179A.100](#)

SB176 – This bill requires an agency which provides child welfare services to determine whether certain reports concerning the possible abuse or neglect of a child are substantiated or unsubstantiated; it sets forth that if such an agency substantiates a report alleging the person responsible for a child’s welfare has abused or neglected the child, the agency must notify that person in writing of its intent to place the person’s name in the Statewide Central Registry for the Collection of Information Concerning the Abuse or Neglect of a Child, and that the person may administratively appeal the substantiation of the report; and it requires the findings of fact in certain adjudicatory hearings to be included as part of the disposition of the case in the report required to be made to the Central Registry.

Effective: October 1, 2013

Amends: [NRS 432B.010](#), [NRS 432B.260](#), [NRS 432B.300](#), [NRS 432B.310](#), [NRS 432B.530](#), and adds new sections to [NRS 432B](#)

SB314 – Fundamental Right to Raise Children

- Provides that the right of a parent to make decisions regarding the upbringing, education, and care of his or her child is a fundamental right.
- This fundamental right does not authorize a parent to engage in unlawful conduct or abuse or neglect a child, and it does not prohibit the courts, law enforcement, or child welfare agencies from acting in their official capacities.



SB314 – This bill provides that the right of a parent to make decisions regarding the upbringing, education, and care of his or her child is a fundamental right. This bill also provides that this fundamental right does not: (1) authorize a parent to engage in unlawful conduct or to abuse or neglect a child; or (2) prohibit courts, law enforcement officers or agencies which provide child welfare services from acting within their official capacity.

Effective: October 1, 2013

Amends: Adds new section to [NRS 126](#)

II. Divorce/Custody/Support

AB262 – Attorney's Fees in Family Cases

- A court may award reasonable attorney's fees in a divorce action without the requirement that such fees be in issues under the pleadings.
- A court may also award reasonable attorney or expert fees, and other costs of action, in child custody and visitation matters.



AB262 – This bill provides that in an action for divorce, the court may award a reasonable attorney's fee without the requirement that attorney's fees be in issue under the pleadings; and this bill also provides that in an action to determine custody or visitation with respect to a child, the court may order that the reasonable fees of counsel and experts, and other costs of the action, be paid in proportions and at times determined by the court.

Effective: October 1, 2013

Amends: [NRS 125.150](#) and adds new section to [NRS 125C](#)

[AB358](#) – This bill enacts the Uniform Deployed Parents Custody and Visitation Act and it repeals provisions governing custody and visitation orders concerning children of members of the military. This bill sets forth the circumstances under which a court of this State has jurisdiction to issue orders concerning the custodial responsibility of a child when a parent or other custodian of the child has received military deployment orders. This bill provides for notice of a pending deployment to the other parent and the provision of a plan for fulfilling the custodial responsibility of each parent during the deployment. This bill requires a person to whom custodial responsibility for a child has been assigned or granted during a deployment to notify the deploying parent of a change of his or her mailing address. This bill governs the manner in which a court considers the past or possible future deployment of a parent in a proceeding for custodial responsibility of the child. Sections 27-31 of this bill provide procedures for out-of-court resolution of issues relating to the custodial responsibility of a child which arise upon the deployment of a service member. It also provides for a temporary agreement granting custodial responsibility during deployment. This bill authorizes the modification of a temporary agreement regarding custodial responsibility, and it provides for a grant of custodial responsibility to a nonparent of the child under certain circumstances. Sections 32-41 of this bill provide for a judicial resolution of issues that arise when the parents of a child do not reach an agreement concerning the custody or visitation of a child during the deployment of one parent. This bill requires an expedited hearing if a motion to grant custodial responsibility is filed before a deploying parent deploys. This bill authorizes a party or witness who is not reasonably available to appear personally in court to provide testimony and present evidence by electronic means, unless the court finds good cause to require a personal appearance. It also establishes certain rules that apply in a proceeding to grant custodial responsibility during the deployment of a parent. This bill authorizes the court to grant caretaking authority of a child to a nonparent under certain circumstances and requires the court to consider certain factors in determining whether to grant caretaking authority. It provides that a grant by a court of custodial responsibility or caretaking authority is temporary. Sections 42-45 of this bill set forth the procedures governing the termination of a temporary custody arrangement following the return from deployment of a deployed parent. This bill provides the procedure for terminating a temporary custody arrangement established by an agreement of the parties. It establishes a consent procedure for terminating a temporary custody arrangement established by court order. Under this measure, if no agreement to terminate a temporary custody arrangement established by court order is reached between the parents, the order terminates 60 days after the date on which the deploying parent gives notice of having returned from deployment to the other parent or to any nonparent granted custodial responsibility. Finally, this bill authorizes an expedited hearing concerning custody or visitation under certain circumstances following the deploying parent's return from deployment.

Effective: January 1, 2014

Amends: [NRS 125.510](#) and adds new sections in [NRS 125C](#)

Repeals and Replaces: [NRS 125C.100 to NRS 125C.185](#) inclusive

[AB389](#) – This bill removes from existing law the requirement that a child be made a party to an action to determine the paternity of the child and instead authorizes, at the discretion of the court, that the child may be made a party to the action. It also removes from existing law the requirement that: (1) a minor child be represented by his or her general guardian or a guardian ad litem in an action to determine the paternity of the child; and (2) in certain child support actions brought by a district attorney, the district attorney must act as guardian ad litem for the child or the Division of Welfare and Supportive Services of the Department of Health and Human Services must be appointed as guardian ad litem for the child.

Effective: October 1, 2013

Amends: [NRS 125B.150](#) and [NRS 126.101](#)

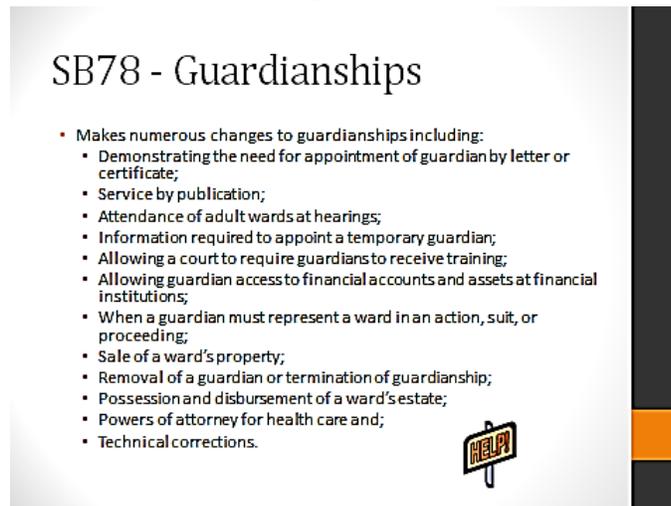
[AB421](#) – This bill revises provisions relating to assisted reproduction and it revises provisions relating to gestational carrier arrangements. The revisions include providing that person who donates eggs, sperm, or embryos for assisted reproduction by a woman is not a parent of the resulting child. It provides that a person who donates eggs, sperm, or embryos for assisted reproduction, or a person who consents to assisted reproduction, with the intent of being a parent of the resulting child is a legal parent of that child. It also provides for the parentage of a child if the transfer of eggs, sperm, or embryos occurs after a marriage or domestic partnership is dissolved.

Effective: October 1, 2013

Amends: [NRS 126.041](#), adds new sections to [NRS 126](#), and [NRS 127.287](#)

Repeals: [NRS 126.045](#) and [NRS 126.061](#)

III. Guardianships



SB78 - Guardianships

- Makes numerous changes to guardianships including:
 - Demonstrating the need for appointment of guardian by letter or certificate;
 - Service by publication;
 - Attendance of adult wards at hearings;
 - Information required to appoint a temporary guardian;
 - Allowing a court to require guardians to receive training;
 - Allowing guardian access to financial accounts and assets at financial institutions;
 - When a guardian must represent a ward in an action, suit, or proceeding;
 - Sale of a ward's property;
 - Removal of a guardian or termination of guardianship;
 - Possession and disbursement of a ward's estate;
 - Powers of attorney for health care and;
 - Technical corrections.



[SB78](#) – Existing law requires a petition for the appointment of a guardian to include certain documentation demonstrating the need for a guardianship, including, without limitation, a certificate signed by a physician, a letter signed by any governmental agency in this State which conducts investigations or a certificate signed by any other person whom the court finds qualified to execute a certificate, stating certain information concerning the condition of the proposed ward. This bill provides that this certificate or letter is only required if the proposed ward is an adult, and it further requires the petition to include: (1) a written consent to the appointment of a special guardian if the proposed ward has the limited capacity to consent to such an appointment; and (2) statements setting forth whether the proposed guardian is a party to a civil or criminal proceeding and whether the proposed guardian has filed for or received bankruptcy protection within the immediately preceding 7 years.

Under existing law, if a petition for the appointment of a guardian is filed, a citation setting forth a time and place for the hearing and directing certain persons to appear and show cause why a guardian should not be appointed must be served on certain persons. Under this bill, if service is made by publication, the court may allow fewer publications to be made and extend or shorten the time in which the publications must be made. This bill amends the list of persons upon whom the citation must be served.

Under existing law, at the first hearing for the appointment of a guardian for a proposed adult ward, the court must advise the proposed adult ward of his or her right to counsel and determine whether

the proposed adult ward wishes to be represented by counsel. If the proposed adult ward is not in attendance and is not appearing by videoconference, the proposed adult ward must be notified of his or her rights by the physician or other person who signed the certificate excusing the proposed ward from attendance. This bill authorizes the court to allow any other person found qualified by the court to notify the proposed adult ward of his or her rights. In addition, it revises provisions concerning the compensation of an attorney for a proposed adult ward or adult ward.

Existing law authorizes the appointment of a temporary guardian under certain circumstances. This bill: (1) revises provisions governing the information which must be provided in a petition for the appointment of a temporary guardian; and (2) requires the determination of whether a temporary guardian is necessary for a minor to be based on the age of the minor and other factors deemed relevant by the court rather than on certain information provided by a physician.

Existing law requires a person who files a petition in a guardianship proceeding to notify certain persons of the time and place of the hearing on the petition. This bill clarifies that this notice is required for any petition in a guardianship proceeding and specifically states the persons who must be provided this notice.

Existing law sets forth the powers and duties of a person appointed by the court as the guardian of a ward. This bill authorizes the court to require a guardian to complete any available training concerning guardianships as a condition of appointment as a guardian. This bill: (1) requires a bank or financial institution to allow a guardian access to the account or other assets of the ward if the guardian provides a copy of the court order appointing the guardian and letters of guardianship; and (2) provides that the bank or financial institution is not entitled to a copy of any competency evaluation of the ward or medical information concerning the ward or any inventory or accounting of the estate of the ward. It specifies that a guardian of the person rather than a guardian of the estate must file a petition with the court before placing a ward in a secured residential long-term care facility. This bill also specifies the circumstances under which a guardian of the estate of a ward is not required to represent the ward in an action, suit or proceeding.

Existing law provides that if, at a hearing to confirm a sale of a ward's real property, a higher offer or bid is received by the court, the court may: (1) accept the offer or bid if the written offer is lawful and exceeds the original bid by a certain amount; or (2) continue the hearing if the court determines that the person who made the original offer or bid was not notified of the hearing and may wish to increase his or her offer or bid. This bill provides that if the court does not accept a higher offer or bid received during the hearing to confirm the sale, any successive offer or bid must exceed the preceding bid by a certain amount.

Existing law sets forth the circumstances under which a court may remove a guardian and authorizes certain persons to petition the court for the removal of the guardian. This bill requires a guardian to notify the court of certain circumstances relating to the qualifications of the guardian to serve as the guardian of a ward. Upon receipt of such notice, the court may remove the guardian and appoint a successor guardian unless the court finds that it is in the best interest of the ward to allow the guardian to continue the appointment.

Existing law sets forth the circumstances under which a guardianship is terminated and provides that a guardianship of the person of a ward is terminated by the death of the ward. (NRS 159.191) Section 21 of this bill: (1) specifies that guardianship of the estate of a ward is also terminated by the death of the ward, subject to the guardian's power to wind up the affairs of the estate under existing law; and (2) requires a guardian to notify the court and certain other persons of the death of the ward within 30 days of

the death. Section 15 of this bill requires the acknowledgment filed by a guardian before entering upon his or her duties as a guardian to set forth the duty to notify the court and certain other persons of the death of the ward.

Existing law sets forth the circumstances under which and the length of time for which the guardian of the estate of the ward may possess the ward's property for the purpose of winding up the affairs of the guardianship after the death of the ward. This legislation revises the length of time for which the guardian of the estate may possess the deceased ward's property, and it further authorizes the guardian of the estate to retain sufficient assets to pay any anticipated taxes and expenses of the guardianship estate under certain circumstances.

Existing law sets forth the manner in which an adult may execute a power of attorney enabling an agent to make health care decisions for him or her if he or she becomes incapable of giving informed consent. This bill provides that a certification of competency from a physician, psychologist or psychiatrist must be attached to the power of attorney if the adult resides in certain medical facilities at the time the power of attorney for health care is executed. Under this bill, a power of attorney for health care is not required to be in the form provided by existing law, but it may be in that form. It provides that a physician, health care facility or other provider of health care may act in reliance on an acknowledged power of attorney for health care if the physician, health care facility or other provider of health care acts in good faith and without knowledge of certain information affecting the validity of the power of attorney.

Existing law provides that a certification of competency from a physician, psychologist or psychiatrist must be attached to the financial power of attorney if the person executing it resides in certain medical facilities at the time the power of attorney is executed. This bill corrects references to such medical facilities and expands the types of medical facilities to which this requirement applies. Under existing law, a financial power of attorney is terminated if, after its execution, a court appoints a guardian of the estate for the principal. This bill authorizes the court to allow the agent under the financial power of attorney to retain such powers conferred by the power of attorney as the court specifies. Under this measure, if the court allows the agent to retain specific powers, the agent must file an accounting with the court and the guardian on a quarterly basis or such other period designated by the court.

Effective: October 1, 2013

Amends: Numerous sections of [NRS 159](#) and adds new sections to [NRS 159](#)

IV. Juvenile Justice

AB202 – Juvenile Certification

- Murder and attempted murder directly filed into the adult system only if the accused juvenile is 16 years old or older as of October 1, 2014.
- Minimum age to certify a juvenile to adult court is lowered from 14 to 13 years old as of October 1, 2014.
- A juvenile defendant who has been certified into adult court may petition the court for temporary placement in a juvenile detention facility during the pendency of the proceedings against him or her as of October 1, 2013.
- Legislative Committee on Juvenile Justice and Child Welfare is to study issues related to juvenile justice, including issues related to juvenile detention.



AB202 – Existing law provides that the juvenile court has exclusive jurisdiction over a child who is alleged to have committed an act designated as a criminal offense unless: (1) the criminal offense is excluded from the jurisdiction of the juvenile court; or (2) the child is alleged to have committed an offense for which the juvenile court may certify the child for criminal proceedings as an adult and the juvenile court certifies the child for criminal proceedings as an adult upon a motion by the district attorney and after a full investigation. Under existing law, the offenses excluded from the jurisdiction of the juvenile court include, without limitation, murder and attempted murder. This bill provides that murder and attempted murder are excluded from the jurisdiction of the juvenile court only if the offense was committed by a child who was 16 years of age or older when he or she committed the offense, and this provision becomes effective on October 1, 2014. Under existing law, a child may be certified for criminal proceedings as an adult upon a motion by the district attorney and after a full investigation if the child: (1) is charged with an offense that would have been a felony if committed by an adult; and (2) was 14 years of age or older at the time the child allegedly committed the offense. This bill reduces the minimum age of such certification from 14 years of age to 13 years of age if the child is charged with murder or attempted murder, and this provision becomes effective on October 1, 2014. Under existing law, during the pendency of the proceeding, a child who is charged with a crime which is excluded from the original jurisdiction of the juvenile court may petition the juvenile court for temporary placement in a facility for the detention of children. This bill authorizes a child who is certified for criminal proceedings as an adult to petition the juvenile court for temporary placement in a facility for the detention of children during the pendency of the proceeding, and this provision becomes effective on October 1, 2013. This bill requires the Legislative Committee on Child Welfare and Juvenile Justice to create a task force to study certain issues relating to juvenile justice.

Effective: July 1, 2013, October 1, 2013, and October 1, 2014

Amends: [NRS 62B.330](#), [NRS 62B.390](#), [NRS 62C.030](#), and the [Statutes of Nevada](#)

AB207 – Detention of Adults on Juvenile Probation and Parole

- Limits to 30 days the amount of time an adult, who is still subject to the jurisdiction of the juvenile court, can be ordered to be placed in jail for a violation of juvenile probation or parole.



AB207 – This bill establishes a maximum period of time (30 days) for which a juvenile court may order certain adults to be placed in county jail for a violation of juvenile probation or parole.

Effective: October 1, 2013

Amends: NRS 62E.710

SB31 – Juvenile Justice Information Sharing

- Allows certain information to be shared by agencies of juvenile justice and child welfare upon written request.
- Any information shared may not be used to deny a child access to a service, program, or benefit.
- Juvenile court records may be unsealed by a judge for legitimate research.
- Makes changes to clarify that foster children are subject to the provisions of the *McKinney-Vento Homeless Assistance Act of 1987*.



SB31 – This bill authorizes directors of juvenile services, chief juvenile probation officers and the Chief of the Youth Parole Bureau, or his or her designee, to release, upon written request and good cause shown, certain information concerning a child who is within the purview of the juvenile court to certain other persons involved in the juvenile justice system. Under this measure: (1) any information released must be kept confidential by the recipient of the information and be provided only to a person authorized by this act to receive the information; and (2) the information may not be used to deny a child access to any services for which the child would otherwise be eligible. This bill also authorizes the release of certain information concerning a child who is within the purview of the juvenile court for the purposes of: (1) certain research concerning juvenile justice services if the information is provided in the aggregate and without the inclusion of personal identifying information; and (2) for the purposes of oversight of an agency, department or office providing services relating to juvenile justice. This bill authorizes the inspection of sealed juvenile justice records for research purposes. This bill enacts provisions governing the application of the federal *McKinney-Vento Homeless Assistance Act of 1987* to children in the protective custody of an agency which provides child welfare services. This bill also authorizes an agency which provides child welfare services to release certain information concerning reports or investigations of the alleged abuse or neglect of a child to certain agencies, persons and entities and provide for the confidentiality of such information. Finally, it authorizes an agency which provides child welfare services to charge a fee for processing costs reasonably necessary to prepare the information for release.

Effective: July 1, 2013

Amends: [NRS 62H.170](#), adds new section in [NRS 62H](#), [NRS 218G.555](#), [NRS 392B.110](#), [NRS 432B.010](#), [NRS 432B.175](#), [NRS 432B.290](#), and adds new sections in [NRS 432B](#)

SB106 – Conversion to Civil Judgments

- The balance of unpaid fines, fees, assessments, and restitution owed by an adult offender, juvenile offender, or the parents of a juvenile offender may be converted into an enforceable civil judgment.
- The juvenile court may punish a person who fails to satisfy such a judgment by contempt.
- Any unpaid judgment, or portion thereof, must be included in the sentence for a new criminal offense.
- Codifies ADKT 411 standard for determining if a person is indigent in juvenile proceedings.
- Juvenile court may establish a restitution contribution fund that must be used to provide restitution to victims of juvenile crime.
- Agreements for informal supervision of juveniles may include a contribution to the restitution fund.



SB106 – This bill authorizes the court to enter a civil judgment for the amount of any unpaid fines, administrative assessments, fees and restitution imposed against a criminal defendant. Under this legislation, the civil judgment may be enforced and renewed in the same manner as a judgment for money rendered in a civil action and a person who is not indigent and who has not satisfied the civil judgment within a certain period may be punished for contempt. Section 1 also revises the purposes for which money collected from collection fees imposed by a court may be used. This bill authorizes a juvenile court to impose the same collection fees for delinquent fines, administrative assessments, fees, restitution and certain other payments as a court may impose against a criminal defendant pursuant to section 1 of this measure. This bill authorizes a juvenile court to enter a civil judgment against a child or the parent or guardian of the child for any delinquent fines, administrative assessments, fees, restitution or other payments required in a juvenile court proceeding and authorizes the juvenile court to take certain actions if the juvenile court has entered such a civil judgment. Moreover, if the juvenile court has entered a civil judgment against a person who is not indigent and the juvenile court determines that the person has failed to make reasonable efforts to satisfy the civil judgment, this bill authorizes the juvenile court to punish the person for contempt. This bill further provides that if a civil judgment entered by the juvenile court is unsatisfied and the person against whom the judgment is entered is convicted of a crime, the unsatisfied portion of the civil judgment must be included in the sentence for that crime. This bill codifies the standard for the determination of indigence as iterated in [ADKT 411](#) for the appointment of counsel in juvenile court proceedings. This bill authorizes a juvenile court to establish a restitution contribution fund. Under this legislation, all expenditures from the restitution contribution fund: (1) must be authorized by the juvenile court; and (2) must provide restitution to victims of unlawful acts committed by children or, if the source of the money is a grant, gift, donation, bequest or devise, must be made in accordance with the terms of the grant, gift, donation, bequest or devise. Finally, this bill authorizes an agreement for the informal supervision of a child to require the child to make a monetary contribution to a restitution contribution fund.

Effective: May 27, 2013

Amends: Adds new section in [NRS 62B](#), [NRS 62C.210](#), [NRS 62E.100](#), adds new sections in [NRS 62E](#), [NRS 176.064](#), [NRS 176.065](#), [NRS 176.075](#), and [NRS 483.443](#)

SB107 – This bill authorizes the use of corrective room restriction on a child who is detained in a state, local or regional facility for the detention of children only if all other less-restrictive options have been exhausted and only to: (1) modify the negative behavior of the child; (2) hold the child accountable for a violation of a rule of the facility; or (3) ensure the safety of the child, the staff or others or to ensure the security of the facility. This bill also: (1) specify certain actions that must be taken with respect to a child subjected to corrective room restriction; (2) provide that if a child is subjected to corrective room restriction, the period of corrective room restriction must be the minimum time required to address the negative behavior, rule violation or threat; and (3) provide that a child must not be subjected to corrective room restriction for more than 72 consecutive hours. This bill also requires the Advisory Commission on the Administration of Justice to conduct a study regarding aspects of incarceration and detention in this State including: segregation, room restriction, and solitary confinement.

Effective: October 1, 2013

Amends: Adds new section to [NRS 62B](#), adds new section to [NRS 63](#), and [Statutes of Nevada](#)

SB108 – Juvenile Justice

- A child who violates a local ordinance related to age-based curfew or loitering is to be treated as a child in need of supervision not a juvenile delinquent.
- The time juvenile may be held in detention or shelter care pending the filing of a petition is reduced to 4 days, with an option for an additional four days at the discretion of the court based upon a showing of good cause.
- A juvenile court may order DMV to issue a juvenile a restricted driver license if failure to do so creates an undue hardship on the juvenile or his or her family.
- Revises statement of state policy regarding a probation program of special supervision.



SB108 – This bill provides that a child who violates certain local ordinances relating to curfews and loitering is to be treated by the juvenile court as a child in need of supervision rather than as a delinquent child, it decreases the length of time a child may remain in detention or shelter care pending the filing of a petition alleging delinquency or need of supervision (4 days plus an additional 4 days upon showing of good cause), it authorizes the juvenile court to order the Department of Motor Vehicles to issue a restricted driver’s license to a child when failure to do so creates an unreasonable hardship for the child or his or her family, and it revises the statement of state policy concerning a probation program of special supervision for certain delinquent juveniles.

Effective: October 1, 2013

Amends: [NRS 62B.320](#), [NRS 62B.330](#), [NRS 62C.100](#), [NRS 62E.630](#), [NRS 62G.410](#), and [NRS 483.490](#)

SB177 – County Ordinance Regarding Minors and Tobacco

- A board of county commissioners may adopt an ordinance which prohibits a minor from purchasing, possessing, or using tobacco products, or attempting to do as such.
- A minor in violation of such an ordinance may be adjudicated as child in need of supervision, and fined \$25 for a first offense, \$50 for a second offense, or \$75 for a third or subsequent offense.
- Court may also require juvenile to attend tobacco awareness/cessation class and the child's driver license may be delayed or suspended.
- Offense are subject to the AA in NRS 62E.730



SB177 – This bill authorizes a board of county commissioners to adopt an ordinance which prohibits a minor from purchasing or attempting to purchase tobacco products, possessing or attempting to possess tobacco products, using tobacco products or falsely representing his or her age to purchase, possess or obtain tobacco products. This bill provides that a child may be issued a citation for violating the ordinance. Under this legislation, a citation for a violation of the ordinance may be issued to a child who is the occupant of a vehicle only if the vehicle is halted or its driver arrested for another offense. Section 3 of this bill provides that a probation officer may act as a master of the juvenile court if the proceeding involves such a citation. Under this bill, a child who violates the ordinance is a child in need of supervision for the purposes of juvenile court proceedings rather than a delinquent child. This bill sets forth the possible penalties if a child is adjudicated to be in need of supervision because the child has committed a violation of the ordinance. The juvenile court may order a child to pay a \$25 fine for a first adjudication, a \$50 fine for a second adjudication and a \$75 fine for a third or any subsequent adjudication. If the juvenile court orders a child to pay such a fine, section 5 requires the juvenile court to order the child to pay a \$10 administrative assessment in addition to the fine. Section 5 further provides that: (1) for any adjudication that a child is in need of supervision because the child committed a violation of the ordinance, the juvenile court may order a child to attend a tobacco awareness and cessation program; and (2) for a third or any subsequent adjudication or for a willful failure by the child to pay a fine or administrative assessment, the juvenile court may order a suspension or delay in the issuance of the child's driver's license for at least 30 days but not more than 90 days. Under section 5, if the juvenile court orders the suspension or delay in the issuance of a child's driver's license, the juvenile court may order the Department of Motor Vehicles to issue to the child a restricted driver's license that authorizes the child to drive to and from school or work or to acquire medicine or food for himself or herself or for an immediate family member.

Effective: October 1, 2013

Amends: [NRS 62A.010](#), adds new section in [NRS 62A](#), [NRS 62B.020](#), [NRS 62B.320](#), [NRS 62B.330](#), adds new section to [NRS 62C](#), [NRS 62E.270](#), [NRS 62E.400](#), adds new section to [NRS 62E](#), [NRS 202.2485](#) to [NRS 202.2496](#) inclusive, and adds new section to [NRS 244](#)

SB269 – This bill requires the principal of a public school, or designee, to provide certain pupils with a written statement verifying that the pupil has complied with certain attendance requirements, it authorizes a school police officer or certain other persons to impose administrative sanctions against a pupil who is a habitual truant, and it revises the actions the principal of a school and an advisory board to review school attendance may implement for a pupil who is declared a habitual truant.

Effective: January 1, 2015

Amends: [NRS 62B.320](#), [NRS 385.3496](#), [NRS 385.347](#), [NRS 392.141](#), [NRS 392.144](#), [NRS 392.147](#), **adds new section to** [NRS 392](#), [NRS 483.250](#), [NRS 438.2521](#), [NRS 483.267](#), [NRS 483.270](#), [NRS 483.460](#), [NRS 483.490](#), and [NRS 483.580](#)

SB414 – Cyber-Bullying

- A minor is prohibited from knowingly and willfully using an electronic device to transmit or distribute images of bullying committed against another minor for the purpose of promoting bullying or harassment.
- 1st offense = child in need of supervision
- 2nd or subsequent offense = delinquent act

The slide features three icons: a mobile phone, a tablet with a pen, and a laptop. The background is white with a vertical black bar on the right side that has an orange segment near the bottom.

SB414 – This bill prohibits a minor from knowingly and willfully using an electronic communication device, such as a cell phone, to transmit or distribute, or otherwise knowingly and willfully transmitting or distributing, an image of bullying committed against another minor for the purpose of encouraging, furthering or promoting bullying and harming the minor. A minor who violates this provision is considered: (1) for a first violation, a child in need of supervision for the purposes of the laws governing juvenile justice; and (2) for a second or subsequent violation, to have committed a delinquent act.

Effective: October 1, 2013

Amends: [NRS 62B.320](#) and adds new section in [NRS 200](#)

SB427 - Bullying

- Departments of juvenile services are required to inform juvenile courts and school districts of incidents of unlawful bullying or cyber-bullying.
- Revises the definition of bullying and cyber-bullying to remove "harassment and intimidation" and clarifies that the course of conduct may pose the threat of immediate harm of cause actual harm to person or their property.



SB427 – This bill requires departments of juvenile services to inform juvenile courts and school districts of incidents of unlawful bullying or cyber-bullying, it revises the definition of bullying and cyberbullying, it expands the prohibition against bullying and cyber-bullying to include members of a club or organization which uses the facilities of any public school, and it repeals certain definitions.

Effective: July 1, 2013

Amends: [NRS 62E.030](#), adds new section to [NRS 62E](#), [NRS 236.073](#), [NRS 385.3469](#), [NRS 385.34692](#), [NRS 385.347](#), and numerous sections on [NRS 388](#)

Repeals: [NRS 388.125](#) and [NRS 388.129](#)

SB447 – This bill makes various changes to education. Sections 9 to 11 of this bill authorize an attendance officer to also conduct investigations of truancy and prepare habitual truant citations.

Effective: June 1, 2013

Amends: Several sections of [NRS 385](#), numerous sections of [NRS 391](#), [NRS 392.144](#), [NRS 392.147](#), and [NRS 392.149](#)

V. Mental Health

AB287 – Court-Ordered Outpatient Mental Health Treatment

- A court may involuntarily order persons with mental illness (defined in NRS 433A.115 through NRS 433A.330) into a program of out-patient or community-based mental health services.
- Requires law enforcement to take into custody and deliver such a person for evaluation by a team from Division of Mental Health and Developmental Services.



AB287 – This bill authorizes the involuntary court-ordered admission of certain persons, as defined in **NRS 433A.115** through **NRS 433A.330**, with mental illness to programs of community-based or outpatient services under certain circumstances, it requires a peace officer to take into custody and deliver a person to the appropriate location for an evaluation by an evaluation team from the Division of Mental Health and Developmental Services of the Department of Health and Human Services.

Effective: July 1, 2013

Amends: Numerous sections of NRS 433A and adds new sections to NRS 433A

Fiscal

I. Insurance/Retirement

[SB266](#) – This prohibits certain policies of health insurance and health care plans from making monetary limits of coverage for certain orally administered chemotherapy less favorable to the insured than other forms of chemotherapy; and it limits the total combined amount of any copayment, deductible or coinsurance for chemotherapy administered orally.

Effective: October 1, 2013

Amends: [NRS 287.015](#), adds new section to [NRS 287](#), [NRS 689A.330](#), adds new section to [NRS 689A](#), adds new section [NRS 689B](#), adds new section to [NRS 695B](#), [NRS 695C.050](#), adds new section to [NRS 695C](#), [NRS 695G.090](#), and adds new section to [NRS 695G](#)

[SB518](#) – This bill establishes the amount of the State’s share of the costs of premiums or contributions for group insurance for active state officers and employees who participate in the Public Employees’ Benefits Program. This bill establishes the base amount for the share of the costs of premiums or contributions for group insurance under the Program that is required to be paid by the State and local governments for retired public officers and employees. This bill also establishes the share of the cost of qualified medical expenses for individual Medicare insurance plans through the Program that is required to be paid by the State and local governments for retired public officers and employees

Effective: July 1, 2013

Amends: [Statutes of Nevada](#)

II. State Finances

[AB507](#) – This bill makes various changes regarding state financial administration and makes appropriations for the support of the civil government of the State. Section 11 makes the appropriation for the Supreme Court and district judge salaries.

Effective: June 10, 2013 and July 1, 2013

Amends: [Statutes of Nevada](#)

[AB511](#) - This bill establishes the maximum allowed salaries for certain employees in the classified and unclassified service of the State; it requires employees of the State to take a certain number of days of unpaid furlough leave during the 2013-2015 biennium; it provides exceptions to the furlough requirement; it makes appropriations from the State General Fund and State Highway Fund for the salaries of certain employees of the State; it extends the temporary suspension of the semiannual payment of longevity pay during the 2013- 2015 biennium; and it extends the temporary suspension of merit pay increases during Fiscal Year 2013-2014.

Effective: June 10, 2013 and July 1, 2013

Amends: [Statutes of Nevada](#)

SB21 – Electronic Payments and Debts Owed to the State

- The State Controller may charge a fee to a person who refuses to accept payments from the State via electronic funds transfer.
- The AOC must add a question regarding State business licensure to applications for certification or renewal as a court interpreter, report a list of certified court interpreters to the Controller's Office to check against a list of persons who owe a debt to the State, and the AOC shall not certify or renew the certification of person who owes the State a debt and does not pay.
- The Supreme Court, may by Rule, apply the above provisions regarding business licenses and debts to the members of the Nevada State Bar.



SB21 – This bill provides a uniform rate of interest on certain debt assigned to the State Controller for collection, and it requires the State Controller to establish a fee that must be paid by certain payees who refuse to accept an electronic payment of an account payable. This bill also provides the PEBP Board with the ability to impose administrative penalties on certain contractors. Sections 7.1, 7.2, and 7.3 make changes requiring requiring/permitting the AOC and Supreme Court to check state business license status for court interpreters and members of the bar; and to refuse credentialing, admission, and/or renewal if the person owes the State an outstanding debt.

Effective: July 1, 2013

Amends: Adds and amends numerous sections of [NRS 353C](#), adds new section to [NRS 1](#), adds new section to [NRS 2](#), adds new section to [NRS 7](#), and numerous other NRS dealing with professional licensing.

See also: [Nevada State Controller's Office](#)

Judicial Administration

I. Court of Appeals

SB463 – Court of Appeals Implementation

- Provides for the implementation of a court of appeals should the ballot question created by SJR14* be passed by the voters at the 2014 general election.



SB463 – This bill provides for the implementation of an intermediate appellate court should SJR14* pass the 77th Session of the Legislature and be approved by the voters in 2014.

Effective: Passage of SJR14* Ballot Question in 2014 General Election

Amends: Adds new Chapter in [NRS Title 1](#), and adds Court of Appeals throughout NRS wherever necessary

SJR14* - Court of Appeals Constitutional Amendment

- Proposes to amend Article 6 on the Nevada Constitution to create a court of appeals contingent upon voter approval in the 2014 general election.



SJR14* - This joint resolution proposes to amend the Nevada Constitution to create an intermediate appellate court.

On File with the Secretary of State (File No. 47) and will appear on 2014 General Election Ballot

Amends: Adds section 3A to [Article 6 of the Nevada Constitution](#)

II. Court Interpreters

AB365 – Language Access

- Court Administrator shall adopt regulations that establish criteria and procedures for the appointment of alternate court interpreters
- Requires interpreters be provided in criminal and delinquency proceedings for a person who experiences a language barrier.
- Advisory Commission on the Administration of Justice shall study language access in the courts.



AB365 – This bill requires and authorizes the Court Administrator to adopt regulations which, subject to the availability of funding, establish criteria and procedures for the appointment of alternate court interpreters under certain circumstances. This bill requires a certified court interpreter or an alternate court interpreter to be provided in various judicial proceedings for a person with a language barrier. A person with a language barrier is defined in this bill as a person who speaks a language other than English and who cannot readily understand or communicate in the English language. This bill requires the Advisory Commission on the Administration of Justice to appoint a subcommittee to conduct an interim study concerning language access in the courts.

Effective: July 1, 2013

Amends: [NRS 1.510](#), [NRS 1.520](#), [NRS 47.020](#), [NRS 50.054](#), adds new section to [NRS 50](#), and adds new section to [NRS 62D](#)

III. Court Records/Open Meetings

AB45 – Imaging of Court Records

- Allows courts to enter into agreement with the State Library and Archives to provide digital imaging and microfilming of court records.



AB45 – This bill makes a number of changes regarding the Division of State Library and Archives. Section 2 allows the Division of State Library and Archives to provide microfilming and digital imaging services for the records of the Legislative and Judicial Branches of State Government, upon request.

Effective: May 20, 2013

Amends: [NRS 378.255](#)

Repeals: [NRS 225.230](#), [NRS 378.120](#), [NRS 378.260](#), and [NRS 378.400](#)

AB65 – This bill exempts certain entities, proceedings, and meetings from compliance with the Open Meeting Law in certain circumstances. Judicial proceedings, including, without limitation, proceedings before the Commission on Judicial Selection and, except as otherwise provided in NRS 1.4687, the Commission on Judicial Discipline are specifically exempted. This bill prohibits a member of a public body from designating a person to attend a meeting in the member's place without certain authority, it revises provisions relating to the prosecution of an alleged violation of the Open Meeting Law, and it revises provisions governing the provision of supporting material for meetings to the public.

Effective: July 1, 2013

Amends: [NRS 241.101](#), [NRS 241.015](#), [NRS 241.020](#), [NRS 241.030](#), [NRS 241.035](#), [NRS 241.037](#), [NRS 241.039](#), and adds new section in [NRS 241](#)

See also: *Goldberg v. District Court*, 93 Nev. 614 (1977)

SB22 – Findings of Unconstitutionality Submitted to AG’s Office

- The Attorney General’s Office must be provided with a copy of any ruling from a justice court, district court, or the Supreme Court that declares any NRS or provision of the NV Constitution as unconstitutional.
- The prevailing party in such an action is responsible for submitting the decision to the AG’s Office.
- Makes other technical changes to AG’s Office programs.



SB22 – This bill requires the Office of the Attorney General to be provided with a copy of certain court rulings and to provide an index of those rulings to the Legislative Counsel biennially (specifically it requires the prevailing party to provide a copy of the decision when something is found unconstitutional), it specifies that the Office of the Attorney General must assign the collection of certain restitution related to the expenses of extradition to the State Controller, it authorizes the establishment of a program to prevent certain criminal offenders and persons charged with a crime from obtaining or using a United States passport, and it clarifies the term “state agency” as it relates to agencies required to deposit money in the Fund for Insurance Premiums.

Effective: October 1, 2013

Amends: Adds new section in [NRS 2](#), adds new section in [NRS 3](#), adds new section in [NRS 4](#), [NRS 179.225](#), adds new section in [NRS 228](#), and [NRS 331.187](#)

AG’s Office Contact:

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Carson City, NV 89701
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SB74 – Public Records

- Person who has legal custody of a public record must make a copy rather than requiring the requestor to make the copy unless the copy is a certified copy.
- Public records must be made available to a requestor upon request if the record is readily available.
- Copy fee and record search fees in NRS Ch. 19 are decreased from \$1.00 to \$.50.
- Copies of minutes or audio recordings of public meetings must be provided at no cost.



SB74 – This bill requires the person who has legal custody or control of a public record, under certain circumstances, to prepare a copy of the public record rather than requiring the person who has requested the copy to prepare the copy; it requires copies of public books and records to be made available upon request in certain circumstances, it limits the fee (\$.50) which may be charged for a copy of a public record in the custody of a law library operated by a governmental entity, it requires a copy of minutes or audio recordings of public meetings to be made available to a member of the public upon request at no charge, and it reduces the fee a county clerk charges for copying records, proceedings, or papers or for searching records or files in the office of the county clerk.

Effective: October 1, 2013

Amends: [NRS 239.010](#), [NRS 239.0107](#), [NRS 239.011](#), [NRS 239.055](#), and numerous chapters/sections that reference minutes and recordings of public meetings

SB105 – This bill enacts the Uniform Electronic Legal Material Act to provide for the authentication, preservation and security of an electronic record of those legal materials which is designated as official and which is first published electronically on or after January 1, 2014.

Effective: January 1, 2014

Amends: Adds new Chapter to [NRS Title 59](#)

SB364 – Personal Identifying Information in Public Records

- This bill removes the requirement that a governmental entity maintain in a confidential manner, or remove, any personal identifying information contained in a document in the custody of the entity before January 1, 2017.
- Confidential maintenance or removal of the information is now optional (authorized).
- Makes various changes related to county clerks and certificates of marriage.



SB364 – Existing law prohibits, with certain exceptions, a governmental agency from requiring a person to include personal information on any document submitted to the governmental agency on or after January 1, 2007. On or before January 1, 2017, each governmental agency is required to ensure that any personal information contained in a document submitted to that agency before January 1, 2007, is either maintained in a confidential manner or removed from the document. This bill authorizes rather than requires each governmental agency to ensure that any personal information contained in a document submitted to that agency before January 1, 2007, is either maintained in a confidential manner or removed from the document. This bill also removes the requirement that the board of county commissioners in certain larger counties establish in certain cities a branch office of the county clerk at which marriage licenses may be issued, it revises provisions relating to recording and filing certificates of marriage; it revises provisions governing certain other documents relating to marriage, and it prohibits certain solicitations on county property.

Effective: July 1, 2013

Amends: [NRS 122.040](#), [NRS 122.060](#), [NRS 122.066](#), [NRS 122.0665](#), [NRS 122.068](#), [NRS 122.130](#), [NRS 122.215](#), [NRS 122.230](#), [NRS 122.240](#), [NRS 239B.030](#), and [NRS 247.305](#)

IV. Legal Defense of Judges

SB27 – Defense of Judges and Public Officials

- The Attorney General's Office, or the official attorney for a city or county, to provide representation to a judge or senior judge who is sued because of an alleged official act or omission of the judge or senior judge.
- Any person who is name in a suit solely based upon an alleged official act or omission is also to be provided representation.
- AG or official attorney may retain conflict counsel.
- If the official attorney does not provide representation is such a suit, reimbursement shall be provided for a defense.
- A person may not, in exchange for compensation , solicit a tort victim to hire or retain an attorney at the scene of an accident or at the county jail.



SB27 – This bill clarifies existing law by specifically requiring: (1) the Attorney General to provide legal counsel under these circumstances to any present or former justice of the Supreme Court, senior justice, judge of a district court, or senior judge; and (2) the chief legal officer or other authorized legal representative of a political subdivision of this State to provide legal counsel under these circumstances to any present or former justice of the peace, senior justice of the peace, municipal judge or senior municipal judge of that political subdivision. In addition, this bill require the Attorney General or the chief legal officer or other authorized legal representative of a political subdivision of this State to provide counsel for certain persons who are not employees or officers of the State or political subdivision but who are named as defendants in a civil action solely because of an alleged act or omission relating to the public duties or employment of certain officers or employees of the State or political subdivision. This bill clarifies that the statutory provisions relating to legal representation in civil actions relating to the public duties or employment of such persons do not abrogate, alter or affect the immunity of such persons under other law. This bill provides that for the 78th Session of the Nevada Legislature, the Director of the Department of Administration must include the biennial cost of implementing this bill in the Attorney General's cost allocation plan. Existing law establishes the crime of unlawful solicitation of legal business and provides that a person who commits this crime is guilty of a misdemeanor. Section 8.3 of this bill revises the acts which constitute the crime of unlawful solicitation of legal business.

Effective: July 1, 2013

Amends: [NRS 7.045](#), [NRS 41.0337 to NRS 41.0341](#) inclusive, [NRS 41.0346](#), [NRS 41.0347](#), and adds new sections to [NRS 41](#)

V. Miscellaneous

AB9 – This bill makes various changes to the Reno City Charter. Section 28 prohibits the City Council from reducing the term of any elected or appointed municipal court judge.

Effective: June 2, 2103

Amends: [Reno City Charter, See Section 4.010](#)

[SB272](#) – This bill provides for the revision of the boundary line between Storey County and Washoe County.

Effective: Upon Approval of County Commissions, Expires June 30, 2105, if not Approved by County Commissions

Amends: [NRS 243.340](#)

[SB405](#) – This bill requires the Director of the Legislative Counsel Bureau to develop biennial recommendations for the elimination of the requirement to submit certain obsolete and redundant reports to the Legislature and it repeals provisions which require the submission of a report to the Director and certain other persons.

Effective: July 1, 2013

Amends and Repeals: Numerous Chapters/Sections of NRS, including eliminating the required reports on programs of custody and visitation mediation, programs for juvenile offenders to tour county coroners' offices, and neighborhood justice centers.

VI. Notaries

[AB99](#) – This bill revises certain provisions of the Uniform Law on Notarial Acts, and it revises certain other provisions governing notaries public. These changes include prohibitions preventing notaries from notarizing documents for their spouses, partners, or coworkers outside of the normal course of business. It also makes changes related to international notarization.

Effective: January 1, 2014

Amends: [NRS 240.001](#), [NRS 240.065](#), [NRS 240.120](#), [NRS 240.1635](#), [NRS 240.165](#), [NRS 240.1655](#), and adds new sections in [NRS 240](#)

SB419 – Marriage

- Notaries can perform marriages if they apply for and receive approval from the Secretary of State.
- Increases marriage license fee charged by justice of the peace from \$50 to \$75.
- Makes various other changes to marriage statutes.



SB419 – This bill authorizes a notary public to perform a marriage in certain circumstances; it establishes a fee to apply for certain authorization to perform marriages and for a certificate of permission to perform marriages; it increases the fee for marriages performed by the commissioner of civil marriages, his or her deputy of commissioner of civil marriages, and justices of the peace (\$50 to \$75); and it revises various provisions governing the performance of marriages.

Effective: October 1, 2013

Amends: [NRS 4.060](#), numerous sections of [NRS 122](#), [NRS 240.100](#), and [NRS 240.150](#)

VII. Personnel

AB181 – Employment and Credit Reports

- An employer may not condition employment on a credit report or other credit information.
- Jobs in finance, cash-handling, law enforcement, gaming etc. are exempted from the prohibition as are any jobs for which a credit check is required by law.
- An employer may not condition employment on a person providing the employer with access to his or her social media account(s).
- Civil and administrative penalties are permitted.



AB181 – This bill prohibits employers from conditioning employment on a consumer credit report or other credit information with exemptions for certain jobs that have financial responsibilities, e.g., cash handling and law enforcement. This bill also prohibits employers from conditioning employment on access to an employee’s social media account(s). The bill also provides civil remedies and administrative penalties for violating either provision.

Effective: October 1, 2013

Amends: Adds new section to NRS 613

AB217 – This bill requires the department of juvenile justice services of certain larger counties and agencies which provide child welfare services to obtain a background investigation of the criminal history of employees and applicants for employment, it requires such a department or agency to terminate or deny employment of certain persons based on the results of an investigation of the person’s criminal history, and it authorizes such a department or agency to terminate or deny employment if certain criminal charges are pending against an employee or applicant for employment.

Effective: July 1, 2013

Amends: NRS 62G.200, NRS 62G.300, NRS 62G.330, NRS 62G.360, adds new sections in NRS 62G, NRS 179A.075, and adds new sections in NRS 432B.

SB127 – Employment and Credit Reports

- Employers prohibited from conditioning employment on a consumer credit report or other credit information.
- Exemptions for financial, law enforcement, gaming, etc. jobs.
- Provides administrative penalties and civil remedies.



SB127 – This bill prohibits employers, with certain exceptions (financial institutions, gaming, law enforcement, etc.), from conditioning employment on a consumer credit report or other credit information and it provides remedies (civil actions) and administrative penalties

Effective: October 1, 2013

Amends: Adds new sections to [NRS 613](#)

SB208 – Defines Bailiffs and Marshals for Workers' Comp

- Includes bailiffs and marshals of the justice and district courts, and officers of departments of alternative sentencing as police officers for purposes of workers comp and occupational disease.
- These marshals, bailiffs, and officers are also exempt from jury or grand jury service.



SB208 – This bill revises the definition of “police officer” to include court bailiffs and deputy marshals in district courts and justice courts and chiefs and assistant alternative sentencing officers of departments of alternative sentencing primarily for purposes of certain provisions relating to occupational diseases.

Effective: October 1, 2013

Amends: [NRS 617.135](#)

VIII. Preparation of Legal Documents

AB74 – This bill requires that document preparation (legal documents) services be registered with the Secretary of State, it establishes qualifications for registration, it requires the filing of a bond, it regulates the business practices of document preparation services, it authorizes disciplinary action and other remedies in specified circumstances, it establishes fees, it provides civil and criminal penalties, and it revises provisions regarding the notary training account in the general fund.

Effective: June 12, 2013 (for writing regulations) and March 1, 2014

Amends: New chapter to NRS Title 19

Miscellaneous

I. Concealed Weapons

SB76 – Concealed Firearms

- Defines concealed firearm as a handgun in-line line with the Federal definition.
- A person may obtain one permit to carry a concealed firearm for all handguns owned by the person (no distinction between revolver and semiautomatic).



SB76 – This bill revises the definition of “concealed firearm”, it authorizes a person to obtain one permit to carry a concealed firearm for all handguns owned by the person, and it revises provisions relating to a person’s demonstration of competence with certain firearms for the purpose of obtaining or renewing a permit to carry a concealed firearm.

Effective: October 1, 2013

Amends: [NRS 202.3653 to NRS 202.366](#) inclusive, [NRS 202.3677](#)

II. Other

AB110 – This bill: (1) provides that a dog may not be determined to be dangerous or vicious based solely on the breed of the dog; and (2) prohibits a local authority from adopting or enforcing an ordinance or regulation that deems a dog dangerous or vicious based solely on the breed of the dog

Effective: October 1, 2013

Amends: [NRS 202.500](#)

AB284 – This bill provides, under certain circumstances, for the early termination of a rental agreement if a tenant, cotenant or household member is a victim of domestic violence. Section 1.3 of this bill: (1) establishes provisions concerning notice requirements for such an early termination; (2) establishes provisions concerning liability of unpaid amounts relating to the termination of a rental agreement; (3) requires a landlord to install a new lock onto the dwelling of certain persons who are victims of domestic violence; and (4) establishes certain limitations concerning the disclosure to a prospective landlord of an early termination pursuant to this bill. Section 1.7 of this bill establishes the form in which an affidavit submitted by a tenant or cotenant in support of a notice to terminate a rental agreement pursuant to this bill must be made. Existing law prohibits a landlord from taking certain retaliatory actions against a tenant, and section 2 of this bill prohibits a landlord from taking certain retaliatory actions against a tenant, cotenant or household member who is a victim of domestic violence or who terminates a rental agreement because he or she is a victim of domestic violence.

Effective: July 1, 2013

Amends: [NRS 118A.510](#) and adds new sections to [NRS 118A](#)

AB512 – Technical Correction to SB224 and SB243

- Clarifies that the \$3 DNA Administrative Assessment Fee (AA) is to be collected before the \$100 DUI AA in cases in which both are assessed.



AB512 – Sections 3-5 of this bill amend Senate Bill No. 224 to resolve a conflict between the provisions of that bill and those of Senate Bill No. 243 by conforming the provisions governing the apportionment of payment of administrative assessments (DNA AA collected before new DUI AA, both prior to fine).

Effective: June 12, 2013

Amends: SB224 of the 2013 Session

Real Property

I. Common-Interest Communities

[AB370](#) – Existing law provides that certain civil actions relating to residential property within common interest communities cannot be commenced in any court in this State unless the action has been submitted to mediation or arbitration, and that such a civil action must be submitted to mediation or arbitration by filing a written claim with the Real Estate Division of the Department of Business and Industry, and the written claim and required written answer must be accompanied by a reasonable fee as determined by the Division. This bill removes the requirement of submitting such a civil action to arbitration, and instead requires the civil action to be submitted to mediation or, if the parties agree, to a program established by the Division under which a person such as a referee or hearing officer renders decisions on certain claims. This bill sets forth certain procedures concerning such a program. This bill applies the requirement regarding a written claim being filed with the Division to a civil action submitted to such a program, and it also specifies that the fee which must accompany a written claim and written answer filed with the Division is \$50. This bill provides that before commencing a civil action, the parties named in the claim may agree to arbitration if the parties have participated in mediation in which an agreement was not obtained or if a written decision and award have been issued pursuant to the referee program. It also: (1) provides that such arbitration is nonbinding unless the parties agree in writing to binding arbitration; and (2) specifies that the cost of such arbitration must not exceed \$300 per hour. Existing law also sets forth the procedure for mediation when a written claim is submitted to mediation. This bill requires that: (1) mediation be completed within 60 days after the filing of the written claim; (2) mediation not exceed 3 hours, unless the parties agree to an extension of such time; (3) the cost of mediation not exceed \$500 for 3 hours; (4) if the parties agree to extend mediation beyond 3 hours, the fee for the additional hours not exceed \$200 per hour; and (5) each party, not later than 5 days before mediation is scheduled to be conducted, submit to the mediator a written statement which sets forth the issues in dispute.

Effective: October 1, 2013

Amends: [NRS 38.300 to NRS 38.360 inclusive](#), adds new section in [NRS 38](#), [NRS 116.630](#), [NRS 116.665](#), [NRS 116.670](#), [NRS 116B.815](#), [NRS 116B.845](#), and [NRS 116B.850](#)

II. Foreclosure/Deeds of Trust

AB273 – Foreclosure Mediation

- Trustees must mail information regarding the foreclosure mediation program separately, but concurrently with the NOD.
- A homeowner who has received an NOD is presumptively enrolled in the program unless the homeowner waives participation or fails to pay the mediation fee.
- The Mediation Administrator must issue a mediation certificate if the homeowner waives participation, fails to appear at a mediation, or does not pay the mediation fee.
- The Mediation Administrator must issue certificates within 30 days.
- Trustees must provide program compliance information to HOAs, and a HOA unit owner who participates in the program must pay their HOA assessments during that participation.
- \$100 is appropriated to the Mediation Administrator.



AB273 – This bill revises provisions governing enrollment in the Foreclosure Mediation Program. Under sections 2 and 3 of this bill, a trustee under a deed of trust concerning owner-occupied housing must, in addition to including certain information concerning the Foreclosure Mediation Program with the copy of the notice of default and election which is mailed to the homeowner, send that information to the homeowner concurrently with, but separately from, the copy of the notice of default and election to sell. Section 3 further provides that a homeowner will be enrolled in the Foreclosure Mediation Program unless: (1) he or she elects to waive mediation; or (2) fails to pay his or her share of the fee established under the rules adopted by the Nevada Supreme Court. If the homeowner waives mediation, fails to pay his or her share of the fee or, if the homeowner is enrolled in the Foreclosure Mediation Program, fails to appear at a scheduled mediation, the Mediation Administrator must provide to the trustee a certificate authorizing the continuation of the process to exercise the power of sale. Section 3 also: (1) establishes deadlines by which the Mediation Administrator must provide certain information to the trustee (2) requires the trustee to provide notice of the compliance with the Foreclosure Mediation Program to a homeowners' association; and (3) requires a unit's owner to pay certain obligations during participation in the Foreclosure Mediation Program. Section 4 of this bill prohibits a homeowners' association from foreclosing its lien on a unit constituting owner-occupied housing while the unit's owner is eligible to participate or is participating in the Foreclosure Mediation Program. Section 4.5 of this bill makes an appropriation of \$100 from the State General Fund to the Account for Foreclosure Mediation to support the Foreclosure Mediation Program.

Effective: July 1, 2013 (Sec. 4.5) and October 1, 2013

Amends: [NRS 107.085](#), [NRS 107.086](#), [NRS 116.31162](#), and the [Statutes of Nevada](#)

AB300 – Foreclosure

- Revises requirements created in AB284 of the 2011 Session regarding the information that the affidavit of authority to exercise the power of sale under a deed of trust must be based on:
 - Information may be obtained by the affiant's review of the business records of the beneficiary of the deed of trust and,
 - Information from the records of the county recorder or information from the title guaranty or title insurance from a authorized business.



[AB300](#) – This bill provides that certain information provided in the affidavit of authority to exercise the power of sale under a deed of trust may be based on: (1) the information obtained by the affiant's review of the business records of the beneficiary of the deed of trust; and (2) the information contained in the records of the recorder of the county in which the property is located or the title guaranty or title insurance issued by a title insurer or title agent authorized to do business in this State. This bill also revises the information required to be stated in the affidavit. The amendatory provisions of this bill become effective upon passage and approval and apply to a notice of default and election to sell recorded on or after the effective date of this bill.

Effective: June 1, 2013

Amends: [NRS 107.080](#)

See also: [AB284](#) of the 2011 Session

[SB278](#) – This bill establishes an expedited process for the foreclosure of abandoned residential property, and it authorizes a board of county commissioners or the governing body of an incorporated city to establish by ordinance a registry of abandoned residential real property and a registry of real property in danger of becoming abandoned.

Effective: July 1, 2013 and Expires: June 30, 2017

Amends: [NRS 107.080](#), [NRS 107.086](#), and adds new sections to [NRS 107](#)

SB321 - Foreclosure

- Establishes additional requirements for the foreclosure on owner-occupied housing including:
 - Requiring additional time before filing an NOD after default,
 - Requiring a beneficiary, mortgagee, servicer, etc. to provide borrowers additional information regarding the borrower's account prior to foreclosure,
 - Filing an NOD is prohibited if the borrower has complied with certain requirements regarding contacting the beneficiary, mortgagee, servicer, etc.,
 - Dual-tracking a foreclosure is prohibited,
 - Requiring servicers must provide borrowers a single point of contact,
 - Requiring the dismissal of judicial foreclosures in certain circumstances and,
 - Creating conditions for application of the bill.



SB321 – This bill establishes additional requirements for the foreclosure of owner-occupied housing securing a residential mortgage loan. Under this bill, these additional restrictions do not apply to a financial institution that, during its immediately preceding annual reporting period, as established with its primary regulator, has foreclosed on 100 or fewer owner-occupied homes located in this State. Under this bill, these additional restrictions apply only to a notice of default and election to sell which is recorded on or after October 1, 2013. This bill provides that at least 30 calendar days before recording a notice of default and election to sell or commencing a judicial foreclosure action and at least 30 calendar days after the borrower's default, the mortgage servicer, mortgagee or beneficiary of the deed of trust must provide to the borrower certain information concerning the borrower's account, the foreclosure prevention alternatives offered by the mortgage servicer, mortgagee or beneficiary and a statement of the facts supporting the right of the mortgagee or beneficiary to foreclose. This bill prohibits the recording of a notice of default and election to sell or the commencement of a judicial foreclosure action involving a failure to make payment until the mortgage servicer complies with certain requirements regarding contact with, or attempts to contact, the borrower. This bill prohibits the practice commonly known as “dual-tracking” by prohibiting a mortgage servicer, trustee, mortgagee or beneficiary of a deed of trust from continuing the foreclosure process while an application for a foreclosure prevention alternative is pending or while the borrower is current on his or her obligation under a foreclosure prevention alternative. This legislation requires a mortgage servicer to provide a single point of contact for a borrower who requests a foreclosure prevention alternative. It also requires that under certain circumstances, a mortgage servicer, mortgagee or beneficiary of a deed of trust must dismiss a judicial foreclosure action or rescind a recorded notice of default and election or notice of sale. This bill provides for civil remedies for a material violation of the provisions of sections of this measure. It also provides that a signatory to the consent judgment entered in the case entitled [*United States of America et al. v. Bank of America Corporation et al.*](#) who complies with the Settlement Term Sheet under that judgment is deemed to be in compliance with sections of this bill and is not liable for a violation of those provisions. It further provides that if the consent judgment is modified or amended to permit compliance with the Final Servicing Rules issued by the federal Consumer Financial Protection Bureau to supersede the terms of the Settlement Term Sheet under the consent judgment: (1) a signatory to the consent judgment who complies with the modified or amended Settlement Term Sheet while the consent judgment is in effect is deemed to be in compliance with this measure and is not liable for a violation of those provisions; and (2) any

mortgage servicer, mortgagee or beneficiary of the deed of trust who complies with the Final Servicing Rules is deemed to be in compliance with sections of this bill and is not liable for a violation of those provisions. Finally, this bill provides that in a judicial foreclosure action concerning owner-occupied property, the mortgagor may elect to participate in the Foreclosure Mediation Program.

Effective: October 1, 2013

Amends: [NRS 40.430](#), [NRS 40.433](#), adds section to [NRS 40](#), [NRS 107.080](#), and adds new sections to [NRS 107](#)

[SB356](#) – This bill revises provisions relating to covenants that may be adopted by reference in a deed of trust, it provides methods by which assumption fees for a change of parties to a deed of trust may be set, it revises provisions relating to certain agreements to sell real property to a third party, it revises provisions concerning accounting for impound accounts for the payment of certain obligations relating to certain real property, and it provides a civil penalty.

Effective: October 1, 2013

Amends: [NRS 40.458](#), [NRS 100.091](#), [NRS 107.030](#), [NRS 107.040](#), and [NRS 107.055](#)

Repeals: [NRS 106.105](#)

SB389 - Foreclosure

- A borrower may request a certified copy of the note, mortgage or deed of trust, and each assignment of the deed of trust or mortgage.
- The mortgage servicer must, within 10 days of receiving such a request, provide a borrower with the contact information of current owner or assignee of the note,
- A borrower may report a servicer's failure to comply the request, within 30 days, to the Divisions of Mortgage Lending or Financial Institutions for investigation and potential action.



SB389 – This bill adds statutes governing mortgages and deeds of trust to provide that under certain circumstances, the owner of a single-family dwelling that is subject to a mortgage or deed of trust may submit a written request to the servicer of the mortgage or deed of trust for a certified copy of the note, the mortgage or deed of trust and each assignment of the mortgage or deed of trust. Not later than 10 days after receipt of such a request, the servicer must provide to the owner of the single-family dwelling the identity, address and any other contact information of the current owner or assignee of the note and the mortgage or deed of trust. If the servicer does not provide the requested documents within 30 days after receipt of the request, or if those documents indicate that the mortgagee or beneficiary of the deed of trust does not have a recorded interest in or lien on the single-family dwelling, the owner may report the servicer and the mortgagee or beneficiary of the deed of trust to the Division of Mortgage Lending or the Division of Financial Institutions, whichever is appropriate, which may take whatever actions it deems necessary and proper, including enforcing any applicable laws or regulations or adopting any additional regulations.

Effective: June 10, 2013

Amends: Adds new section in [NRS 106](#) and adds new section in [NRS 107](#)

SB493 – This bill revises provisions governing loans secured by a lien on real property in which investors hold the beneficial interests, it revises provisions governing the reconveyance of a deed of trust, and it revises provisions relating to bona fide purchasers and encumbrancers of real property.

Effective: July 1, 2013

Amends: Adds new section to [NRS 107](#), [NRS 111.180](#), [NRS 645B.340](#), and [NRS 645B.356](#)

III. Tax Liens

SB301 – This bill requires a county treasurer to assign a tax lien against a parcel of real property located within the county if an assignment is authorized by an agreement between the owner of the property and the assignee; it requires the county treasurer to issue a certificate of assignment for each tax lien assigned; and it authorizes the assignee of a tax lien to commence an action against the property owner for the collection of the delinquent taxes, penalties, interest, fees, and costs or to pursue any other remedy authorized by the agreement with the owner. This bill also provides a penalty.

Effective: July 1, 2013

Amends: NRS 361.5648, NRS 361.570, NRS 361.645, NRS 361.650, NRS 361.695, NRS 361.731 to NRS 361.7326 inclusive, and adds new sections to NRS 361

Vetoed

Vetoed: AB150 – Legislative Oversight Committee

- Would have created the Legislative Committee on Governmental Oversight and Accountability which could have conducted investigations and hearings regarding virtually all aspects of state government.
- Judicial Branch would have been subject to the authority of the Committee.



AB150 – This bill creates the Legislative Committee on Governmental Oversight and Accountability, it prescribes the powers and duties of that Committee. The definition of governmental entity in Section 4 appears as if it would include the Judicial Branch as subject to the authority of the Committee. **June 13, 2013, Vetoed by the Governor**

AB240 – Existing law provides that in any action to recover damages for death or injury to persons or property where comparative negligence is asserted as a defense, the comparative negligence of the plaintiff or the plaintiff's decedent does not bar a recovery if that negligence was not greater than the negligence or gross negligence of the parties against whom recovery is sought. This bill revises the applicability of that provision by making the provision applicable to actions in which comparative negligence is a bona fide issue, rather than actions in which comparative negligence is asserted as a defense. **June 7, 2013, Vetoed by the Governor**

SB221 – This requires a court to transmit, within 5 business days, certain records of adjudication concerning a person's mental health to the Central Repository for Nevada Records of Criminal History for certain purposes relating to the purchase or possession of a firearm; it authorizes the inclusion, correction, and removal of the information in such records in each appropriate database of the National Crime Information Center; it requires each agency of criminal justice to submit information relating to records of criminal history within 60 days after the date of the conviction; it requires certain persons to request a background check before transferring a firearm to another person under certain circumstances; it prohibits certain persons from having possession, custody, or control of a firearm; it prohibits certain persons from selling a firearm under certain circumstances; it revises the functions of the Division of Mental Health and Developmental Services of the Department of Health and Human Services; and it requires a mental health professional to notify certain persons when a patient makes certain explicit threats of imminent serious physical harm or death. **June 13, 2013, Vetoed by the Governor**

Vetoed: SB312 – DUI Victim Impact Panels

- Would have established new requirements and regulations for victim impact panels including:
 - Putting DMV in charge of the panels,
 - Setting qualifications for programs and coordinators and.
 - Limiting who may participate as a panelist.
- Would have made various changes to judicial sponsored panels.



SB312 – This bill establishes the requirements for victim impact panels to be sponsored and conducted by organizations, in lieu of or in addition to the panels held under the direction and supervision of the judges. In particular, sections 2-13 make the Department of Motor Vehicles responsible for regulating the organizations that sponsor and conduct victim impact panels. Section 6 requires organizations that wish to sponsor victim impact panels to be registered with the Department and establishes the requirements for such registration. Section 7 requires that each meeting of such a victim impact panel be conducted by a qualified coordinator and specifies the training required to serve as a coordinator. Section 8 requires victims who wish to make a presentation as a member of such a victim impact panel to submit to the sponsor information concerning the events that gave rise to the harms suffered by the victim and provides a criminal penalty for persons who make false statements in connection with such harms. Section 9 establishes requirements for meetings of such victim impact panels and requires that, if such a meeting is conducted in person, security personnel must be present at the site of the meeting. Section 9 further authorizes a meeting of such a victim impact panel to be conducted by means of videoconferencing or other form of electronic communication. Sections 10-12 establish various procedures for the receipt and disbursement of money generated from fees for attending meetings of panels, administrative fines and civil penalties. Section 13 requires the Department to adopt regulations to carry out its duties relating to sections 2-13. Section 14 of this bill adds references to the new requirements of sections 2-13 to the existing requirements for victim impact panels, which remain in effect for panels held under the direction and supervision of the judge or judges of each judicial district. **June 10, 2013, Vetoed by the Governor**

Vetoed: SB373 – Judgment Debtors

- Would have allowed judgment debtors to pay in installments, increased the percentage of debtors income and any annuity benefits not subject to execution, and allowed a judgment debtor to bring a civil action against creditor if the creditor obtained a writ of garnishment without domesticating a foreign judgment.



SB373 – This bill authorizes a court to issue an order permitting a judgment debtor to pay a judgment in installments under certain circumstances, it increases the percentage of a judgment debtor’s disposable earnings which is exempt from execution under certain circumstances, it authorizes a judgment debtor who is a resident of this State to bring a civil action in certain circumstances against a judgment creditor who obtains a writ of garnishment without domesticating a foreign judgment, and it revises provisions relating to the exemption of annuity benefits from certain claims of the annuitant’s creditors. **June 3, 2013, Vetoed by the Governor**

Vetoed: SB421 – Jury Selection

- Would have revised the provisions establishing the grounds upon which a potential juror may be challenged to include the existence of a state of mind in the juror that the juror is biased for or against any party to the proceeding.
- Would have required a court to excuse any juror the court determines is more likely than not to be biased.



SB421 Existing law provides that a juror may be challenged for cause on certain grounds by either party to a jury trial and that any such challenge must be tried by the court. Section 1 of this bill revises the provisions establishing the grounds on which challenges for cause may be taken and includes, as an additional ground for such a challenge, the existence of a state of mind in the juror that the juror is biased for or against any party to the proceeding. Sections 2 and 3.5 of this bill require a court to excuse any juror the court determines is more likely than not to be biased. **May 31, 2013, Vetoed by the Governor**

Appendices

Appendix A – AB54 Justice Court Filing Fee Schedule

Case Type	Fee
Civil, sum less than \$2,500	\$50.00
Civil, sum exceeds \$2,500 and is less than \$5,000	\$100.00
Civil, sum exceeds \$5,000 and is up to \$10,000	\$175.00
Unlawful detainer pursuant to NRS 40.290 to NRS 40.420	\$225.00
All other civil actions	\$50.00
Small claims, sum less than \$1,000	\$45.00
Small claims, sum exceeds \$1,000 and is less than \$2,500	\$65.00
Small claims, sum exceeds \$2,500 and is less than \$5,000	\$85.00
Small claims, sum exceeds \$5,000 and is up to \$7,500	\$125.00
Answer by defendant or defendants appearing jointly	\$50.00
Answer by additional defendant appearing separately	\$25.00
Paper in intervention	\$25.00
Writ enforcing judgment other than restitution	\$25.00
Writ of restitution	\$75.00
Notice of appeal and appeal bonds (only one fee if filed concurrently)	\$25.00
Marriage and return of certificate ¹	\$75.00
Judgment by confession	\$50.00
Copy fee	\$.50
Certificate under seal	\$3.00
Record search per year	\$1.00
Filing or acting on bail bond	\$50.00

¹ Marriage fee not increased with other fees in AB54, but rather increased in a separate, and non-judiciary sponsored, bill: SB419

Appendix B – Resource List

Nevada Legislature (Legislative Counsel Bureau)

Northern NV: (775) 684-6800

Southern NV: (775) 486-2626

Bills and Online NRS

<http://www.leg.state.nv.us/>

Nevada Judiciary

Supreme Court, AOC

John McCormick

(775) 687-9813

e-mail: jmccormick@nvcourts.nv.gov

<http://www.nevadajudiciary.us/>

State Bar of Nevada

Northern NV: (775) 329-4100

Southern NV: (702) 382-2200

Toll-Free: 1-800-254-2797

<http://www.nvbar.org/>

State of Nevada

<http://nv.gov/>

Office of Governor Brian Sandoval

Northern NV: (775) 684-5670

Southern NV: (702) 486-2500

<http://nv.gov/govsandoval.aspx>

Office Secretary of State Ross Miller

Northern NV: (775) 684-5708

Southern NV: 486-2440

Elections Division: (775) 684-5705

<http://sos.state.nv.us/index.aspx>

Office of Attorney General Catherine Cortez Masto

Northern NV: (775) 684-1100

Southern NV: (702) 486-3420

<http://ag.state.nv.us/>

Office of State Controller Kim Wallin

Northern NV: (775) 684-5750

Southern NV: (702) 786-3895

<http://controller.nv.gov/>

Public Employees' Retirement System

Northern NV: (775) 687-4200

Southern NV: (702) 486-3900

<http://www.nvpers.org/>

Public Employees' Benefit Plan

(775) 684-7000

Toll-Free: 1-800-326-5496

<http://pebp.state.nv.us/>

Nevada Department of Business and Industry

Northern NV: (775) 684-2999

Southern NV: (702) 486-2750

<http://business.nv.gov/>

Nevada Department of Motor Vehicles (DMV)

Northern NV: 684-4DMV, (775) 684-4368

Southern NV: 486-4DMV, (702) 486-4368

Rural NV/Tool-Free: 1-877-368-7828

<http://www.dmvnv.com/>

Nevada Association of Counties (NACO)

(775) 883-7863

Provides Links to NV County Individual Websites

<http://nvnaco.org/>

Nevada League of Cities and Municipalities

(775) 882-2121

Provides Links to NV City Individual Websites

<http://www.nvleague.org/>

Case Law and Statutes:

U.S. Supreme Court

<http://www.oyez.org/>

NV Supreme Court Advance Opinions

<http://www.nevadajudiciary.us/index.php/advancedopinions>

NV Supreme Court Law Library

(775) 684-1640

<http://lawlibrary.nevadajudiciary.us/index.php>

LCB Publications
Electronic and Paper Resources for Purchase
(775) 684-6835
<https://www.leg.state.nv.us/App/LCBStore/A/c-79-publications.aspx>

Government Printing Office
United States Code, Online Access and Purchase
<http://www.gpo.gov/>

Legal Aid Providers:

Legal Aid Center of Southern Nevada
(702) 386-1070
<http://www.lacsn.org/>

Nevada Legal Services
(775) 883-0404
(800) 323-8666 (toll free)
<http://www.nlslaw.net/index.html>

Southern Nevada Senior Law Program
(702) 229-6596
<http://www.snslp.org/>

Volunteer Attorneys for Rural Nevadans (VARN)
(775) 883-8278
(866) 448-8276 (toll free)
<http://www.varn.org/>

Washoe Legal Services
(775) 329-2727
<http://www.washoelegalservices.org/>

Washoe Senior Law Project
(775) 328-2592
<http://www.washoecounty.us/seniorsrv/legal.htm>

Appendix C – Misdemeanor Administrative Assessment (AA) Collection Order

1. General AA ([NRS 176.059](#))

Fine	Assessment
\$5 to \$49.....	\$30
50 to 59.....	45
60 to 69.....	50
70 to 79.....	55
80 to 89.....	60
90 to 99.....	65
100 to 199.....	75
200 to 299.....	85
300 to 399.....	95
400 to 499.....	105
500 to 1,000.....	120

2. Facility Fee AA of \$10 if Adopted by County/City Ordinance ([NRS 176.0611](#))

3. Specialty Court AA of \$7 ([NRS 176.0613](#))

4. Genetic Marker Analysis (DNA Testing) AA of \$3 ([SB243](#))²

5. Additional DUI AA of \$100 ([SB224](#))

6. Fine

Additional Administrative Assessments Not Included in Statutory Collection Order

- Battery Constituting Domestic Violence AA of \$35 ([NRS 200.485 § 5](#))
- Graffiti AA of \$250 ([NRS 206.340 § 2](#))

² Collection order of DNA Testing and Additional DUI AAs set by [AB512](#).

Index by Article, NRS Title, and/or NRS Chapter Amended or Repealed

Article 3 of the Nevada

Constitution: SJR14*, 64

NRS 1: AB365, 65; SB21, 63

NRS 2: SB21, 63; SB22, 67

NRS 3: SB22, 67

NRS 4: AB54, 4; SB22, 67; SB4, 6; SB419, 72

NRS 5: SB4, 6

NRS 7: SB21, 63; SB27, 70

NRS 13: SB441, 3

NRS 18: SB140, 2

NRS 38: AB326, 1; AB370, 78

NRS 40: AB223, 5; SB321, 82; SB356, 82

NRS 41: AB146, 7; SB139, 10; SB27, 70; SB286, 2

NRS 47: AB365, 65

NRS 50: AB365, 65; SB175, 34

NRS 62: SB108, 57

NRS 62A: SB177, 58

NRS 62B: AB202, 53; SB106, 56; SB107, 57; SB108, 57; SB177, 58; SB269, 59; SB414, 59

NRS 62C: AB202, 53; SB106, 56; SB108, 57; SB177, 58

NRS 62D: AB365, 65

NRS 62E: AB207, 54; SB106, 56; SB177, 58; SB427, 60

NRS 62G: AB217, 73

NRS 62H: SB31, 55; SB388, 29

NRS 63: SB107, 57

NRS 75: SB441, 3

NRS 78: SB441, 3

NRS 80: SB441, 3

NRS 82: SB441, 3

NRS 86: SB441, 3

NRS 87: SB441, 3

NRS 92A: SB441, 3

NRS 100: SB356, 82

NRS 106: SB356, 82; SB389, 83

NRS 107: AB223, 5; AB273, 79; AB300, 80; SB278, 80;

SB321, 82; SB356, 82;

SB389, 83; SB493, 83

NRS 111: SB493, 83

NRS 116: AB273, 79; AB370, 78; AB395, 9

NRS 116B: AB370, 78

NRS 118A: AB284, 76

NRS 122: SB364, 69; SB419, 72

NRS 125: AB262, 48; AB358, 49

NRS 125B: AB389, 49

NRS 125C: AB262, 48;

AB358, 49

NRS 126: AB389, 49;

AB421, 50; SB314, 48

NRS 127: AB146, 7; AB421, 50

NRS 128: AB146, 7; AB82, 40

NRS 143: AB312, 1

NRS 159: SB78, 52

NRS 171: AB223, 5; AB67, 7; SB103, 26

NRS 172: SB420, 20

NRS 174: AB67, 7; SB420, 20

NRS 176: AB146, 7; AB233, 14; AB415, 24; AB423, 18; AB64, 16; SB106, 56; SB224, 35; SB243, 19; SB374, 12; SB388, 29; SB395, 32; SB71, 14

NRS 176A: AB91, 13; SB32, 14; SB388, 29

NRS 178: SB388, 29

NRS 179: AB146, 7; AB156, 17; AB67, 7; SB169, 27; SB22, 67; SB388, 29; SB45, 18

NRS 179A: AB217, 73; AB84, 30; SB139, 10;

SB141, 47; SB243, 19

NRS 179B: AB30, 13

NRS 179D: AB146, 7;

AB30, 13; AB67, 7;

SB243, 19; SB388, 29

NRS 193: AB146, 7; AB169, 27; AB55, 21; SB139, 10

NRS 195: AB116, 22

NRS 200: AB146, 7; SB136, 26; SB189, 28; SB199, 10; SB414, 59

NRS 201: AB377, 23; SB388, 29

NRS 202: AB110, 76; AB352, 23; SB177, 58;

SB37, 25; SB76, 76

NRS 205: AB102, 21;

AB415, 24; SB365, 11; SB37, 25

NRS 206: AB194, 8; SB237, 28

NRS 207: AB415, 24; AB97, 16; SB139, 10; SB374, 12

NRS 209: SB243, 19; SB32, 14; SB388, 29; SB43, 13; SB71, 14

NRS 211: AB243, 19

NRS 211A: SB101, 15

NRS 212: AB212, 8; SB388, 29

NRS 213: SB32, 14; SB388, 29; SB71, 14

NRS 218G: SB31, 55

NRS 225: AB45, 66

NRS 228: SB22, 67

NRS 236: SB427, 60

NRS 239: SB74, 68

NRS 239B: SB364, 69

NRS 240: AB99, 71; SB419, 72

NRS 241: AB65, 66

NRS 243: SB272, 71

NRS 244: SB177, 58

NRS 247: SB364, 69

NRS 258: AB223, 5
NRS 287: SB266, 62
NRS 289: AB223, 5
NRS 293: AB108, 38; AB35, 37; AB48, 38
NRS 294: AB35, 37
NRS 294A: AB442, 39; AB48, 38; SB246, 39
NRS 331: SB22, 67
NRS 353C: SB21, 63
NRS 361: SB301, 84
NRS 372A: SB374, 12
NRS 378: AB45, 66
NRS 385: SB269, 59; SB427, 60; SB447, 60
NRS 388: SB427, 60
NRS 391: SB447, 60
NRS 392: AB348, 43; SB269, 59; SB447, 60
NRS 392B: SB31, 55
NRS 408: AB447, 24
NRS 412: SB388, 29
NRS 424: AB348, 43
NRS 432: AB348, 43; AB393, 43
NRS 432B: AB155, 42; AB174, 42; AB217, 73; AB348, 43; AB82, 40; SB176, 47; SB31, 55; SB97, 44; SB98, 45; SB99, 46
NRS 433A: AB287, 61
NRS 439: SB410, 29

NRS 441A: SB4, 6
NRS 442: AB348, 43
NRS 444: SB449, 30
NRS 447: AB348, 43
NRS 449: AB322, 1
NRS 453: SB374, 12; SB410, 29
NRS 453A: SB374, 12
NRS 454: SB410, 29
NRS 481: SB303, 36
NRS 482: AB167, 34; AB223, 5
NRS 483: SB106, 56; SB108, 57; SB269, 59; SB303, 36
NRS 484A: SB19, 34; SB343, 36
NRS 484B: AB117, 33; AB21, 33
NRS 484C: SB175, 34; SB224, 35
NRS 484D: SB262, 35
NRS 484E: AB21, 33
NRS 488: SB434, 36
NRS 490: SB343, 36
NRS 501: SB11, 9; SB371, 11
NRS 561: AB264, 22
NRS 569: AB264, 22
NRS 574: AB246, 9; SB72, 9; SB73, 25; SB83, 25
NRS 597: AB326, 1; SB267, 6

NRS 613: AB181, 73; SB127, 74
NRS 617: SB208, 74
NRS 629: SB351, 3; SB4, 6
NRS 62G: SB108, 57
NRS 630: SB199, 10
NRS 630A: SB199, 10
NRS 631: SB199, 10
NRS 632: SB199, 10
NRS 633: SB199, 10
NRS 634: SB199, 10
NRS 634A: SB199, 10
NRS 635: SB199, 10
NRS 636: SB199, 10
NRS 637: SB199, 10
NRS 639: SB199, 10
NRS 645: SB493, 83
NRS 689A: SB266, 62
NRS 689B: SB266, 62
NRS 690B: AB326, 1
NRS 695B: SB266, 62; SB441, 3
NRS 695C: SB266, 62
NRS 695G: SB266, 62
NRS 706: SB432, 12
NRS Title 1: SB463, 64
NRS Title 19: AB74, 75
NRS Title 59: SB105, 68
Statutes of Nevada: AB169, 27; AB202, 53; AB273, 79; AB507, 62; AB511, 62; SB107, 57; SB264, 31; SB444, 31