

Attachment Two (2)

Committee on Domestic Violence Agenda
July 12, 2021

Contents: 2021 Legislative Update

2021 LEGISLATIVE SESSION SUMMARY – BILLS RELATING TO DOMESTIC VIOLENCE

Below is a high-key summary of bills passed during the legislative session that relate to domestic violence. This list was updated as of June 2nd, two days after Sine Die/end of session, and not all bills have been acted on by the Governor.

If you have questions relating to this list or other legislation effecting to domestic or sexual violence, you can reach out to Serena Evans, NCEDSV Policy Coordinator, at publicpolicy@ncedsv.org or 775.857.7540.

Assembly Bill 21

- **Summary:** Allows individuals enrolled in the Confidential Address Program (CAP) to directly request that their personal information including, name, confidential address, fictitious address, telephone number or email address be kept off public records from the County Assessor's or County Recorder's office. The person enrolled in the CAP program may directly petition the courts to withhold their personal information by signing an affidavit and showing proof of CAP enrollment.
- **Sponsor/Author:** Assembly Committee on Government Affairs
- **Effective Date:** May 25, 2021

Assembly Bill 30

- **Summary:** Changes the Account for Aid for Victims of Domestic Violence to the Account for Aid for Victims of Domestic or Sexual Violence. States that programs who apply for funding through this account must provide services exclusively for victims if located in a county whose population is 100,000 or more or provide services primarily to victims if located in a county with a population less than 100,000. Makes language changes stating that programs can provide services and referrals for victims, partners of victims, and family members of victims. Creates a language change to include prevention programming as an approved expenditure of funds. Establishes that the Administrator will not award grant funds from this account to more than one applicant in each county whose population less than 100,000.
- **Sponsor/Author:** Assembly Committee on Judiciary
- **Effective Date:** July 1, 2021

Assembly Bill 42

- **Summary:** Creates statutory language that allows municipal courts to conduct jury trials for misdemeanor domestic violence battery cases. The bill requires that municipal courts hold a jury trial for any matter within the jurisdiction of the court and required by the United States and Nevada Constitutions. The bill makes

statutory conforming changes for the purposes of administration to municipal courts conducting jury trials. The bill adopts language from the federal definition of domestic violence and states that a person is guilty of domestic violence and loses their right to bear or possess firearms if they have been convicted of domestic violence pursuant to NRS 200.485 or committing the same or substantially similar conduct in another jurisdiction against a defined list of persons.

- **Sponsor/Author:** Assembly Committee on Judiciary
- **Effective Date:** January 1, 2022

Assembly Bill 404

- **Summary:** Allows for victim-survivors filing for a temporary or extended order of protection to file in the county where the applicant resides, where the applicant is temporarily relocated away from the county in which they reside because of threat of violence, where the adverse party resides, where the act of violence occurs or where there exists a threat of domestic violence against the applicant from the adverse party. Establishes a procedure in statute for the applicant/victim-survivor to withhold their personal information when they reasonably believe that disclosing their address and contact information on the protection order application will jeopardize their safety. The court will maintain the applicant's personal information for criminal justice purposes but must not disclose or make information accessible to the public.
- **Sponsor/Author:** Assembly Committee on Judiciary
- **Effective Date:** July 1, 2020

Assembly Bill 424

- **Summary:** Allows for a court to adopt administrative orders relating to the circumstances which a person may be released from custody without a pretrial hearing, including when a person may be released without bail when charged with a misdemeanor. The bill also provides that within 48 hours after being taken into custody the courts shall hold a pretrial release hearing.
- **Sponsor/Author:** Assembly Committee on Judiciary on Behalf
- **Effective Date:** July 1, 2022

Senate Bill 7

- **Summary:** States that District Courts have exclusive jurisdiction to accept, consider, issue or deny temporary or extended protection orders for protection against domestic violence, harassment in the workplace, sexual assault, high risk behavior, stalking, aggravated stalking or harassment when the adverse party whom the order is sought against is a child under 18 years of age. If a protection order is served upon a child, council must be appointed for the child for the issuance of an ex parte

or temporary order, and be given notice of an adversarial hearing. When the district courts serves a protection order on a child, the order must also be served on the parent or guardian of the child. Juvenile courts hold exclusive jurisdiction over any action when the adverse party/child violates the conditions set forth in the order. The district court shall automatically seal the records relating to the application and issuance of the order when the order expires, or the adverse party reaches 18, unless the order is still in effect.

- **Sponsor/Author:** Senate Committee on Judiciary
- **Effective Date:** October 1, 2021

Senate Bill 45

- **Summary:** Expands the Office of the Ombudsman for Victims of Domestic Violence within the Office of the Attorney General to the Office of Ombudsman for Victims of Domestic Violence, Sexual Assault and Human Trafficking. Makes conforming changes to the Committee on Domestic Violence removing the requirement to review batterer's intervention programs throughout the state. Establishes in statute punishments for domestic violence committed upon a pregnant individual. For the first offense the offender shall be punished by imprisonment in the county jail for not less than 20 days and may be further punished by fine of \$500-\$1,000
- **Sponsor/Author:** Senate Committee on Government Affairs
- **Effective Date:** October 1, 2021

Senate Bill 147

- **Summary:** Puts into statute a procedure in which victims may request a stay away/no contact order as a condition of bail release. Violating such conditions can result in the person being charged with a misdemeanor, the modification or addition of any conditions of release or the revocation of bail. Such orders imposed are not to exceed 120 calendar days. If a no contact order is issues as a condition of bail, the courts shall transmit the order to the Central Repository for Nevada Records of Criminal History.
- **Sponsor/Author:** Senate Committee on Judiciary
- **Effective Date:** October 1, 2021

Senate Bill 177

- **Summary:** Increases the fee for the Account for the Aid for Victims of Domestic Violence on every marriage license sold from \$25 to \$50. Changes the name of the account to the Account for the Aid for Victims of Domestic or Sexual Violence. The funds collected in this account will be split 75% for services for victims of domestic violence and 25% for services for victims of sexual violence. States that in a county with a population over 100,000, programs must provide services exclusively for

victims of domestic or sexual violence, and for counties with populations less than 100,000, program must provide services for victims of domestic or sexual violence primarily. Allows for the administrator to award grants from this fund to one program in a county whose population is less than 100,000 and two programs in a county whose population is more than 100,000.

- **Sponsor/Author:** Senator Julia Ratti
- **Effective Date:** July 1, 202