

THE EIGHTY-NINTH DAY

CARSON CITY (Friday), May 1, 2009

Senate called to order at 12:08 p.m.

President Krolicki presiding.

Roll called.

All present except Senator Lee, who was excused.

Prayer by the Chaplain, Pastor Albert Tilstra.

Our Father, we would not weary You in always asking for something. This morning we would pray that You would take something from us.

Take out of our hearts any bitterness that lies there, any resentment that curdles and corrodes our peace. Take away the stubborn pride that keeps us from apology and confessing fault and makes us unwilling to open our hearts to one another. For if our hearts are closed to our colleagues, they are not open to You.

We ask this from the One where nothing is hidden.

AMEN.

Pledge of Allegiance to the Flag.

Senator Horsford moved that further reading of the Journal be dispensed with, and the President and Secretary be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. President:

Your Committee on Commerce and Labor, to which was referred Assembly Bill No. 248, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MAGGIE CARLTON, *Chair*

Mr. President

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 85, 257, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Judiciary, to which was referred Assembly Bill No. 259, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

TERRY CARE, *Chair*

Mr. President:

Your Committee on Legislative Operations and Elections, to which was referred Assembly Bill No. 231, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOYCE WOODHOUSE, *Chair*

Mr. President:

Your Committee on Natural Resources, to which were referred Assembly Bills Nos. 29, 194, 242, 362, 516, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DAVID R. PARKS, *Chair*

Mr. President:

Your Committee on Taxation, to which was referred Senate Bill No. 201, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BOB COFFIN, *Chair*

SECOND READING AND AMENDMENT

Senate Bill No. 412.

Bill read second time and ordered to third reading.

Senate Bill No. 414.

Bill read second time and ordered to third reading.

Assembly Bill No. 47.

Bill read second time and ordered to third reading.

Assembly Bill No. 48.

Bill read second time and ordered to third reading.

Assembly Bill No. 49.

Bill read second time and ordered to third reading.

Assembly Bill No. 122.

Bill read second time and ordered to third reading.

Assembly Bill No. 168.

Bill read second time and ordered to third reading.

Assembly Bill No. 174.

Bill read second time and ordered to third reading.

Assembly Bill No. 177.

Bill read second time.

The following amendment was proposed by the Committee on Energy, Infrastructure and Transportation:

Amendment No. 568.

"SUMMARY—Revises provisions concerning short-term leases of passenger cars. (BDR 43-194)"

"AN ACT relating to motor vehicles; *revising provisions governing the liability of a short-term lessee of a passenger car for physical damage or loss of use of the car under certain circumstances*; authorizing a short-term lessor to exclude from a waiver of damages losses resulting from the theft of a leased car if the theft is committed by an authorized driver or by a person aided or abetted by an authorized driver; and providing other matters properly relating thereto."

Legislative Counsel's Digest:

Existing law provides that a short-term lessor and a short-term lessee of a passenger car may agree that the lessee will be responsible for certain damage to or loss of use of the car. (NRS 482.31535) Section 4.5 of this bill increases from \$500 to \$2,500 the amount for which the lessee may be responsible for physical damage or loss of use of the car which occurs as a

result of vandalism not related to the theft of the car and not caused by the lessee.

Under existing law governing the business of short-term leases of passenger cars, a short-term lessor may offer the lessee of a passenger car the opportunity to purchase a "waiver of damages" that relieves the lessee from financial responsibility for certain kinds of damage to the car. (NRS 482.3153, 482.3155-482.31565) Section 5 of this bill authorizes a lessor to exclude from such a waiver any damages or loss attributable to the theft of the leased car if the theft is committed by the lessee or other authorized driver or by a person aided or abetted by such a driver.

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

Section 1. (Deleted by amendment.)

Sec. 2. (Deleted by amendment.)

Sec. 3. (Deleted by amendment.)

Sec. 4. (Deleted by amendment.)

Sec. 4.5. NRS 482.31535 is hereby amended to read as follows:

482.31535 1. Except as otherwise provided in NRS 482.3154, a short-term lessor and a short-term lessee of a passenger car may agree that the lessee will be responsible for:

(a) Physical damage to the car, up to and including its fair market value, regardless of the cause of the damage.

(b) Mechanical damage to the car, up to and including its fair market value, resulting from:

(1) A collision;

(2) An impact; or

(3) Any other type of incident,

↪ that is caused by a deliberate or negligent act or omission on the part of the lessee.

(c) Loss resulting from theft of the car, up to and including its fair market value, except that the lessee is presumed to have no liability for any loss resulting from theft if an authorized driver:

(1) Has possession of the ignition key furnished by the lessor or establishes that the ignition key furnished by the lessor was not in the car at the time of the theft; and

(2) Files an official report of the theft with an appropriate law enforcement agency within 24 hours after learning of the theft and cooperates with the lessor and the law enforcement agency in providing information concerning the theft.

↪ The lessor may rebut the presumption set forth in this paragraph by establishing that an authorized driver committed or aided and abetted the commission of the theft.

(d) Physical damage to the car, up to and including its fair market value, resulting from vandalism occurring after or in connection with the theft of the

car, except that the lessee has no liability for any damage resulting from vandalism if the lessee has no liability for theft pursuant to paragraph (c).

(e) Physical damage to the car and loss of use of the car, up to ~~[\$500,]~~ \$2,500, resulting from vandalism not related to the theft of the car and not caused by the lessee.

(f) Loss of use of the car if the lessee is liable for damage or loss.

(g) Actual charges for towing and storage and impound fees paid by the lessor if the lessee is liable for damage or loss.

(h) An administrative charge that includes the cost of appraisal and other costs incident to the damage, loss, loss of use, repair or replacement of the car.

2. For the purposes of this section, the fair market value must be determined in the customary market for the sale of the leased passenger car.

Sec. 5. NRS 482.31555 is hereby amended to read as follows:

482.31555 A short-term lessor may provide in a lease of a passenger car that a waiver of damages does not apply in the following circumstances:

1. Damage or loss resulting from an authorized driver's:

(a) Intentional, willful, wanton or reckless conduct.

(b) Operation of the car in violation of NRS 484.379.

(c) Towing or pushing with the car.

(d) Operation of the car on an unpaved road if the damage or loss is a direct result of the road or driving conditions.

2. Damage or loss occurring when the passenger car is:

(a) Used for hire.

(b) Used in connection with conduct that constitutes a felony.

(c) Involved in a speed test or contest or in driver training activity.

(d) Operated by a person other than an authorized driver.

(e) Operated in a foreign country or outside of the States of Nevada, Arizona, California, Idaho, Oregon and Utah, unless the lease expressly provides that the passenger car may be operated in other locations.

3. An authorized driver providing:

(a) Fraudulent information to the short-term lessor.

(b) False information to the lessor and the lessor would not have leased the passenger car if he had received true information.

4. *Damage or loss resulting from the theft of the passenger car if committed by an authorized driver or a person aided or abetted by an authorized driver. A theft is presumed to have been committed by a person other than an authorized driver or a person aided or abetted by an authorized driver if the short-term lessee of the car:*

(a) Has possession of the ignition key furnished by the lessor or establishes that the ignition key furnished by the lessor was not in the car at the time of the theft; and

(b) Files an official report of the theft with an appropriate law enforcement agency within 24 hours after learning of the theft and

cooperates with the lessor and the law enforcement agency in providing information concerning the theft.

↪ *The lessor may rebut the presumption set forth in this subsection by establishing that an authorized driver committed or aided and abetted another person in the commission of the theft.*

Sec. 6. This act becomes effective on July 1, 2009.

Senator Schneider moved the adoption of the amendment.

Remarks by Senators Schneider and Carlton.

Senator Schneider requested that the following remarks be entered in the Journal.

SENATOR SCHNEIDER:

Amendment No. 568 to Assembly Bill No. 177 increases from \$500 to \$2,500 the amount for which the lessee may be responsible for physical damage or loss of use of a passenger car that occurs as a result of vandalism not related to the theft of the car and not caused by the lessee.

The amendment also changes the effective date of this bill from October 1, 2009, to July 1, 2009.

SENATOR CARLTON:

Thank you, Mr. President. I rise in opposition to the amendment, and I made my opposition clear in the Committee meeting.

Raising the amount from \$500 to \$2,500 is too large of a jump. I can understand the increased cost of doing bodywork, but I look at this as a cost-shifting move from the insurance company that covers the rental car company to the private insurance of the person who is leasing the vehicle. I think it is unfair that after a person pays their deductible and the private insurance company pays their portion, that, depending on the size of the bill for the damage, the insurance company for the rental agency does not have to pay anything. I have concerns about this. I would rather see the number lower so that it is a shared responsibility against all three having jurisdiction over this car when the damage occurs. I think all should pay their fair share.

Motion carried on a division of the house.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

Assembly Bill No. 209.

Bill read second time and ordered to third reading.

Assembly Bill No. 230.

Bill read second time and ordered to third reading.

Assembly Bill No. 353.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Care moved that Assembly Bill No. 274 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

Senator Horsford moved that the Senate recess subject to the call of the Chair.

Motion carried.

Senate in recess at 12:18 p.m.

SENATE IN SESSION

At 12:48 p.m.

President Krolicki presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Senate Bill No. 7.

Bill read third time.

Roll call on Senate Bill No. 7:

YEAS—20.

NAYS—None.

EXCUSED—Lee.

Senate Bill No. 7 having received a constitutional majority, Mr. President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 24.

Bill read third time.

Roll call on Senate Bill No. 24:

YEAS—20.

NAYS—None.

EXCUSED—Lee.

Senate Bill No. 24 having received a constitutional majority, Mr. President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 70.

Bill read third time.

Roll call on Senate Bill No. 70:

YEAS—20.

NAYS—None.

EXCUSED—Lee.

Senate Bill No. 70 having received a two-thirds majority, Mr. President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 378.

Bill read third time.

Remarks by Senator Wiener.

Senator Wiener requested that her remarks be entered in the Journal.

Thank you, Mr. President. Many of us have received emails regarding Senate Bill No. 378. I speak in favor of the bill. Senate Bill No. 378 requires the Department of Education to adopt a plan for early childhood education that sets forth the standards and guidelines for programs of prekindergarten education in Nevada. The plan must be designed to promote the development and school readiness of children in prekindergarten education.

The measure requires the Department of Education to apply for federal funds from the American Recovery and Reinvestment Act of 2009 for support of the prekindergarten program. It must comply with the Nevada Plan for Early Childhood Education. This is an opportunity for us to capture some of that money to develop these programs and would not require a school to have a prekindergarten program. It would not require parents to enroll their children in these programs, but it would require the development of a plan and the provisions of the measure that would be affective by grants would go into effect immediately upon passage and approval.

Roll call on Senate Bill No. 378:

YEAS—15.

NAYS—Cegavske, Hardy, McGinness, Nolan, Washington—5.

EXCUSED—Lee.

Senate Bill No. 378 having received a constitutional majority, Mr. President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 59.

Bill read third time.

Roll call on Assembly Bill No. 59:

YEAS—20.

NAYS—None.

EXCUSED—Lee.

Assembly Bill No. 59 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 120.

Bill read third time.

The following amendment was proposed by Senator Washington:

Amendment No. 579.

"SUMMARY—Makes changes concerning orders for protection of victims of sexual assault. (BDR 15-625)"

"AN ACT relating to protective orders; authorizing a victim of a sexual assault to seek a protective order against the person who allegedly committed the sexual assault; establishing procedures for obtaining such orders; providing penalties; and providing other matters properly relating thereto."

Legislative Counsel's Digest:

Existing law authorizes a victim of stalking, harassment or aggravated stalking to seek a temporary or extended protective order against the person who allegedly committed the crime against the victim. (NRS 200.591) Existing law also: (1) provides for the deferment of fees related to such orders; (2) fixes the duration of such orders; (3) provides for such orders to be transmitted to and enforced by law enforcement; and (4) requires the court to provide a victim with a copy of the court order if a condition of the defendant's sentence restricts the ability of the defendant to have contact with the victim. (NRS 200.592-200.601)

Section 3 of this bill similarly authorizes a victim of sexual assault to seek a temporary or extended order of protection against the person who allegedly

committed the sexual assault against him. Sections 4-7 of this bill *generally* provide the same requirements for fees, duration, transmission, enforcement and information provided for such orders of protection for a victim of sexual assault as are provided in existing law for similar orders of protection for a victim of stalking, harassment or aggravated stalking. *Section 6.5 of this bill allows the party against whom a temporary or extended order of protection is sought to present, at a hearing concerning the temporary or extended order, evidence that the applicant submitted an application or petition which the applicant knew or reasonably should have known contained a false or intentionally misleading statement of material fact concerning the adverse party. If, after considering this evidence, the court finds that the adverse party did not commit sexual assault against the applicant and that the applicant filed an application or petition which the applicant knew or reasonably should have known contained a false or intentionally misleading statement of material fact concerning the adverse party, the court must assess costs and attorney's fees against the applicant and transmit its findings to each law enforcement agency to which the temporary order was transmitted.*

Section 1 of this bill includes a violation of a temporary or extended order of protection against a person who allegedly committed a sexual assault to the list of violations which may result in an additional penalty. (NRS 193.166)

Section 9 of this bill expands the jurisdiction of justice courts to include actions for the issuance of a temporary or extended order of protection against a person who allegedly committed a sexual assault. (NRS 4.370)

Section 11 of this bill exempts actions involving orders of protection for a victim of sexual assault from the requirement that the Supreme Court adopt rules and procedures for jury trials in justices' courts that are designed to limit the length of such trials. (NRS 67.060)

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

Section 1. NRS 193.166 is hereby amended to read as follows:

193.166 1. Except as otherwise provided in NRS 193.169, a person who commits a crime that is punishable as a felony, other than a crime that is punishable as a felony pursuant to subsection 6 of NRS 33.400 or subsection 5 of NRS 200.591, *or subsection 5 of section 3 of this act*, in violation of:

(a) A temporary or extended order for protection against domestic violence issued pursuant to NRS 33.020;

(b) An order for protection against harassment in the workplace issued pursuant to NRS 33.270;

(c) A temporary or extended order for the protection of a child issued pursuant to NRS 33.400;

(d) An order for protection against domestic violence issued in an action or proceeding brought pursuant to title 11 of NRS; ~~{or}~~

(e) A temporary or extended order issued pursuant to NRS 200.591 ~~¶~~; or
 (f) A temporary or extended order issued pursuant to section 3 of this act,

↪ shall, in addition to the term of imprisonment prescribed by statute for the crime, be punished by imprisonment in the state prison, except as otherwise provided in this subsection, for a minimum term of not less than 1 year and a maximum term of not more than 20 years. If the crime committed by the person is punishable as a category A felony or category B felony, in addition to the term of imprisonment prescribed by statute for that crime, the person shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 5 years.

2. In determining the length of the additional penalty imposed pursuant to this section, the court shall consider the following information:

- (a) The facts and circumstances of the crime;
- (b) The criminal history of the person;
- (c) The impact of the crime on any victim;
- (d) Any mitigating factors presented by the person; and
- (e) Any other relevant information.

↪ The court shall state on the record that it has considered the information described in paragraphs (a) to (e), inclusive, in determining the length of the additional penalty imposed.

3. The sentence prescribed by this section:

- (a) Must not exceed the sentence imposed for the crime; and
- (b) Runs concurrently or consecutively with the sentence prescribed by statute for the crime, as ordered by the court.

5. This section does not create a separate offense but provides an additional penalty for the primary offense, whose imposition is contingent upon the finding of the prescribed fact.

Sec. 2. Chapter 200 of NRS is hereby amended by adding thereto the provisions set forth as sections 3 to 7, inclusive, of this act.

Sec. 3. 1. *In addition to any other remedy provided by law, a person who reasonably believes that the crime of sexual assault has been committed against him by another person may petition any court of competent jurisdiction for a temporary or extended order directing the person who allegedly committed the sexual assault to:*

(a) *Stay away from the home, school, business or place of employment of the victim of the alleged sexual assault and any other location specifically named by the court.*

(b) *Refrain from contacting, intimidating, threatening or otherwise interfering with the victim of the alleged sexual assault and any other person named in the order, including, without limitation, a member of the family or the household of the victim of the alleged sexual assault.*

(c) *Comply with any other restriction which the court deems necessary to protect the victim of the alleged sexual assault or to protect any other person named in the order, including, without limitation, a member of the family or the household of the victim of the alleged sexual assault.*

2. *If a defendant charged with a crime involving sexual assault is released from custody before trial or is found guilty at the trial, the court may issue a temporary or extended order or provide as a condition of the release or sentence that the defendant:*

(a) Stay away from the home, school, business or place of employment of the victim of the alleged sexual assault and any other location specifically named by the court.

(b) Refrain from contacting, intimidating, threatening or otherwise interfering with the victim of the alleged sexual assault and any other person named in the order, including, without limitation, a member of the family or the household of the victim of the alleged sexual assault.

(c) Comply with any other restriction which the court deems necessary to protect the victim of the alleged sexual assault or to protect any other person named in the order, including, without limitation, a member of the family or the household of the victim of the alleged sexual assault.

3. *A temporary order may be granted with or without notice to the adverse party. An extended order may be granted only after:*

(a) Notice of the petition for the order and of the hearing thereon is served upon the adverse party pursuant to the Nevada Rules of Civil Procedure; and

(b) A hearing is held on the petition.

4. *If an extended order is issued by a justice court, an interlocutory appeal lies to the district court, which may affirm, modify or vacate the order in question. The appeal may be taken without bond, but its taking does not stay the effect or enforcement of the order.*

5. *Unless a more severe penalty is prescribed by law for the act that constitutes the violation of the order, any person who intentionally violates:*

(a) A temporary order is guilty of a gross misdemeanor.

(b) An extended order is guilty of a category C felony and shall be punished as provided in NRS 193.130.

6. *Any court order issued pursuant to this section must:*

(a) Be in writing;

(b) Be personally served on the person to whom it is directed; and

(c) Contain the warning that violation of the order:

(1) Subjects the person to immediate arrest.

(2) Is a gross misdemeanor if the order is a temporary order.

(3) Is a category C felony if the order is an extended order.

7. *A temporary or extended order issued pursuant to this section must provide notice that a person who is arrested for violating the order will not be admitted to bail sooner than 12 hours after his arrest if:*

(a) The arresting officer determines that such a violation is accompanied by a direct or indirect threat of harm;

(b) The person has previously violated a temporary or extended order for protection; or

(c) At the time of the violation or within 2 hours after the violation, the person has:

(1) A concentration of alcohol of 0.08 or more in his blood or breath;
or

(2) An amount of a prohibited substance in his blood or urine that is equal to or greater than the amount set forth in subsection 3 of NRS 484.379.

Sec. 4. 1. Except as otherwise provided in section 6.5 of this act:

(a) The payment of all costs and official fees must be deferred for any person who petitions a court for a temporary or extended order pursuant to section 3 of this act, ~~and~~; and

(b) After any hearing and not later than final disposition of such an application or order, the court shall assess the costs and fees against the adverse party, except that the court may reduce them or waive them, as justice may require.

2. The clerk of the court shall provide a person who petitions the court for a temporary or extended order pursuant to section 3 of this act and the adverse party, free of cost, with information about the:

(a) Availability of temporary and extended orders pursuant to section 3 of this act;

(b) Procedure for filing an application for such an order; ~~and~~

(c) Right to proceed without legal counsel ~~and~~; and

(d) Sanctions for filing a petition or application for an order which contains a statement of material fact concerning the adverse party that is false or intentionally misleading.

3. A person who obtains an order pursuant to section 3 of this act must not be charged any fee to have the order served in this State.

Sec. 5. 1. A temporary order issued pursuant to section 3 of this act expires within such time, not to exceed 30 days, as the court fixes. If a petition for an extended order is filed within the period of a temporary order, the temporary order remains in effect until the hearing on the extended order is held.

2. On 2 days' notice to the party who obtained the temporary order, the adverse party may appear and move its dissolution or modification, and in that event, the court shall proceed to hear and determine such motion as expeditiously as the ends of justice require.

3. An extended order expires within such time, not to exceed 1 year, as the court fixes. A temporary order may be converted by the court, upon notice to the adverse party and a hearing, into an extended order effective for not more than 1 year.

Sec. 6. 1. Each court that issues an order pursuant to section 3 of this act shall transmit, as soon as practicable, a copy of the order to all law enforcement agencies within its jurisdiction. The copy must include a notation of the date on which the order was personally served upon the person to whom it is directed.

2. A peace officer, without a warrant, may arrest and take into custody a person when the peace officer has probable cause to believe that:

(a) An order has been issued pursuant to section 3 of this act to the person to be arrested;

(b) The person to be arrested has been served with a copy of the order; and

(c) The person to be arrested is acting in violation of the order.

3. Any law enforcement agency in this State may enforce a court order issued pursuant to section 3 of this act.

Sec. 6.5. 1. Except as otherwise provided in this section, at any hearing that is held concerning a temporary order or an application to convert a temporary order into an extended order, the court shall permit the adverse party to present any relevant evidence which tends to show that the applicant submitted an application or petition which the applicant knew or reasonably should have known contained a statement of material fact concerning the adverse party that was false or intentionally misleading.

2. After considering any evidence that is presented pursuant to subsection 1, the court shall impose sanctions against the applicant, as set forth in subsection 3, if the court finds:

(a) By a preponderance of the evidence that the adverse party did not commit sexual assault against the applicant; and

(b) By clear and convincing evidence, that the applicant filed an application or petition which the applicant knew or reasonably should have known contained a statement of material fact concerning the adverse party that was false or intentionally misleading.

3. If the court makes the findings set forth in subsection 2, the court shall:

(a) Assess against the applicant all costs and official fees related to the temporary order and any application to convert a temporary order into an extended order, including, without limitation, all costs and official fees incurred by the adverse party in defending against the temporary order and any application to convert the temporary order into an extended order; and

(b) Order the applicant to reimburse the adverse party, in an amount determined by the court, for all attorney's fees incurred by the adverse party in defending against the temporary order and any application to convert the temporary order into an extended order.

4. In addition to the other requirements set forth in subsection 3, if the court makes the findings set forth in subsection 2:

(a) The court shall transmit, by the end of the next business day after the findings are made, a copy of the findings to each law enforcement agency to which the temporary order was transmitted pursuant to section 6 of this act and the law enforcement agency shall remove all information concerning the temporary or extended order to which the findings relate from the records of the law enforcement agency; and

(b) The clerk of the court shall issue, without a fee, a copy of the findings to the adverse party.

5. The court may prohibit the adverse party from presenting any evidence that is described in subsection 1 if, at any earlier hearing concerning the temporary order or any application to convert the temporary order into an extended order, the adverse party presented the same or similar evidence to the court or had the opportunity to present such evidence to the court but failed to do so.

6. The sanctions provided in this section are in addition to and not in lieu of any other criminal or civil sanction, penalty or remedy that is provided by law, and the provisions of this section must not be construed so as to prohibit the adverse party or this State or its political subdivisions from seeking or obtaining any other criminal or civil sanction, penalty or remedy that is provided by law.

7. As used in this section:

(a) "Adverse party" means a person against whom a temporary order or extended order is sought.

(b) "Applicant" means a person who files an application or petition pursuant to sections 3 to 7, inclusive, of this act.

(c) "Extended order" means the extended order described in section 3 of this act.

(d) "Temporary order" means the temporary order described in section 3 of this act.

Sec. 7. 1. The prosecuting attorney in any trial brought against a person on a charge of sexual assault shall inform the alleged victim of the final disposition of the case.

2. If the defendant is found guilty and the court issues an order or provides a condition of his sentence restricting the ability of the defendant to have contact with the victim or witnesses, the clerk of the court shall:

(a) Keep a record of the order or condition of the sentence; and

(b) Provide a certified copy of the order or condition of the sentence to the victim and other persons named in the order.

Sec. 8. NRS 200.364 is hereby amended to read as follows:

200.364 As used in NRS 200.364 to 200.3774, inclusive, and sections 3 to 7, inclusive, of this act, unless the context otherwise requires:

1. "Perpetrator" means a person who commits a sexual assault.

2. "Sexual penetration" means cunnilingus, fellatio, or any intrusion, however slight, of any part of a person's body or any object manipulated or inserted by a person into the genital or anal openings of the body of another, including sexual intercourse in its ordinary meaning.

3. "Statutory sexual seduction" means:

(a) Ordinary sexual intercourse, anal intercourse, cunnilingus or fellatio committed by a person 18 years of age or older with a person under the age of 16 years; or

(b) Any other sexual penetration committed by a person 18 years of age or older with a person under the age of 16 years with the intent of arousing,

appealing to, or gratifying the lust or passions or sexual desires of either of the persons.

4. "Victim" means a person who is subjected to a sexual assault.

Sec. 9. NRS 4.370 is hereby amended to read as follows:

4.370 1. Except as otherwise provided in subsection 2, justice courts have jurisdiction of the following civil actions and proceedings and no others except as otherwise provided by specific statute:

(a) In actions arising on contract for the recovery of money only, if the sum claimed, exclusive of interest, does not exceed \$10,000.

(b) In actions for damages for injury to the person, or for taking, detaining or injuring personal property, or for injury to real property where no issue is raised by the verified answer of the defendant involving the title to or boundaries of the real property, if the damage claimed does not exceed \$10,000.

(c) Except as otherwise provided in paragraph (l), in actions for a fine, penalty or forfeiture not exceeding \$10,000, given by statute or the ordinance of a county, city or town, where no issue is raised by the answer involving the legality of any tax, impost, assessment, toll or municipal fine.

(d) In actions upon bonds or undertakings conditioned for the payment of money, if the sum claimed does not exceed \$10,000, though the penalty may exceed that sum. Bail bonds and other undertakings posted in criminal matters may be forfeited regardless of amount.

(e) In actions to recover the possession of personal property, if the value of the property does not exceed \$10,000.

(f) To take and enter judgment on the confession of a defendant, when the amount confessed, exclusive of interest, does not exceed \$10,000.

(g) Of actions for the possession of lands and tenements where the relation of landlord and tenant exists, when damages claimed do not exceed \$10,000 or when no damages are claimed.

(h) Of actions when the possession of lands and tenements has been unlawfully or fraudulently obtained or withheld, when damages claimed do not exceed \$10,000 or when no damages are claimed.

(i) Of suits for the collection of taxes, where the amount of the tax sued for does not exceed \$10,000.

(j) Of actions for the enforcement of mechanics' liens, where the amount of the lien sought to be enforced, exclusive of interest, does not exceed \$10,000.

(k) Of actions for the enforcement of liens of owners of facilities for storage, where the amount of the lien sought to be enforced, exclusive of interest, does not exceed \$10,000.

(l) In actions for a fine imposed for a violation of NRS 484.757.

(m) Except as otherwise provided in this paragraph, in any action for the issuance of a temporary or extended order for protection against domestic violence. A justice court does not have jurisdiction in an action for the

issuance of a temporary or extended order for protection against domestic violence:

(1) In a county whose population is more than 100,000 and less than 400,000;

(2) In any township whose population is 100,000 or more located within a county whose population is more than 400,000; or

(3) If a district court issues a written order to the justice court requiring that further proceedings relating to the action for the issuance of the order for protection be conducted before the district court.

(n) In an action for the issuance of a temporary or extended order for protection against harassment in the workplace pursuant to NRS 33.200 to 33.360, inclusive.

(o) In small claims actions under the provisions of chapter 73 of NRS.

(p) In actions to contest the validity of liens on mobile homes or manufactured homes.

(q) In any action pursuant to NRS 200.591 for the issuance of a protective order against a person alleged to be committing the crime of stalking, aggravated stalking or harassment.

(r) *In any action pursuant to section 3 of this act for the issuance of a protective order against a person alleged to have committed the crime of sexual assault.*

(s) In actions transferred from the district court pursuant to NRS 3.221.

~~{(s)}~~ (t) In any action for the issuance of a temporary or extended order pursuant to NRS 33.400.

2. The jurisdiction conferred by this section does not extend to civil actions, other than for forcible entry or detainer, in which the title of real property or mining claims or questions affecting the boundaries of land are involved.

3. Justice courts have jurisdiction of all misdemeanors and no other criminal offenses except as otherwise provided by specific statute. Upon approval of the district court, a justice court may transfer original jurisdiction of a misdemeanor to the district court for the purpose of assigning an offender to a program established pursuant to NRS 176A.250.

4. Except as otherwise provided in subsections 5 and 6, in criminal cases the jurisdiction of justices of the peace extends to the limits of their respective counties.

5. In the case of any arrest made by a member of the Nevada Highway Patrol, the jurisdiction of the justices of the peace extends to the limits of their respective counties and to the limits of all counties which have common boundaries with their respective counties.

6. Each justice court has jurisdiction of any violation of a regulation governing vehicular traffic on an airport within the township in which the court is established.

Sec. 10. NRS 62C.020 is hereby amended to read as follows:

62C.020 1. A child must not be released from custody sooner than 12 hours after the child is taken into custody if the child is taken into custody for committing a battery that constitutes domestic violence pursuant to NRS 33.018, unless the peace officer or probation officer who has taken the child into custody determines that the child does not otherwise meet the criteria for secure detention and:

(a) Respite care or another out-of-home alternative to secure detention is available for the child;

(b) An out-of-home alternative to secure detention is not necessary to protect the victim from injury; or

(c) Family services are available to maintain the child in the home and the parents or guardians of the child agree to receive those family services and to allow the child to return to the home.

2. A child must not be released from custody sooner than 12 hours after the child is taken into custody if the child is taken into custody for violating a temporary or extended order for protection against domestic violence issued pursuant to NRS 33.017 to 33.100, inclusive, or for violating a restraining order or injunction that is in the nature of a temporary or extended order for protection against domestic violence issued in an action or proceeding brought pursuant to title 11 of NRS , or for violating a temporary or extended order for protection against stalking, aggravated stalking or harassment issued pursuant to NRS 200.591 *or for violating a temporary or extended order for protection against sexual assault issued pursuant to section 3 of this act* and:

(a) The peace officer or probation officer who has taken the child into custody determines that such a violation is accompanied by a direct or indirect threat of harm;

(b) The child has previously violated a temporary or extended order for protection of the type for which he has been taken into custody; or

(c) At the time of the violation or within 2 hours after the violation, the child has:

(1) A concentration of alcohol of 0.08 or more in his blood or breath; or

(2) An amount of a prohibited substance in his blood or urine that is equal to or greater than the amount set forth in subsection 3 of NRS 484.379.

3. For the purposes of this section, an order or injunction is in the nature of a temporary or extended order for protection against domestic violence if it grants relief that might be given in a temporary or extended order issued pursuant to NRS 33.017 to 33.100, inclusive.

Sec. 11. NRS 67.060 is hereby amended to read as follows:

67.060 1. Except as otherwise provided in subsection 3, the Supreme Court shall adopt rules and procedures for conducting trials by jury in civil actions in the justice courts that are designed to limit the length of trials.

2. The rules and procedures adopted pursuant to this section may provide for:

(a) Restrictions on the amount of discovery requested by each party;

(b) The use of a jury composed of not more than six persons and not less than four persons; and

(c) A specified limit on the amount of time each party may use to present his case.

3. This section does not apply to:

(a) An action for the possession of lands and tenements where the relation of landlord and tenant exists, when damages claimed do not exceed \$10,000 or when no damages are claimed.

(b) An action when the possession of lands and tenements has been unlawfully or fraudulently obtained or withheld, when damages claimed do not exceed \$10,000 or when no damages are claimed.

(c) An action for the issuance of a temporary or extended order for protection against domestic violence.

(d) An action for the issuance of a temporary or extended order for protection against harassment in the workplace pursuant to NRS 33.200 to 33.360, inclusive.

(e) A small claims action brought under the provisions of chapter 73 of NRS.

(f) An action pursuant to NRS 200.591 for the issuance of a protective order against a person alleged to be committing the crime of stalking, aggravated stalking or harassment.

(g) *An action pursuant to section 3 of this act for the issuance of a protective order against a person alleged to have committed sexual assault.*

Sec. 12. NRS 178.484 is hereby amended to read as follows:

178.484 1. Except as otherwise provided in this section, a person arrested for an offense other than murder of the first degree must be admitted to bail.

2. A person arrested for a felony who has been released on probation or parole for a different offense must not be admitted to bail unless:

(a) A court issues an order directing that the person be admitted to bail;

(b) The State Board of Parole Commissioners directs the detention facility to admit the person to bail; or

(c) The Division of Parole and Probation of the Department of Public Safety directs the detention facility to admit the person to bail.

3. A person arrested for a felony whose sentence has been suspended pursuant to NRS 4.373 or 5.055 for a different offense or who has been sentenced to a term of residential confinement pursuant to NRS 4.3762 or 5.076 for a different offense must not be admitted to bail unless:

(a) A court issues an order directing that the person be admitted to bail; or

(b) A department of alternative sentencing directs the detention facility to admit the person to bail.

4. A person arrested for murder of the first degree may be admitted to bail unless the proof is evident or the presumption great by any competent court or magistrate authorized by law to do so in the exercise of discretion,

giving due weight to the evidence and to the nature and circumstances of the offense.

5. A person arrested for a violation of NRS 484.379, 484.3795, 484.37955, 484.379778, 488.410, 488.420 or 488.425 who is under the influence of intoxicating liquor must not be admitted to bail or released on his own recognizance unless he has a concentration of alcohol of less than 0.04 in his breath. A test of the person's breath pursuant to this subsection to determine the concentration of alcohol in his breath as a condition of admission to bail or release is not admissible as evidence against the person.

6. A person arrested for a violation of NRS 484.379, 484.3795, 484.37955, 484.379778, 488.410, 488.420 or 488.425 who is under the influence of a controlled substance, is under the combined influence of intoxicating liquor and a controlled substance, or inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any of these, to a degree which renders him incapable of safely driving or exercising actual physical control of a vehicle or vessel under power or sail must not be admitted to bail or released on his own recognizance sooner than 12 hours after his arrest.

7. A person arrested for a battery that constitutes domestic violence pursuant to NRS 33.018 must not be admitted to bail sooner than 12 hours after his arrest. If the person is admitted to bail more than 12 hours after his arrest, without appearing personally before a magistrate, or without the amount of bail having been otherwise set by a magistrate or a court, the amount of bail must be:

(a) Three thousand dollars, if the person has no previous convictions of battery that constitute domestic violence pursuant to NRS 33.018 and there is no reason to believe that the battery for which he has been arrested resulted in substantial bodily harm;

(b) Five thousand dollars, if the person has:

(1) No previous convictions of battery that constitute domestic violence pursuant to NRS 33.018, but there is reason to believe that the battery for which he has been arrested resulted in substantial bodily harm; or

(2) One previous conviction of battery that constitutes domestic violence pursuant to NRS 33.018, but there is no reason to believe that the battery for which he has been arrested resulted in substantial bodily harm; or

(c) Fifteen thousand dollars, if the person has:

(1) One previous conviction of battery that constitutes domestic violence pursuant to NRS 33.018 and there is reason to believe that the battery for which he has been arrested resulted in substantial bodily harm; or

(2) Two or more previous convictions of battery that constitute domestic violence pursuant to NRS 33.018.

➔ The provisions of this subsection do not affect the authority of a magistrate or a court to set the amount of bail when the person personally appears before the magistrate or the court, or when a magistrate or a court has otherwise been contacted to set the amount of bail. For the purposes of

this subsection, a person shall be deemed to have a previous conviction of battery that constitutes domestic violence pursuant to NRS 33.018 if the person has been convicted of such an offense in this State or has been convicted of violating a law of any other jurisdiction that prohibits the same or similar conduct.

8. A person arrested for violating a temporary or extended order for protection against domestic violence issued pursuant to NRS 33.017 to 33.100, inclusive, or for violating a restraining order or injunction that is in the nature of a temporary or extended order for protection against domestic violence issued in an action or proceeding brought pursuant to title 11 of NRS, or for violating a temporary or extended order for protection against stalking, aggravated stalking or harassment issued pursuant to NRS 200.591 , *or for violating a temporary or extended order for protection against sexual assault pursuant to section 3 of this act* must not be admitted to bail sooner than 12 hours after his arrest if:

(a) The arresting officer determines that such a violation is accompanied by a direct or indirect threat of harm;

(b) The person has previously violated a temporary or extended order for protection of the type for which he has been arrested; or

(c) At the time of the violation or within 2 hours after the violation, the person has:

(1) A concentration of alcohol of 0.08 or more in his blood or breath; or

(2) An amount of a prohibited substance in his blood or urine that is equal to or greater than the amount set forth in subsection 3 of NRS 484.379.

9. If a person is admitted to bail more than 12 hours after his arrest, pursuant to subsection 8, without appearing personally before a magistrate, or without the amount of bail having been otherwise set by a magistrate or a court, the amount of bail must be:

(a) Three thousand dollars, if the person has no previous convictions of violating a temporary or extended order for protection against domestic violence issued pursuant to NRS 33.017 to 33.100, inclusive, or of violating a restraining order or injunction that is in the nature of a temporary or extended order for protection against domestic violence issued in an action or proceeding brought pursuant to title 11 of NRS, or of violating a temporary or extended order for protection against stalking, aggravated stalking or harassment issued pursuant to NRS 200.591 ~~+~~ , *or of violating a temporary or extended order for protection against sexual assault pursuant to section 3 of this act*;

(b) Five thousand dollars, if the person has one previous conviction of violating a temporary or extended order for protection against domestic violence issued pursuant to NRS 33.017 to 33.100, inclusive, or of violating a restraining order or injunction that is in the nature of a temporary or extended order for protection against domestic violence issued in an action or proceeding brought pursuant to title 11 of NRS, or of violating a temporary or extended order for protection against stalking, aggravated stalking or

harassment issued pursuant to NRS 200.591 ~~[-]~~, or of violating a temporary or extended order for protection against sexual assault pursuant to section 3 of this act; or

(c) Fifteen thousand dollars, if the person has two or more previous convictions of violating a temporary or extended order for protection against domestic violence issued pursuant to NRS 33.017 to 33.100, inclusive, or of violating a restraining order or injunction that is in the nature of a temporary or extended order for protection against domestic violence issued in an action or proceeding brought pursuant to title 11 of NRS, or of violating a temporary or extended order for protection against stalking, aggravated stalking or harassment issued pursuant to NRS 200.591 ~~[-]~~, or of violating a temporary or extended order for protection against sexual assault pursuant to section 3 of this act.

↪ The provisions of this subsection do not affect the authority of a magistrate or a court to set the amount of bail when the person personally appears before the magistrate or the court, or when a magistrate or a court has otherwise been contacted to set the amount of bail. For the purposes of this subsection, a person shall be deemed to have a previous conviction of violating a temporary or extended order for protection against domestic violence issued pursuant to NRS 33.017 to 33.100, inclusive, or of violating a restraining order or injunction that is in the nature of a temporary or extended order for protection against domestic violence issued in an action or proceeding brought pursuant to title 11 of NRS, or of violating a temporary or extended order for protection against stalking, aggravated stalking or harassment issued pursuant to NRS 200.591, or of violating a temporary or extended order for protection against sexual assault pursuant to section 3 of this act if the person has been convicted of such an offense in this State or has been convicted of violating a law of any other jurisdiction that prohibits the same or similar conduct.

10. The court may, before releasing a person arrested for an offense punishable as a felony, require the surrender to the court of any passport the person possesses.

11. Before releasing a person arrested for any crime, the court may impose such reasonable conditions on the person as it deems necessary to protect the health, safety and welfare of the community and to ensure that the person will appear at all times and places ordered by the court, including, without limitation:

(a) Requiring the person to remain in this State or a certain county within this State;

(b) Prohibiting the person from contacting or attempting to contact a specific person or from causing or attempting to cause another person to contact that person on his behalf;

(c) Prohibiting the person from entering a certain geographic area; or

(d) Prohibiting the person from engaging in specific conduct that may be harmful to his own health, safety or welfare, or the health, safety or welfare of another person.

➔ In determining whether a condition is reasonable, the court shall consider the factors listed in NRS 178.4853.

12. If a person fails to comply with a condition imposed pursuant to subsection 11, the court may, after providing the person with reasonable notice and an opportunity for a hearing:

- (a) Deem such conduct a contempt pursuant to NRS 22.010; or
- (b) Increase the amount of bail pursuant to NRS 178.499.

13. An order issued pursuant to this section that imposes a condition on a person admitted to bail must include a provision ordering any law enforcement officer to arrest the person if he has probable cause to believe that the person has violated a condition of his bail.

14. Before a person may be admitted to bail, he must sign a document stating that:

(a) He will appear at all times and places as ordered by the court releasing him and as ordered by any court before which the charge is subsequently heard;

(b) He will comply with the other conditions which have been imposed by the court and are stated in the document; and

(c) If he fails to appear when so ordered and is taken into custody outside of this State, he waives all his rights relating to extradition proceedings.

➔ The signed document must be filed with the clerk of the court of competent jurisdiction as soon as practicable, but in no event later than the next business day.

15. If a person admitted to bail fails to appear as ordered by a court and the jurisdiction incurs any cost in returning the person to the jurisdiction to stand trial, the person who failed to appear is responsible for paying those costs as restitution.

16. For the purposes of subsections 8 and 9, an order or injunction is in the nature of a temporary or extended order for protection against domestic violence if it grants relief that might be given in a temporary or extended order issued pursuant to NRS 33.017 to 33.100, inclusive.

Sec. 13. This act becomes effective upon passage and approval.

Senator Washington moved the adoption of the amendment.

Remarks by Senators Washington, Carlton and Horsford.

Senator Washington requested that the following remarks be entered in the Journal.

SENATOR WASHINGTON:

In section 6.5, the amendment addresses an issue concerning temporary protection orders as well as extended protection orders. It deals with the falsification or the filing of fictitious documentation to obtain these orders. People who file fictitious temporary or extended restraining-order requests will be held responsible for attorney fees and court costs. Other provisions listed in section 6 will be applied to the adverse filing of these protection orders. This

is a simple amendment that will correct an abuse in our system that is sometimes used in obtaining advantage in court cases. This is not to do away with the bill, but to address an issue that persists.

SENATOR CARLTON:

Could the sponsor give us an example of the problem we are trying to solve? When I read this amendment, I see the petitioner for the temporary restraining order being put through an arduous procedure in order to be able to prove that they want to protect themselves. I have concerns about this. If they feel that they are in danger, to have them put through a process like this could end up putting them in harms way.

SENATOR WASHINGTON:

The procedure is still the same. A person goes to the courthouse and fills out an application with the court clerk to apply for a temporary restraining or extended order. What section 6.5 does is, upon applying for that protection order, if it is found that the applicant knowingly files a false or fictitious application, for whatever reason, then the adverse party can ask the court to have their attorney fees and court costs paid for by the applicant.

It does not change the procedure for filing. It just applies to those who have falsified or knowingly falsified their application.

SENATOR HORSFORD:

Can you explain the standard for "reasonably should have known"? That is not a standard I am accustomed to seeing.

SENATOR WASHINGTON:

Not being a lawyer, but using common sense, in this case, "reasonably should have known" applies to a person should have known the intent. Most protection orders are for stalking or to protect them from someone. If a person falsifies the application for the purposes of gaining advantage or obtaining favors in court proceedings, then, the adverse party can ask for attorney fees for clearing their name and for clearing the protection order against them. The court can remand the original petitioner to pay the attorney fees or the court costs.

SENATOR CARLTON:

I thought there was something in law that dealt with filing a false report. Would not that principle apply to this? Would this information be given to the applicant at the time they filed? Could it discourage an applicant from filing the petition because they may feel no one will believe them and they will have to pay these costs, which they may not be able to afford? Would someone not file the report because of this?

SENATOR WASHINGTON:

The intent of a protection order is to protect a victim from a stalker or an estranged mate. This does not keep them from filing a protection order. What it does is to put validity into the protection order so that those who file for a protection order really have a reason to file it as opposed to falsely filing for a protection order for adverse advantages. If it is filed knowingly or "reasonably should have known" falsely, then, the adverse party can petition the court, but the person has to prove the petition was filed against him falsely. If the court determines the petition has been filed falsely, then the court may remand that the person be cleared and that the applicant will have to pay the attorney and the court cost fees. It puts legitimacy into the protection order so that they are not used in an adverse way.

SENATOR CARLTON:

Is it the answer that this disclaimer will be given to the petitioner when they file? Is there a general provision in law about filing a false report?

SENATOR WASHINGTON:

No, the information will not be given to the person who is being filed against. That person will be served the protection order. It is up to the party who has been filed against to prove they have been adversely filed against. They have to prove the filing is false. It is up to the court to determine whether it has been falsely filed.

There are provisions in existing law about filing falsely, but attorney fees and court costs are not addressed. It is up to the person to pay for the costs to prove them innocent. If the person is cleared, then, the cost is assessed to the applicant.

SENATOR CARLTON:

My concern is for the information. When the petitioner comes to the clerk's office to file this application for a protection order, will they be told this provision may be held against them later?

SENATOR WASHINGTON:

The applicant would be told this information when they file.

SENATOR CARLTON:

This disclosure will be made when it is filed.

SENATOR WASHINGTON:

Yes.

Senator Horsford moved that the Senate recess subject to the call of the Chair.

Motion carried.

Senate in recess at 1:03 p.m.

SENATE IN SESSION

At 1:05 p.m.

President Krolicki presiding.

Quorum present.

Senators Horsford, Carlton and Wiener requested a roll call vote on Senator Washington's motion.

Roll call on Senator Washington's motion:

YEAS—9.

NAYS—Breden, Care, Carlton, Coffin, Copening, Horsford, Mathews, Parks, Schneider, Wiener, Woodhouse—11.

EXCUSED—Lee.

The motion having failed to receive a majority, Mr. President declared it lost.

Roll call on Assembly Bill No. 120:

YEAS—20.

NAYS—None.

EXCUSED—Lee.

Assembly Bill No. 120 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 237.

Bill read third time.

Roll call on Assembly Bill No. 237:

YEAS—20.

NAYS—None.

EXCUSED—Lee.

Assembly Bill No. 237 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 462.

Bill read third time.

Roll call on Assembly Bill No. 462:

YEAS—20.

NAYS—None.

EXCUSED—Lee.

Assembly Bill No. 462 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President and Secretary signed Senate Concurrent Resolution No. 4.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Schneider, the privilege of the floor of the Senate Chamber for this day was extended to Scott Gibson and Dan St. John.

On request of Senator Wiener, the privilege of the floor of the Senate Chamber for this day was extended to the following students from the Paul Culley Empowerment School: Laura Arbutina, Royal Browning, Aurora Carminati-King, Gerardo Castellanos, Alan Ceballos, Andrew Davila, Shaun Duhon, Alexander Espinosa, Savi Garcelon, Brayan Hernandez, Vanesa Hernandez-Martin, Jose Herrera, Xavier Ledesma, Andrea Pitts, Eduardo Regalado, Daniela Richardson, Adrien Smith, Bryanna Sommars, Amber Strand, Giovanni Sutuj, Christopher Villasenor-Vel, Gustavo Anaya, Charlotte Banks, Lori Beckingham, Brian Cabada, Crista Decarlo, Frederick Douglas, Yiovanny Gonzalez, Alondra Lopez, Stephanie Martinez, Adrianna Muse, Jesus Angel Nunez, Isioma Okwueze, Jennifer Rendon-DelReal, Jordan Soberanis, Kristina Tejeda, Janelle Ymson, Dante Anderson, Katherine Aparicio, Jasmine Barba, Luis Barragan, Oscar Denogean, Michael Lesh, Sa'vanna Macklin, Brandon Magana, Brandy Martin-Cortes, Chelsea Medina, Thanya Mercado-Ramirez, Kamren Ocampo, Ruben Ornelas, Yesenia Ortiz, Reina Romero, Daniela San Pedro, Anjelica Trujillo, Eddie Valadez, Leonardo Aparicio, Heaven Boles, Joseph Briones, Rudy Contreras-Trujillo, Kahley Darragh, Brianna Esposito, Robert Job, Marc Anthony Molina, Debora Munar, McKenna Roundy, Isaiah Rumph, Kytzia Zendejas, Michelle Angulo, Brayan Barrera, Aysha Brouchet, Karla Diaz,

Jacob Espinoza, Justin Frost, Abraham Gastelum, Josue Leyva, Jasmine Moreno, Dulce Nungaray, Karla Portan, Brian Ramos-Maganda, Jessi Ramos, Levi Waldron and Isaiah Zavala.

Senator Horsford moved that the Senate adjourn until Saturday, May 2, 2009, at 9:30 a.m.

Motion carried.

Senate adjourned at 1:13 p.m.

Approved:

BRIAN K. KROLICKI
President of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate