

THE ONE HUNDRED AND FIRST DAY

CARSON CITY (Wednesday), May 17, 2017

Assembly called to order at 12:26 p.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Reverend Chad Adamik.

Creator God, we give sincere thanks for this opportunity to meet in this Assembly Chamber to conduct the business of our state. May we listen to one another intently, with the purpose of bettering ourselves and our community.

May we humbly accept the responsibilities assigned to us. May we carry out each of these responsibilities to the best of our capabilities.

This Chamber is composed of many old and fast friends, acquaintances of a very brief time, those who strive together and some who have never met. Permit no one to leave here a stranger or less of a person than when arriving.

Since each of us is a part of all we have ever witnessed, let what we have observed be to Your good and available to all.

There are those among us who have come many miles to either witness or to be a part of today's proceedings. Grant that they may return safely to their homes and their families.

All of these things, and whatever else you see that we need, be granted to us. In Your many Holy Names we pray.

AMEN.

Pledge of allegiance to the Flag led by Messiah Smith.

Assemblywoman Benitez-Thompson moved that further reading of the Journal be dispensed with and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce and Labor, to which were referred Senate Bills Nos. 145, 146, 204, 314, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

IRENE BUSTAMANTE ADAMS, *Chair*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 280, has had the same under consideration, and begs leave to report the same back with the recommendation: Amended, and do pass as amended.

Also, your Committee on Government Affairs, to which were referred Senate Bills Nos. 78, 127, 191, 236, 245, 429, 469, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

EDGAR FLORES, *Chair*

Mr. Speaker:

Your Committee on Health and Human Services, to which were referred Senate Bills Nos. 159, 416, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Health and Human Services, to which were referred Senate Bills Nos. 46, 101, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MICHAEL C. SPRINKLE, *Chair*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 183, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Judiciary, to which was referred Senate Bill No. 510, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

STEVE YEAGER, *Chair*

Mr. Speaker:

Your Committee on Legislative Operations and Elections, to which were referred Senate Bill No. 118; Senate Joint Resolution No. 4, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

OLIVIA DIAZ, *Chair*

Mr. Speaker:

Your Committee on Taxation, to which were referred Senate Bills Nos. 54, 64, 442, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DINA NEAL, *Chair*

Mr. Speaker:

Your Committee on Transportation, to which were referred Senate Bills Nos. 156, 215, 312, 339, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

RICHARD CARRILLO, *Chair*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 498, 500, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Ways and Means, to which was rereferred Assembly Bill No. 483, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Ways and Means, to which were rereferred Assembly Bills Nos. 278, 447, 471, 473, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

MAGGIE CARLTON, *Chair*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 16, 2017

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 8, 20, 22, 31, 79, 95, 96, 98, 108, 134, 151, 170, 236, 258, 305, 324, 337, 340, 347, 478; Senate Bill No. 415.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 25, 136, 323, 502.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 227, 514.

SHERRY RODRIGUEZ
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

WAIVER OF JOINT STANDING RULES

A Waiver requested by: Assembly Committee on Legislative Operations and Elections.

For: A New BDR No. C-1218.

AJR: Proposes to amend the Nevada Constitution to ensure access to affordable health care in an emergency to all persons in this State.

To Waive:

Subsection 1 of Joint Standing Rule No. 14 (Committee requests of each house must be requested by 15th day).

Subsection 1 of Joint Standing Rule No. 14.2 (dates for introduction of BDRs requested by individual legislators and committees).

Subsection 1 of Joint Standing Rule No. 14.3 (out of final committee of house of origin by 68th day).

Subsection 2 of Joint Standing Rule No. 14.3 (out of house of origin by 79th day).

Subsection 3 of Joint Standing Rule No. 14.3 (out of final committee of 2nd house by 103rd day).

Subsection 4 of Joint Standing Rule No. 14.3 (out of 2nd house by 110th day).

Has been granted effective: May 10, 2017.

SENATOR AARON D. FORD
Senate Majority Leader

ASSEMBLYMAN JASON FRIERSON
Speaker of the Assembly

A Waiver requested by: Assemblywoman Benitez-Thompson.

For: Senate Bill No. 442.

To Waive:

Subsection 3 of Joint Standing Rule No. 14.3 (out of final committee of 2nd house by 103rd day).

Subsection 4 of Joint Standing Rule No. 14.3 (out of 2nd house by 110th day).

Has been granted effective: May 16, 2017.

SENATOR AARON D. FORD
Senate Majority Leader

ASSEMBLYMAN JASON FRIERSON
Speaker of the Assembly

By the Committee on Legislative Operations and Elections:

Assembly Joint Resolution No. 14—Proposing to amend the Nevada Constitution to ensure access to affordable emergency medical care to all persons in this State.

Assemblywoman Diaz moved that the resolution be referred to the Committee on Legislative Operations and Elections.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 25.

Assemblyman Flores moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

Senate Bill No. 136.

Assemblyman Sprinkle moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

Senate Bill No. 227.

Assemblywoman Bustamante Adams moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Senate Bill No. 323.

Assemblyman Sprinkle moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

Senate Bill No. 415.

Assemblywoman Neal moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 502.

Assemblyman Flores moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

Senate Bill No. 514.

Assemblywoman Swank moved that the bill be referred to the Committee on Natural Resources, Agriculture, and Mining.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 33.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 684.

AN ACT relating to real property; prohibiting the foreclosure of real property owned by certain military personnel or their dependents in certain circumstances; prohibiting the foreclosure of a lien against a unit in a common-interest community owned by certain military personnel or their dependents in certain circumstances; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

The federal Servicemembers Civil Relief Act, 50 U.S.C. § 3901 et seq., generally provides for the temporary suspension of certain judicial and administrative proceedings and transactions that could adversely affect the civil rights of a servicemember during his or her military service. (50 U.S.C. § 3902) The Act provides that in any action filed during, or within 1 year

after, a servicemember's period of military service to enforce an obligation on real or personal property owned by a servicemember that: (1) originated before the period of such military service and for which the servicemember is still obligated; and (2) is secured by a mortgage, trust deed or other security in the nature of a mortgage, a court is generally authorized or required, depending on the circumstances, to stay the proceedings or adjust the obligation to preserve the interests of all parties. The Act further provides that absent a court order or agreement, a sale, foreclosure or seizure of property for a breach of any such obligation is not valid if it is made during or within 1 year after the period of the servicemember's military service. Any person who knowingly makes or causes to be made a sale, foreclosure or seizure of property in violation of such a provision, or knowingly attempts to do so, is guilty of a misdemeanor. (50 U.S.C. § 3953) Additionally, the Act provides that upon application to a court, a dependent of a servicemember is entitled to the protections offered to a servicemember if the ability of the dependent to comply with certain obligations is materially affected by the servicemember's military service. (50 U.S.C. § 3959)

The provisions of the Act that grant protection from a sale, foreclosure or seizure of property for a period of 1 year after a servicemember's military service currently remain effective until December 31, 2017, and on January 1, 2018, the period of protection will decrease to 90 days. (Section 710(d) of the Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012, Public Law 112-154, 126 Stat. 1208; section 2 of the Foreclosure Relief and Extension for Servicemembers Act of 2015, Public Law 114-142, 130 Stat. 326)

Section 1 of this bill grants under Nevada law the period of protection currently provided under federal law. **Section 1** provides that if a mortgagor or grantor of a deed of trust under a residential mortgage loan is a servicemember or, in certain circumstances, a dependent of a servicemember, a person is generally prohibited from initiating or directing or authorizing another person to initiate a foreclosure sale during any period the servicemember is on active duty or deployment or for a period of 1 year immediately following the end of such active duty or deployment. **Section 1** also provides that in any civil action for a foreclosure sale that is filed against a servicemember or, if applicable, a dependent of a servicemember while the servicemember is on active duty or deployment or during the 1-year period immediately following the end of such active duty or deployment, the court is authorized or required, depending on the circumstances, to stay the proceedings in the action for a certain period or adjust the obligation to preserve the interests of the parties unless the court determines that the ability of the servicemember or dependent to comply with the terms of the obligation secured by the residential mortgage loan is not materially affected by the servicemember's active duty or deployment. **Section 1** additionally provides that any such protection against foreclosure only applies to a residential mortgage loan that was secured before the servicemember was

called to active duty or deployment. **Section 1** further provides that any person who knowingly initiates or directs or authorizes another person to initiate a foreclosure sale in violation of the provisions of **section 1**, other than a trustee who initiates a foreclosure sale pursuant to the direction or authorization of another person, is guilty of a misdemeanor and may be liable for actual damages, reasonable attorney's fees and costs incurred by the injured party. In imposing any such liability and determining whether to reduce such liability, a court is required to take into consideration any due diligence used by the person before he or she initiated or directed or authorized another person to initiate the foreclosure sale. Finally, **section 1** provides that any applicable statute of limitations or period within which a servicemember is required to submit proof of service that is prescribed by state law is tolled during the period of protection provided pursuant to **section 1**.

Section 5.3 of this bill applies the applicable provisions set forth in **section 1** to the foreclosure of a lien of a unit-owners' association against a unit in a common-interest community and provides that if a unit's owner or his or her successor in interest is a servicemember or, in certain circumstances, a dependent of a servicemember, an association is generally prohibited from initiating the foreclosure of a lien by sale during any period the servicemember is on active duty or deployment or for a period of 1 year immediately following the end of such active duty or deployment. **Section 5.3** also requires a unit-owners' association to: (1) inform each unit's owner or his or her successor in interest that if the person is a servicemember or a dependent of a servicemember, he or she may be entitled to certain protections pursuant to **section 5.3**; and (2) give the person the opportunity to provide any information required to enable the association to verify whether the person is entitled to the protections set forth in **section 5.3**, including, without limitation, the social security number and date of birth of the person. **Section 5.3** also requires that before an association takes certain action relating to the foreclosure of a lien by sale, the association must, if such information is provided, verify whether a unit's owner or his or her successor in interest is entitled to the protections set forth in **section 5.3** or, if such information is not provided, make a good faith effort to verify whether a unit's owner or his or her successor in interest is entitled to such protections.

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

Section 1. Chapter 40 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Notwithstanding any other provision of law and except as otherwise ordered by a court of competent jurisdiction, if a borrower is a servicemember or, in accordance with subsection 5, a dependent of a servicemember, a person shall not initiate or direct or authorize another person to initiate a foreclosure sale during any period that the

servicemember is on active duty or deployment or for a period of 1 year immediately following the end of such active duty or deployment.

2. Except as otherwise provided in subsection 3, in any civil action for a foreclosure sale pursuant to NRS 40.430 involving a failure to make a payment required by a residential mortgage loan that is filed against a servicemember or, in accordance with subsection 5, a dependent of a servicemember, while the servicemember is on active duty or deployment or during the 1-year period immediately following the end of such active duty or deployment, the court may, on its own motion after a hearing, or shall, on a motion or on behalf of the servicemember or dependent of the servicemember, as applicable, do one or both of the following:

(a) Stay the proceedings in the action until at least 1 year after the end of the servicemember's active duty or deployment; or

(b) Adjust the obligation to preserve the interests of the parties.

3. The provisions of subsection 2 do not apply if the court determines that the ability of the servicemember or dependent of the servicemember to comply with the terms of the obligation secured by the residential mortgage loan is not materially affected by the servicemember's active duty or deployment.

4. The provisions of this section apply only to a residential mortgage loan that was secured by a servicemember or, in accordance with subsection 5, a dependent of a servicemember, before the servicemember was called to active duty or deployment.

5. Upon application to the court, a dependent of a servicemember is entitled to the protections provided to a servicemember pursuant to this section if the ability of the dependent to make payments required by a residential mortgage loan is materially affected by the servicemember's active duty or deployment.

6. Except as otherwise provided in subsection 7, any person who knowingly initiates or directs or authorizes another person to initiate a foreclosure sale in violation of this section:

(a) Is guilty of a misdemeanor; and

(b) May be liable for actual damages, reasonable attorney's fees and costs incurred by the injured party.

7. The provisions of subsection 6 do not apply to a trustee who initiates a foreclosure sale pursuant to the direction or authorization of another person.

8. In imposing liability pursuant to paragraph (b) of subsection 6, a court shall, when determining whether to reduce such liability, take into consideration any due diligence used by the person before he or she initiated or directed or authorized another person to initiate the foreclosure sale.

9. Notwithstanding any other provision of law, any applicable statute of limitations or period within which a servicemember is required to submit proof of service that is prescribed by state law is tolled during the period of

protection provided to a servicemember or dependent of a servicemember pursuant to this section.

10. As used in this section:

(a) “Active duty” means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. §§ 1209 and 1211.

(b) “Borrower” has the meaning ascribed to it in NRS 107.410.

(c) “Dependent” has the meaning ascribed to it in 50 U.S.C. § 3911.

(d) “Deployment” means the movement or mobilization of a servicemember from his or her home station to another location for more than 90 days pursuant to military orders.

(e) “Initiate a foreclosure sale” means to commence a civil action for a foreclosure sale pursuant to NRS 40.430 or, in the case of the exercise of a trustee’s power of sale pursuant to NRS 107.080, to execute and cause to be recorded in the office of the county recorder a notice of the breach and of the election to sell or cause to be sold the property pursuant to paragraph (c) of subsection 2 of NRS 107.080.

(f) “Military” means the Armed Forces of the United States, a reserve component thereof or the National Guard.

(g) “Residential mortgage loan” has the meaning ascribed to it in NRS 107.450.

(h) “Servicemember” means a member of the military.

(i) “Trustee” means a person described in NRS 107.028.

Sec. 2. NRS 40.426 is hereby amended to read as follows:

40.426 As used in NRS 40.426 to 40.495, inclusive, **and section 1 of this act**, unless the context otherwise requires, the words and terms defined in NRS 40.427, 40.428 and 40.429 have the meanings ascribed to them in those sections.

Sec. 3. NRS 40.430 is hereby amended to read as follows:

40.430 1. Except in cases where a person proceeds under subsection 2 of NRS 40.495 or subsection 1 of NRS 40.512, and except as otherwise provided in NRS 118C.220, there may be but one action for the recovery of any debt, or for the enforcement of any right secured by a mortgage or other lien upon real estate. That action must be in accordance with the provisions of NRS 40.426 to 40.459, inclusive ~~{-}~~, **and section 1 of this act**. In that action, the judgment must be rendered for the amount found due the plaintiff, and the court, by its decree or judgment, may direct a sale of the encumbered property, or such part thereof as is necessary, and apply the proceeds of the sale as provided in NRS 40.462.

2. This section must be construed to permit a secured creditor to realize upon the collateral for a debt or other obligation agreed upon by the debtor and creditor when the debt or other obligation was incurred.

3. At any time not later than 5 business days before the date of sale directed by the court, if the deficiency resulting in the action for the recovery of the debt has arisen by failure to make a payment required by the mortgage

or other lien, the deficiency may be made good by payment of the deficient sum and by payment of any costs, fees and expenses incident to making the deficiency good. If a deficiency is made good pursuant to this subsection, the sale may not occur.

4. A sale directed by the court pursuant to subsection 1 must be conducted in the same manner as the sale of real property upon execution, by the sheriff of the county in which the encumbered land is situated, and if the encumbered land is situated in two or more counties, the court shall direct the sheriff of one of the counties to conduct the sale with like proceedings and effect as if the whole of the encumbered land were situated in that county.

5. Within 30 days after a sale of property is conducted pursuant to this section, the sheriff who conducted the sale shall record the sale of the property in the office of the county recorder of the county in which the property is located.

6. As used in this section, an "action" does not include any act or proceeding:

(a) To appoint a receiver for, or obtain possession of, any real or personal collateral for the debt or as provided in NRS 32.015.

(b) To enforce a security interest in, or the assignment of, any rents, issues, profits or other income of any real or personal property.

(c) To enforce a mortgage or other lien upon any real or personal collateral located outside of the State which does not, except as required under the laws of that jurisdiction, result in a personal judgment against the debtor.

(d) For the recovery of damages arising from the commission of a tort, including a recovery under NRS 40.750, or the recovery of any declaratory or equitable relief.

(e) For the exercise of a power of sale pursuant to NRS 107.080.

(f) For the exercise of any right or remedy authorized by chapter 104 of NRS or by the Uniform Commercial Code as enacted in any other state, including, without limitation, an action for declaratory relief pursuant to chapter 30 of NRS to ascertain the identity of the person who is entitled to enforce an instrument pursuant to NRS 104.3309.

(g) For the exercise of any right to set off, or to enforce a pledge in, a deposit account pursuant to a written agreement or pledge.

(h) To draw under a letter of credit.

(i) To enforce an agreement with a surety or guarantor if enforcement of the mortgage or other lien has been automatically stayed pursuant to 11 U.S.C. § 362 or pursuant to an order of a federal bankruptcy court under any other provision of the United States Bankruptcy Code for not less than 120 days following the mailing of notice to the surety or guarantor pursuant to subsection 1 of NRS 107.095.

(j) To collect any debt, or enforce any right, secured by a mortgage or other lien on real property if the property has been sold to a person other than

the creditor to satisfy, in whole or in part, a debt or other right secured by a senior mortgage or other senior lien on the property.

(k) Relating to any proceeding in bankruptcy, including the filing of a proof of claim, seeking relief from an automatic stay and any other action to determine the amount or validity of a debt.

(l) For filing a claim pursuant to chapter 147 of NRS or to enforce such a claim which has been disallowed.

(m) Which does not include the collection of the debt or realization of the collateral securing the debt.

(n) Pursuant to NRS 40.507 or 40.508.

(o) Pursuant to an agreement entered into pursuant to NRS 361.7311 between an owner of the property and the assignee of a tax lien against the property, or an action which is authorized by NRS 361.733.

(p) Which is exempted from the provisions of this section by specific statute.

(q) To recover costs of suit, costs and expenses of sale, attorneys' fees and other incidental relief in connection with any action authorized by this subsection.

Sec. 4. NRS 107.480 is hereby amended to read as follows:

107.480 1. In addition to the requirements of NRS 107.085 and 107.086, **and section 1 of this act**, the exercise of a trustee's power of sale pursuant to NRS 107.080 with respect to a deed of trust securing a residential mortgage loan is subject to the provisions of NRS 107.400 to 107.560, inclusive.

2. In addition to the requirements of NRS 40.430 to 40.4639, inclusive, **and section 1 of this act**, a civil action for a foreclosure sale pursuant to NRS 40.430 involving a failure to make a payment required by a residential mortgage loan is subject to the requirements of NRS 107.400 to 107.560, inclusive.

Sec. 5. NRS 107.500 is hereby amended to read as follows:

107.500 1. At least 30 calendar days before recording a notice of default and election to sell pursuant to subsection 2 of NRS 107.080 or commencing a civil action for a foreclosure sale pursuant to NRS 40.430 involving a failure to make a payment required by a residential mortgage loan and at least 30 calendar days after the borrower's default, the mortgage servicer, mortgagee or beneficiary of the deed of trust shall mail, by first-class mail, a notice addressed to the borrower at the borrower's primary address as indicated in the records of the mortgage servicer, mortgagee or beneficiary of the deed of trust, which contains:

(a) A statement that if the borrower is a servicemember or a dependent of a servicemember, he or she may be entitled to certain protections under the federal Servicemembers Civil Relief Act, 50 U.S.C. ~~[Appx.] §§ [501]~~ **3901** et seq., **and section 1 of this act**, regarding the servicemember's interest rate and the risk of foreclosure, and counseling for covered servicemembers that

is available from Military OneSource and the United States Armed Forces Legal Assistance or any other similar agency.

(b) A summary of the borrower's account which sets forth:

(1) The total amount of payment necessary to cure the default and reinstate the residential mortgage loan or to bring the residential mortgage loan into current status;

(2) The amount of the principal obligation under the residential mortgage loan;

(3) The date through which the borrower's obligation under the residential mortgage loan is paid;

(4) The date of the last payment by the borrower;

(5) The current interest rate in effect for the residential mortgage loan, if the rate is effective for at least 30 calendar days;

(6) The date on which the interest rate for the residential mortgage loan may next reset or adjust, unless the rate changes more frequently than once every 30 calendar days;

(7) The amount of the prepayment fee charged under the residential mortgage loan, if any;

(8) A description of any late payment fee charged under the residential mortgage loan;

(9) A telephone number or electronic mail address that the borrower may use to obtain information concerning the residential mortgage loan; and

(10) The names, addresses, telephone numbers and Internet website addresses of one or more counseling agencies or programs approved by the United States Department of Housing and Urban Development.

(c) A statement of the facts establishing the right of the mortgage servicer, mortgagee or beneficiary of the deed of trust to cause the trustee to exercise the trustee's power of sale pursuant to NRS 107.080 or to commence a civil action for the recovery of any debt, or for the enforcement of any right, under a residential mortgage loan that is not barred by NRS 40.430.

(d) A statement of the foreclosure prevention alternatives offered by, or through, the mortgage servicer, mortgagee or beneficiary of the deed of trust.

(e) A statement that the borrower may request:

(1) A copy of the borrower's promissory note or other evidence of indebtedness;

(2) A copy of the borrower's mortgage or deed of trust;

(3) A copy of any assignment, if applicable, of the borrower's mortgage or deed of trust required to demonstrate the right of the mortgage servicer, mortgagee or beneficiary of the deed of trust to cause the trustee to exercise the trustee's power of sale pursuant to NRS 107.080 or to commence a civil action for the recovery of any debt, or for the enforcement of any right, under a residential mortgage loan that is not barred by NRS 40.430; and

(4) A copy of the borrower's payment history since the borrower was last less than 60 calendar days past due.

2. Unless a borrower has exhausted the process described in NRS 107.520 and 107.530 for applying for a foreclosure prevention alternative offered by, or through, the mortgage servicer, mortgagee or beneficiary of the deed of the trust, not later than 5 business days after a notice of default and election to sell is recorded pursuant to subsection 2 of NRS 107.080 or a civil action for the recovery of any debt, or for the enforcement of any right, under a residential mortgage loan that is not barred by NRS 40.430 is commenced, the mortgage servicer, mortgagee or beneficiary of the deed of trust that offers one or more foreclosure prevention alternatives must send to the borrower a written statement:

(a) That the borrower may be evaluated for a foreclosure prevention alternative or, if applicable, foreclosure prevention alternatives;

(b) Whether a complete application is required to be submitted by the borrower if the borrower wants to be considered for a foreclosure prevention alternative; and

(c) Of the means and process by which a borrower may obtain an application for a foreclosure prevention alternative.

Sec. 5.3. Chapter 116 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Notwithstanding any other provision of law and except as otherwise provided in subsection 2 or ordered by a court of competent jurisdiction, if a unit's owner or his or her successor in interest is a servicemember or, in accordance with subsection 3, a dependent of a servicemember, an association shall not initiate the foreclosure of a lien by sale during any period that the servicemember is on active duty or deployment or for a period of 1 year immediately following the end of such active duty or deployment.

2. The provisions of subsection 1 do not apply if a court determines that the ability of the servicemember or dependent of the servicemember to comply with the terms of the obligation secured by the lien of a unit-owners' association is not materially affected by the servicemember's active duty or deployment.

3. Upon application to the court, a dependent of a servicemember is entitled to the protections provided to a servicemember pursuant to this section if the ability of the dependent to make payments required by a lien of a unit-owners' association is materially affected by the servicemember's active duty or deployment.

4. An association shall:

(a) Inform each unit's owner or his or her successor in interest that if the person is a servicemember or a dependent of a servicemember, he or she may be entitled to certain protections pursuant to this section; and

(b) Give the person the opportunity to provide any information required to enable the association to verify whether he or she is entitled to the protections set forth in this section, including, without limitation, the social security number and date of birth of the person.

5. *Before an association takes any action pursuant to paragraph (a) of subsection 4 of NRS 116.31162, if information required to verify whether a unit's owner or his or her successor in interest is entitled to the protections set forth in this section:*

(a) Has been provided to the association pursuant to subsection 4, the association must verify whether the person is entitled to the protections set forth in this section.

(b) Has not been provided to the association pursuant to subsection 4, the association must make a good faith effort to verify whether the person is entitled to the protections set forth in this section.

6. *Any person who knowingly initiates the foreclosure of a lien by sale in violation of this section:*

(a) Is guilty of a misdemeanor; and

(b) May be liable for actual damages, reasonable attorney's fees and costs incurred by the injured party.

7. *In imposing liability pursuant to paragraph (b) of subsection 6, a court shall, when determining whether to reduce such liability, take into consideration any due diligence used by the person before he or she initiated the foreclosure of the lien by sale.*

8. *Notwithstanding any other provision of law, any applicable statute of limitations or period within which a servicemember is required to submit proof of service that is prescribed by state law is tolled during the period of protection provided to a servicemember or dependent of a servicemember pursuant to this section.*

9. *As used in this section:*

(a) "Active duty" means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. §§ 1209 and 1211.

(b) "Dependent" has the meaning ascribed to it in 50 U.S.C. § 3911.

(c) "Deployment" means the movement or mobilization of a servicemember from his or her home station to another location for more than 90 days pursuant to military orders.

(d) "Good faith effort" means that an association acts honestly and fairly when trying to verify whether a unit's owner or his or her successor in interest is entitled to the protections set forth in this section, as evidenced by the following actions:

(1) The association informs the unit's owner or his or her successor in interest of the information required pursuant to paragraph (a) of subsection 4;

(2) The association makes reasonable efforts to give the unit's owner or his or her successor in interest the opportunity to provide any information required to enable the association to verify whether the person is entitled to the protections set forth in this section pursuant to paragraph (b) of subsection 4; and

(3) The association makes reasonable efforts to utilize all resources available to the association to verify whether the unit's owner or his or her successor in interest is a servicemember, including, without limitation, the Internet website maintained by the United States Department of Defense.

(e) "Initiate the foreclosure of a lien by sale" means to take any action in furtherance of foreclosure of a lien by sale after taking the actions set forth in paragraph (a) of subsection 4 of NRS 116.31162.

~~*(e)*~~ *(f) "Military" means the Armed Forces of the United States, a reserve component thereof or the National Guard.*

~~*(f)*~~ *(g) "Servicemember" means a member of the military.*

Sec. 5.7. NRS 116.31162 is hereby amended to read as follows:

116.31162 1. Except as otherwise provided in subsection 5, 6 or 7, in a condominium, in a planned community, in a cooperative where the owner's interest in a unit is real estate under NRS 116.1105, or in a cooperative where the owner's interest in a unit is personal property under NRS 116.1105 and the declaration provides that a lien may be foreclosed under NRS 116.31162 to 116.31168, inclusive, **and section 5.3 of this act**, the association may foreclose its lien by sale after all of the following occur:

(a) The association has mailed by certified or registered mail, return receipt requested, to the unit's owner or his or her successor in interest, at his or her address, if known, and at the address of the unit, a notice of delinquent assessment which states the amount of the assessments and other sums which are due in accordance with subsection 1 of NRS 116.3116, a description of the unit against which the lien is imposed and the name of the record owner of the unit.

(b) Not less than 30 days after mailing the notice of delinquent assessment pursuant to paragraph (a), the association or other person conducting the sale has executed and caused to be recorded, with the county recorder of the county in which the common-interest community or any part of it is situated, a notice of default and election to sell the unit to satisfy the lien which must contain the same information as the notice of delinquent assessment and which must also comply with the following:

(1) Describe the deficiency in payment.

(2) State the total amount of the deficiency in payment, with a separate statement of:

(I) The amount of the association's lien that is prior to the first security interest on the unit pursuant to subsection 3 of NRS 116.3116 as of the date of the notice;

(II) The amount of the lien described in sub-subparagraph (I) that is attributable to assessments based on the periodic budget adopted by the association pursuant to NRS 116.3115 as of the date of the notice;

(III) The amount of the lien described in sub-subparagraph (I) that is attributable to amounts described in NRS 116.310312 as of the date of the notice; and

(IV) The amount of the lien described in sub-subparagraph (I) that is attributable to the costs of enforcing the association's lien as of the date of the notice.

(3) State that:

(I) If the holder of the first security interest on the unit does not satisfy the amount of the association's lien that is prior to that first security interest pursuant to subsection 3 of NRS 116.3116, the association may foreclose its lien by sale and that the sale may extinguish the first security interest as to the unit; and

(II) If, not later than 5 days before the date of the sale, the holder of the first security interest on the unit satisfies the amount of the association's lien that is prior to that first security interest pursuant to subsection 3 of NRS 116.3116 and, not later than 2 days before the date of the sale, a record of such satisfaction is recorded in the office of the recorder of the county in which the unit is located, the association may foreclose its lien by sale but the sale may not extinguish the first security interest as to the unit.

(4) State the name and address of the person authorized by the association to enforce the lien by sale.

(5) Contain, in 14-point bold type, the following warning:

WARNING! IF YOU FAIL TO PAY THE AMOUNT SPECIFIED IN THIS NOTICE, YOU COULD LOSE YOUR HOME, EVEN IF THE AMOUNT IS IN DISPUTE!

(c) The unit's owner or his or her successor in interest has failed to pay the amount of the lien, including costs, fees and expenses incident to its enforcement, for 90 days following the recording of the notice of default and election to sell.

(d) The unit's owner or his or her successor in interest, or the holder of a recorded security interest on the unit, has, for a period which commences in the manner and subject to the requirements described in subsection 3 and which expires 5 days before the date of sale, failed to pay the assessments and other sums that are due to the association in accordance with subsection 1 of NRS 116.3116.

(e) The association or other person conducting the sale has executed and caused to be recorded, with the county recorder of the county in which the common-interest community or any part of it is situated, an affidavit which states, based on the direct, personal knowledge of the affiant, the personal knowledge which the affiant acquired by a review of a trustee sale guarantee or a similar product or the personal knowledge which the affiant acquired by a review of the business records of the association or other person conducting the sale, which business records must meet the standards set forth in NRS 51.135, the following:

(1) The name of each holder of a security interest on the unit to which the notice of default and election to sell and the notice of sale was mailed, as

required by subsection 2 of NRS 116.31163 and paragraph (d) of subsection 1 of NRS 116.311635; and

(2) The address at which the notices were mailed to each such holder of a security interest.

2. The notice of default and election to sell must be signed by the person designated in the declaration or by the association for that purpose or, if no one is designated, by the president of the association.

3. The period of 90 days described in paragraph (c) of subsection 1 begins on the first day following:

(a) The date on which the notice of default and election to sell is recorded; or

(b) The date on which a copy of the notice of default and election to sell is mailed by certified or registered mail, return receipt requested, to the unit's owner or his or her successor in interest at his or her address, if known, and at the address of the unit,

↪ whichever date occurs later.

4. An association may not mail to a unit's owner or his or her successor in interest a letter of its intent to mail a notice of delinquent assessment pursuant to paragraph (a) of subsection 1, mail the notice of delinquent assessment or take any other action to collect a past due obligation from a unit's owner or his or her successor in interest unless ~~it~~ ***the association has complied with the provisions of subsections 4 and 5 of section 5.3 of this act and:***

(a) Not earlier than 60 days after the obligation becomes past due, the association mails to the address on file for the unit's owner:

(1) A schedule of the fees that may be charged if the unit's owner fails to pay the past due obligation;

(2) A proposed repayment plan; and

(3) A notice of the right to contest the past due obligation at a hearing before the executive board and the procedures for requesting such a hearing; and

(b) Within 30 days after the date on which the information described in paragraph (a) is mailed, the past due obligation has not been paid in full or the unit's owner or his or her successor in interest has not entered into a repayment plan or requested a hearing before the executive board. If the unit's owner or his or her successor in interest requests a hearing or enters into a repayment plan within 30 days after the date on which the information described in paragraph (a) is mailed and is unsuccessful at the hearing or fails to make a payment under the repayment plan within 10 days after the due date, the association may take any lawful action pursuant to subsection 1 to enforce its lien.

5. The association may not foreclose a lien by sale if the association has not mailed a copy of the notice of default and election to sell and a copy of the notice of sale to each holder of a security interest on the unit in the

manner and subject to the requirements set forth in subsection 2 of NRS 116.31163 and paragraph (d) of subsection 1 of NRS 116.311635.

6. The association may not foreclose a lien by sale based on a fine or penalty for a violation of the governing documents of the association unless:

(a) The violation poses an imminent threat of causing a substantial adverse effect on the health, safety or welfare of the units' owners or residents of the common-interest community; or

(b) The penalty is imposed for failure to adhere to a schedule required pursuant to NRS 116.310305.

7. The association may not foreclose a lien by sale if the association has received notice pursuant to NRS 107.086 that the unit is subject to foreclosure mediation pursuant to that section, unless:

(a) The trustee of record has recorded the certificate provided to the trustee pursuant to subparagraph (1) or (2) of paragraph (e) of subsection 2 of NRS 107.086; or

(b) The unit's owner has failed to pay to the association any amounts enforceable as assessments pursuant to subsection 1 of NRS 116.3116 that become due during the pendency of foreclosure mediation pursuant to NRS 107.086, other than past due obligations as described in subsection 10 of NRS 107.086.

Sec. 6. This act becomes effective upon passage and approval.

Assemblyman Yeager moved the adoption of the amendment.

Remarks by Assemblyman Yeager.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

Senate Bill No. 50.

Bill read second time.

The following amendment was proposed by the Committee on Health and Human Services:

Amendment No. 717.

AN ACT relating to health care; establishing a procedure for a person to execute an advance directive for psychiatric care to direct a physician or other provider of health care in the event that the person is incapable of making or communicating decisions regarding psychiatric care; requiring a physician or provider of health care to make a reasonable inquiry to determine whether a person has executed such an advance directive under certain circumstances; requiring a physician or provider of health care to comply with such an advance directive under certain circumstances; providing immunity from civil or criminal liability, or discipline for unprofessional conduct, to a physician or provider of health care under certain circumstances relating to compliance with such an advance directive; authorizing a person to register an advance directive for psychiatric care with the Secretary of State for deposit in the Registry of Advance Directives for Health Care; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, a person may provide an advance directive concerning his or her health care in the form of a durable power of attorney for health care decisions, a declaration governing the withholding or withdrawal of life-sustaining treatment, a Physician Order for Life-Sustaining Treatment form or a do-not-resuscitate order. (NRS 162A.700-162A.865, 449.535-449.690, 449.694, 449.800-449.860, 450B.420) Existing law also provides for a Registry of Advance Directives for Health Care, in which certain health records of a patient may be deposited to facilitate treatment of that patient by any health care provider. (NRS 449.900-449.965)

Section 8 of this bill authorizes a person who is of sound mind and who is 18 or more years of age or an emancipated minor to execute an advance directive for psychiatric care to direct any provider of health care on how he or she wishes psychiatric care to be provided in the event that he or she is incapable of making decisions concerning such care or communicating such decisions. **Section 8** also authorizes a person to designate another person to make decisions for him or her in the event that he or she is incapable of making such decisions. **Section 9** of this bill sets forth a sample form that may be used by a person wishing to execute an advance directive for psychiatric care. **Sections 10 and 11** of this bill establish the circumstances under which an advance directive for psychiatric care becomes operative. **Section 13** of this bill provides that a person may revoke his or her advance directive for psychiatric care at any time, as long as he or she is capable of making such a decision at the time. **Sections 12 and 13** of this bill require a physician or other provider of health care to enter an advance directive for psychiatric care or a revocation of such an advance directive into the medical record of the person executing the advance directive or revocation. **Section 17** of this bill provides that an advance directive for psychiatric care validly executed pursuant to the laws of another state is valid in this State.

Section 14 of this bill sets forth the following circumstances under which a physician or other provider of health care may not comply with an advance directive for psychiatric care: (1) compliance with the advance directive is not consistent with generally accepted standards of care; (2) compliance is not consistent with the availability of treatments requested in the advance directive; (3) compliance would violate applicable laws; (4) the person executing the advance directive is involuntarily admitted to a mental health facility and a course of treatment is required by law; or (5) compliance would endanger the life of the person executing the advance directive or any other person. **Section 15** of this bill requires a physician or other provider of health care to promptly transfer the care of a person executing an advance directive if the provider is unable to comply with his or her advance directive.

Section 16 of this bill: (1) requires a physician or other provider of health care to make a reasonable inquiry as to whether a person determined to be incapable of making decisions relating to his or her psychiatric care has executed an advance directive for psychiatric care; and (2) shields a

physician or other provider of health care from civil or criminal liability, or discipline for unprofessional conduct, under certain circumstances for actions taken or not taken relating to a person's psychiatric care.

Section 18 of this bill adds an advance directive for psychiatric care to the definition of "advance directive" for purposes of registering such an advance directive with the Secretary of State for deposit in the Registry of Advance Directives for Health Care.

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

Section 1. Chapter 449 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 17, inclusive, of this act.

Sec. 2. *As used in sections 2 to 17, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3 to 7, inclusive, of this act have the meanings ascribed to them in those sections.*

Sec. 3. *"Advance directive for psychiatric care" or "advance directive" means a writing executed in accordance with the requirements of section 8 of this act pursuant to which the principal makes a declaration of instructions, information and preferences regarding his or her psychiatric care.*

Sec. 4. *"Attending physician" has the meaning ascribed to it in NRS 449.550.*

Sec. 5. *"Principal" means the person who has executed an advance directive for psychiatric care.*

Sec. 6. *"Provider of health care" has the meaning ascribed to it in NRS 449.581.*

Sec. 7. *"Psychiatric care" means the provision of psychiatric services and psychiatric treatment and the administration of psychotropic medication.*

Sec. 8. 1. *A person of sound mind who is 18 or more years of age or who has been declared emancipated pursuant to NRS 129.080 to 129.140, inclusive, may execute at any time an advance directive for psychiatric care. The principal may designate another natural person of sound mind and 18 or more years of age to make decisions governing the provision of psychiatric care. The advance directive must be signed by the principal, or another at the principal's direction, and attested by two witnesses. Neither of the witnesses may be:*

- (a) The attending physician or provider of health care;*
- (b) An employee of the attending physician or provider of health care;*
- (c) An owner or operator of a medical facility in which the principal is a patient or resident or an employer of such an owner or operator; or*
- (d) A person appointed as an attorney-in-fact by the advance directive.*

2. *An advance directive becomes effective upon its proper execution and remains valid for a period of 2 years after the date of its execution unless revoked.*

Sec. 9. The form of an advance directive for psychiatric care may be substantially in the following form, and must be witnessed or executed in the same manner as the following form:

**NOTICE TO PERSON MAKING AN ADVANCE DIRECTIVE FOR
PSYCHIATRIC CARE**

THIS IS AN IMPORTANT LEGAL DOCUMENT. IT CREATES AN ADVANCE DIRECTIVE FOR PSYCHIATRIC CARE. BEFORE SIGNING THIS DOCUMENT YOU SHOULD KNOW THESE IMPORTANT FACTS:

THIS DOCUMENT ALLOWS YOU TO MAKE DECISIONS IN ADVANCE ABOUT CERTAIN TYPES OF PSYCHIATRIC CARE. THE INSTRUCTIONS YOU INCLUDE IN THIS ADVANCE DIRECTIVE WILL BE FOLLOWED IF TWO PROVIDERS OF HEALTH CARE, ONE OF WHOM MUST BE A PHYSICIAN OR LICENSED PSYCHOLOGIST AND THE OTHER OF WHOM MUST BE A PHYSICIAN, A PHYSICIAN ASSISTANT, A LICENSED PSYCHOLOGIST, A PSYCHIATRIST OR AN ADVANCED PRACTICE REGISTERED NURSE WHO HAS THE PSYCHIATRIC TRAINING AND EXPERIENCE PRESCRIBED BY THE STATE BOARD OF NURSING PURSUANT TO NRS 632.120, DETERMINES THAT YOU ARE INCAPABLE OF MAKING OR COMMUNICATING TREATMENT DECISIONS. OTHERWISE YOU WILL BE CONSIDERED CAPABLE TO GIVE OR WITHHOLD CONSENT FOR THE TREATMENTS. YOUR INSTRUCTIONS MAY BE OVERRIDDEN IF YOU ARE BEING HELD IN ACCORDANCE WITH CIVIL COMMITMENT LAW. BY EXECUTING A DURABLE POWER OF ATTORNEY FOR HEALTH CARE AS SET FORTH IN NRS 162A.700 TO 162A.865, INCLUSIVE, YOU MAY ALSO APPOINT A PERSON AS YOUR AGENT TO MAKE TREATMENT DECISIONS FOR YOU IF YOU BECOME INCAPABLE. THIS DOCUMENT IS VALID FOR TWO YEARS FROM THE DATE YOU EXECUTE IT UNLESS YOU REVOKE IT. YOU HAVE THE RIGHT TO REVOKE THIS DOCUMENT AT ANY TIME YOU HAVE NOT BEEN DETERMINED TO BE INCAPABLE. YOU MAY NOT REVOKE THIS ADVANCE DIRECTIVE WHEN YOU ARE FOUND INCAPABLE BY TWO PROVIDERS OF HEALTH CARE, ONE OF WHOM MUST BE A PHYSICIAN OR LICENSED PSYCHOLOGIST AND THE OTHER OF WHOM MUST BE A PHYSICIAN, A PHYSICIAN ASSISTANT, A LICENSED PSYCHOLOGIST, A PSYCHIATRIST OR AN ADVANCED PRACTICE REGISTERED NURSE WHO HAS THE PSYCHIATRIC TRAINING AND EXPERIENCE PRESCRIBED BY THE STATE BOARD OF NURSING PURSUANT TO NRS 632.120. A REVOCATION IS

EFFECTIVE WHEN IT IS COMMUNICATED TO YOUR ATTENDING PHYSICIAN OR OTHER HEALTH CARE PROVIDER. THE PHYSICIAN OR OTHER PROVIDER SHALL NOTE THE REVOCATION IN YOUR MEDICAL RECORD. TO BE VALID, THIS ADVANCE DIRECTIVE MUST BE SIGNED BY TWO QUALIFIED WITNESSES, PERSONALLY KNOWN TO YOU, WHO ARE PRESENT WHEN YOU SIGN OR ACKNOWLEDGE YOUR SIGNATURE. IT MUST ALSO BE ACKNOWLEDGED BEFORE A NOTARY PUBLIC.

NOTICE TO PHYSICIAN OR OTHER PROVIDER OF HEALTH CARE

Under Nevada law, a person may use this advance directive to provide consent or refuse to consent to future psychiatric care if the person later becomes incapable of making or communicating those decisions. By executing a durable power of attorney for health care as set forth in NRS 162A.700 to 162A.865, inclusive, the person may also appoint an agent to make decisions regarding psychiatric care for the person when incapable. A person is "incapable" for the purposes of this advance directive when in the opinion of two providers of health care, one of whom must be a physician or licensed psychologist and the other of whom must be a physician, a physician assistant, a licensed psychologist, a psychiatrist or an advanced practice registered nurse who has the psychiatric training and experience prescribed by the State Board of Nursing pursuant to NRS 632.120, the person currently lacks sufficient understanding or capacity to make or communicate decisions regarding psychiatric care. If a person is determined to be incapable, the person may be found capable when, in the opinion of the person's attending physician or an advanced practice registered nurse who has the psychiatric training and experience prescribed by the State Board of Nursing pursuant to NRS 632.120 and has an established relationship with the person, the person has regained sufficient understanding or capacity to make or communicate decisions regarding psychiatric care. This document becomes effective upon its proper execution and remains valid for a period of 2 years after the date of its execution unless revoked. Upon being presented with this advance directive, the physician or other provider of health care must make it a part of the person's medical record. The physician or other provider must act in accordance with the statements expressed in the advance directive when the person is determined to be incapable, except as otherwise provided in section 14 of this act. The physician or other provider shall promptly notify the principal and, if applicable, the agent of the principal, and document in the principal's medical record any act or omission that is not in compliance with any part of an advance directive. A physician or other

provider may rely upon the authority of a signed, witnessed, dated and notarized advance directive.

ADVANCE DIRECTIVE FOR PSYCHIATRIC CARE

I,....., being an adult of sound mind or an emancipated minor, willfully and voluntarily make this advance directive for psychiatric care to be followed if it is determined by two providers of health care, one of whom must be my attending physician or a licensed psychologist and the other of whom must be a physician, a physician assistant, a licensed psychologist, a psychiatrist or an advanced practice registered nurse who has the psychiatric training and experience prescribed by the State Board of Nursing pursuant to NRS 632.120, that my ability to receive and evaluate information effectively or communicate decisions is impaired to such an extent that I lack the capacity to refuse or consent to psychiatric care. I understand that psychiatric care may not be administered without my express and informed consent or, if I am incapable of giving my informed consent, the express and informed consent of my legally responsible person, my agent named pursuant to a valid durable power of attorney for health care or my consent expressed in this advance directive for psychiatric care. I understand that I may become incapable of giving or withholding informed consent or refusal for psychiatric care due to the symptoms of a diagnosed mental disorder. These symptoms may include:

.....

PSYCHOACTIVE MEDICATIONS

If I become incapable of giving or withholding informed consent for psychiatric care, my instructions regarding psychoactive medications are as follows: (Place initials beside choice.)

I consent to the administration of the following medications: [.....]

.....

I do not consent to the administration of the following medications: [.....]

.....

Conditions or limitations:

.....

ADMISSION TO AND RETENTION IN FACILITY

If I become incapable of giving or withholding informed consent for psychiatric care, my instructions regarding admission to and retention in a medical facility for psychiatric care are as follows: (Place initials beside choice.)

I consent to being admitted to a medical facility for psychiatric care. [.....]

My facility preference is:

I do not consent to being admitted to a medical facility for psychiatric care. [.....]

This advance directive cannot, by law, provide consent to retain me in a facility beyond the specific number of days, if any, provided in this advance directive.

Conditions or limitations:

ADDITIONAL INSTRUCTIONS

These instructions shall apply during the entire length of my incapacity.

In case of a mental health crisis, please contact:

- 1.
 - Name:*
 - Address:*
 - Home Telephone Number:*
 - Work Telephone Number:*
 - Relationship to Me:*

- 2.
 - Name:*
 - Address:*
 - Home Telephone Number:*
 - Work Telephone Number:*
 - Relationship to Me:*

- 3. *My physician:*
 - Name:*
 - Work Telephone Number:*

- 4. *My therapist or counselor:*
 - Name:*
 - Work Telephone Number:*

The following may cause me to experience a mental health crisis:

The following may help me avoid a hospitalization:

I generally react to being hospitalized as follows:

Staff of the hospital or crisis unit can help me by doing the following:

I give permission for the following person or people to visit me:

Instructions concerning any other medical interventions, such as electroconvulsive (ECT) treatment (commonly referred to as “shock treatment”):

.....
Other instructions:
.....

I have attached an additional sheet of instructions to be followed and considered part of this advance directive. [.....]

SHARING OF INFORMATION BY PROVIDERS

I understand that the information in this document may be shared by my provider of mental health care with any other provider who may serve me when necessary to provide treatment in accordance with this advance directive.

Other instructions about sharing of information:
.....

SIGNATURE OF PRINCIPAL

By signing here, I indicate that I am mentally alert and competent, fully informed as to the contents of this document, and understand the full impact of having made this advance directive for psychiatric care.

.....
Signature of Principal

.....
Date

AFFIRMATION OF WITNESSES

We affirm that the principal is personally known to us, that the principal signed or acknowledged the principal’s signature on this advance directive for psychiatric care in our presence, that the principal appears to be of sound mind and not under duress, fraud, or undue influence, and that neither of us is:

- 1. A person appointed as an attorney-in-fact by this document;*
- 2. The principal’s attending physician or provider of health care or an employee of the physician or provider; or*
- 3. The owner or operator, or employee of the owner or operator, of a medical facility in which the principal is a patient or resident.*

Witnessed by:

Witness:
Signature

.....
Date

Witness:
Signature

.....
Date

STATE OF NEVADA
COUNTY OF

CERTIFICATION OF NOTARY PUBLIC

STATE OF NEVADA

COUNTY OF

I,....., a Notary Public for the County cited above in the State of Nevada, hereby certify that..... appeared before me and swore or affirmed to me and to the witnesses in my presence that this instrument is an advance directive for psychiatric care and that he or she willingly and voluntarily made and executed it as his or her free act and deed for the purposes expressed in it.

I further certify that..... and....., witnesses, appeared before me and swore or affirmed that each witnessed..... sign the attached advance directive for psychiatric care believing him or her to be of sound mind and also swore that at the time each witnessed the signing, each person was: (1) not the attending physician or provider of health care, or an employee of the physician or provider, of the principal; (2) not the owner or operator, or employee of the owner or operator, of a medical facility in which the principal is a patient or resident; and (3) not a person appointed as an attorney-in-fact by the attached advance directive for psychiatric care. I further certify that I am satisfied as to the genuineness and due execution of the instrument.

This is the..... day of.....
.....

Notary Public

My Commission expires:

Sec. 10. *An advance directive for psychiatric care becomes operative when it is communicated to a physician or any other provider of health care and the principal is determined by two providers of health care, one of whom must be the attending physician or a licensed psychologist and the other of whom must be a physician, a physician assistant, a licensed psychologist, a psychiatrist or an advanced practice registered nurse who has the psychiatric training and experience prescribed by the State Board of Nursing pursuant to NRS 632.120, to be no longer able to make or communicate decisions regarding the provision of psychiatric care. If the principal is determined to be no longer able to make or communicate decisions regarding the provision of psychiatric care and subsequently the principal's attending physician or an advance practice registered nurse who has the psychiatric training and experience prescribed by the State Board of Nursing pursuant to NRS 632.120 and has an established relationship with the principal determines that the principal has regained the ability to make or communicate decisions regarding the provision of psychiatric care, the advance directive is no longer operative. When the advance directive is operative, a physician and any other provider of health care shall act in accordance with the provisions of the advance directive*

and with the instructions of a person designated pursuant to section 8 of this act, or comply with the requirements of section 15 of this act to transfer the care of the principal.

Sec. 11. *Sections 2 to 17, inclusive, of this act create no presumption concerning the intention of a person who has revoked or has not executed an advance directive for psychiatric care.*

Sec. 12. *Upon being presented with an advance directive for psychiatric care, an attending physician or other provider of health care shall make the advance directive a part of the principal's medical record.*

Sec. 13. 1. *A principal may revoke an advance directive for psychiatric care at any time and in any manner, as long as the principal is capable of making such a decision. The principal may exercise this right of revocation in any manner by which the principal is able to communicate an intent to revoke and by notifying the attending physician or other provider of health care of the revocation.*

2. *The attending physician or other provider of health care shall make the revocation part of the principal's medical record.*

Sec. 14. 1. *When acting under the authority of an advance directive for psychiatric care, an attending physician or other provider of health care shall comply with the advance directive unless:*

(a) Compliance, in the opinion of the attending physician or other provider, is not consistent with generally accepted standards of care for the provision of psychiatric care for the benefit of the principal;

(b) Compliance is not consistent with the availability of psychiatric care requested;

(c) Compliance is not consistent with applicable law;

(d) The principal is admitted to a mental health facility or hospital pursuant to NRS 433A.145 to 433A.330, inclusive, and a course of treatment is required pursuant to those provisions; or

(e) Compliance, in the opinion of the attending physician or other provider, is not consistent with appropriate psychiatric care in case of an emergency endangering the life or health of the principal or another person.

2. *In the event that one part of the advance directive is unable to be followed because of any of the circumstances set forth in subsection 1, all other parts of the advance directive must be followed.*

Sec. 15. *A physician or other provider of health care who is unable to comply with sections 2 to 17, inclusive, of this act shall take all reasonable steps as promptly as practicable to transfer the psychiatric care of the principal to another physician or provider of health care.*

Sec. 16. 1. *If two providers of health care, one of whom is a physician or a licensed psychologist and the other of whom is a physician, a physician assistant, a licensed psychologist, a psychiatrist or an advanced practice registered nurse who has the psychiatric training and experience prescribed by the State Board of Nursing pursuant to NRS 632.120,*

determine that a person is incapable of consenting or refusing to consent to psychiatric care, a physician or other provider of health care treating the person must make a reasonable inquiry as to whether the person has executed an advance directive for psychiatric care.

2. A physician or other provider of health care acting in accord with reasonable medical standards is not subject to civil or criminal liability, or discipline for unprofessional conduct, for:

(a) Complying with a direction given or a decision made by a person that the physician or other provider believes, in good faith, has authority to act as an agent for a principal concerning decisions relating to psychiatric care;

(b) Refusing to comply with a direction given or a decision made by a person based on a good faith belief that the person lacks the authority to act as an agency for a principal concerning decisions relating to psychiatric care;

(c) Giving effect to an advance directive for psychiatric care that the physician or other provider assumed was valid;

(d) Disclosing information concerning psychiatric care to another person based on a good faith belief that such disclosure was either authorized or required;

(e) Refusing to comply with a direction given or a decision made by a person because of conflicts with the physician's or other provider's contractual network or payment policy restrictions;

(f) Refusing to comply with a direction given or a decision made by a person if such direction or decision violates accepted medical or clinical standards of care;

(g) Making a determination that causes an advance directive to become effective; or

(h) Failing to determine that a person lacks sufficient understanding or capacity to make or communicate decisions regarding psychiatric care, thereby preventing an advance directive from becoming effective.

3. A physician or other provider of health care whose action pursuant to sections 2 to 17, inclusive, of this act is in accord with reasonable medical standards is not subject to civil or criminal liability, or discipline for unprofessional conduct, with respect to that action.

4. A person designated in an advance directive for psychiatric care pursuant to section 8 of this act whose decision is made in good faith pursuant to sections 2 to 17, inclusive, of this act is not subject to civil or criminal liability, or discipline for unprofessional conduct, with respect to that decision.

Sec. 17. 1. An advance directive for psychiatric care executed in another state in compliance with the law of that state or of this State is valid for purposes of sections 2 to 17, inclusive, of this act.

2. An instrument executed anywhere before the effective date of this act which clearly expresses the intent of the person executing the

instrument to direct the provision of psychiatric care for the person when the person is otherwise rendered incapable of communicating with his or her attending physician, if executed in a manner which attests voluntary execution and has not been subsequently revoked, is effective under sections 2 to 17, inclusive, of this act.

3. *As used in this section, “state” includes the District of Columbia, the Commonwealth of Puerto Rico and a territory or insular possession subject to the jurisdiction of the United States.*

Sec. 18. NRS 449.905 is hereby amended to read as follows:

449.905 “Advance directive” means an advance directive for health care.

The term includes:

1. A declaration governing the withholding or withdrawal of life-sustaining treatment as set forth in NRS 449.535 to 449.690, inclusive;

2. A durable power of attorney for health care as set forth in NRS 162A.700 to 162A.865, inclusive;

3. *An advance directive for psychiatric care as set forth in sections 2 to 17, inclusive, of this act;*

4. A do-not-resuscitate order as defined in NRS 450B.420; and

~~4.~~ 5. A Physician Order for Life-Sustaining Treatment form as defined in NRS 449.693.

Sec. 19. NRS 449.945 is hereby amended to read as follows:

449.945 1. The provisions of NRS 449.900 to 449.965, inclusive, do not require a provider of health care to inquire whether a patient has an advance directive registered on the Registry or to access the Registry to determine the terms of the advance directive.

2. A provider of health care who relies in good faith on the provisions of an advance directive retrieved from the Registry is immune from criminal and civil liability as set forth in:

(a) NRS 449.630, if the advance directive is a declaration governing the withholding or withdrawal of life-sustaining treatment executed pursuant to NRS 449.535 to 449.690, inclusive, or a durable power of attorney for health care executed pursuant to NRS 162A.700 to 162A.865, inclusive;

(b) *Section 16 of this act, if the advance directive is an advance directive for psychiatric care executed pursuant to sections 2 to 17, inclusive, of this act;*

(c) NRS 449.691 to 449.697, inclusive, if the advance directive is a Physician Order for Life-Sustaining Treatment form; or

~~(c)~~ (d) NRS 450B.540, if the advance directive is a do-not-resuscitate order as defined in NRS 450B.420.

Sec. 20. This act becomes effective upon passage and approval.

Assemblyman Sprinkle moved the adoption of the amendment.

Remarks by Assemblyman Sprinkle.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

Senate Bill No. 107.

Bill read second time and ordered to third reading.

Senate Bill No. 195.

Bill read second time and ordered to third reading.

Senate Bill No. 273.

Bill read second time and ordered to third reading.

Senate Bill No. 305.

Bill read second time and ordered to third reading.

Senate Bill No. 322.

Bill read second time and ordered to third reading.

Senate Bill No. 366.

Bill read second time.

The following amendment was proposed by the Committee on Health and Human Services:

Amendment No. 714.

AN ACT relating to health care; requiring the preparation of a report relating to Medicaid recipients and access to employer-based health insurance; creating the Advisory Committee on Medicaid Innovation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 2 of this bill requires the Director of the Department of Health and Human Services to prepare ~~for a semiannual~~ **an annual** report which ~~discloses certain~~ **lists all** employers in this State ~~that~~ **which** have 50 or more employees **and the number of full-time employees of such an employer** who are enrolled in Medicaid ~~and whether or not the employees have access to an employer-based health care plan.~~ **Section 2** also requires **:(1) the report to include information relating to whether the employees of such an employer have access to an employer-based health care plan; and (2)** the Director to ~~post this report on the Internet website of the Department and to provide it~~ **submit this report** to the Governor and the Legislature. **Section 2** further requires that this report must not contain any individually identifiable health information and must comply with certain privacy provisions of federal law.

Section 4 of this bill creates the Advisory Committee on Medicaid Innovation within the Division of Health Care Financing and Policy of the Department. **Section 5** requires the Advisory Committee to provide certain recommendations to the Director, including, without limitation, public and private prescription purchasing coalitions, encouraging access to health insurance and, finally, any waivers the State may apply for from the Federal Government relating to Medicaid. **Section 4** authorizes the Director to appoint as many members to the Advisory Committee as he or she deems necessary or appropriate and requires the voting members of the Advisory

Committee to be officers or employees of the Executive Branch of State Government. **Section 4** also authorizes the Director to appoint others to serve on the Advisory Committee as nonvoting members. Finally, **section 4** requires the members of the Advisory Committee to serve 2-year terms without additional compensation.

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

Section 1. Chapter 422 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this act.

Sec. 2. 1. *On or before January 1 ~~and July 1~~ of each year, the Director shall prepare, in consultation with the Director of the Department of Business and Industry, a report which includes, without limitation:*

(a) The name, street address of the office of the registered agent and the principal place of business of an employer in this State that employs 50 or more ~~persons who are enrolled in Medicaid~~ employees and whether the employer offers health benefits to its employees;

(b) The total number of persons enrolled in Medicaid who are employed on a full-time basis by such an employer;

(c) The number of persons enrolled in Medicaid who are married to or the dependent of an employee of such an employer; and

(d) The cost of providing coverage through Medicaid to the persons described in paragraphs (b) and (c).

2. The report prepared pursuant to subsection 1 must not contain any individually identifiable health information and must comply with the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, as amended.

3. The Director shall ~~post the report required pursuant to subsection 1 on the Internet website of the Department and~~ submit the report required pursuant to subsection 1 to:

(a) The Governor; and

(b) The Director of the Legislative Counsel Bureau for transmittal to the Legislature.

4. The report required pursuant to this section must not include any personally identifiable information of a person whose information is included in the report.

5. As used in this section, “individually identifiable health information” has the meaning ascribed to it in 45 C.F.R. § 160.103.

Sec. 3. (Deleted by amendment.)

Sec. 4. 1. *The Advisory Committee on Medicaid Innovation is hereby created in the Division. The Director shall appoint the members to serve on the Advisory Committee.*

2. The Director shall appoint officers and employees of the Executive Branch of State Government to serve as voting members of the Advisory

Committee and may appoint such other persons as the Director deems necessary or appropriate to serve as nonvoting members.

3. The Director shall appoint each member to serve for a term of 2 years.

4. At its first meeting and annually thereafter, the Advisory Committee shall elect a Chair from among its voting members.

5. Members of the Advisory Committee serve without any additional compensation.

6. A member of the Advisory Committee who is an officer or employee of this State or a political subdivision of this State must be relieved from his or her duties without loss of regular compensation so that he or she may prepare for and attend meetings of the Advisory Committee and perform any work necessary to carry out the duties of the Advisory Committee in the most timely manner practicable. A State agency or political subdivision of this State shall not require an officer or employee who is a member of the Advisory Committee to:

(a) Make up the time the member is absent from work to carry out his or her duties as a member of the Advisory Committee; or

(b) Take annual leave or compensatory time for the absence.

Sec. 5. 1. The Advisory Committee on Medicaid Innovation created by section 4 of this act shall study:

(a) The manner in which to create or expand public or private prescription purchasing coalitions.

(b) The manner in which to encourage access to employer-based health insurance plans, including, without limitation:

(1) Coordinating coverage provided by the State Plan for Medicaid and private health insurance which may be provided by an employer to a person eligible for Medicaid; and

(2) Providing assistance to a person who is eligible for Medicaid to allow the person to purchase private health insurance.

(c) Opportunities to apply to the Secretary of the United States Department of Health and Human Services for certain waivers pursuant to 42 U.S.C. §§ 1315 and 18052.

2. At least once each year, the Advisory Committee shall make such recommendations to the Director as it deems appropriate relating to opportunities to improve Medicaid or to increase access to health insurance.

Sec. 6. (Deleted by amendment.)

Sec. 7. (Deleted by amendment.)

Sec. 8. (Deleted by amendment.)

Sec. 9. (Deleted by amendment.)

Sec. 10. (Deleted by amendment.)

Sec. 11. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 12. This act becomes effective on July 1, 2017.

Assemblyman Sprinkle moved the adoption of the amendment.

Remarks by Assemblyman Sprinkle.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

Senate Bill No. 369.

Bill read second time and ordered to third reading.

Senate Bill No. 374.

Bill read second time.

The following amendment was proposed by the Committee on Health and Human Services:

Amendment No. 713.

~~SENATOR~~ SENATORS SEGERBLOM AND SPEARMAN

AN ACT relating to cannabis; revising the medical conditions for which a person may obtain a registry identification card; prohibiting a professional licensing board from taking disciplinary action against a licensee who holds a registry identification card or engages in certain lawful activities relating to marijuana; authorizing the use of a marijuana-infused product or product containing industrial hemp by a provider of health care or massage therapist on a patient or client; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes a person to obtain a registry identification card to engage in the medical use of marijuana if, in addition to other requirements, the person submits valid, written documentation from the person's attending physician stating that the person has been diagnosed with a chronic or debilitating medical condition. (NRS 453A.210) **Section 1** of this bill includes opioid addiction within the definition of "chronic or debilitating medical condition." (NRS 453A.050)

Existing law prohibits a professional licensing board from taking disciplinary action against a person licensed by the board on the basis that the person engages in the medical use of marijuana or acts as a designated primary caregiver for a person who holds a registry identification card or letter of approval. (NRS 453A.510) **Section 1.5** of this bill prohibits a professional licensing board from taking disciplinary action against a person licensed by the board on the basis that the person holds a validly issued registry identification card or engages in lawful activity, pursuant to the person's licensed profession, relating to the medical use of marijuana or to a registered medical marijuana establishment. **Section 2** of this bill prohibits a professional licensing board from taking disciplinary action on the basis that the person engages in lawful activity, pursuant to the person's licensed

profession, relating to: (1) the recreational use of marijuana; or (2) a licensed marijuana establishment.

Existing law exempts a person who holds a valid registry identification card from state prosecution for possession, delivery and production of marijuana. (NRS 453A.200) **Section 3.3** of this bill authorizes a provider of health care or massage therapist to: (1) administer a marijuana-infused product or a similar product containing industrial hemp for topical use on human skin to a patient or client if the patient or client provides the product for administration; (2) maintain a supply of products containing industrial hemp for topical use on human skin and administer such a product to a patient or client upon request; and (3) recommend the use of marijuana or industrial hemp by a patient or client to treat a condition. **Section 3.3** also prohibits a professional licensing board from taking disciplinary action against a provider of health care or massage therapist for making such an administration or recommendation.

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

Section 1. NRS 453A.050 is hereby amended to read as follows:

453A.050 “Chronic or debilitating medical condition” means:

1. Acquired immune deficiency syndrome;
 2. Cancer;
 3. Glaucoma;
 4. *Opioid addiction*;
 5. A medical condition or treatment for a medical condition that produces, for a specific patient, one or more of the following:
 - (a) Cachexia;
 - (b) Persistent muscle spasms, including, without limitation, spasms caused by multiple sclerosis;
 - (c) Seizures, including, without limitation, seizures caused by epilepsy;
 - (d) Severe nausea; or
 - (e) Severe pain; or
- ~~5.1~~ **6.** Any other medical condition or treatment for a medical condition that is:
- (a) Classified as a chronic or debilitating medical condition by regulation of the Division; or
 - (b) Approved as a chronic or debilitating medical condition pursuant to a petition submitted in accordance with NRS 453A.710.

Sec. 1.5. NRS 453A.510 is hereby amended to read as follows:

453A.510 A professional licensing board shall not take any disciplinary action against a person licensed by the board on the basis that:

1. The person engages in or has engaged in the medical use of marijuana in accordance with the provisions of this chapter; ~~or~~
2. *The person holds a registry identification card issued to him or her pursuant to paragraph (a) of subsection 1 of NRS 453A.220;*

3. *The person engages in any lawful activity, pursuant to the person's licensed profession, which:*

(a) *Is authorized by this chapter; or*

(b) *Relates to a medical marijuana establishment which is registered with the Division pursuant to this chapter;*

4. *If the person is a provider of health care, as defined in NRS 629.031, the person advises a patient about the possible risks and benefits of the medical use of marijuana or that the medical use of marijuana may mitigate the symptoms or effects of the patient's chronic or debilitating medical condition, if the advice is based on the person's personal assessment of the patient's medical history and current medical condition; or*

5. The person acts as or has acted as the designated primary caregiver of a person who holds a registry identification card or letter of approval issued to him or her pursuant to paragraph (a) of subsection 1 of NRS 453A.220.

Sec. 2. Chapter 453D of NRS is hereby amended by adding thereto a new section to read as follows:

A professional licensing board shall not take any disciplinary action against any person licensed by the board on the basis that, pursuant to the person's licensed profession, the person engages in or has engaged in any lawful activity which:

1. *Is authorized by this chapter; or*

2. *Relates to a marijuana establishment which is licensed pursuant to this chapter.*

Sec. 3. (Deleted by amendment.)

Sec. 3.3. Chapter 629 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *A provider of health care or massage therapist may:*

(a) *Administer a marijuana-infused product or a product containing industrial hemp which is intended for topical use on human skin, including, without limitation, an ointment, oil or lotion, to a patient or client if the patient or client provides the product to the provider of health care or massage therapist to administer to the patient or client;*

(b) *Maintain a supply of products containing industrial hemp which are intended for topical use on human skin and administer such a product to a patient or client upon request; and*

(c) *Recommend to a patient or client the use of marijuana or industrial hemp to treat a condition.*

2. *A professional licensing board shall not take any disciplinary action against a provider of health care or massage therapist licensed by the board on the basis that the person has administered a marijuana-infused product or a product containing industrial hemp or recommended the use of marijuana or industrial hemp pursuant to subsection 1.*

3. *As used in this section:*

(a) *"Industrial hemp" has the meaning ascribed to it in NRS 557.040.*

(b) *“Marijuana” has the meaning ascribed to it in NRS 453.096.*

(c) *“Marijuana-infused product” has the meaning ascribed to it in NRS 453A.112.*

(d) *“Massage therapist” means a person who is licensed to engage in the practice of massage therapy pursuant to chapter 640C of NRS.*

Sec. 3.7. NRS 629.580 is hereby amended to read as follows:

629.580 1. A person who provides wellness services in accordance with this section, but who is not licensed, certified or registered in this State as a provider of health care, is not in violation of any law based on the unlicensed practice of health care services or a health care profession unless the person:

(a) Performs surgery or any other procedure which punctures the skin of any person;

(b) Sets a fracture of any bone of any person;

(c) Prescribes or administers X-ray radiation to any person;

(d) ~~Prescribes~~ ***Except as otherwise provided in section 3.3 of this act, prescribes*** or administers a prescription drug or device or a controlled substance to any person;

(e) Recommends to a client that he or she discontinue or in any manner alter current medical treatment prescribed by a provider of health care licensed, certified or registered in this State;

(f) Makes a diagnosis of a medical disease of any person;

(g) Performs a manipulation or a chiropractic adjustment of the articulations of joints or the spine of any person;

(h) Treats a person’s health condition in a manner that intentionally or recklessly causes that person recognizable and imminent risk of serious or permanent physical or mental harm;

(i) Holds out, states, indicates, advertises or implies to any person that he or she is a provider of health care;

(j) Engages in the practice of medicine in violation of chapter 630 or 633 of NRS, the practice of homeopathic medicine in violation of chapter 630A of NRS or the practice of podiatry in violation of chapter 635 of NRS, unless otherwise expressly authorized by this section;

(k) Performs massage therapy as that term is defined in NRS 640C.060; or

(l) Provides mental health services that are exclusive to the scope of practice of a psychiatrist licensed pursuant to chapter 630 or 633 of NRS, or a psychologist licensed pursuant to chapter 641 of NRS.

2. Any person providing wellness services in this State who is not licensed, certified or registered in this State as a provider of health care and who is advertising or charging a fee for wellness services shall, before providing those services, disclose to each client in a plainly worded written statement:

(a) The person’s name, business address and telephone number;

(b) The fact that he or she is not licensed, certified or registered as a provider of health care in this State;

- (c) The nature of the wellness services to be provided;
- (d) The degrees, training, experience, credentials and other qualifications of the person regarding the wellness services to be provided; and
- (e) A statement in substantially the following form:

It is recommended that before beginning any wellness plan, you notify your primary care physician or other licensed providers of health care of your intention to use wellness services, the nature of the wellness services to be provided and any wellness plan that may be utilized. It is also recommended that you ask your primary care physician or other licensed providers of health care about any potential drug interactions, side effects, risks or conflicts between any medications or treatments prescribed by your primary care physician or other licensed providers of health care and the wellness services you intend to receive.

↪ A person who provides wellness services shall obtain from each client a signed copy of the statement required by this subsection, provide the client with a copy of the signed statement at the time of service and retain a copy of the signed statement for a period of not less than 5 years.

3. A written copy of the statement required by subsection 2 must be posted in a prominent place in the treatment location of the person providing wellness services in at least 12-point font. Reasonable accommodations must be made for clients who:

- (a) Are unable to read;
- (b) Are blind or visually impaired;
- (c) Have communication impairments; or
- (d) Do not read or speak English or any other language in which the statement is written.

4. Any advertisement for wellness services authorized pursuant to this section must disclose that the provider of those services is not licensed, certified or registered as a provider of health care in this State.

5. A person who violates any provision of this section is guilty of a misdemeanor. Before a criminal proceeding is commenced against a person for a violation of a provision of this section, a notification, educational or mediative approach must be utilized by the regulatory body enforcing the provisions of this section to bring the person into compliance with such provisions.

6. This section does not apply to or control:

(a) Any health care practice by a provider of health care pursuant to the professional practice laws of this State, or prevent such a health care practice from being performed.

(b) Any health care practice if the practice is exempt from the professional practice laws of this State, or prevent such a health care practice from being performed.

(c) A person who provides health care services if the person is exempt from the professional practice laws of this State, or prevent the person from performing such a health care service.

(d) A medical assistant, as that term is defined in NRS 630.0129 and 633.075, an advanced practitioner of homeopathy, as that term is defined in NRS 630A.015, or a homeopathic assistant, as that term is defined in NRS 630A.035.

7. As used in this section, “wellness services” means healing arts therapies and practices, and the provision of products, that are based on the following complementary health treatment approaches and which are not otherwise prohibited by subsection 1:

- (a) Anthroposophy.
- (b) Aromatherapy.
- (c) Traditional cultural healing practices.
- (d) Detoxification practices and therapies.
- (e) Energetic healing.
- (f) Folk practices.
- (g) Gerson therapy and colostrum therapy.
- (h) Healing practices using food, dietary supplements, nutrients and the physical forces of heat, cold, water and light.
- (i) Herbology and herbalism.
- (j) Reflexology and Reiki.
- (k) Mind-body healing practices.
- (l) Nondiagnostic iridology.
- (m) Noninvasive instrumentalities.
- (n) Holistic kinesiology.

Sec. 4. This act becomes effective on July 1, 2017.

Assemblyman Sprinkle moved the adoption of the amendment.

Remarks by Assemblymen Sprinkle and Ohrenschall.

Potential conflict of interest declared by Assemblyman Ohrenschall.

ASSEMBLYMAN OHRENSCHALL:

I would like to advise the Chamber that my wife is currently employed as the Executive Director of the Nevada Dispensary Association, a trade association consisting of medical marijuana dispensaries and medical marijuana cultivators which actively lobbies the Legislature and other governmental entities on issues affecting its members. I have sought the advice of our Legislative Counsel and although Senate Bill 374 does not affect the members of the trade association that my wife is employed with any differently than any other medical marijuana dispensary owners and medical marijuana cultivators, I am making this disclosure, and I am abstaining from voting on the amendment to Senate Bill 374 out of an abundance of caution.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

Senate Bill No. 386.

Bill read second time and ordered to third reading.

Senate Bill No. 473.

Bill read second time and ordered to third reading.

Senate Bill No. 476.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Benitez-Thompson moved that Senate Bills Nos. 31, 43, 53, 108, 122, 123, 160, 206, and 491 be taken from their positions on the General File and placed after Assembly Bill No. 110 on the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 110.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 679.

AN ACT relating to education; requiring the Department of Education to establish a pilot program to provide competency-based education; requiring the State Board of Education to adopt regulations relating to the pilot program; establishing the Competency-Based Education Network; revising provisions governing the requirements for a pupil to receive credit for a course of study without attending the classes for the course; requiring the Department of Education to conduct a public awareness campaign regarding competency-based education; authorizing the Department to distribute certain money through a competitive grants program to carry out the pilot program to provide competency-based education; requiring the Competency-Based Education Network to prepare a comprehensive report relating to competency-based education; **making an appropriation**; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 1.2 of this bill requires the Department of Education to establish a pilot program to provide competency-based education and requires the State Board of Education to adopt regulations that prescribe the process for submission of an application by a school district or charter school to participate in the pilot program and the qualifications and conditions for participation by a school in the pilot program. **Section 1.1** of this bill defines "competency-based education" to mean a system of instruction by which a pupil advances to a higher level of learning when the pupil demonstrates mastery of a concept or skill, regardless of the time, place or pace at which the pupil progresses.

Section 1.4 of this bill requires the Department to establish a Competency-Based Education Network and prescribes the membership and duties of the Network, including a requirement that the Network submit a report to the Governor and the Legislature on the implementation of competency-based education once each biennium.

Section 1.6 of this bill requires the Department of Education to: (1) conduct a public campaign to raise awareness about competency-based education; and (2) conduct at least one meeting with the superintendents of the school districts relating to competency-based education. **Section 3.5 of this bill appropriates money to the Department for the cost of travel associated with such a meeting with the superintendents of the school districts.** **Section 1.6** also authorizes the Department to ~~use~~ **distribute through a competitive grants program** money appropriated ~~by the 2017 Legislature~~ to the ~~Account for Programs for Innovation and the Prevention of Remediation~~ **Department** to carry out the pilot program to provide competency-based education.

Existing law provides that a pupil may be granted credit for certain courses in lieu of course attendance if the pupil: (1) demonstrates proficiency on certain examinations; and (2) applies to the board of trustees of the school district in which the pupil attends school to be granted credit. (NRS 389.171) **Section 1.8** of this bill provides that a pupil may also be granted credit in lieu of course attendance if the pupil demonstrates proficiency to meet the objectives of a course or of a particular area or areas of a course: (1) through a portfolio of the pupil's work; (2) through the pupil's performance of a task that is designed to measure the proficiency of the pupil; or (3) as measured by criteria prescribed by the State Board of Education. **Section 1.8** also requires the State Board to adopt regulations that: (1) provide that a pupil may apply to the governing body of the charter school in which the pupil is enrolled to be granted credit in lieu of course attendance; and (2) prescribe other criteria that may be used to determine whether a pupil has achieved proficiency in a course.

Section 4 of this bill requires the Competency-Based Education Network to prepare a comprehensive report with its findings and recommendations on or before April 1, 2022, which must be posted on the Internet website of the Department of Education and submitted to the Governor, the Legislative Committee on Education and the Director of the Legislative Counsel Bureau for distribution to the next regular session of the Legislature.

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

Section 1. Chapter 389 of NRS is hereby amended by adding thereto the provisions set forth as sections 1.1 to 1.6, inclusive, of this act.

Sec. 1.1. *As used in sections 1.1 to 1.6, inclusive, of this act, "competency-based education" means a system of instruction by which a pupil advances to a higher level of learning when the pupil demonstrates mastery of a concept or skill, regardless of the time, place or pace at which the pupil progresses.*

Sec. 1.2. 1. *The Department shall establish a pilot program to provide competency-based education.*

2. *The State Board shall adopt regulations that prescribe:*

(a) The process for submission of an application by the board of trustees of a school district or the governing body of a charter school to participate in the pilot program; and

(b) The qualifications and conditions for participation by a school in the pilot program, including, without limitation:

(1) A commitment by the school district or charter school to implement competency-based education for not less than 5 years;

(2) Evidence of support for the implementation of competency-based education by the community served by the school district or charter school; and

(3) A commitment to participate in the Competency-Based Education Network established by section 1.4 of this act.

3. A school selected to participate in the pilot program to provide competency-based education shall:

(a) Implement a system of instruction by which a pupil advances to a higher level of learning when the pupil demonstrates mastery of a concept or skill;

(b) Establish concrete skills on which a pupil will be evaluated that include explicit, measurable and transferable learning objectives;

(c) Ensure that assessment is a meaningful and positive learning experience for pupils;

(d) Ensure that pupils receive timely and differentiated support based upon their individual learning needs; and

(e) Ensure that pupils are able to apply knowledge learned, create new knowledge and develop important skills and dispositions relating to such knowledge.

Sec. 1.4. 1. The Department shall establish a Competency-Based Education Network.

2. The Competency-Based Education Network must consist of the following members:

(a) The principal of each school selected to participate in the pilot program established pursuant to section 1.2 of this act.

(b) At least one teacher who teaches in each school selected to participate in the pilot program established pursuant to section 1.2 of this act, selected by the principal of the school.

(c) The Chancellor of the Nevada System of Higher Education or his or her designee.

(d) The Chancellor of Western Governors University Nevada or his or her designee.

(e) One teacher who does not teach in a school selected to participate in the pilot program established pursuant to section 1.2 of this act, selected by the Nevada State Education Association to represent the Association.

(f) One parent or guardian of a pupil who is enrolled in a school selected to participate in the pilot program established pursuant to section

1.2 of this act, selected by the Nevada Parent Teacher Association to represent the Association.

(g) One parent or guardian of a pupil who is not enrolled in a school selected to participate in the pilot program established pursuant to section 1.2 of this act, selected by the Nevada Parent Teacher Association to represent the Association.

3. The Competency-Based Education Network shall:

(a) Study approaches to converting requirements regarding the amount of time a pupil is required to spend in a classroom into competency measures;

(b) Study tools for use in personalized learning and competency-based education;

(c) Study approaches to ensure appropriate examinations are prescribed by the State Board pursuant to NRS 389.171;

(d) Study strategies for improving competency-based education through the use of technology;

(e) Study professional development relating to competency-based education and other support to assist educators in transitioning to a system of competency-based education;

(f) Provide support and share data and best practices among schools participating in the pilot program established pursuant to section 1.2 of this act;

(g) Identify barriers and possible solutions to implementing a statewide system of competency-based education;

(h) Develop evidence-based recommendations for the continued implementation of a system of competency-based education; and

(i) On or before January 31 of every even-numbered year, submit a report to the Governor and the Legislature on the implementation of a system of competency-based education in this State.

4. The Competency-Based Education Network shall initially meet at the call of the Superintendent of Public Instruction. After the first meeting, the Network shall meet at the call of the Chair.

5. At the first meeting of the Competency-Based Education Network, the members of the Network shall elect a Chair by majority vote.

6. A majority of the members of the Competency-Based Education Network constitutes a quorum for the transaction of business, and a majority of those members present at any meeting is sufficient for any official action taken by the Network.

7. The Department of Education shall provide the Competency-Based Education Network with such staff as is necessary to carry out the duties of the Network.

8. Members of the Competency-Based Education Network serve without compensation, and travel and per diem expenses may not be reimbursed.

Sec. 1.6. 1. The Department of Education shall:

(a) *Conduct a public campaign to raise awareness about competency-based education.*

(b) *Conduct one or more meetings with the superintendents of the school districts for the purpose of increasing:*

(1) *Understanding of competency-based education; and*

(2) *Interest in implementing a system of competency-based education.*

2. *To the extent that money is available for that purpose, the Department of Education may, through a competitive grants program, distribute any money appropriated ~~[by the 2017 Legislature]~~ to the ~~[Account for Programs for Innovation and the Prevention of Remediation created by NRS 387.1247]~~ Department to carry out the pilot program to provide competency-based education established pursuant to section 1.2 of this act. Grants must be awarded by the Department to schools selected to participate in the program based upon money available ~~for~~ for this purpose.*

Sec. 1.8. NRS 389.171 is hereby amended to read as follows:

389.171 1. A pupil may be granted credit for a specific course of study without having attended the regularly scheduled classes in the course if the pupil demonstrates his or her proficiency to meet the:

(a) Objectives of the course through the pupil's performance on an examination prescribed by the State Board;

(b) Objectives of a particular area or areas of the course in which the pupil is deficient through the pupil's performance on an examination developed by the principal and the pupil's teacher who provides instruction in the course that is designed to measure the proficiency of the pupil in that particular area or areas; ~~or~~

(c) Objectives of the course through the pupil's performance on an examination that the principal determines is as rigorous or more rigorous than the examination prescribed by the State Board pursuant to paragraph (a), including, without limitation, an advanced placement examination in the subject area of the course ~~or~~;

(d) *Objectives of the course through a portfolio of the pupil's work;*

(e) *Objectives of a particular area or areas of the course through the pupil's performance of a task that is designed to measure the proficiency of the pupil in that particular area or areas; or*

(f) *Objectives of the course as measured against the criteria prescribed by the State Board pursuant to paragraph (d) of subsection 2.*

2. The State Board shall adopt regulations that prescribe the:

(a) Form on which a pupil may apply to the board of trustees of a school district in which the pupil attends school *or the governing body of the charter school in which the pupil is enrolled* to be granted credit pursuant to subsection 1;

(b) Courses of study for which pupils may be granted credit pursuant to subsection 1; ~~and~~

(c) Minimum score on the examination prescribed pursuant to paragraph (a) of subsection 1 that is required to demonstrate proficiency in a course ~~F~~; **and**

(d) Criteria, other than the criteria described in paragraphs (a) to (e), inclusive, of subsection 1, that may be used to determine whether a pupil has achieved proficiency in a course.

Sec. 2. (Deleted by amendment.)

Sec. 3. (Deleted by amendment.)

Sec. 3.5. 1. There is hereby appropriated from the State General Fund to the Department of Education for the cost of travel related to meetings with the superintendents of the school districts required by section 1.6 of this act the following sums:

For the Fiscal Year 2017-2018..... \$1,500

For the Fiscal Year 2018-2019..... \$1,500

2. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 21, 2018, and September 20, 2019, respectively, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 21, 2018, and September 20, 2019, respectively.

Sec. 4. In addition to the report required by section 1.4 of this act, the Competency-Based Education Network shall, on or before April 1, 2022:

1. Complete a comprehensive report with its findings and any recommendations relating to competency-based education;

2. Post a copy of the report on the Internet website maintained by the Department of Education; and

3. Submit a copy of the report to the Governor, the Legislative Committee on Education and the Director of the Legislative Counsel Bureau for transmittal to the next regular session of the Legislature.

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

Sec. 6. This act becomes effective upon passage and approval for the purposes of adopting regulations and performing any other administrative tasks that are necessary to carry out the provisions of this act, and on July 1, 2017, for all other purposes.

Assemblywoman Carlton moved the adoption of the amendment.

Remarks by Assemblywoman Carlton.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

Senate Bill No. 31.

Bill read third time.

Remarks by Assemblyman Ellison.

ASSEMBLYMAN ELLISON:

Senate Bill 31 requires certain intrastate commercial motor vehicles that are required to register with the Department of Motor Vehicles [DMV] to do so through the Motor Carrier Division and to obtain a United States Department of Transportation [USDOT] number. This requirement applies to intrastate commercial motor vehicles, other than farm vehicles, over 26,000 pounds or commercial motor vehicles transporting hazardous materials, regardless of weight. If the motor carrier responsible for any vehicles that are required to obtain a USDOT number are subject to certain out-of-service orders issued by a federal or state entity, the DMV may refuse to register vehicles of the carrier, revoke the registration of vehicles of the motor carrier, or refuse to renew the registration of vehicles of the motor carrier.

A peace officer may seize the license plates of an intrastate vehicle if the motor carrier is subject to certain out-of-service orders, send the plates to the DMV, and notify the motor carrier. If the motor carrier is not the registered owner of the vehicle, a peace officer may impound the vehicle and notify the owner of the impoundment.

Finally, S.B. 31 adds an authorization for DMV to register a commercial motor vehicle up to 83,000 pounds if operation of the truck is authorized by federal law.

This measure is effective upon passage and approval for the purposes of adopting regulations and performing other preparatory tasks. For all other purposes, S.B. 31 is effective on July 1, 2020.

Roll call on Senate Bill No. 31:

YEAS—42.

NAYS—None.

Senate Bill No. 31 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 43.

Bill read third time.

Remarks by Assemblywoman Cohen.

ASSEMBLYWOMAN COHEN:

Senate Bill 43 adds a representative from the United States National Park Service to the Nevada State Board on Geographic Names.

Roll call on Senate Bill No. 43:

YEAS—42.

NAYS—None.

Senate Bill No. 43 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 53.

Bill read third time.

Remarks by Assemblyman Marchant.

ASSEMBLYMAN MARCHANT:

Senate Bill 53 revises provisions relating to the installation, operation, and maintenance of telecommunications facilities. Among other things, the bill authorizes the Department of Transportation to grant longitudinal access and wireless access to certain rights-of-way owned by the Department to telecommunications providers to construct and install telecommunications facilities. The measure also provides for monetary and in-kind compensation to the Department for longitudinal access and wireless access to certain rights-of-way. Finally, S.B. 53 creates the Telecommunications Advisory Council to assist the Department in administering access to rights-of-way to telecommunications providers and to provide other assistance as requested by the Department.

This measure is effective upon passage and approval for the purposes of appointing members of the Telecommunications Advisory Council, adopting regulations, and performing other preparatory tasks. For all other purposes, the bill is effective on July 1, 2017.

Roll call on Senate Bill No. 53:

YEAS—42.

NAYS—None.

Senate Bill No. 53 having received a two-thirds majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 108.

Bill read third time.

Remarks by Assemblywoman Tolles.

ASSEMBLYWOMAN TOLLES:

Senate Bill 108 requires the State Board of Education to create a subcommittee to study the manner in which to include in high school social studies coursework instruction in criminal law related to certain crimes that frequently involve persons less than 18 years of age. It requires such instruction to emphasize personal responsibility for understanding and complying with the law and lists specific topics to be covered. The instruction must also include relevant information to assist victims and witnesses of such crimes.

The bill requires the State Board of Education to submit a report to the Legislative Committee on Education on or before July 1, 2018, outlining recommendations and any actions the Board has taken or intends to take to include the instruction described in the bill. The committee must then make a related report to the Legislature.

This bill is effective on July 1, 2017.

Roll call on Senate Bill No. 108:

YEAS—42.

NAYS—None.

Senate Bill No. 108 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 122.

Bill read third time.

Remarks by Assemblyman Thompson.

ASSEMBLYMAN THOMPSON:

Senate Bill 122 establishes the Account for Family Planning in the State General Fund. The Account is administered by the Division of Public and Behavioral Health, Department of Health and Human Services. Money in the Account must be used to award grants to local governmental entities and nonprofit organizations to provide certain family planning services.

Grants must be awarded based on a community's need and the local government's or nonprofit organization's ability to deliver services effectively.

Roll call on Senate Bill No. 122:

YEAS—29.

NAYS—Paul Anderson, Edwards, Ellison, Hambrick, Hansen, Krasner, Marchant, McArthur, Oscarson, Pickard, Tolles, Wheeler, Woodbury—13.

Senate Bill No. 122 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 123.

Bill read third time.

Remarks by Assemblyman Sprinkle.

ASSEMBLYMAN SPRINKLE:

Senate Bill 123 makes various changes to provisions governing the State Long-Term Care Ombudsman within the Aging and Disability Services Division of the Department of Health and Human Services.

Roll call on Senate Bill No. 123:

YEAS—42.

NAYS—None.

Senate Bill No. 123 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 160.

Bill read third time.

Remarks by Assemblyman Daly.

ASSEMBLYMAN DALY:

Senate Bill 160 revises notice requirements affecting the adoption of administrative regulations by agencies of the Executive Department of state government that are not exempt from the Nevada Administrative Procedure Act. Specifically, the bill provides that an agency must ensure that a regulation to be considered at a public hearing is posted on the agency's website three working days before the hearing.

Similarly, the measure requires an agency to provide at least three working days' notice of its intent to approve a revision to a regulation before holding a second or subsequent hearing on that regulation, including, without limitation, a subsequent hearing on an adopted regulation that has not been approved by the Legislative Commission or the Subcommittee to Review Regulations.

Roll call on Senate Bill No. 160:

YEAS—42.

NAYS—None.

Senate Bill No. 160 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 206.

Bill read third time.

Remarks by Assemblywoman Bustamante Adams.

ASSEMBLYWOMAN BUSTAMANTE ADAMS:

Senate Bill 206 increases from three years to four years the length of a term for appointed members of the State Barbers' Health and Sanitation Board and prohibits the appointed members of the Board from serving more than three terms. Any term commencing on or after January 3, 2011, counts toward the limitation on the number of terms that may be served.

The measure requires the Board to place its budget and all financial reports prepared by the Board on its Internet website. The Board must post licensing examination dates on its Internet website not less than 60 days before the date of the examination.

Roll call on Senate Bill No. 206:

YEAS—42.

NAYS—None.

Senate Bill No. 206 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 491.

Bill read third time.

Remarks by Assemblyman Hansen.

ASSEMBLYMAN HANSEN:

Senate Bill 491 authorizes counties whose population is less than 100,000—currently all counties other than Clark and Washoe Counties—to lease mechanical voting systems and mechanical recording devices from the Secretary of State without the option to purchase such systems and devices. Under the bill, the county would agree to maintain and insure the machines for the duration of the lease agreement, but the state would retain ownership. Like existing provisions authorizing a lease-purchase option for voting systems, this option would require a two-year agreement between the county and the Secretary of State, with an exclusive option for the county to extend the term of the agreement for like periods of two years at a time. The measure provides that the aggregate of rental payments under the two-year agreement must not exceed 10 percent of the purchase price of the systems and devices described in the agreement. Only those mechanical voting systems and mechanical recording devices approved by the Secretary of State may be purchased, leased, or used in Nevada.

Roll call on Senate Bill No. 491:

YEAS—42.

NAYS—None.

Senate Bill No. 491 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Benitez-Thompson moved that Senate Bills Nos. 2, 51, 75, 91, 116, 117, 133, 140, 141, 173, 176, 182, 188, 230, 237, 240, 247, 252, 255, 268, 279, 295, 311, 318, 324, 338, 376, 384, 411, 422, 447, 454, 464, 466, 483, 493, 513, and 515; Senate Joint Resolutions Nos. 5, 8, and 13 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 4, 6, 11, 14, 27, 28, 32, 33, 37, 38, 50, 63, 64, 74, 75, 102, 107, 118, 132, 133, 135, 147, 184, 191, 203, 221, 227, 239, 252, 282, 297, 391, 482; Senate Bills Nos. 7, 16, 22, 44, 45, 57, 105, 148, 197, 198; Senate Concurrent Resolution No. 9.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblywoman Benitez-Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to the following students, teachers, and chaperones from McQueen High School: Charmagne de Diego, Amber Rieger, Skyler Dohr, Jessica Rivera, Dalten Smith, Maleah Milner, Kayla Quintana, Jenna Wang, Haley Webbert, Valeria Savage, Heather Gonzales, “Goose” Sweet, Anna Zimmerman, Isabelle Richards, Ali Zoller, Watson Jia, Julie Roser, Zach Murphy, Betzania Ocampo, Mariah Lopez, Sam Dietrich, Anna Supple, Rachel Young, Samuel Bishopink, Vanessa Suratos, Amit Bhanver, Jeff Hurrle, Kiera Italiano, Elaine McQuillan, Will Ionno, Megan Fisher, Ericka Logan, Dylan Marchand, Alea Martin, Jon Mayer, Austin Grush, McKenzie Satmary, Madeleine Stuart, Annika Wevers, Ben Cleymaet, William Na, Anthony Florez, Gabi Zbella, Jaeden Cowell, Gracy Ruiz-Cota, Celia Arnold, Alex Pereyra, and Mariah Moss.

On request of Assemblywoman Bilbray-Axelrod, the privilege of the floor of the Assembly Chamber for this day was extended to Justin Allen.

On request of Assemblywoman Cohen, the privilege of the floor of the Assembly Chamber for this day was extended to Ruth Bunce.

On request of Assemblywoman Joiner, the privilege of the floor of the Assembly Chamber for this day was extended to Delvon Howard.

On request of Assemblyman Kramer, the privilege of the floor of the Assembly Chamber for this day was extended to the following students, teachers, and chaperones from Empire Elementary School: Bryan Avila, Connor Cooley-Nichols, Luis Cervantes, Austin Doer, Ezequiel Flores-Moran, Riley Gatlin, Arianna Gutierrez, Salvador Juarez-Bravo, Jasmine Melendez, Steven Mendoza-Silverio, Uravis Montero, Jazmin Munoz-Landa, Leanessa Petrini, Alan Rendon, Nohely Rivera, Alexa Robles-Ruiz, Sophia Rojas - Nungary, Alan Medina-Ramirez, Yael Salazar-Cortes, Emilyanne Williams, Salvador Zaragoza-Diaz, Jesse Anaya, Lilly Broon, Helery Cervantes, Janessa Cuevas, Fabian Curt, Dezel Dejesus, Gracie Escobedo, Julian Hernandez, Alicia Ibarra, Luis Leyva, Tyrus Mejorado, Britney Montero, Dayanara Pacheco, Elijah Presswood, Derrick Schneider, Oscar Vargas, Anahi Villeda, Gabriela Wilson, Moises Aguilar, Julie Altamirano,

Hannah Anaya, Eilyn Angulo, Jennifer Arambula, Evelyn Beltran, Troy Bruhn, Trigo Burciaga-Hernades, Donny Chappell, Rebecca Crowe, Alvaro Flores, Milton Franco, Monserrath Garcia-Castaneda, Giovanni Gutierrez, Cecelia Laguna, Angelo Macias, Carlos Mejia, Angel Munoz-Ortega, Ryah Newton, Marely Paredes, Omar Rubio, Serena Simas, Giselle Alcantara, Anthony Aviles-Martinez, Darron Bishop, Reghan Burdett-Wanamaker, Victor Calderon Ruiz, Vivianne Canedo Pinzon, Yocelin Delgado-Castaneda, Cordelia Dobbs, Constantine Furrow, Kimberly Herrera-Sanchez, Arely Infante, Jorge Leyva-Landa, Isaac Mays, Jessica Medina Rojas, Angel Munoz-Archuleta, Jenay Rambeau, Sariah Skenandore, Joselyn Tapia, Jaysen Vargas, Gustavo Velazquez, Melanie Dietz, Austin Bianchi, Saul Arteaga Almarez, Gabby Brewer, Garrett Burton-Abbott, Karla Calles Ramirez, Ana Cazares, Leo Eich, Michelle Escobar, Evelynne Espindola-Rios, Damien Fred, Alexa Gaxiola, Annie Goodlander, Cyrus Harper, Morgan Malen, Evelyn Mariscal Bravo, Justin Montiel Castro, Alejandro Munoz Avalos, Elayna Quintero, Erik Rodriguez Davalos, and Francisco Zambrano.

On request of Assemblywoman Krasner, the privilege of the floor of the Assembly Chamber for this day was extended to Ty Maurer and Lavonne Brooks.

On request of Assemblyman McCurdy, the privilege of the floor of the Assembly Chamber for this day was extended to Messiah Smith.

On request of Assemblywoman Monroe-Moreno, the privilege of the floor of the Assembly Chamber for this day was extended to Ronnie Fahnestock and Joanne Fahnestock.

On request of Assemblyman Oscarson, the privilege of the floor of the Assembly Chamber for this day was extended to Mark Nixon and Devon Day.

On request of Assemblyman Sprinkle, the privilege of the floor of the Assembly Chamber for this day was extended to Leslie Ross.

Assemblywoman Benitez-Thompson moved that the Assembly adjourn until Thursday, May 18, 2017, at 11:30 a.m.

Motion carried.

Assembly adjourned at 1:15 p.m.

Approved:

JASON FRIERSON
Speaker of the Assembly

Attest: SUSAN FURLONG

Chief Clerk of the Assembly