

Committee Action:  
Do Pass \_\_\_\_\_  
Amend & Do Pass \_\_\_\_\_  
Other \_\_\_\_\_

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**Assembly Committee on Judiciary**

This measure may be considered for action during today's work session.

**SENATE BILL 203 (R1)**

**Revises provisions relating to civil actions involving certain sexual offenses.  
(BDR 2-577)**

**Sponsored By:** Senator Dondero Loop, et al.  
**Date Heard:** April 28, 2021  
**Fiscal Notes:** Effect on Local Government: No.  
Effect on the State: No.

Senate Bill 203 sets a 30-year statute of limitations on commencing a civil action to recover damages for sexual abuse or exploitation that occurred when the plaintiff was less than 18 years of age and for injuries suffered by a victim of pornography involving minors. A plaintiff may bring such an action against a perpetrator or whoever knowingly benefits financially or receives anything of value from participation in a venture which that person knew or should have known was an act that violates provisions of the bill. A person who is found liable to a plaintiff under these provisions is liable for treble damages as well reasonable attorney's fees. The bill also provides that the mere rental of a hotel room in an establishment having more than 200 rooms does not constitute proof of a benefit to a defendant.

**Amendments:** There are two proposed amendments to this measure.

1. Senator Marilyn Dondero Loop and the Nevada Justice Association proposed an amendment, which does the following:
  - Provides in Section 1, subsection 2 that an action to recover damages for an injury suffered by a victim of pornography involving minors may be commenced at any time against the perpetrator;
  - Provides in Section 1, subsection 3 that an action to recover such damages must be commenced within 20 years after the victim reaches 18 years of age;
  - Revises in Section 2, subsection 2 that a person is liable to a plaintiff for damages if the person knowingly benefits, financially or by receiving anything of tangible value;
  - Revises in Section 2, subsection 4 the number of rooms to 175 from 200 in a hotel, motel, or other establishment deemed not to benefit, or to have gained a benefit, from the rental of a room in relation to the sexual abuse or exploitation of another person; and
  - Revises in Section 2, subsection 5 the definition of "sexual abuse" and adds the definition of "sexual exploitation."
2. Senator Marilyn Dondero Loop proposed adding Assemblywoman Lisa Krasner as a cosponsor of the bill.

Nevada Justice Association – Proposed Amendment SB 203 (April 26, 2021)

Sec. 1

2. An action to recover damages pursuant to NRS 41.1396 ~~[must]~~ **may** be commenced **against the perpetrator** ~~[within 20 years after the occurrence of the following, whichever is later:~~

~~(a) The court enters a verdict in a related criminal case; or~~

~~(b) The]at any time, after the victim reaches the age of 18 years.~~

3. ~~Unless the provisions of subsection 1 apply, (A)n action to recover damages pursuant to section 2 of this act must be commenced within 20 years after:~~

~~(a) The sexual abuse or exploitation occurred; or~~

~~(b) The plaintiff discovers or reasonably should have discovered that his or her injury was caused by sexual abuse or exploitation, whichever occurs later.] **the victim reaches 18 years of age.**~~

Sec. 2. Chapter 41 of NRS is hereby amended by adding thereto a new section to read as follows:

1. **If a plaintiff is the victim of sexual abuse or exploitation, a person has been convicted of a crime arising out of such sexual abuse or exploitation of the plaintiff and the plaintiff commences a civil action against a person other than the person convicted of the crime, then the judgment of conviction of the person convicted of the crime is conclusive evidence in the civil action that the person convicted of the crime sexually abused or exploited the plaintiff.**

2. **A person is liable to a plaintiff for damages if the person knowingly benefits, financially or by receiving anything of **tangible****

*value, from participation in a venture which that person knew or should have known has engaged in sexual abuse or exploitation of another person.*

*3. A person who is liable to a plaintiff under subsection 2 and who knowingly participated in and gained a benefit from or covered up the sexual abuse or exploitation of the plaintiff is liable to the plaintiff for treble damages.*

*4. For the purposes of this section, a hotel, motel or other establishment with more than ~~200~~ 175 rooms available for sleeping accommodations for the public shall be deemed not to benefit, or to have gained a benefit, from the rental of a room.*

*5. As used in this section:*

*(a) "Convicted" has the meaning ascribed to it in NRS 41B.070.*

*(b) "Cover up" means a concerted effort to hide evidence relating to sexual abuse or exploitation.*

*(c) "Sexual abuse ~~or exploitation~~" has the meaning ascribed to it in NRS ~~11-215~~ 432B.100.*

*(d) "Sexual exploitation" has the meaning ascribed to it in NRS 432B.110.*