
Assembly Committee on Judiciary

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

SENATE BILL 212 (R1)

Revises provisions relating to the use of force by peace officers. (BDR 14-215)

Sponsored By: Senator Harris, et al.
Date Heard: April 23, 2012
Fiscal Notes: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.
CONTAINS UNFUNDED MANDATE

Senate Bill 212 places restrictions on the use of restraint chairs by peace officers and prohibits a peace officer who is responding to a protest or demonstration from discharging a kinetic energy projectile indiscriminately into a crowd or targeting the head, pelvis, spine, or other vital areas of a person. Prior to using a chemical agent, an officer must first declare that the protest or demonstration constitutes an unlawful assembly and then provide orders to disperse, an egress route, and reasonable time for protesters or demonstrators to disperse.

The bill also requires a peace officer to employ de-escalation techniques and other alternatives consistent with his or her training before resorting to higher levels of force to effect an arrest. If an officer uses a higher level of force, the officer is to identify himself or herself as a peace officer—if this can be done safely—and is to use only the objectively reasonable amount of force necessary to safely accomplish a lawful purpose.

Law enforcement agencies are required to adopt written policies on the threat posed by certain persons to peace officers and others and are required to report data on the use of force to the Central Repository for Nevada Records of Criminal History. Law enforcement agencies are required to participate in the National Use-of-Force Data Collection program of the Federal Bureau of Investigation, but the data collected may not be used against a peace officer during any criminal proceeding.

Amendments: Senator Dallas Harris proposed an amendment, which does the following:

- Revises section 2 by requiring each law enforcement agency's written policy on the threat that certain persons pose to peace officers or others to include certain information on the use of force;
- Revises Section 3.3, subsection 1 by requiring each law enforcement agency to annually make available to the public and on a monthly basis submit to the Central Repository a report that includes statistics relating to incidents involving the use of force that occurred with in the previous month;
- Revises Section 3.3, subsection 4 to allow the Central Repository to accept gifts, grants, and donations from any source for the purpose of carrying out the provisions of the section;
- Provides in Section 3.7 that a peace officer is prohibited from using deadly force against a person based on the danger that the person poses to himself or herself, if a reasonable peace officer would believe that the person does not pose an imminent threat of death or serious bodily harm to the peace officer or another person;

- Revises Section 4, subsection 7(b)(3) to provide that in response to a protest or demonstration, if there is an immediate threat of physical harm or death to a person then no order to disperse must be provided. If there is an immediate threat of harm to property, then only one order to disperse must be provided; and
- Makes conforming changes in Section 4.5.

MOCK-UP

PROPOSED AMENDMENT 3377 TO
SENATE BILL NO. 212
FIRST REPRINT

PREPARED FOR SENATOR HARRIS
MAY 13, 2021

PREPARED BY THE LEGAL DIVISION

NOTE: THIS DOCUMENT SHOWS PROPOSED AMENDMENTS IN CONCEPTUAL FORM. THE LANGUAGE AND ITS PLACEMENT IN THE OFFICIAL AMENDMENT MAY DIFFER.

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of **green bold underlining** is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

Legislative Counsel's Digest:

Existing law provides that if a defendant who is being arrested flees or forcibly resists, a peace officer may use only the amount of reasonable force necessary to effect the arrest, unless deadly force is authorized under the circumstances. (NRS 171.122) Existing law also provides that a peace officer may, after giving a warning, if feasible, use deadly force to effect the arrest of a person only if there is probable cause to believe that the person: (1) has committed a felony which involves the infliction or threat of serious bodily harm or the use of deadly force; or (2) poses a threat of serious bodily harm to the peace officer or to others. (NRS 171.1455)

Section 2 of this bill requires a peace officer to use de-escalation techniques and alternatives to the use of force that are consistent with the training of the peace officer whenever possible or appropriate. If the peace officer uses force, the peace officer must: (1) if it is possible for the peace officer to do so safely, identify himself or herself as a peace officer; and (2) use only the amount of force objectively reasonable to safely accomplish a lawful purpose. **Section 2** further requires law enforcement agencies to adopt a written policy on the threat certain persons pose to peace officers or others. **The written policy must also include certain information relating to the use of force.** **Section 1** of this bill makes a conforming change to clarify the circumstances under which a peace officer may use force to effect an arrest.

Section 3 of this bill requires: (1) each law enforcement agency to **annually** make available to the public and **to monthly** submit to the Central Repository for Nevada Records of Criminal History ~~annually~~ a report containing certain information relating to incidents involving the use of force ; ~~[that occurred during the previous calendar year;]~~ and (2) the Central Repository to make the use-of-force data available to the public on its Internet website. **Section 3** also requires the Office of the Attorney General to: (1) review the use-of-force data that is publicly available on the Internet website of the Central

1 Repository; (2) prepare a report containing any conclusions or recommendations resulting
2 from its review; and (3) submit its report to the Governor and the Director of the
3 Legislative Counsel Bureau each year. Additionally, **section 3:** (1) requires each law
4 enforcement agency to participate in the National Use-of-Force Data Collection of the
5 Federal Bureau of Investigation; and (2) prohibits using the data collected under **section 3**
6 in any way against a peace officer during any criminal proceeding.

7 Existing law provides that homicide by a public officer is justifiable in protecting
8 against an imminent threat to the life of a person, among other circumstances. (NRS
9 200.140) Section 3.7 of this bill prohibits a peace officer from using deadly force
10 against a person based on the danger that the person poses to himself or herself, if a
11 reasonable peace officer would believe that the person does not pose an imminent
12 threat of death or serious bodily harm to the peace officer or another person. Section
13 4.5 of this bill makes a conforming change to reflect the exception established in
14 section 3.7 for when homicide by a public officer is not justifiable.

15 Existing law prohibits a peace officer from using a choke hold on another person or
16 placing a person who is in the custody of the peace officer in any position which
17 compresses his or her airway or restricts his or her ability to breathe. (NRS 193.350)
18 **Section 4** of this bill imposes certain restrictions and requirements regarding the use of a
19 restraint chair. **Section 4** also provides that in responding to a protest or demonstration, a
20 peace officer is prohibited from: (1) discharging a kinetic energy projectile indiscriminately
21 into a crowd or in a manner that intentionally targets the head, pelvis or spine or any other
22 vital area of the body of a person unless the person poses an immediate threat of physical
23 harm or death to the peace officer or others; or (2) using a chemical agent without first
24 declaring that the protest or demonstration constitutes an unlawful assembly and providing
25 orders to disperse ~~+~~ under certain circumstances, an egress route from the area and
26 reasonable time to disperse.

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

27 **Section 1.** NRS 171.122 is hereby amended to read as follows:
28 171.122 1. Except as otherwise provided in subsection 2, the
29 warrant must be executed by the arrest of the defendant. The officer need
30 not have the warrant in the officer’s possession at the time of the arrest, but
31 upon request the officer must show the warrant to the defendant as soon as
32 possible. If the officer does not have a warrant in the officer’s possession
33 at the time of the arrest, the officer shall then inform the defendant of the
34 officer’s intention to arrest the defendant, of the offense charged, the
35 authority to make it and of the fact that a warrant has or has not been
36 issued. The defendant must not be subjected to any more restraint than is
37 necessary for the defendant’s arrest and detention. If the defendant either
38 flees or forcibly resists, the officer may ~~[, except as otherwise provided in~~
39 ~~NRS 171.1455,]~~ use only the amount of reasonable force necessary to
40 effect the arrest ~~[+] as provided in NRS 171.1455 and 193.350.~~
41 2. In lieu of executing the warrant by arresting the defendant, a peace
42 officer may issue a citation as provided in NRS 171.1773 if:
43 (a) The warrant is issued upon an offense punishable as a
44 misdemeanor;

1 (b) The officer has no indication that the defendant has previously
2 failed to appear on the charge reflected in the warrant;

3 (c) The defendant provides satisfactory evidence of his or her identity
4 to the peace officer;

5 (d) The defendant signs a written promise to appear in court for the
6 misdemeanor offense; and

7 (e) The officer has reasonable grounds to believe that the defendant
8 will keep a written promise to appear in court.

9 3. The summons must be served upon a defendant by delivering a
10 copy to the defendant personally, or by leaving it at the defendant's
11 dwelling house or usual place of abode with some person then residing in
12 the house or abode who is at least 16 years of age and is of suitable
13 discretion, or by mailing it to the defendant's last known address. In the
14 case of a corporation, the summons must be served at least 5 days before
15 the day of appearance fixed in the summons, by delivering a copy to an
16 officer or to a managing or general agent or to any other agent authorized
17 by appointment or by law to receive service of process and, if the agent is
18 one authorized by statute to receive service and the statute so requires, by
19 also mailing a copy to the corporation's last known address within the
20 State of Nevada or at its principal place of business elsewhere in the
21 United States.

22 **Sec. 2.** NRS 171.1455 is hereby amended to read as follows:

23 171.1455 ~~[If necessary to prevent escape, an]~~

24 *1. A peace officer shall use de-escalation techniques and*
25 *alternatives to the use of force, whenever possible or appropriate and*
26 *consistent with his or her training, including, without limitation,*
27 *advisements, warnings, verbal persuasion and other tactics. ~~[consistent~~*
28 *~~with his or her training whenever possible or appropriate.]~~ *If it is*
29 *necessary for the peace officer to use force, the peace officer must:**

30 (a) *If it is possible to do so safely, identify himself or herself as a*
31 *peace officer through verbal commands, visual identification, including,*
32 *without limitation, a clearly marked uniform or vehicle, or other*
33 *reasonable means; and*

34 (b) *Use only the level of force that is objectively reasonable under the*
35 *circumstances to bring an incident or person under control and safely*
36 *accomplish a lawful purpose. The level of force used by the officer ~~[+]~~*
37 *must, to the extent feasible:*

38 (1) ~~[Must be]~~ *Be balanced against the level of force or resistance*
39 *exhibited by the person; and*

40 (2) ~~[Must, to the extent feasible, be]~~ *Be carefully controlled.*

41 2. A peace officer may, after giving a warning, if feasible, use deadly
42 force to effect the arrest of a person only if there is probable cause to
43 believe that the person:

44 ~~[+]~~ (a) Has committed a felony which involves the infliction or threat
45 of serious bodily harm or the use of deadly force; or

1 ~~[2.]~~ (b) Poses a threat of serious bodily harm *or death* to the *peace*
2 officer or to others.

3 3. *Each law enforcement agency shall adopt a written policy and*
4 *provide training to a peace officer regarding the potential threat of*
5 *serious bodily harm or death to the peace officer or others from a person*
6 *who:*

7 (a) *Is known or reasonably believed not to be armed with a deadly*
8 *weapon; and*

9 (b) ~~*Appears to the peace officer or is*~~ *Is known or reasonably*
10 *believed by the peace officer to be:*

11 (1) *Under 13 years of age;*

12 (2) *Over 70 years of age;*

13 (3) *Physically frail;*

14 (4) *Mentally or physically disabled;*

15 (5) *Pregnant;*

16 (6) *Suffering from a mental or behavioral health issue; or*

17 (7) *Experiencing a medical emergency.*

18 ~~[3.]~~ 4. *The written policy adopted and training provided pursuant to*
19 ~~*this*~~ *subsection 3 must reflect the best practices with respect to the use*
20 *of force on the persons described in ~~this~~ the subsection.*

21 ~~[4.]~~ 5. *In addition to any other information required pursuant to*
22 *subsection 3, the written policy must include, without limitation:*

23 (a) *Guidelines for the use of force;*

24 (b) *Guidelines for the use of deadly force;*

25 (c) *A requirement that peace officers utilize de-escalation techniques,*
26 *crisis intervention and other alternatives to force when feasible;*

27 (d) *A requirement that peace officers utilize de-escalation techniques*
28 *for responding to persons with mental illness or experiencing a*
29 *behavioral health crisis;*

30 (e) *A requirement that the law enforcement agency, when feasible,*
31 *send a peace officer who has been trained in crisis intervention to*
32 *respond to an incident involving a person who has made suicidal*
33 *statements;*

34 (f) *Factors for evaluating and reviewing all incidents which require*
35 *the use of force; and*

36 (g) *The date on which the written policy was adopted by the law*
37 *enforcement agency.*

38 6. *As used in this section, unless the context otherwise requires:*

39 (a) *“Law enforcement agency” means:*

40 (1) *A police department of an incorporated city;*

41 (2) *The sheriff's office of a county;*

42 (3) *A metropolitan police department;*

43 (4) *The Department of Corrections;*

44 (5) *The police department for the Nevada System of Higher*
45 *Education;*

1 (6) Any political subdivision of this State employing park rangers
2 to enforce laws within its jurisdiction; or

3 (7) Any political subdivision of this State which has as its primary
4 duty the enforcement of law and which employs peace officers pursuant
5 to NRS 289.150 to 289.360, inclusive, to fulfill its duty.

6 (b) "Level of force" means an escalating series of actions a peace
7 officer may use to resolve or control a situation or person depending on
8 the intensity of the situation or resistance of the person that ranges from
9 the use of no force to the use of deadly force.

10 Sec. 3. Chapter 193 of NRS is hereby amended by adding thereto ~~the~~
11 ~~new section to read as follows:~~ the provisions set forth as sections 3.3
12 and 3.7 of this act.

13 Sec. 3.3. 1. ~~On or before July 1 of each year, each~~ Each law
14 enforcement agency shall annually make available to the public and on a
15 monthly basis submit to the Central Repository a report that includes,
16 without limitation, a compilation of statistics relating to incidents
17 involving the use of force that occurred during the previous ~~calendar~~
18 ~~year,~~ month, including, without limitation:

19 (a) The number of complaints against peace officers employed by the
20 law enforcement agency relating to the use of force and the number of
21 such complaints that were substantiated; and

22 (b) A compilation of statistics relating to incidents involving the use
23 of force that, for each incident, includes, without limitation, all
24 information collected by the National Use-of-Force Data Collection of
25 the Federal Bureau of Investigation.

26 2. Each law enforcement agency shall submit the report required
27 pursuant to subsection 1 in a manner approved by the Director of the
28 Department of Public Safety and in accordance with the policies,
29 procedures and definitions of the Department.

30 3. The Central Repository shall make the use-of-force data
31 submitted by each law enforcement agency pursuant to subsection 1
32 available for access by the public on the Internet website of the Central
33 Repository.

34 4. The Central Repository may accept gifts, grants and donations
35 from any source for the purpose of carrying out the provisions of this
36 section.

37 5. To the extent of legislative appropriation, the Office of the
38 Attorney General shall:

39 (a) Review the use-of-force data that is publicly available on the
40 Internet website of the Central Repository;

41 (b) Prepare a report containing any conclusions or recommendations
42 resulting from its review; and

43 (c) On or before December 1 of each year, submit to the Governor
44 and to the Director of the Legislative Counsel Bureau for transmittal to
45 the Legislature the report prepared pursuant to paragraph (b).

1 ~~15.7~~ **6.** *Each law enforcement agency in this State shall participate*
2 *in the National Use-of-Force Data Collection of the Federal Bureau of*
3 *Investigation.*

4 ~~16.7~~ **7.** *Information collected pursuant to this section must not be*
5 *introduced into evidence or otherwise used in any way against a peace*
6 *officer during a criminal proceeding.*

7 ~~17.7~~ **8.** *As used in this section:*

8 (a) *“Central Repository” means the Central Repository for Nevada*
9 *Records of Criminal History.*

10 (b) *“Law enforcement agency” means:*

11 (1) *The sheriff’s office of a county;*

12 (2) *A metropolitan police department;*

13 (3) *A police department of an incorporated city;*

14 (4) *The Department of Corrections;*

15 (5) *The police department for the Nevada System of Higher*
16 *Education;*

17 (6) *Any political subdivision of this State employing park rangers*
18 *to enforce laws within its jurisdiction; or*

19 (7) *Any political subdivision of this State which has as its primary*
20 *duty the enforcement of law and which employs peace officers to fulfill*
21 *its duty.*

22 (c) *“Peace officer” means any person upon whom some or all of the*
23 *powers of a peace officer are conferred pursuant to NRS 289.150 to*
24 *289.360, inclusive.*

25 **Sec. 3.7. 1.** *In carrying out his or her duties, a peace officer shall*
26 *not use deadly force against a person based on the danger that the*
27 *person poses to himself or herself, if a reasonable peace officer would*
28 *believe that the person does not pose an imminent threat of death or*
29 *serious bodily harm to the peace officer or another person.*

30 **2.** *As used in this section, “peace officer” means any person upon*
31 *whom some or all of the powers of a peace officer are conferred*
32 *pursuant to NRS 289.150 to 289.360, inclusive.*

33 **Sec. 4.** NRS 193.350 is hereby amended to read as follows:

34 193.350 1. In carrying out his or her duties, a peace officer shall not
35 use a choke hold on another person.

36 2. A peace officer shall not place a person who is in the custody of the
37 peace officer in any position which compresses his or her airway or
38 restricts his or her ability to breathe. A peace officer shall monitor any
39 person who is in the custody of the peace officer for any signs of distress
40 and shall take any actions necessary to place such a person in a recovery
41 position if he or she appears to be in distress or indicates that he or she
42 cannot breathe.

43 3. *In carrying out his or her duties, a peace officer shall use a*
44 *restraint chair on another person only if:*

- 1 (a) *The person resists an order of a peace officer in a physically*
2 *violent or life-threatening manner;*
- 3 (b) *A supervising peace officer who has attained the rank of sergeant*
4 *or higher authorizes the use of a restraint chair;*
- 5 (c) *The peace officer informs a member of the medical staff that a*
6 *restraint chair will be used;*
- 7 (d) *A member of the medical staff conducts a medical evaluation of*
8 *the person immediately before and immediately after the person is placed*
9 *in the restraint chair; and*
- 10 (e) *The law enforcement agency that employs the peace officer*
11 *creates and maintains a video recording of the incident involving the use*
12 *of the restraint chair.*
- 13 ↪ *A peace officer shall not threaten a person with the use of a restraint*
14 *chair unless the person is resisting an order of the peace officer in a*
15 *physically violent or life-threatening manner.*
- 16 4. *After a person is placed in a restraint chair:*
- 17 (a) *A peace officer shall visually observe the person in the restraint*
18 *chair until both medical evaluations of the person have been completed*
19 *pursuant to subsection 3 and at least once every 15 minutes thereafter;*
- 20 (b) *If the person in the restraint chair appears to be in distress or*
21 *indicates that he or she is in distress or requires medical aid, a peace*
22 *officer shall ensure that medical aid is rendered to the person as soon as*
23 *practicable;*
- 24 (c) *A supervising peace officer who has attained the rank of sergeant*
25 *or higher shall evaluate whether it is necessary for the person to remain*
26 *in the restraint chair at least once every 30 minutes after the person has*
27 *been placed in the restraint chair;*
- 28 (d) *The person must not be restrained in the restraint chair for more*
29 *than 2 hours unless a supervising peace officer who has attained the*
30 *rank of sergeant or higher approves the use of a restraint chair for more*
31 *than 2 hours and such use complies with the policy adopted pursuant to*
32 *this subsection; and*
- 33 (e) *The law enforcement agency that employs the peace officer who*
34 *used the restraint chair shall create and maintain a record of the*
35 *incident which includes, without limitation:*
- 36 (1) *The period for which the person was restrained in the restraint*
37 *chair; and*
- 38 (2) *A description of any injuries sustained by the person as a*
39 *result of the use of the restraint chair.*
- 40 ↪ *Each law enforcement agency shall adopt a written policy that*
41 *establishes the circumstances under which a person may be restrained in*
42 *a restraint chair for more than 2 hours.*
- 43 5. *A restraint chair must not be used to restrain a person who is*
44 *pregnant.*

1 6. The provisions of subsections 3, 4 and 5 do not apply to
2 mechanical restraint used pursuant to NRS 433.545 to 433.551,
3 inclusive. As used in this subsection, "mechanical restraint" has the
4 meaning ascribed to it in NRS 433.547.

5 7. A peace officer shall not, in response to a protest or
6 demonstration:

7 (a) Discharge a kinetic energy projectile indiscriminately into a
8 crowd or in a manner that intentionally targets the head, pelvis or spine
9 or any other vital area of the body of a person unless the person poses an
10 immediate threat of physical harm or death to the peace officer or
11 others; or

12 (b) Use a chemical agent without first declaring that the protest or
13 demonstration constitutes an unlawful assembly and providing to the
14 persons who are present at the protest or demonstration:

15 (1) Except as otherwise provided in this paragraph, at least three
16 orders to disperse, given in a manner that each order may be heard by
17 those persons, including, without limitation, issuing the order from
18 multiple locations and issuing the order in multiple languages;

19 (2) An egress route from the area where the protest or
20 demonstration is occurring; and

21 (3) A reasonable amount of time to disperse from the area where
22 the protest or demonstration is occurring.

23 **↪ If there is an immediate threat of physical harm or death to a person
24 ~~for or of~~, then no order to disperse must be provided. If there is an
25 immediate threat of harm to property, then only one order to disperse
26 must be provided.**

27 8. If a peace officer, in carrying out his or her duties, uses physical
28 force on another person, the peace officer shall ensure that medical aid is
29 rendered to any person who is injured by the use of such physical force as
30 soon as practicable.

31 ~~[4.]~~ 9. As used in this section:

32 (a) "Chemical agent" means any chemical which can rapidly
33 produce sensory irritation or disabling physical effects in humans, which
34 disappear within a short time following termination of exposure. The
35 term includes, without limitation, items commonly referred to as tear gas,
36 pepper spray, pepper balls and oleoresin capsicum.

37 (b) "Choke hold" means:

38 (1) A method by which a person applies sufficient pressure to
39 another person to make breathing difficult or impossible, including,
40 without limitation, any pressure to the neck, throat or windpipe that may
41 prevent or hinder breathing or reduce intake of air; or

42 (2) Applying pressure to a person's neck on either side of the
43 windpipe, but not the windpipe itself, to stop the flow of blood to the brain
44 via the carotid arteries.

1 ~~[(b)]~~ (c) *“Kinetic energy projectile” means any type of device*
2 *designed to be nonlethal or less lethal than standard ammunition and to*
3 *be launched from any device as a projectile that may cause bodily injury*
4 *through the transfer of kinetic energy and blunt force trauma. The term*
5 *includes, without limitation, items commonly referred to as rubber*
6 *bullets, plastic bullets, beanbag rounds and foam-tipped plastic rounds.*

7 (d) “Peace officer” means any person upon whom some or all of the
8 powers of a peace officer are conferred pursuant to NRS 289.150 to
9 289.360, inclusive.

10 ~~[(e)]~~ (e) “Physical force” means the application of physical
11 techniques, chemical agents or weapons to another person.

12 (f) *“Restraint chair” means a chair that secures a person in an*
13 *upright sitting position by restricting the movement of the arms, legs and*
14 *torso of the person.*

15 **Sec. 4.5. NRS 200.140 is hereby amended to read as follows:**

16 200.140 Homicide is justifiable when committed by a public officer,
17 or person acting under the command and in the aid of the public officer, in
18 the following cases:

- 19 1. In obedience to the judgment of a competent court.
- 20 2. When necessary to overcome actual resistance to the execution of
21 the legal process, mandate or order of a court or officer, or in the discharge
22 of a legal duty.
- 23 3. When necessary:

24 (a) In retaking an escaped or rescued prisoner who has been
25 committed, arrested for, or convicted of a felony;

26 (b) In attempting, by lawful ways or means, to apprehend or arrest a
27 person;

28 (c) In lawfully suppressing a riot or preserving the peace; or

29 (d) ~~[(h)]~~ Except as otherwise provided in section 3.7 of this act, in
30 protecting against an imminent threat to the life of a person.

31 **Sec. 5.** The provisions of subsection 1 of NRS 218D.380 do not
32 apply to any provision of this act which adds or revises a requirement to
33 submit a report to the legislature.

34 **Sec. 6.** The provisions of NRS 354.599 do not apply to any
35 additional expenses of a local government that are related to the provisions
36 of this act.

37 **Sec. 7.** 1. This section becomes effective upon passage and
38 approval.

39 2. Sections 1, 2, ~~[(4, 5)]~~ and 3.7 to 6, inclusive, of this act become
40 effective on October 1, 2021.

41 3. Section ~~[(3)]~~ 3.3 of this act becomes effective:

42 (a) Upon passage and approval for the purpose of adopting any policies
43 or procedures and performing any preparatory administrative tasks that are
44 necessary to carry out the provisions of this act; and

1 (b) On ~~October 1, 2022, for all other purposes,~~ the date that the
2 Director of the Department of Public Safety determines that there is
3 sufficient funding to carry out the provisions of the section.

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