

SENATE BILL NO. 314—SENATOR DENIS

MARCH 18, 2013

Referred to Committee on Judiciary

SUMMARY—Provides that the right of parents to make choices regarding the upbringing, education and care of their children is a fundamental right. (BDR 11-880)

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

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to parentage; providing that the right of a parent to make decisions regarding the upbringing, education and care of his or her child is a fundamental right; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 This bill provides that the right of a parent to direct the upbringing, education  
2 and care of his or her child is a fundamental right. Under this bill, in implementing  
3 a statute, local ordinance or regulation, the State or any agency, instrumentality or  
4 political subdivision of the State is prohibited from violating this right without  
5 demonstrating a compelling governmental interest that as applied to the child  
6 involved is of the highest order.

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

1 **Section 1.** Chapter 126 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3 *1. The liberty of a parent to direct the upbringing, education*  
4 *and care of the parent’s child is a fundamental right. The State of*  
5 *Nevada or any agency, instrumentality or political subdivision of*  
6 *the State shall not violate this right without demonstrating a*  
7 *compelling governmental interest that as applied to the child*  
8 *involved is of the highest order.*



1        ***2. Except as otherwise provided by specific statute, the***  
2        ***provisions of this section apply to any statute, local ordinance or***  
3        ***regulation and the implementation of such statute, local ordinance***  
4        ***or regulation regardless of whether such statute, local ordinance***  
5        ***or regulation was adopted or effective before, on or after***  
6        ***October 1, 2013.***

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