

Attachment Three (3)

NCPDV Agenda
March 22, 2016
Contents: SB 25

SENATE BILL NO. 25—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE ATTORNEY GENERAL)

PREFILED NOVEMBER 16, 2016

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing the organization and functions of the Office of the Attorney General relating to domestic violence and the fictitious address program. (BDR 18-385)

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

EXPLANATION - Matter in *bolded italics* is new, matter between brackets ~~omitted material~~ is material to be omitted

AN ACT relating to the Office of the Attorney General; transferring authority over the application for a fictitious address from the Attorney General to the Secretary of State; revising the duties of the Committee on Domestic Violence; transferring the requirement to adopt regulations relating to programs for the treatment of persons who commit domestic violence from the Committee to the Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors; abolishing the Nevada Council for the Prevention of Domestic Violence and transferring certain duties of the Council to the Committee on Domestic Violence; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law requires the Attorney General to appoint a Committee on
2 Domestic Violence and requires the Committee to adopt regulations to certify
3 programs for the treatment of persons who commit domestic violence. (NRS
4 228.470) Existing law also creates the Nevada Council for the Prevention of
5 Domestic Violence, and charges the Council with, among other duties, increasing
6 awareness of certain issues relating to domestic violence. (NRS 228.480, 228.490)
7 **Section 29** of this bill abolishes the Nevada Council for the Prevention of Domestic
8 Violence, and **sections 5 and 6** of this bill transfer the duties of the Council to the
9 Committee on Domestic Violence. **Sections 5 and 25** of this bill transfer the



10 requirement to adopt regulations relating to programs for treatment of persons who
11 commit domestic violence from the Committee on Domestic Violence to the Board
12 of Examiners for Marriage and Family Therapists and Clinical Professional
13 Counselors. Sections 1-4, 9, 10 and 13 of this bill make conforming changes.

14 Existing law authorizes the Attorney General to organize or sponsor
15 multidisciplinary teams to review the death of a victim of a crime that constitutes
16 domestic violence under certain circumstances. Section 7 of this bill transfers the
17 duties of these multidisciplinary teams to the Committee on Domestic Violence.
18 Sections 8, 11, 12 and 19-23 of this bill make conforming changes to reflect the
19 transfer of these duties to the Committee.

20 Existing law authorizes the Attorney General to issue a fictitious address to a
21 victim, or the parent or guardian of a victim, of domestic violence, human
22 trafficking, sexual assault or stalking who applies for the issuance of a fictitious
23 address. (NRS 217.462-217.471) Sections 14-18 of this bill transfer the authority
24 over this application process to the Secretary of State.

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

- 1 **Section 1.** NRS 228.205 is hereby amended to read as follows:
2 228.205 1. There is hereby created in the Office of the
3 Attorney General the Victim Information Notification Everyday
4 System, which consists of a toll-free telephone number and an
5 Internet website through which victims of crime and members of the
6 public may register to receive automated information and
7 notification concerning changes in the custody status of an offender.
8 2. The Attorney General shall:
9 (a) Appoint a subcommittee of the ~~{Nevada Council for the~~
10 ~~Prevention of~~ **Committee on** Domestic Violence ~~{created by}~~
11 **appointed pursuant to** NRS ~~{228.480}~~ **228.470** to serve as the
12 Governance Committee for the System; and
13 (b) Consider nominations by the ~~{Council}~~ **Committee on**
14 **Domestic Violence** when appointing members of the Governance
15 Committee.
16 3. The Governance Committee may adopt policies, protocols
17 and regulations for the operation and oversight of the System.
18 4. The Attorney General may apply for and accept gifts, grants
19 and donations for use in carrying out the provisions of this section.
20 5. To the extent of available funding, each sheriff and chief of
21 police, the Department of Corrections, the Department of Public
22 Safety and the State Board of Parole Commissioners shall cooperate
23 with the Attorney General to establish and maintain the System.
24 6. The failure of the System to notify a victim of a crime of a
25 change in the custody status of an offender does not establish a basis
26 for any cause of action by the victim or any other party against the
27 State, its political subdivisions, or the agencies, boards,



1 commissions, departments, officers or employees of the State or its
2 political subdivisions.

3 7. As used in this section:

4 (a) "Custody status" means the transfer of the custody of an
5 offender or the release or escape from custody of an offender.

6 (b) "Offender" means a person convicted of a crime and
7 sentenced to imprisonment in a county jail or in the state prison.

8 **Sec. 2.** NRS 228.423 is hereby amended to read as follows:

9 228.423 As used in NRS 228.423 to ~~{228.490,}~~ **228.497,**
10 inclusive, unless the context otherwise requires, the words and terms
11 defined in NRS 228.427 and 228.430 have the meanings ascribed to
12 them in those sections.

13 **Sec. 3.** NRS 228.427 is hereby amended to read as follows:

14 228.427 ~~{ "Council" }~~ **"Committee"** means the ~~{ Nevada Council~~
15 ~~for the Prevention of } **Committee on** Domestic Violence ~~{ created }~~
16 **appointed** pursuant to NRS ~~{ 228.480. }~~ **228.470.**~~

17 **Sec. 4.** NRS 228.460 is hereby amended to read as follows:

18 228.460 1. The Account for Programs Related to Domestic
19 Violence is hereby created in the State General Fund. Any
20 administrative assessment imposed and collected pursuant to NRS
21 200.485 must be deposited with the State Controller for credit to the
22 Account.

23 2. The Ombudsman for Victims of Domestic Violence:

24 (a) Shall administer the Account for Programs Related to
25 Domestic Violence; and

26 (b) May expend money in the Account only to pay for expenses
27 related to:

28 (1) The Committee ; ~~{ on Domestic Violence created pursuant~~
29 ~~to NRS 228.470; }~~

30 (2) ~~{ The Council; }~~

31 ~~— (3) }~~ Training law enforcement officers, attorneys and
32 members of the judicial system about domestic violence;

33 ~~{ (4) }~~ (3) Assisting victims of domestic violence and
34 educating the public concerning domestic violence; and

35 ~~{ (5) }~~ (4) Carrying out the duties and functions of his or her
36 office.

37 3. All claims against the Account for Programs Related to
38 Domestic Violence must be paid as other claims against the State
39 are paid.

40 **Sec. 5.** NRS 228.470 is hereby amended to read as follows:

41 228.470 1. The Attorney General shall appoint a Committee
42 on Domestic Violence comprised of ~~{ }~~ **the Attorney General or a**
43 **designee of the Attorney General and:**

44 (a) One staff member of a program for victims of domestic
45 violence;



- 1 (b) One staff member of a program for the treatment of persons
2 who commit domestic violence;
- 3 (c) One representative from an office of the district attorney
4 with experience in prosecuting criminal offenses;
- 5 (d) One representative from an office of the city attorney with
6 experience in prosecuting criminal offenses;
- 7 (e) One law enforcement officer;
- 8 (f) One provider of mental health care;
- 9 (g) Two victims of domestic violence; and
- 10 (h) One justice of the peace or municipal judge.
- 11 ➤ At least two members of the Committee must be residents of a
12 county whose population is less than 100,000.
- 13 2. The Committee shall:
- 14 (a) ~~{Adopt regulations for the evaluation, certification and~~
15 ~~monitoring of programs for the treatment of persons who commit~~
16 ~~domestic violence;}~~ **Increase awareness of the existence and**
17 **unacceptability of domestic violence in this State;**
- 18 (b) Review ~~{, monitor and certify}~~ programs for the treatment of
19 persons who commit domestic violence ~~{}~~ **and make**
20 **recommendations to the Board of Examiners for Marriage and**
21 **Family Therapists and Clinical Professional Counselors for the**
22 **certification of such programs pursuant to section 25 of this act;**
- 23 (c) Review and evaluate existing programs provided to peace
24 officers for training related to domestic violence and make
25 recommendations to the Peace Officers' Standards and Training
26 Commission regarding such training;
- 27 (d) To the extent that money is available, ~~{arrange}~~ **provide**
28 **financial support to programs** for the ~~{provision}~~ **prevention of**
29 ~~{legal services, including, without limitation, assisting a person}~~
30 **domestic violence in {an action for divorce; and} this State;**
- 31 (e) **Study and review all appropriate issues related to the**
32 **administration of the criminal justice system in rural Nevada with**
33 **respect to offenses involving domestic violence, including, without**
34 **limitation, the availability of counseling services; and**
- 35 (f) Submit on or before March 1 of each odd-numbered year a
36 report to the Director of the Legislative Counsel Bureau for
37 distribution to the regular session of the Legislature. **In preparing**
38 **the report, the Committee shall solicit comments and**
39 **recommendations from district judges, municipal judges and**
40 **justices of the peace in rural Nevada.** The report must include,
41 without limitation ~~{,}~~:
- 42 (1) A summary of the work of the Committee and
43 recommendations for any necessary legislation concerning domestic
44 violence ~~{}~~; and



1 (2) *All comments and recommendations received by the*
2 *Committee.*

3 3. ~~{The regulations governing certification of programs for the~~
4 ~~treatment of persons who commit domestic violence adopted~~
5 ~~pursuant to paragraph (a) of subsection 2 must include, without~~
6 ~~limitation, provisions allowing a program that is located in another~~
7 ~~state to become certified in this State to provide treatment to persons~~
8 ~~who:~~

9 ~~—(a) Reside in this State; and~~

10 ~~—(b) Are ordered by a court in this State to participate in a~~
11 ~~program for the treatment of persons who commit domestic~~
12 ~~violence.~~

13 ~~—4.} The *Attorney General or the designee of the Attorney*~~
14 ~~*General is the Chair of the Committee . {shall, at its first meeting*~~
15 ~~*and annually thereafter, elect a Chair from among its members.*~~

16 ~~—5.}~~

17 4. *The Committee shall annually elect a Vice Chair,*
18 *Secretary and Treasurer from among its members.*

19 5. The Committee shall meet regularly at least ~~{semiannually}~~
20 *three times in each calendar year* and may meet at other times upon
21 the call of the Chair. Any ~~{five}~~ *six* members of the Committee
22 constitute a quorum for the purpose of voting. A majority vote of the
23 quorum is required to take action with respect to any matter.

24 6. *At least one meeting in each calendar year must be held at*
25 *a location within the Fourth Judicial District, Fifth Judicial*
26 *District, Sixth Judicial District, Seventh Judicial District or*
27 *Eleventh Judicial District.*

28 7. The Attorney General shall provide the Committee with
29 such staff as is necessary to carry out the duties of the Committee.

30 ~~{7.} 8. While engaged in the business of the Committee, each~~
31 ~~member and employee of the Committee is entitled to receive the~~
32 ~~per diem allowance and travel expenses provided for state officers~~
33 ~~and employees generally.~~

34 Sec. 6. NRS 228.490 is hereby amended to read as follows:

35 228.490 ~~{1. For the purpose of preventing and eliminating~~
36 ~~domestic violence in this State, the Council shall:~~

37 ~~—(a) Increase awareness of the existence and unacceptability of~~
38 ~~domestic violence in this State;~~

39 ~~—(b) Make recommendations for any necessary legislation~~
40 ~~relating to domestic violence to the Office of the Attorney General;~~
41 ~~and~~

42 ~~—(c) Provide financial support to programs for the prevention of~~
43 ~~domestic violence in this State.~~

44 ~~2. The Council shall:~~



1 ~~—(a) Study and review all appropriate issues related to the~~
2 ~~administration of the criminal justice system in rural Nevada with~~
3 ~~respect to offenses involving domestic violence, including, without~~
4 ~~limitation, the availability of counseling services; and~~

5 ~~—(b) With the assistance of the Court Administrator, based upon~~
6 ~~the study and review conducted pursuant to paragraph (a), prepare~~
7 ~~and submit a report of its findings and recommendations to the~~
8 ~~Director of the Legislative Counsel Bureau, on or before February 1~~
9 ~~of each odd-numbered year, for transmittal to the next regular~~
10 ~~session of the Legislature. In preparing the report, the Council shall~~
11 ~~solicit comments and recommendations from district judges,~~
12 ~~municipal judges and justices of the peace in rural Nevada and~~
13 ~~include in its report, as a separate section, all comments and~~
14 ~~recommendations that are received by the Council.~~

15 ~~—3.} The {Council} *Committee* may apply for and accept gifts,~~
16 ~~grants, donations and contributions from any source for the purpose~~
17 ~~of carrying out its duties pursuant to {this section.} *NRS 228.470.*~~
18 ~~Any money that the {Council} *Committee* receives pursuant to this~~
19 ~~{subsection} *section* must be deposited in and accounted for~~
20 ~~separately in the Account for Programs Related to Domestic~~
21 ~~Violence created pursuant to NRS 228.460 for use by the {Council}~~
22 ~~*Committee* in carrying out its duties.~~

23 **Sec. 7.** NRS 228.495 is hereby amended to read as follows:

24 228.495 1. The ~~{Attorney General} *Committee* may {organize~~
25 ~~or sponsor one or more multidisciplinary teams to}~~ review the death
26 of the victim of a crime that constitutes domestic violence pursuant
27 to NRS 33.018 if a court or an agency of a local government does
28 not organize or sponsor a multidisciplinary team pursuant to NRS
29 217.475 or if the court or agency requests the assistance of the
30 ~~{Attorney General.} *Committee*. In addition to the review of a~~
31 ~~particular case, {a multidisciplinary team organized or sponsored by}~~
32 ~~the {Attorney General pursuant to this section} *Committee* shall:~~

33 (a) Examine the trends and patterns of deaths of victims of
34 crimes that constitute domestic violence in this State;

35 (b) Determine the number and type of incidents the ~~{team}~~
36 *Committee* wishes to review;

37 (c) Make policy and other recommendations for the prevention
38 of deaths from crimes that constitute domestic violence;

39 (d) Engage in activities to educate the public, providers of
40 services to victims of domestic violence and policymakers
41 concerning deaths from crimes that constitute domestic violence and
42 strategies for intervention and prevention of such crimes; and

43 (e) Recommend policies, practices and services to encourage
44 collaboration and reduce the number of deaths from crimes that
45 constitute domestic violence.



1 2. ~~{A multidisciplinary team organized or sponsored pursuant~~
2 ~~to this section may include, without limitation, the following~~
3 ~~members:~~

- 4 ~~—(a) A representative of the Attorney General;~~
5 ~~—(b) A representative of any law enforcement agency that is~~
6 ~~involved with a case under review;~~
7 ~~—(c) A representative of the district attorney's office in the county~~
8 ~~where a case is under review;~~
9 ~~—(d) A representative of the coroner's office in the county where~~
10 ~~a case is under review;~~
11 ~~—(e) A representative of any agency which provides social~~
12 ~~services that is involved in a case under review;~~
13 ~~—(f) A person appointed pursuant to subsection 3; and~~
14 ~~—(g) Any other person that the Attorney General determines is~~
15 ~~appropriate.~~

16 ~~—3. An organization that is concerned with domestic violence~~
17 ~~may apply to the Attorney General or his or her designee for~~
18 ~~authorization to appoint a member to a multidisciplinary team~~
19 ~~organized or sponsored pursuant to this section. Such an application~~
20 ~~must be made in the form and manner prescribed by the Attorney~~
21 ~~General and is subject to the approval of the Attorney General or his~~
22 ~~or her designee.~~

23 ~~—4. Each organization represented on a multidisciplinary team~~
24 ~~organized or sponsored pursuant to this section may share with other~~
25 ~~members of the team information in its possession concerning a~~
26 ~~victim who is the subject of a review or any person who was in~~
27 ~~contact with the victim and any other information deemed by the~~
28 ~~organization to be pertinent to the review. Any information shared~~
29 ~~by an organization with other members of a team is confidential.~~

30 ~~—5. The organizing or sponsoring of a multidisciplinary team}~~
31 ~~*The review of the death of a victim* pursuant to this section does not~~
32 ~~grant the Attorney General *or the Committee* supervisory authority~~
33 ~~over, or restrict or impair the statutory authority of, any state or~~
34 ~~local governmental agency responsible for the investigation or~~
35 ~~prosecution of the death of a victim of a crime that constitutes~~
36 ~~domestic violence pursuant to NRS 33.018.~~

37 ~~{6.} 3. Before {organizing or sponsoring a multidisciplinary~~
38 ~~team} *reviewing the death of a victim* pursuant to this section, the~~
39 ~~{Attorney General} *Committee* shall adopt a written protocol~~
40 ~~describing the objectives and structure of the {team.} *review.*~~

41 ~~{7. A multidisciplinary team organized or sponsored pursuant~~
42 ~~to this section}~~

43 4. *The Committee* may request any person, agency or
44 organization that is in possession of information or records
45 concerning a victim who is the subject of a review or any person



1 who was in contact with the victim to provide the ~~{team}~~ *Committee*
2 with any information or records that are relevant to the review. Any
3 information or records provided to ~~{a team}~~ *the Committee* pursuant
4 to this subsection are confidential.

5 ~~{8. A multidisciplinary team organized or sponsored pursuant~~
6 ~~to this section}~~

7 **5. *The Committee*** may, if appropriate, meet with any person,
8 agency or organization that the ~~{team}~~ *Committee* believes may
9 have information relevant to a review conducted by the ~~{team,}~~
10 *Committee*, including, without limitation, a multidisciplinary team:

11 (a) To review the death of the victim of a crime that
12 constitutes domestic violence organized or sponsored pursuant to
13 NRS 217.475;

14 (b) To review any allegations of abuse, neglect, exploitation,
15 isolation or abandonment of an older person or the death of an older
16 person that is alleged to be from abuse, neglect, isolation or
17 abandonment organized pursuant to NRS 228.270;

18 (c) To review the death of a child organized pursuant to NRS
19 432B.405; or

20 (d) To oversee the review of the death of a child organized
21 pursuant to NRS 432B.4075.

22 ~~{9.}~~ **6.** Except as otherwise provided in subsection ~~{10,}~~ **7,**
23 each member of ~~{a multidisciplinary team organized or sponsored~~
24 ~~pursuant to this section}~~ *the Committee* is immune from civil or
25 criminal liability for an activity related to the review of the death of
26 a victim ~~{}~~ **conducted pursuant to this section.**

27 ~~{10.}~~ **7.** Each member of ~~{a multidisciplinary team organized~~
28 ~~or sponsored pursuant to this section}~~ *the Committee* who discloses
29 any confidential information concerning the death of a child is
30 personally liable for a civil penalty of not more than \$500.

31 ~~{11.}~~ **8.** The Attorney General:

32 (a) May bring an action to recover a civil penalty imposed
33 pursuant to subsection ~~{10}~~ **7** against a member of ~~{a~~
34 ~~multidisciplinary team organized or sponsored pursuant to this~~
35 ~~section,}~~ *the Committee*; and

36 (b) Shall deposit any money received from the civil penalty with
37 the State Treasurer for credit to the State General Fund.

38 ~~{12.}~~ **9.** The results of a review of the death of a victim
39 conducted pursuant to this section are not admissible in any civil
40 action or proceeding.

41 ~~{13. A multidisciplinary team organized or sponsored pursuant~~
42 ~~to this section}~~

43 **10. *The Committee*** shall submit a report of its activities
44 **pursuant to this section** to the Attorney General. The report must
45 include, without limitation, the findings and recommendations of the



1 ~~team}~~ **Committee.** The report must not include information that
2 identifies any person involved in a particular case under review. The
3 Attorney General shall make the report available to the public.

4 **11. Any meeting of the Committee held to review the death of**
5 **a victim pursuant to this section, or any portion of a meeting of the**
6 **Committee during which the Committee reviews such a death, is**
7 **not subject to the provisions of chapter 241 of NRS.**

8 **Sec. 8.** NRS 228.497 is hereby amended to read as follows:

9 228.497 In carrying out its duties pursuant to NRS 228.495, ~~{a~~
10 ~~multidisciplinary team to review}~~ the ~~{death of the victim of a crime~~
11 ~~that constitutes domestic violence pursuant to NRS 33.018}~~
12 **Committee** may have access to:

13 1. The information that is contained in the Central
14 Repository for Nevada Records of Criminal History pursuant to
15 NRS 179A.075.

16 2. The records of criminal history maintained by an agency of
17 criminal justice pursuant to NRS 179A.100.

18 **Sec. 9.** NRS 4.373 is hereby amended to read as follows:

19 4.373 1. Except as otherwise provided in subsection 2, NRS
20 211A.127 or another specific statute, or unless the suspension of a
21 sentence is expressly forbidden, a justice of the peace may suspend,
22 for not more than 2 years, the sentence of a person convicted of a
23 misdemeanor. If the circumstances warrant, the justice of the peace
24 may order as a condition of suspension that the offender:

25 (a) Make restitution to the owner of any property that is lost,
26 damaged or destroyed as a result of the commission of the offense;

27 (b) Engage in a program of community service, for not more
28 than 200 hours;

29 (c) Actively participate in a program of professional counseling
30 at the expense of the offender;

31 (d) Abstain from the use of alcohol and controlled substances;

32 (e) Refrain from engaging in any criminal activity;

33 (f) Engage or refrain from engaging in any other conduct
34 deemed appropriate by the justice of the peace;

35 (g) Submit to a search and seizure by the chief of a department
36 of alternative sentencing, an assistant alternative sentencing officer
37 or any other law enforcement officer at any time of the day or night
38 without a search warrant; and

39 (h) Submit to periodic tests to determine whether the offender is
40 using a controlled substance or consuming alcohol.

41 2. If a person is convicted of a misdemeanor that constitutes
42 domestic violence pursuant to NRS 33.018, the justice of the peace
43 may, after the person has served any mandatory minimum period of
44 confinement, suspend the remainder of the sentence of the person



1 for not more than 3 years upon the condition that the person actively
2 participate in:

3 (a) A program of treatment for the abuse of alcohol or drugs
4 which is certified by the Division of Public and Behavioral Health
5 of the Department of Health and Human Services;

6 (b) A program for the treatment of persons who commit
7 domestic violence that has been certified pursuant to ~~{NRS~~
8 ~~228.470;}~~ *section 25 of this act*; or

9 (c) The programs set forth in paragraphs (a) and (b),
10 and that the person comply with any other condition of
11 suspension ordered by the justice of the peace.

12 3. The justice of the peace may order reports from a person
13 whose sentence is suspended at such times as the justice of the
14 peace deems appropriate concerning the compliance of the offender
15 with the conditions of suspension. If the offender complies with the
16 conditions of suspension to the satisfaction of the justice of the
17 peace, the sentence may be reduced to not less than the minimum
18 period of confinement established for the offense.

19 4. The justice of the peace may issue a warrant for the arrest of
20 an offender who violates or fails to fulfill a condition of suspension.

21 **Sec. 10.** NRS 5.055 is hereby amended to read as follows:

22 5.055 1. Except as otherwise provided in subsection 2, NRS
23 211A.127 or another specific statute, or unless the suspension of a
24 sentence is expressly forbidden, a municipal judge may suspend, for
25 not more than 2 years, the sentence of a person convicted of a
26 misdemeanor. If the circumstances warrant, the municipal judge
27 may order as a condition of suspension that the offender:

28 (a) Make restitution to the owner of any property that is lost,
29 damaged or destroyed as a result of the commission of the offense;

30 (b) Engage in a program of community service, for not more
31 than 200 hours;

32 (c) Actively participate in a program of professional counseling
33 at the expense of the offender;

34 (d) Abstain from the use of alcohol and controlled substances;

35 (e) Refrain from engaging in any criminal activity;

36 (f) Engage or refrain from engaging in any other conduct
37 deemed appropriate by the municipal judge;

38 (g) Submit to a search and seizure by the chief of a department
39 of alternative sentencing, an assistant alternative sentencing officer
40 or any other law enforcement officer at any time of the day or night
41 without a search warrant; and

42 (h) Submit to periodic tests to determine whether the offender is
43 using any controlled substance or alcohol.

44 2. If a person is convicted of a misdemeanor that constitutes
45 domestic violence pursuant to NRS 33.018, the municipal judge



1 may, after the person has served any mandatory minimum period of
2 confinement, suspend the remainder of the sentence of the person
3 for not more than 3 years upon the condition that the person actively
4 participate in:

5 (a) A program of treatment for the abuse of alcohol or drugs
6 which is certified by the Division of Public and Behavioral Health
7 of the Department of Health and Human Services;

8 (b) A program for the treatment of persons who commit
9 domestic violence that has been certified pursuant to ~~NRS~~
10 ~~228.470;~~ *section 25 of this act*; or

11 (c) The programs set forth in paragraphs (a) and (b),
12 ↪ and that the person comply with any other condition of
13 suspension ordered by the municipal judge.

14 3. The municipal judge may order reports from a person whose
15 sentence is suspended at such times as the municipal judge deems
16 appropriate concerning the compliance of the offender with the
17 conditions of suspension. If the offender complies with the
18 conditions of suspension to the satisfaction of the municipal judge,
19 the sentence may be reduced to not less than the minimum period of
20 confinement established for the offense.

21 4. The municipal judge may issue a warrant for the arrest of an
22 offender who violates or fails to fulfill a condition of suspension.

23 **Sec. 11.** NRS 179A.075 is hereby amended to read as follows:

24 179A.075 1. The Central Repository for Nevada Records of
25 Criminal History is hereby created within the General Services
26 Division of the Department.

27 2. Each agency of criminal justice and any other agency
28 dealing with crime or delinquency of children shall:

29 (a) Collect and maintain records, reports and compilations of
30 statistical data required by the Department; and

31 (b) Submit the information collected to the Central Repository
32 in the manner approved by the Director of the Department.

33 3. Each agency of criminal justice shall submit the information
34 relating to records of criminal history that it creates, issues or
35 collects, and any information in its possession relating to the DNA
36 profile of a person from whom a biological specimen is obtained
37 pursuant to NRS 176.09123 or 176.0913, to the Division. The
38 information must be submitted to the Division:

39 (a) Through an electronic network;

40 (b) On a medium of magnetic storage; or

41 (c) In the manner prescribed by the Director of the Department,
42 ↪ within 60 days after the date of the disposition of the case. If an
43 agency has submitted a record regarding the arrest of a person who
44 is later determined by the agency not to be the person who
45 committed the particular crime, the agency shall, immediately upon



1 making that determination, so notify the Division. The Division
2 shall delete all references in the Central Repository relating to that
3 particular arrest.

4 4. The Division shall, in the manner prescribed by the Director
5 of the Department:

6 (a) Collect, maintain and arrange all information submitted to it
7 relating to:

8 (1) Records of criminal history; and

9 (2) The DNA profile of a person from whom a biological
10 specimen is obtained pursuant to NRS 176.09123 or 176.0913.

11 (b) When practicable, use a record of the personal identifying
12 information of a subject as the basis for any records maintained
13 regarding him or her.

14 (c) Upon request, provide the information that is contained in
15 the Central Repository to the State Disaster Identification Team of
16 the Division of Emergency Management of the Department.

17 (d) Upon request, provide, in paper or electronic form, the
18 information that is contained in the Central Repository to ~~the~~
19 ~~multidisciplinary team to review~~ **the Committee on Domestic**
20 **Violence appointed pursuant to NRS 228.470 when, pursuant to**
21 **NRS 228.495, the Committee is reviewing the** death of the victim of
22 a crime that constitutes domestic violence ~~organized or sponsored~~
23 ~~by the Attorney General~~ pursuant to NRS ~~228.495~~ **33.018.**

24 5. The Division may:

25 (a) Disseminate any information which is contained in the
26 Central Repository to any other agency of criminal justice;

27 (b) Enter into cooperative agreements with repositories of the
28 United States and other states to facilitate exchanges of information
29 that may be disseminated pursuant to paragraph (a); and

30 (c) Request of and receive from the Federal Bureau of
31 Investigation information on the background and personal history of
32 any person whose record of fingerprints or other biometric identifier
33 the Central Repository submits to the Federal Bureau of
34 Investigation and:

35 (1) Who has applied to any agency of the State of Nevada or
36 any political subdivision thereof for a license which it has the power
37 to grant or deny;

38 (2) With whom any agency of the State of Nevada or any
39 political subdivision thereof intends to enter into a relationship of
40 employment or a contract for personal services;

41 (3) Who has applied to any agency of the State of Nevada or
42 any political subdivision thereof to attend an academy for training
43 peace officers approved by the Peace Officers' Standards and
44 Training Commission;



1 (4) For whom such information is required or authorized to
2 be obtained pursuant to NRS 62B.270, 62G.223, 62G.353, 424.031,
3 432A.170, 432B.198, 433B.183, 449.123 and 449.4329; or

4 (5) About whom any agency of the State of Nevada or any
5 political subdivision thereof is authorized by law to have accurate
6 personal information for the protection of the agency or the persons
7 within its jurisdiction.

8 6. To request and receive information from the Federal Bureau
9 of Investigation concerning a person pursuant to subsection 5, the
10 Central Repository must receive:

11 (a) The person's complete set of fingerprints for the purposes of:

12 (1) Booking the person into a city or county jail or detention
13 facility;

14 (2) Employment;

15 (3) Contractual services; or

16 (4) Services related to occupational licensing;

17 (b) One or more of the person's fingerprints for the purposes of
18 mobile identification by an agency of criminal justice; or

19 (c) Any other biometric identifier of the person as it may require
20 for the purposes of:

21 (1) Arrest; or

22 (2) Criminal investigation,

23 ↪ from the agency of criminal justice or agency of the State of
24 Nevada or any political subdivision thereof and submit the received
25 data to the Federal Bureau of Investigation for its report.

26 7. The Central Repository shall:

27 (a) Collect and maintain records, reports and compilations of
28 statistical data submitted by any agency pursuant to subsection 2.

29 (b) Tabulate and analyze all records, reports and compilations of
30 statistical data received pursuant to this section.

31 (c) Disseminate to federal agencies engaged in the collection of
32 statistical data relating to crime information which is contained in
33 the Central Repository.

34 (d) Investigate the criminal history of any person who:

35 (1) Has applied to the Superintendent of Public Instruction
36 for the issuance or renewal of a license;

37 (2) Has applied to a county school district, charter school or
38 private school for employment; or

39 (3) Is employed by a county school district, charter school or
40 private school,

41 ↪ and notify the superintendent of each county school district, the
42 governing body of each charter school and the Superintendent of
43 Public Instruction, or the administrator of each private school, as
44 appropriate, if the investigation of the Central Repository indicates
45 that the person has been convicted of a violation of NRS 200.508,



1 201.230, 453.3385, 453.339 or 453.3395, or convicted of a felony or
2 any offense involving moral turpitude.

3 (e) Upon discovery, notify the superintendent of each county
4 school district, the governing body of each charter school or the
5 administrator of each private school, as appropriate, by providing
6 the superintendent, governing body or administrator with a list of all
7 persons:

- 8 (1) Investigated pursuant to paragraph (d); or
9 (2) Employed by a county school district, charter school or
10 private school whose fingerprints were sent previously to the
11 Central Repository for investigation,
12 ➤ who the Central Repository's records indicate have been
13 convicted of a violation of NRS 200.508, 201.230, 453.3385,
14 453.339 or 453.3395, or convicted of a felony or any offense
15 involving moral turpitude since the Central Repository's initial
16 investigation. The superintendent of each county school district, the
17 governing body of a charter school or the administrator of each
18 private school, as applicable, shall determine whether further
19 investigation or action by the district, charter school or private
20 school, as applicable, is appropriate.

21 (f) Investigate the criminal history of each person who submits
22 one or more fingerprints or other biometric identifier or has such
23 data submitted pursuant to NRS 62B.270, 62G.223, 62G.353,
24 424.031, 432A.170, 432B.198, 433B.183, 449.122, 449.123 or
25 449.4329.

26 (g) On or before July 1 of each year, prepare and post on the
27 Central Repository's Internet website an annual report containing
28 the statistical data relating to crime received during the preceding
29 calendar year. Additional reports may be posted to the Central
30 Repository's Internet website throughout the year regarding specific
31 areas of crime if they are approved by the Director of the
32 Department.

33 (h) On or before July 1 of each year, prepare and post on the
34 Central Repository's Internet website a report containing statistical
35 data about domestic violence in this State.

36 (i) Identify and review the collection and processing of
37 statistical data relating to criminal justice and the delinquency of
38 children by any agency identified in subsection 2 and make
39 recommendations for any necessary changes in the manner of
40 collecting and processing statistical data by any such agency.

41 (j) Adopt regulations governing biometric identifiers and the
42 information and data derived from biometric identifiers, including,
43 without limitation:

- 44 (1) Their collection, use, safeguarding, handling, retention,
45 storage, dissemination and destruction; and



1 (2) The methods by which a person may request the removal
2 of his or her biometric identifiers from the Central Repository and
3 any other agency where his or her biometric identifiers have been
4 stored.

5 8. The Central Repository may:

6 (a) In the manner prescribed by the Director of the Department,
7 disseminate compilations of statistical data and publish statistical
8 reports relating to crime or the delinquency of children.

9 (b) Charge a reasonable fee for any publication or special report
10 it distributes relating to data collected pursuant to this section. The
11 Central Repository may not collect such a fee from an agency of
12 criminal justice, any other agency dealing with crime or the
13 delinquency of children which is required to submit information
14 pursuant to subsection 2 or the State Disaster Identification Team of
15 the Division of Emergency Management of the Department. All
16 money collected pursuant to this paragraph must be used to pay for
17 the cost of operating the Central Repository.

18 (c) In the manner prescribed by the Director of the Department,
19 use electronic means to receive and disseminate information
20 contained in the Central Repository that it is authorized to
21 disseminate pursuant to the provisions of this chapter.

22 9. As used in this section:

23 (a) "Biometric identifier" means a fingerprint, palm print, scar,
24 bodily mark, tattoo, voiceprint, facial image, retina image or iris
25 image of a person.

26 (b) "Mobile identification" means the collection, storage,
27 transmission, reception, search, access or processing of a biometric
28 identifier using a handheld device.

29 (c) "Personal identifying information" means any information
30 designed, commonly used or capable of being used, alone or in
31 conjunction with any other information, to identify a person,
32 including, without limitation:

33 (1) The name, driver's license number, social security
34 number, date of birth and photograph or computer-generated image
35 of a person; and

36 (2) A biometric identifier of a person.

37 (d) "Private school" has the meaning ascribed to it in
38 NRS 394.103.

39 **Sec. 12.** NRS 179A.100 is hereby amended to read as follows:

40 179A.100 1. The following records of criminal history may
41 be disseminated by an agency of criminal justice without any
42 restriction pursuant to this chapter:

43 (a) Any which reflect records of conviction only; and



1 (b) Any which pertain to an incident for which a person is
2 currently within the system of criminal justice, including parole or
3 probation.

4 2. Without any restriction pursuant to this chapter, a record of
5 criminal history or the absence of such a record may be:

6 (a) Disclosed among agencies which maintain a system for the
7 mutual exchange of criminal records.

8 (b) Furnished by one agency to another to administer the system
9 of criminal justice, including the furnishing of information by a
10 police department to a district attorney.

11 (c) Reported to the Central Repository.

12 3. An agency of criminal justice shall disseminate to a
13 prospective employer, upon request, records of criminal history
14 concerning a prospective employee or volunteer which are the result
15 of a name-based inquiry and which:

16 (a) Reflect convictions only; or

17 (b) Pertain to an incident for which the prospective employee or
18 volunteer is currently within the system of criminal justice,
19 including parole or probation.

20 4. In addition to any other information to which an employer is
21 entitled or authorized to receive from a name-based inquiry, the
22 Central Repository shall disseminate to a prospective or current
23 employer, or a person or entity designated to receive the information
24 on behalf of such an employer, the information contained in a record
25 of registration concerning an employee, prospective employee,
26 volunteer or prospective volunteer who is a sex offender or an
27 offender convicted of a crime against a child, regardless of whether
28 the employee, prospective employee, volunteer or prospective
29 volunteer gives written consent to the release of that information.
30 The Central Repository shall disseminate such information in a
31 manner that does not reveal the name of an individual victim of an
32 offense or the information described in subsection 7 of NRS
33 179B.250. A request for information pursuant to this subsection
34 must conform to the requirements of the Central Repository and
35 must include:

36 (a) The name and address of the employer, and the name and
37 signature of the person or entity requesting the information on
38 behalf of the employer;

39 (b) The name and address of the employer's facility in which the
40 employee, prospective employee, volunteer or prospective volunteer
41 is employed or volunteers or is seeking to become employed or
42 volunteer; and

43 (c) The name and other identifying information of the employee,
44 prospective employee, volunteer or prospective volunteer.



1 5. In addition to any other information to which an employer is
2 entitled or authorized to receive, the Central Repository shall
3 disseminate to a prospective or current employer, or a person or
4 entity designated to receive the information on behalf of such an
5 employer, the information described in subsection 4 of NRS
6 179A.190 concerning an employee, prospective employee, volunteer
7 or prospective volunteer who gives written consent to the release of
8 that information if the employer submits a request in the manner set
9 forth in NRS 179A.200 for obtaining a notice of information. The
10 Central Repository shall search for and disseminate such
11 information in the manner set forth in NRS 179A.210 for the
12 dissemination of a notice of information.

13 6. Except as otherwise provided in subsection 5, the provisions
14 of NRS 179A.180 to 179A.240, inclusive, do not apply to an
15 employer who requests information and to whom such information
16 is disseminated pursuant to subsections 4 and 5.

17 7. Records of criminal history must be disseminated by an
18 agency of criminal justice, upon request, to the following persons or
19 governmental entities:

20 (a) The person who is the subject of the record of criminal
21 history for the purposes of NRS 179A.150.

22 (b) The person who is the subject of the record of criminal
23 history when the subject is a party in a judicial, administrative,
24 licensing, disciplinary or other proceeding to which the information
25 is relevant.

26 (c) The Nevada Gaming Control Board.

27 (d) The State Board of Nursing.

28 (e) The Private Investigator's Licensing Board to investigate an
29 applicant for a license.

30 (f) A public administrator to carry out the duties as prescribed in
31 chapter 253 of NRS.

32 (g) A public guardian to investigate a ward or proposed ward or
33 persons who may have knowledge of assets belonging to a ward or
34 proposed ward.

35 (h) Any agency of criminal justice of the United States or of
36 another state or the District of Columbia.

37 (i) Any public utility subject to the jurisdiction of the Public
38 Utilities Commission of Nevada when the information is necessary
39 to conduct a security investigation of an employee or prospective
40 employee or to protect the public health, safety or welfare.

41 (j) Persons and agencies authorized by statute, ordinance,
42 executive order, court rule, court decision or court order as
43 construed by appropriate state or local officers or agencies.

44 (k) Any person or governmental entity which has entered into a
45 contract to provide services to an agency of criminal justice relating



1 to the administration of criminal justice, if authorized by the
2 contract, and if the contract also specifies that the information will
3 be used only for stated purposes and that it will be otherwise
4 confidential in accordance with state and federal law and regulation.

5 (l) Any reporter for the electronic or printed media in a
6 professional capacity for communication to the public.

7 (m) Prospective employers if the person who is the subject of
8 the information has given written consent to the release of that
9 information by the agency which maintains it.

10 (n) For the express purpose of research, evaluative or statistical
11 programs pursuant to an agreement with an agency of criminal
12 justice.

13 (o) An agency which provides child welfare services, as defined
14 in NRS 432B.030.

15 (p) The Division of Welfare and Supportive Services of the
16 Department of Health and Human Services or its designated
17 representative, as needed to ensure the safety of investigators and
18 caseworkers.

19 (q) The Aging and Disability Services Division of the
20 Department of Health and Human Services or its designated
21 representative, as needed to ensure the safety of investigators and
22 caseworkers.

23 (r) An agency of this or any other state or the Federal
24 Government that is conducting activities pursuant to Part D of
25 Subchapter IV of Chapter 7 of Title 42 of the Social Security Act,
26 42 U.S.C. §§ 651 et seq.

27 (s) The State Disaster Identification Team of the Division of
28 Emergency Management of the Department.

29 (t) The Commissioner of Insurance.

30 (u) The Board of Medical Examiners.

31 (v) The State Board of Osteopathic Medicine.

32 (w) The Board of Massage Therapists and its Executive
33 Director.

34 (x) The Board of Examiners for Social Workers.

35 (y) ~~{A multidisciplinary team to review}~~ ***The Committee on***
36 ***Domestic Violence appointed pursuant to NRS 228.470 when,***
37 ***pursuant to NRS 228.495, the Committee is reviewing the***
38 ***death of the victim of a crime that constitutes domestic violence***
39 ***{organized or sponsored by the Attorney General}*** pursuant to
40 NRS ~~{228.495}~~ ***33.018.***

41 8. Agencies of criminal justice in this State which receive
42 information from sources outside this State concerning transactions
43 involving criminal justice which occur outside Nevada shall treat the
44 information as confidentially as is required by the provisions of this
45 chapter.



1 **Sec. 13.** NRS 200.485 is hereby amended to read as follows:
2 200.485 1. Unless a greater penalty is provided pursuant to
3 subsection 2 or NRS 200.481, a person convicted of a battery which
4 constitutes domestic violence pursuant to NRS 33.018:
5 (a) For the first offense within 7 years, is guilty of a
6 misdemeanor and shall be sentenced to:
7 (1) Imprisonment in the city or county jail or detention
8 facility for not less than 2 days, but not more than 6 months; and
9 (2) Perform not less than 48 hours, but not more than 120
10 hours, of community service.
11 ➤ The person shall be further punished by a fine of not less than
12 \$200, but not more than \$1,000. A term of imprisonment imposed
13 pursuant to this paragraph may be served intermittently at the
14 discretion of the judge or justice of the peace, except that each
15 period of confinement must be not less than 4 consecutive hours and
16 must occur at a time when the person is not required to be at his or
17 her place of employment or on a weekend.
18 (b) For the second offense within 7 years, is guilty of a
19 misdemeanor and shall be sentenced to:
20 (1) Imprisonment in the city or county jail or detention
21 facility for not less than 10 days, but not more than 6 months; and
22 (2) Perform not less than 100 hours, but not more than 200
23 hours, of community service.
24 ➤ The person shall be further punished by a fine of not less than
25 \$500, but not more than \$1,000.
26 (c) For the third and any subsequent offense within 7 years, is
27 guilty of a category C felony and shall be punished as provided in
28 NRS 193.130.
29 2. Unless a greater penalty is provided pursuant to NRS
30 200.481, a person convicted of a battery which constitutes domestic
31 violence pursuant to NRS 33.018, if the battery is committed by
32 strangulation as described in NRS 200.481, is guilty of a category C
33 felony and shall be punished as provided in NRS 193.130 and by a
34 fine of not more than \$15,000.
35 3. In addition to any other penalty, if a person is convicted of a
36 battery which constitutes domestic violence pursuant to NRS
37 33.018, the court shall:
38 (a) For the first offense within 7 years, require the person to
39 participate in weekly counseling sessions of not less than 1 1/2
40 hours per week for not less than 6 months, but not more than 12
41 months, at his or her expense, in a program for the treatment of
42 persons who commit domestic violence that has been certified
43 pursuant to ~~{NRS 228.470.}~~ **section 25 of this act.**



1 (b) For the second offense within 7 years, require the person to
2 participate in weekly counseling sessions of not less than 1 1/2
3 hours per week for 12 months, at his or her expense, in a program
4 for the treatment of persons who commit domestic violence that has
5 been certified pursuant to ~~NRS 228.470.~~ **section 25 of this act.**
6 ↪ If the person resides in this State but the nearest location at which
7 counseling services are available is in another state, the court may
8 allow the person to participate in counseling in the other state in a
9 program for the treatment of persons who commit domestic violence
10 that has been certified pursuant to ~~NRS 228.470.~~ **section 25 of this**
11 **act.**

12 4. An offense that occurred within 7 years immediately
13 preceding the date of the principal offense or after the principal
14 offense constitutes a prior offense for the purposes of this section
15 when evidenced by a conviction, without regard to the sequence of
16 the offenses and convictions. The facts concerning a prior offense
17 must be alleged in the complaint, indictment or information, must
18 not be read to the jury or proved at trial but must be proved at the
19 time of sentencing and, if the principal offense is alleged to be a
20 felony, must also be shown at the preliminary examination or
21 presented to the grand jury.

22 5. In addition to any other fine or penalty, the court shall order
23 such a person to pay an administrative assessment of \$35. Any
24 money so collected must be paid by the clerk of the court to the
25 State Controller on or before the fifth day of each month for the
26 preceding month for credit to the Account for Programs Related to
27 Domestic Violence established pursuant to NRS 228.460.

28 6. In addition to any other penalty, the court may require such a
29 person to participate, at his or her expense, in a program of
30 treatment for the abuse of alcohol or drugs that has been certified by
31 the Division of Public and Behavioral Health of the Department of
32 Health and Human Services.

33 7. If it appears from information presented to the court that a
34 child under the age of 18 years may need counseling as a result of
35 the commission of a battery which constitutes domestic violence
36 pursuant to NRS 33.018, the court may refer the child to an agency
37 which provides child welfare services. If the court refers a child to
38 an agency which provides child welfare services, the court shall
39 require the person convicted of a battery which constitutes domestic
40 violence pursuant to NRS 33.018 to reimburse the agency for the
41 costs of any services provided, to the extent of the convicted
42 person's ability to pay.

43 8. If a person is charged with committing a battery which
44 constitutes domestic violence pursuant to NRS 33.018, a
45 prosecuting attorney shall not dismiss such a charge in exchange for



1 a plea of guilty, guilty but mentally ill or nolo contendere to a lesser
2 charge or for any other reason unless the prosecuting attorney
3 knows, or it is obvious, that the charge is not supported by probable
4 cause or cannot be proved at the time of trial. A court shall not grant
5 probation to and, except as otherwise provided in NRS 4.373 and
6 5.055, a court shall not suspend the sentence of such a person.

7 9. As used in this section:

8 (a) "Agency which provides child welfare services" has the
9 meaning ascribed to it in NRS 432B.030.

10 (b) "Battery" has the meaning ascribed to it in paragraph (a) of
11 subsection 1 of NRS 200.481.

12 (c) "Offense" includes a battery which constitutes domestic
13 violence pursuant to NRS 33.018 or a violation of the law of any
14 other jurisdiction that prohibits the same or similar conduct.

15 **Sec. 14.** NRS 217.462 is hereby amended to read as follows:

16 217.462 1. An adult person, a parent or guardian acting on
17 behalf of a child, or a guardian acting on behalf of an incompetent
18 person may apply to the ~~{Attorney General}~~ **Secretary of State** to
19 have a fictitious address designated by the ~~{Attorney General}~~
20 **Secretary of State** serve as the address of the adult, child or
21 incompetent person.

22 2. An application for the issuance of a fictitious address must
23 include:

24 (a) Specific evidence showing that the adult, child or
25 incompetent person has been a victim of domestic violence, human
26 trafficking, sexual assault or stalking before the filing of the
27 application;

28 (b) The address that is requested to be kept confidential;

29 (c) A telephone number at which the ~~{Attorney General}~~
30 **Secretary of State** may contact the applicant;

31 (d) A question asking whether the person wishes to:

32 (1) Register to vote; or

33 (2) Change the address of his or her current registration;

34 (e) A designation of the ~~{Attorney General}~~ **Secretary of State**
35 as agent for the adult, child or incompetent person for the purposes
36 of:

37 (1) Service of process; and

38 (2) Receipt of mail;

39 (f) The signature of the applicant;

40 (g) The date on which the applicant signed the application; and

41 (h) Any other information required by the ~~{Attorney General}~~
42 **Secretary of State**.

43 3. It is unlawful for a person knowingly to attest falsely or
44 provide incorrect information in the application. A person who
45 violates this subsection is guilty of a misdemeanor.



1 4. The ~~{Attorney-General}~~ *Secretary of State* shall approve an
2 application if it is accompanied by specific evidence, such as a copy
3 of an applicable record of conviction, a temporary restraining order
4 or other protective order, that the adult, child or incompetent person
5 has been a victim of domestic violence, human trafficking, sexual
6 assault or stalking before the filing of the application.

7 5. The ~~{Attorney-General}~~ *Secretary of State* shall approve or
8 disapprove an application for a fictitious address within 5 business
9 days after the application is filed.

10 **Sec. 15.** NRS 217.464 is hereby amended to read as follows:

11 217.464 1. If the ~~{Attorney-General}~~ *Secretary of State*
12 approves an application, the ~~{Attorney-General}~~ *Secretary of State*
13 shall:

14 (a) Designate a fictitious address for the participant; and

15 (b) Forward mail that the ~~{Attorney-General}~~ *Secretary of State*
16 receives for a participant to the participant.

17 2. The ~~{Attorney-General}~~ *Secretary of State* shall not make
18 any records containing the name, confidential address or fictitious
19 address of a participant available for inspection or copying, unless:

20 (a) The address is requested by a law enforcement agency, in
21 which case the ~~{Attorney-General}~~ *Secretary of State* shall make the
22 address available to the law enforcement agency; or

23 (b) The ~~{Attorney-General}~~ *Secretary of State* is directed to do
24 so by lawful order of a court of competent jurisdiction, in which
25 case the ~~{Attorney-General}~~ *Secretary of State* shall make the
26 address available to the person identified in the order.

27 3. If a pupil is attending or wishes to attend a public school that
28 is located outside the zone of attendance as authorized by paragraph
29 (c) of subsection 2 of NRS 388.040 or a public school that is located
30 in a school district other than the school district in which the pupil
31 resides as authorized by NRS 392.016, the ~~{Attorney-General}~~
32 *Secretary of State* shall, upon request of the public school that the
33 pupil is attending or wishes to attend, inform the public school of
34 whether the pupil is a participant and whether the parent or legal
35 guardian with whom the pupil resides is a participant. The ~~{Attorney}~~
36 *General Secretary of State* shall not provide any other information
37 concerning the pupil or the parent or legal guardian of the pupil to
38 the public school.

39 **Sec. 16.** NRS 217.466 is hereby amended to read as follows:

40 217.466 If a participant indicates to the ~~{Attorney-General}~~
41 *Secretary of State* that the participant wishes to register to vote or
42 change the address of his or her current registration, the ~~{Attorney}~~
43 *General Secretary of State* shall furnish the participant with the
44 form developed by the Secretary of State pursuant to the provisions
45 of NRS 293.5002.



1 **Sec. 17.** NRS 217.468 is hereby amended to read as follows:

2 217.468 1. Except as otherwise provided in subsections 2 and
3 3, the ~~{Attorney General}~~ *Secretary of State* shall cancel the
4 fictitious address of a participant 4 years after the date on which the
5 ~~{Attorney General}~~ *Secretary of State* approved the application.

6 2. The ~~{Attorney General}~~ *Secretary of State* shall not cancel
7 the fictitious address of a participant if, before the fictitious address
8 of the participant is cancelled, the participant shows to the
9 satisfaction of the ~~{Attorney General}~~ *Secretary of State* that the
10 participant remains in imminent danger of becoming a victim of
11 domestic violence, human trafficking, sexual assault or stalking.

12 3. The ~~{Attorney General}~~ *Secretary of State* may cancel the
13 fictitious address of a participant at any time if:

14 (a) The participant changes his or her confidential address from
15 the one listed in the application and fails to notify the ~~{Attorney~~
16 ~~General}~~ *Secretary of State* within 48 hours after the change of
17 address;

18 (b) The ~~{Attorney General}~~ *Secretary of State* determines that
19 false or incorrect information was knowingly provided in the
20 application; or

21 (c) The participant files a declaration or acceptance of candidacy
22 pursuant to NRS 293.177 or 293C.185.

23 **Sec. 18.** NRS 217.471 is hereby amended to read as follows:

24 217.471 The ~~{Attorney General}~~ *Secretary of State* shall adopt
25 procedures to carry out the provisions of NRS 217.462 to 217.471,
26 inclusive.

27 **Sec. 19.** NRS 217.475 is hereby amended to read as follows:

28 217.475 1. A court or an agency of a local government may
29 organize or sponsor one or more multidisciplinary teams to review
30 the death of the victim of a crime that constitutes domestic violence
31 pursuant to NRS 33.018.

32 2. If a multidisciplinary team is organized or sponsored
33 pursuant to subsection 1, the court or agency shall review the death
34 of a victim upon receiving a written request from a person related to
35 the victim within the third degree of consanguinity, if the request is
36 received by the court or agency within 1 year after the date of death
37 of the victim.

38 3. Members of a team that is organized or sponsored pursuant
39 to subsection 1 serve at the pleasure of the court or agency that
40 organizes or sponsors the team and must include, without limitation,
41 representatives of organizations concerned with law enforcement,
42 issues related to physical or mental health, or the prevention of
43 domestic violence and assistance to victims of domestic violence.

44 4. Each organization represented on such a team may share
45 with other members of the team information in its possession



1 concerning the victim who is the subject of the review or any person
2 who was in contact with the victim and any other information
3 deemed by the organization to be pertinent to the review. Any
4 information shared by an organization with other members of a team
5 is confidential.

6 5. A team organized or sponsored pursuant to this section may,
7 upon request, provide a report concerning its review to a person
8 related to the victim within the third degree of consanguinity.

9 6. Before establishing a team to review the death of a victim
10 pursuant to this section, a court or an agency shall adopt a written
11 protocol describing its objectives and the structure of the team.

12 7. A team organized or sponsored pursuant to this section may
13 request any person, agency or organization that is in possession of
14 information or records concerning the victim who is the subject of
15 the review or any person who was in contact with the victim to
16 provide the team with any information or records that are relevant to
17 the team's review. Any information or records provided to a team
18 pursuant to this subsection are confidential.

19 8. A team organized or sponsored pursuant to this section may,
20 if appropriate, meet with any person, agency or organization that the
21 team believes may have information relevant to the review
22 conducted by the team, including, without limitation : ~~}; a~~
23 ~~multidisciplinary team:}~~

24 (a) ~~{To review the death of the victim of a crime that~~
25 ~~constitutes domestic violence organized or sponsored pursuant to~~
26 ~~NRS 228.495;~~

27 ~~—(b) To} *A multidisciplinary team* to review the death of a child~~
28 ~~organized pursuant to NRS 432B.405; {or~~

29 ~~—(c) To}~~

30 (b) *A multidisciplinary team* to oversee the review of the death
31 of a child organized pursuant to NRS 432B.4075 ~~{}~~; or

32 (c) *The Committee on Domestic Violence appointed pursuant*
33 *to NRS 228.470.*

34 9. Except as otherwise provided in subsection 10, each member
35 of a team organized or sponsored pursuant to this section is immune
36 from civil or criminal liability for an activity related to the review of
37 the death of a victim.

38 10. Each member of a team organized or sponsored pursuant to
39 this section who discloses any confidential information concerning
40 the death of a child is personally liable for a civil penalty of not
41 more than \$500.

42 11. The Attorney General:

43 (a) May bring an action to recover a civil penalty imposed
44 pursuant to subsection 10 against a member of a team organized or
45 sponsored pursuant to this section; and



1 (b) Shall deposit any money received from the civil penalty with
2 the State Treasurer for credit to the State General Fund.

3 12. The results of the review of the death of a victim pursuant
4 to this section are not admissible in any civil action or proceeding.

5 **Sec. 20.** NRS 241.016 is hereby amended to read as follows:

6 241.016 1. The meetings of a public body that are quasi-
7 judicial in nature are subject to the provisions of this chapter.

8 2. The following are exempt from the requirements of this
9 chapter:

10 (a) The Legislature of the State of Nevada.

11 (b) Judicial proceedings, including, without limitation,
12 proceedings before the Commission on Judicial Selection and,
13 except as otherwise provided in NRS 1.4687, the Commission on
14 Judicial Discipline.

15 (c) Meetings of the State Board of Parole Commissioners when
16 acting to grant, deny, continue or revoke the parole of a prisoner or
17 to establish or modify the terms of the parole of a prisoner.

18 3. Any provision of law, including, without limitation, NRS
19 91.270, 219A.210, **228.495**, 239C.140, 281A.350, 281A.440,
20 281A.550, 284.3629, 286.150, 287.0415, 288.220, 289.387,
21 295.121, 360.247, 388.261, 388A.495, 388C.150, 392.147, 392.467,
22 394.1699, 396.3295, 433.534, 435.610, 463.110, 622.320, 622.340,
23 630.311, 630.336, 639.050, 642.518, 642.557, 686B.170, 696B.550,
24 703.196 and 706.1725, which:

25 (a) Provides that any meeting, hearing or other proceeding is not
26 subject to the provisions of this chapter; or

27 (b) Otherwise authorizes or requires a closed meeting, hearing
28 or proceeding,

29 ↪ prevails over the general provisions of this chapter.

30 4. The exceptions provided to this chapter, and electronic
31 communication, must not be used to circumvent the spirit or letter of
32 this chapter to deliberate or act, outside of an open and public
33 meeting, upon a matter over which the public body has supervision,
34 control, jurisdiction or advisory powers.

35 **Sec. 21.** NRS 432B.290 is hereby amended to read as follows:

36 432B.290 1. Information maintained by an agency which
37 provides child welfare services must be maintained by the agency
38 which provides child welfare services as required by federal law as a
39 condition of the allocation of federal money to this State.

40 2. Except as otherwise provided in this section and NRS
41 432B.165, 432B.175 and 432B.513, information maintained by an
42 agency which provides child welfare services may, at the discretion
43 of the agency which provides child welfare services, be made
44 available only to:



1 (a) A physician, if the physician has before him or her a child
2 who the physician has reasonable cause to believe has been abused
3 or neglected;

4 (b) A person authorized to place a child in protective custody, if
5 the person has before him or her a child who the person has
6 reasonable cause to believe has been abused or neglected and the
7 person requires the information to determine whether to place the
8 child in protective custody;

9 (c) An agency, including, without limitation, an agency in
10 another jurisdiction, responsible for or authorized to undertake the
11 care, treatment or supervision of:

12 (1) The child; or

13 (2) The person responsible for the welfare of the child;

14 (d) A district attorney or other law enforcement officer who
15 requires the information in connection with an investigation or
16 prosecution of the abuse or neglect of a child;

17 (e) Except as otherwise provided in paragraph (f), a court other
18 than a juvenile court, for in camera inspection only, unless the court
19 determines that public disclosure of the information is necessary for
20 the determination of an issue before it;

21 (f) A court as defined in NRS 159.015 to determine whether a
22 guardian or successor guardian of a child should be appointed
23 pursuant to chapter 159 of NRS or NRS 432B.466 to 432B.468,
24 inclusive;

25 (g) A person engaged in bona fide research or an audit, but
26 information identifying the subjects of a report must not be made
27 available to the person;

28 (h) The attorney and the guardian ad litem of the child, if the
29 information is reasonably necessary to promote the safety,
30 permanency and well-being of the child;

31 (i) A person who files or intends to file a petition for the
32 appointment of a guardian or successor guardian of a child pursuant
33 to chapter 159 of NRS or NRS 432B.466 to 432B.468, inclusive, if
34 the identity of the person responsible for reporting the abuse or
35 neglect of the child to a public agency is kept confidential and the
36 information is reasonably necessary to promote the safety,
37 permanency and well-being of the child;

38 (j) The proposed guardian or proposed successor guardian of a
39 child over whom a guardianship is sought pursuant to chapter 159 of
40 NRS or NRS 432B.466 to 432B.468, inclusive, if the identity of the
41 person responsible for reporting the abuse or neglect of the child to
42 a public agency is kept confidential and the information is
43 reasonably necessary to promote the safety, permanency and well-
44 being of the child;



1 (k) A grand jury upon its determination that access to these
2 records and the information is necessary in the conduct of its official
3 business;

4 (l) A federal, state or local governmental entity, or an agency of
5 such an entity, or a juvenile court, that needs access to the
6 information to carry out its legal responsibilities to protect children
7 from abuse and neglect;

8 (m) A person or an organization that has entered into a written
9 agreement with an agency which provides child welfare services to
10 provide assessments or services and that has been trained to make
11 such assessments or provide such services;

12 (n) A team organized pursuant to NRS 432B.350 for the
13 protection of a child;

14 (o) A team organized pursuant to NRS 432B.405 to review the
15 death of a child;

16 (p) A parent or legal guardian of the child and an attorney of a
17 parent or guardian of the child, including, without limitation, the
18 parent or guardian of a child over whom a guardianship is sought
19 pursuant to chapter 159 of NRS or NRS 432B.466 to 432B.468,
20 inclusive, if the identity of the person responsible for reporting the
21 abuse or neglect of the child to a public agency is kept confidential
22 and the information is reasonably necessary to promote the safety,
23 permanency and well-being of the child and is limited to
24 information concerning that parent or guardian;

25 (q) The child over whom a guardianship is sought pursuant to
26 chapter 159 of NRS or NRS 432B.466 to 432B.468, inclusive, if:

27 (1) The child is 14 years of age or older; and

28 (2) The identity of the person responsible for reporting the
29 abuse or neglect of the child to a public agency is kept confidential
30 and the information is reasonably necessary to promote the safety,
31 permanency and well-being of the child;

32 (r) The persons or agent of the persons who are the subject of a
33 report, if the information is reasonably necessary to promote the
34 safety, permanency and well-being of the child and is limited to
35 information concerning those persons;

36 (s) An agency that is authorized by law to license foster homes
37 or facilities for children or to investigate persons applying for
38 approval to adopt a child, if the agency has before it an application
39 for that license or is investigating an applicant to adopt a child;

40 (t) Upon written consent of the parent, any officer of this State
41 or a city or county thereof or Legislator authorized by the agency or
42 department having jurisdiction or by the Legislature, acting within
43 its jurisdiction, to investigate the activities or programs of an agency
44 which provides child welfare services if:



1 (1) The identity of the person making the report is kept
2 confidential; and

3 (2) The officer, Legislator or a member of the family of the
4 officer or Legislator is not the person alleged to have committed the
5 abuse or neglect;

6 (u) The Division of Parole and Probation of the Department of
7 Public Safety for use pursuant to NRS 176.135 in making a
8 presentence investigation and report to the district court or pursuant
9 to NRS 176.151 in making a general investigation and report;

10 (v) Any person who is required pursuant to NRS 432B.220 to
11 make a report to an agency which provides child welfare services or
12 to a law enforcement agency;

13 (w) A local advisory board to expedite proceedings for the
14 placement of children created pursuant to NRS 432B.604;

15 (x) The panel established pursuant to NRS 432B.396 to evaluate
16 agencies which provide child welfare services;

17 (y) An employer in accordance with subsection 3 of
18 NRS 432.100;

19 (z) A team organized or sponsored pursuant to NRS 217.475 ~~for~~
20 ~~228.495~~ to review the death of the victim of a crime that constitutes
21 domestic violence; ~~for~~

22 (aa) *The Committee on Domestic Violence appointed pursuant*
23 *to NRS 228.470; or*

24 (bb) The Committee to Review Suicide Fatalities created by
25 NRS 439.5104.

26 3. An agency investigating a report of the abuse or neglect of a
27 child shall, upon request, provide to a person named in the report as
28 allegedly causing the abuse or neglect of the child:

29 (a) A copy of:

30 (1) Any statement made in writing to an investigator for the
31 agency by the person named in the report as allegedly causing the
32 abuse or neglect of the child; or

33 (2) Any recording made by the agency of any statement
34 made orally to an investigator for the agency by the person named in
35 the report as allegedly causing the abuse or neglect of the child; or

36 (b) A written summary of the allegations made against the
37 person who is named in the report as allegedly causing the abuse or
38 neglect of the child. The summary must not identify the person
39 responsible for reporting the alleged abuse or neglect or any
40 collateral sources and reporting parties.

41 4. Except as otherwise provided by subsection 6, before
42 releasing any information maintained by an agency which provides
43 child welfare services pursuant to this section, an agency which
44 provides child welfare services shall take whatever precautions it
45 determines are reasonably necessary to protect the identity and



1 safety of any person who reports child abuse or neglect and to
2 protect any other person if the agency which provides child welfare
3 services reasonably believes that disclosure of the information
4 would cause a specific and material harm to an investigation of the
5 alleged abuse or neglect of a child or the life or safety of any person.

6 5. The provisions of this section must not be construed to
7 require an agency which provides child welfare services to disclose
8 information maintained by the agency which provides child welfare
9 services if, after consultation with the attorney who represents the
10 agency, the agency determines that such disclosure would cause a
11 specific and material harm to a criminal investigation.

12 6. A person who is the subject of an unsubstantiated report of
13 child abuse or neglect made pursuant to this chapter and who
14 believes that the report was made in bad faith or with malicious
15 intent may petition a district court to order the agency which
16 provides child welfare services to release information maintained by
17 the agency which provides child welfare services. The petition must
18 specifically set forth the reasons supporting the belief that the report
19 was made in bad faith or with malicious intent. The petitioner shall
20 provide notice to the agency which provides child welfare services
21 so that the agency may participate in the action through its counsel.
22 The district court shall review the information which the petitioner
23 requests to be released and the petitioner shall be allowed to present
24 evidence in support of the petition. If the court determines that there
25 is a reasonable question of fact as to whether the report was made in
26 bad faith or with malicious intent and that the disclosure of the
27 identity of the person who made the report would not be likely to
28 endanger the life or safety of the person who made the report, the
29 court shall provide a copy of the information to the petitioner and
30 the original information is subject to discovery in a subsequent civil
31 action regarding the making of the report.

32 7. If an agency which provides child welfare services receives
33 any information that is deemed confidential by law, the agency
34 which provides child welfare services shall maintain the
35 confidentiality of the information as prescribed by applicable law.

36 8. Pursuant to this section, a person may authorize the release
37 of information maintained by an agency which provides child
38 welfare services about himself or herself, but may not waive the
39 confidentiality of such information concerning any other person.

40 9. An agency which provides child welfare services may
41 provide a summary of the outcome of an investigation of the alleged
42 abuse or neglect of a child to the person who reported the suspected
43 abuse or neglect.

44 10. Except as otherwise provided in this subsection, any person
45 who is provided with information maintained by an agency which



1 provides child welfare services and who further disseminates the
2 information or makes the information public is guilty of a gross
3 misdemeanor. This subsection does not apply to:

4 (a) A district attorney or other law enforcement officer who uses
5 the information solely for the purpose of initiating legal
6 proceedings;

7 (b) An employee of the Division of Parole and Probation of the
8 Department of Public Safety making a presentence investigation and
9 report to the district court pursuant to NRS 176.135 or making a
10 general investigation and report pursuant to NRS 176.151; or

11 (c) An employee of a juvenile justice agency who provides the
12 information to the juvenile court.

13 11. An agency which provides child welfare services may
14 charge a fee for processing costs reasonably necessary to prepare
15 information maintained by the agency which provides child welfare
16 services for release pursuant to this section.

17 12. An agency which provides child welfare services shall
18 adopt rules, policies or regulations to carry out the provisions of this
19 section.

20 13. As used in this section, "juvenile justice agency" means the
21 Youth Parole Bureau or a director of juvenile services.

22 **Sec. 22.** NRS 432B.407 is hereby amended to read as follows:

23 432B.407 1. A multidisciplinary team to review the death of
24 a child is entitled to access to:

25 (a) All investigative information of law enforcement agencies
26 regarding the death;

27 (b) Any autopsy and coroner's investigative records relating to
28 the death;

29 (c) Any medical or mental health records of the child; and

30 (d) Any records of social and rehabilitative services or of any
31 other social service agency which has provided services to the child
32 or the child's family.

33 2. Each organization represented on a multidisciplinary team to
34 review the death of a child shall share with other members of the
35 team information in its possession concerning the child who is the
36 subject of the review, any siblings of the child, any person who was
37 responsible for the welfare of the child and any other information
38 deemed by the organization to be pertinent to the review.

39 3. A multidisciplinary team to review the death of a child may,
40 if appropriate, meet and share information with ~~{a}~~ :

41 (a) A multidisciplinary team to review the death of the victim of
42 a crime that constitutes domestic violence organized or sponsored
43 pursuant to NRS 217.475 ; or ~~{228.495-}~~

44 (b) *The Committee on Domestic Violence appointed pursuant*
45 *to NRS 228.470.*



1 4. A multidisciplinary team to review the death of a child may
2 petition the district court for the issuance of, and the district court
3 may issue, a subpoena to compel the production of any books,
4 records or papers relevant to the cause of any death being
5 investigated by the team. Except as otherwise provided in NRS
6 239.0115, any books, records or papers received by the team
7 pursuant to the subpoena shall be deemed confidential and
8 privileged and not subject to disclosure.

9 5. A multidisciplinary team to review the death of a child may
10 use data collected concerning the death of a child for the purpose of
11 research or to prevent future deaths of children if the data is
12 aggregated and does not allow for the identification of any person.

13 6. Except as otherwise provided in this section, information
14 acquired by, and the records of, a multidisciplinary team to review
15 the death of a child are confidential, must not be disclosed, and are
16 not subject to subpoena, discovery or introduction into evidence in
17 any civil or criminal proceeding.

18 **Sec. 23.** NRS 439.5106 is hereby amended to read as follows:
19 439.5106 1. The Committee:

20 (a) Except as otherwise provided in this paragraph, shall adopt a
21 written protocol setting forth the suicide fatalities in this State which
22 must be reported to the Committee and screened for review by the
23 Committee and the suicide fatalities in this State which the
24 Committee may reject for review. The Committee shall not review
25 any case in which litigation is pending.

26 (b) May review any accidental death which the Committee
27 determines may assist in suicide prevention efforts in this State.

28 (c) May establish differing levels of review, including, without
29 limitation, a comprehensive or limited review depending upon the
30 nature of the incident or the purpose of the review.

31 2. The Committee shall obtain and use any data or other
32 information to:

33 (a) Review suicide fatalities in this State to determine trends,
34 risk factors and strategies for prevention;

35 (b) Determine and prepare reports concerning trends and
36 patterns of suicide fatalities in this State;

37 (c) Identify and evaluate the prevalence of risk factors for
38 preventable suicide fatalities in this State;

39 (d) Evaluate and prepare reports concerning high-risk factors,
40 current practices, lapses in systematic responses and barriers to the
41 safety and well-being of persons who are at risk of suicide in this
42 State; and

43 (e) Recommend any improvement in sources of information
44 relating to investigating reported suicide fatalities and preventing
45 suicide in this State.



1 3. In conducting a review of a suicide fatality in this State, the
2 Committee shall, to the greatest extent practicable, consult and
3 cooperate with:

4 (a) The Coordinator of the Statewide Program for Suicide
5 Prevention employed pursuant to NRS 439.511;

6 (b) Each trainer for suicide prevention employed pursuant to
7 NRS 439.513; ~~and~~

8 (c) *The Committee on Domestic Violence appointed pursuant*
9 *to NRS 228.470; and*

10 (d) A multidisciplinary team:

11 (1) To review the death of the victim of a crime that
12 constitutes domestic violence organized or sponsored pursuant to
13 NRS 217.475 ; ~~for 228.495;~~

14 (2) To review the death of a child organized pursuant to NRS
15 432B.405; and

16 (3) To oversee the review of the death of a child organized
17 pursuant to NRS 432B.4075.

18 4. Any review conducted by the Committee pursuant to NRS
19 439.5102 to 439.5108, inclusive, is separate from, independent of
20 and in addition to any investigation or review which is required or
21 authorized by law to be conducted, including, without limitation,
22 any investigation conducted by a coroner or coroner's deputy
23 pursuant to NRS 259.050.

24 5. To conduct a review pursuant to NRS 439.5102 to 439.5108,
25 inclusive, the Committee may access information, including,
26 without limitation:

27 (a) Any investigative information obtained by a law
28 enforcement agency relating to a death;

29 (b) Any records from an autopsy or an investigation conducted
30 by a coroner or coroner's deputy relating to a death;

31 (c) Any medical or mental health records of a decedent;

32 (d) Any records relating to social or rehabilitative services
33 provided to a decedent; and

34 (e) Any records of a social services agency which has provided
35 services to a decedent.

36 **Sec. 24.** NRS 440.170 is hereby amended to read as follows:

37 440.170 1. All certificates in the custody of the State
38 Registrar are open to inspection subject to the provisions of this
39 chapter. It is unlawful for any employee of the State to disclose data
40 contained in vital statistics, except as authorized by this chapter or
41 by the Board.

42 2. Information in vital statistics indicating that a birth occurred
43 out of wedlock must not be disclosed except upon order of a court of
44 competent jurisdiction.

45 3. The Board:



1 (a) Shall allow the use of data contained in vital statistics to
2 carry out the provisions of NRS 442.300 to 442.330, inclusive;

3 (b) Shall allow the use of certificates of death by a
4 multidisciplinary team:

5 (1) To review the death of the victim of a crime that
6 constitutes domestic violence organized or sponsored pursuant to
7 NRS 217.475 ; ~~for 228.495;~~ and

8 (2) To review the death of a child established pursuant to
9 NRS 432B.405 and 432B.406;

10 (c) Shall allow the use of certificates of death by the :

11 (1) *Committee on Domestic Violence appointed pursuant to*
12 *NRS 228.470; and*

13 (2) Committee to Review Suicide Fatalities created by NRS
14 439.5104; and

15 (d) May allow the use of data contained in vital statistics for
16 other research purposes, but without identifying the persons to
17 whom the records relate.

18 **Sec. 25.** Chapter 641A of NRS is hereby amended by adding
19 thereto a new section to read as follows:

20 **1. *The Board shall evaluate, certify and monitor programs***
21 ***for the treatment of persons who commit domestic violence in***
22 ***accordance with the regulations adopted pursuant to subsection 2.***

23 **2. *The Board shall adopt regulations governing the***
24 ***evaluation, certification and monitoring of programs for the***
25 ***treatment of persons who commit domestic violence.***

26 **3. *The regulations adopted pursuant to subsection 2 must***
27 ***include, without limitation, provisions allowing a program that is***
28 ***located in another state to become certified in this State to provide***
29 ***treatment to persons who:***

30 ***(a) Reside in this State; and***

31 ***(b) Are ordered by a court in this State to participate in a***
32 ***program for the treatment of persons who commit domestic***
33 ***violence.***

34 **Sec. 26.** 1. Any administrative regulations adopted by an
35 officer, agency or other entity whose name has been changed or
36 whose responsibilities have been transferred pursuant to the
37 provisions of this act to another officer, agency or other entity
38 remain in force until amended by the officer, agency or other entity
39 to which the responsibility for the adoption of regulations is
40 transferred. On and after July 1, 2017, any such regulations must be
41 interpreted in a manner so that all references to an officer, agency or
42 other entity whose name has been changed or whose responsibilities
43 have been transferred pursuant to the provisions of this act are read
44 and interpreted as being references to the officer, agency or other
45 entity to which the responsibility set forth in the regulations is



1 transferred, regardless of whether those references have been
2 conformed pursuant to section 27 of this act at the time of
3 interpretation.

4 2. Any contracts or other agreements entered into by an officer,
5 agency or other entity whose name has been changed or whose
6 responsibilities have been transferred pursuant to the provisions of
7 this act to another officer, agency or other entity are binding upon
8 the officer, agency or other entity to which the responsibility for the
9 administration of the provisions of the contract or other agreement
10 have been transferred. Such contracts and other agreements may be
11 enforced by the officer, agency or other entity to which the
12 responsibility for the enforcement of the provisions of the contract
13 or other agreement have been transferred.

14 3. Any action taken by an officer, agency or other entity whose
15 name has been changed or whose responsibilities have been
16 transferred pursuant to the provisions of this act to another officer,
17 agency or other entity remain in effect as if taken by the officer,
18 agency or other entity to which the responsibility for the
19 enforcement of such actions was transferred.

20 **Sec. 27.** The Legislative Counsel shall in preparing
21 supplements to the Nevada Administrative Code, appropriately
22 change any references to an officer, agency or other entity whose
23 name has been changed or whose responsibilities are transferred
24 pursuant to the provisions of this act to refer to the appropriate
25 officer, agency or other entity.

26 **Sec. 28.** The provisions of subsection 1 of NRS 218D.380 do
27 not apply to any provision of this act which adds or revises a
28 requirement to submit a report to the Legislature.

29 **Sec. 29.** NRS 228.480 and 228.485 are hereby repealed.

30 **Sec. 30.** This act becomes effective on July 1, 2017.

TEXT OF REPEALED SECTIONS

**228.480 Creation; appointment of members; terms;
vacancies; allowances and expenses.**

1. The Nevada Council for the Prevention of Domestic Violence is hereby created within the Office of the Attorney General.

2. The Council must consist of not more than 30 members appointed by the Attorney General from the various geographical regions of the State.

3. The term of office of a member of the Council is 3 years.



4. A vacancy on the Council must be filled in the same manner as the original appointment for the remainder of the unexpired term.

5. Each member of the Council:

(a) Serves without compensation; and

(b) While engaged in the business of the Council, is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

228.485 Officers; meetings; rules.

1. The Attorney General or a designee of the Attorney General is the Chair of the Council.

2. The Council shall annually elect a Vice Chair, Secretary and Treasurer from among its members.

3. The Council shall meet at least three times in each calendar year and may meet at other times upon the call of the Chair. At least one meeting in each calendar year must be held at a location within the Fourth Judicial District, Fifth Judicial District, Sixth Judicial District, Seventh Judicial District or Eleventh Judicial District.

4. The Council shall adopt rules for its own management and government.



