

NEVADA LEGISLATURE

Eightieth Session, 2019

SENATE DAILY JOURNAL

THE NINETY-FOURTH DAY

CARSON CITY (Wednesday), May 8, 2019

Senate called to order at 11:56 a.m.

President Marshall presiding.

Roll called.

All present.

Prayer by Rabbi Evon J. Yakar.

Good morning, and I express my gratitude to each and every one of you serving the State of Nevada and its citizens in this 80th Session of the Legislature.

On this day, Jewish Nevadans are gathered here in the State Capitol to support the crucial work of governance and to mark our modern holidays that commemorate the Holocaust, Israel's Memorial Day and Israel's Independence Day. These three days help us honor and rejoice in the existence of the Modern State of Israel, our partner in democracy. Foundational to both the great State of Nevada and our United States of America is the ability and the promise of religious freedoms. The religious freedoms and the cultural opportunities that we treasure as a State and as a nation enrich all of us. And, as we have seen in recent months, we also know that religious communities of all denominations in our country are vulnerable. We pray that such days are behind us.

Today, on Israel's Memorial Day, I pray for the souls of the 23,741 fallen soldiers of Israel and the 3,150 victims of terror. May their memories forever be a blessing. While Jewish communities around the globe, and certainly around the State of Nevada, gather to honor them, we know there is always work to be done to preserve life, to honor their memories in the ways we continue to build our future. Tonight, Jews everywhere turn immediately to celebrate Israel's Independence Day. In our prayers for those lost, we also recognize the commitment to tomorrow. We recognize that is the work of leaders everywhere, to honor what has come before, to mourn the unnecessary loss of life and to commit to better days ahead.

May this be our collective prayer this morning and every day: That in our preservation and honoring of those who have sacrificed everywhere are honored and not forgotten. We pray: HaMakom – May the One Who is Ever-Present grant us the strength to commit to building a future that continues to honor everyone, every community and celebrates the best of who we are as people and citizens of the great State of Nevada.

AMEN.

Pledge of Allegiance to the Flag.

By previous order of the Senate, the reading of the Journal is dispensed with, and the President and Secretary are authorized to make the necessary corrections and additions.

REPORTS OF COMMITTEE

Madam President:

Your Committee on Commerce and Labor, to which was referred Assembly Bill No. 457, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAT SPEARMAN, *Chair*

Madam President:

Your Committee on Growth and Infrastructure, to which were referred Assembly Bills Nos. 28, 333, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

YVANNA D. CANCELA, *Chair*

Madam President:

Your Committee on Natural Resources, to which were referred Assembly Bills Nos. 52, 58, 59, 93; Assembly Joint Resolutions Nos. 3, 7, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MELANIE SCHEIBLE, *Chair*

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, May 7, 2019

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed Senate Bills Nos. 68, 72, 74, 97, 154, 274, 286, 331; Assembly Bill No. 499.

Also, I have the honor to inform your honorable body that the Assembly on this day passed, as amended, Assembly Bills Nos. 157, 290.

Also, I have the honor to inform your honorable body that the Assembly amended, and on this day passed, as amended, Senate Bill No. 117, Amendment No. 652, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Assembly on this day concurred in the Senate Amendment No. 651 to Assembly Bill No. 11; Senate Amendment No. 649 to Assembly Bill No. 147.

CAROL AIELLO-SALA

Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Senator Spearman has approved the addition of Senators Woodhouse, Parks, Settlemeyer as primary sponsors and Senators Brooks, Cannizzaro, Denis, Dondero Loop, Harris, Kieckhefer, Ohrenschall, Pickard, Ratti, Scheible, Seevers Gansert and Washington as cosponsors of Senate Bill No. 331.

Senator Ratti announced that in memory of Assemblyman Tyrone Thompson, all Senators may sponsor Assembly Bill No. 363. Senators names will be added as sponsors of the bill automatically without having to specifically request to be added. However, if a Senator has an objection to sponsoring the bill, contact the Front Desk, and that Senator's name will not be added.

Senator Cannizzaro moved that Assembly Bill No. 126 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Finance:

Senate Bill No. 539—AN ACT relating to taxicabs; increasing the fee payable by the holder of a certificate of public convenience and necessity to operate a taxicab business in certain counties for each taxicab of the certificate holder; and providing other matters properly relating thereto.

Senator Woodhouse moved that the bill be referred to the Committee on Finance.

Motion carried.

By the Committee on Finance:

Senate Bill No. 540—AN ACT relating to vulnerable persons; revising provisions governing the Repository for Information Concerning Crimes Against Older Persons; revising and repealing provisions relating to the abuse, neglect, exploitation, isolation or abandonment of a vulnerable person; revising provisions relating to the Unit for Investigation and Prosecution of Crimes Against Older Persons of the Office of the Attorney General; and providing other matters properly relating thereto.

Senator Woodhouse moved that the bill be referred to the Committee on Finance.

Motion carried.

Assembly Bill No. 157.

Senator Ratti moved that the bill be referred to the Committee on Judiciary.

Motion carried.

Assembly Bill No. 290.

Senator Ratti moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Assembly Bill No. 499.

Senator Ratti moved that the bill be referred to the Committee on Growth and Infrastructure.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 110.

Bill read second time.

The following amendment was proposed by the Committee on Growth and Infrastructure:

Amendment No. 656.

SUMMARY—Revises provisions relating to minor traffic and related violations. (BDR 43-427)

AN ACT relating to public safety; requiring the Director of the Department of Motor Vehicles to release the contact information of a person who has been issued a traffic citation to a court or its traffic violations bureau under certain circumstances; revising provisions governing citations for minor traffic and related violations; revising provisions relating to hearings on alleged traffic

and related violations; prohibiting the issuance of a bench warrant for a person's failure to appear in court for a parking violation in certain circumstances; removing the time limitation on the imposition of certain administrative assessments for the provision of court facilities; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law sets forth provisions relating to the release and use of files and records of the Department of Motor Vehicles. (NRS 481.063) Section 1 of this bill requires the Director of the Department to release to a court or its traffic violations bureau, upon request, the mailing address and contact information of a person who has been issued a traffic citation that is filed with the court or traffic violations bureau from a file or record relating to the person's driver's license or the title or registration of the person's vehicle for the purpose of enabling the court to provide notifications concerning the traffic citation to the person.

Existing law requires every traffic enforcement agency in this State to provide traffic citations which must be issued in books or available through an electronic device that is used to prepare citations. (NRS 484A.610) Section 3 of this bill authorizes such traffic citations to be designed in a certain manner.

Existing law authorizes a peace officer to prepare and deliver a traffic citation to a person who has committed a traffic violation that is punishable as a misdemeanor if the person is not taken before a magistrate. Such a traffic citation must include certain information concerning the person charged with the violation and a notice to appear in court at a time that is at least 5 days after the alleged violation, unless the person charged with the violation demands an earlier hearing. (NRS 484A.630) Section 4 of this bill: (1) authorizes a peace officer to request, and a person to provide, the electronic mail address and mobile telephone number of the person for the purpose of enabling the court in which the person is required to appear to communicate with the person; and (2) removes the ability of the person to demand a hearing at a time earlier than 5 days after the alleged violation.

Existing law provides that if a traffic citation for a parking violation is issued to a person who has not signed the citation, a bench warrant may be issued for the person's failure to appear before the court if: (1) a notice is mailed to the person within 60 days after the citation is issued; and (2) the person does not appear within 20 days after the date of the notice or the notice to appear is returned as undeliverable. (NRS 484A.700) Section 6 of this bill prohibits the issuance of a bench warrant if such a notice to appear is returned as undeliverable.

Section 2 of this bill authorizes a court having jurisdiction over an offense for which a traffic citation may be issued or its traffic violations bureau to establish a system by which the court or traffic violations bureau may allow a person who has been issued a traffic citation that is filed with the court or traffic violations bureau ~~may~~ to make, in certain circumstances and in lieu

of making a plea and statement of his or her defense or any mitigating circumstances in court, ~~make~~ a plea and statement of his or her defense or any mitigating circumstances by mail, by electronic mail, over the Internet or by other electronic means. Section 2 also: (1) requires that if such a system is established and a person uses the system to make a plea and statement of his or her defense or any mitigating circumstances, such a plea and statement must be received by the court before the day on which the person is required to appear in court pursuant to the traffic citation; and (2) provides that if a person uses the system to make a plea and statement of his or her defense or any mitigating circumstances, the person waives his or her right to a trial and the right to confront any witnesses. Section 2 additionally sets forth the requirements that any such system must meet and authorizes the Nevada Supreme Court to adopt rules relating to the establishment of such a system. Section 5 of this bill makes a conforming change to provide that using the system to make a plea and state a defense or any mitigating circumstances does not constitute a failure to appear in court.

Existing law provides that a county or city may authorize, by ordinance, the justices or judges of the justice or municipal courts within its jurisdiction to impose for a period of not longer than 50 years an administrative assessment for the provision of court facilities. (NRS 176.0611) Section 6.5 of this bill removes the 50-year limitation on the imposition of such an administrative assessment.

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

Section 1. NRS 481.063 is hereby amended to read as follows:

481.063 1. The Director may charge and collect reasonable fees for official publications of the Department and from persons making use of files and records of the Department or its various divisions for a private purpose. All money so collected must be deposited in the State Treasury for credit to the Motor Vehicle Fund.

2. Except as otherwise provided in subsection 6, the Director may release personal information, except a photograph, from a file or record relating to the driver's license, identification card, or title or registration of a vehicle of a person if the requester submits a written release from the person who holds a lien on the vehicle, or an agent of that person, or the person about whom the information is requested which is dated not more than 90 days before the date of the request. The written release must be in a form required by the Director.

3. Except as otherwise provided in subsections 2 and 4, the Director shall not release to any person who is not a representative of the Division of Welfare and Supportive Services of the Department of Health and Human Services or an officer, employee or agent of a law enforcement agency, an agent of the public defender's office or an agency of a local government which collects fines imposed for parking violations, who is not conducting an investigation pursuant to NRS 253.0415 or 253.220, who is not authorized to transact

insurance pursuant to chapter 680A of NRS or who is not licensed as a private investigator pursuant to chapter 648 of NRS and conducting an investigation of an insurance claim:

(a) A list which includes license plate numbers combined with any other information in the records or files of the Department;

(b) The social security number of any person, if it is requested to facilitate the solicitation of that person to purchase a product or service; or

(c) The name, address, telephone number or any other personally identifiable information if the information is requested by the presentation of a license plate number.

↪ When such personally identifiable information is requested of a law enforcement agency by the presentation of a license plate number, the law enforcement agency shall conduct an investigation regarding the person about whom information is being requested or, as soon as practicable, provide the requester with the requested information if the requester officially reports that the motor vehicle bearing that license plate was used in a violation of NRS 205.240, 205.345, 205.380 or 205.445.

4. If a person is authorized to obtain such information pursuant to a contract entered into with the Department and if such information is requested for the purpose of an advisory notice relating to a motor vehicle or the recall of a motor vehicle or for the purpose of providing information concerning the history of a vehicle, the Director may release:

(a) A list which includes license plate numbers combined with any other information in the records or files of the Department; or

(b) The name, address, telephone number or any other personally identifiable information if the information is requested by the presentation of a license plate number.

5. Except as otherwise provided in subsections 2, 4, ~~and~~ 6 and 7 and NRS 483.294, 483.855 and 483.937, the Director shall not release any personal information from a file or record relating to a driver's license, identification card, or title or registration of a vehicle.

6. Except as otherwise provided in paragraph (a) and subsection ~~[7,]~~ 8, if a person or governmental entity provides a description of the information requested and its proposed use and signs an affidavit to that effect, the Director may release any personal information, except a photograph, from a file or record relating to a driver's license, identification card, or title or registration of a vehicle for use:

(a) By any governmental entity, including, but not limited to, any court or law enforcement agency, in carrying out its functions, or any person acting on behalf of a federal, state or local governmental agency in carrying out its functions. The personal information may include a photograph from a file or record relating to a driver's license, identification card, or title or registration of a vehicle.

(b) In connection with any civil, criminal, administrative or arbitration proceeding before any federal or state court, regulatory body, board, commission or agency, including, but not limited to, use for service of process, investigation in anticipation of litigation, and execution or enforcement of judgments and orders, or pursuant to an order of a federal or state court.

(c) In connection with matters relating to:

- (1) The safety of drivers of motor vehicles;
- (2) Safety and thefts of motor vehicles;
- (3) Emissions from motor vehicles;
- (4) Alterations of products related to motor vehicles;
- (5) An advisory notice relating to a motor vehicle or the recall of a motor vehicle;
- (6) Monitoring the performance of motor vehicles;
- (7) Parts or accessories of motor vehicles;
- (8) Dealers of motor vehicles; or
- (9) Removal of nonowner records from the original records of motor vehicle manufacturers.

(d) By any insurer, self-insurer or organization that provides assistance or support to an insurer or self-insurer or its agents, employees or contractors, in connection with activities relating to the rating, underwriting or investigation of claims or the prevention of fraud.

(e) In providing notice to the owners of vehicles that have been towed, repossessed or impounded.

(f) By an employer or its agent or insurer to obtain or verify information relating to a holder of a commercial driver's license who is employed by or has applied for employment with the employer.

(g) By a private investigator, private patrol officer or security consultant who is licensed pursuant to chapter 648 of NRS, for any use permitted pursuant to this section.

(h) By a reporter or editorial employee who is employed by or affiliated with any newspaper, press association or commercially operated, federally licensed radio or television station for a journalistic purpose. The Department may not make any inquiries regarding the use of or reason for the information requested other than whether the information will be used for a journalistic purpose.

(i) In connection with an investigation conducted pursuant to NRS 253.0415 or 253.220.

(j) In activities relating to research and the production of statistical reports, if the personal information will not be published or otherwise redisclosed, or used to contact any person.

7. *Upon the request of a court or its traffic violations bureau, the Director shall release the mailing address and contact information of a person who has been issued a traffic citation that is filed with the court or traffic violations bureau from a file or record relating to the driver's license of the person or*

the title or registration of the person's vehicle for the purpose of enabling the court or traffic violations bureau to provide notifications concerning the traffic citation to the person.

8. Except as otherwise provided in paragraph (j) of subsection 6, the Director shall not provide personal information to individuals or companies for the purpose of marketing extended vehicle warranties, and a person who requests and receives personal information may sell or disclose that information only for a use permitted pursuant to subsection 6. Such a person shall keep and maintain for 5 years a record of:

- (a) Each person to whom the information is provided; and
- (b) The purpose for which that person will use the information.

↪ The record must be made available for examination by the Department at all reasonable times upon request.

~~{8.}~~ 9. Except as otherwise provided in subsection 2, the Director may deny any use of the files and records if the Director reasonably believes that the information taken may be used for an unwarranted invasion of a particular person's privacy.

~~{9.}~~ 10. Except as otherwise provided in NRS 485.316, the Director shall not allow any person to make use of information retrieved from the system created pursuant to NRS 485.313 for a private purpose and shall not in any other way release any information retrieved from that system.

~~{10.}~~ 11. The Director shall not release any information relating to legal presence or any other information relating to or describing immigration status, nationality or citizenship from a file or record relating to a request for or the issuance of a license, identification card or title or registration of a vehicle to any person or to any federal, state or local governmental entity for any purpose relating to the enforcement of immigration laws.

~~{11.}~~ 12. The Director shall adopt such regulations as the Director deems necessary to carry out the purposes of this section. In addition, the Director shall, by regulation, establish a procedure whereby a person who is requesting personal information may establish an account with the Department to facilitate the person's ability to request information electronically or by written request if the person has submitted to the Department proof of employment or licensure, as applicable, and a signed and notarized affidavit acknowledging that the person:

- (a) Has read and fully understands the current laws and regulations regarding the manner in which information from the Department's files and records may be obtained and the limited uses which are permitted;
- (b) Understands that any sale or disclosure of information so obtained must be in accordance with the provisions of this section;
- (c) Understands that a record will be maintained by the Department of any information he or she requests; and
- (d) Understands that a violation of the provisions of this section is a criminal offense.

~~{12.}~~ 13. It is unlawful for any person to:

(a) Make a false representation to obtain any information from the files or records of the Department.

(b) Knowingly obtain or disclose any information from the files or records of the Department for any use not permitted by the provisions of this chapter.

~~{13.}~~ 14. As used in this section:

(a) "Information relating to legal presence" means information that may reveal whether a person is legally present in the United States, including, without limitation, whether the driver's license that a person possesses is a driver authorization card, whether the person applied for a driver's license pursuant to NRS 483.290 or 483.291 and the documentation used to prove name, age and residence that was provided by the person with his or her application for a driver's license.

(b) "Personal information" means information that reveals the identity of a person, including, without limitation, his or her photograph, social security number, individual taxpayer identification number, driver's license number, identification card number, name, address, telephone number or information regarding a medical condition or disability. The term does not include the zip code of a person when separate from his or her full address, information regarding vehicular crashes or driving violations in which he or she has been involved or other information otherwise affecting his or her status as a driver.

(c) "Vehicle" includes, without limitation, an off-highway vehicle as defined in NRS 490.060.

Sec. 2. Chapter 484A of NRS is hereby amended by adding thereto a new section to read as follows:

1. *A court having jurisdiction over an offense for which a traffic citation may be issued pursuant to NRS 484A.630 or its traffic violations bureau may establish a system by which, except as otherwise provided in subsection 5, the court or traffic violations bureau may allow a person who has been issued a traffic citation that is filed with the court or traffic violations bureau ~~may~~ to make a plea and state his or her defense or any mitigating circumstances by mail, by electronic mail, over the Internet or by other electronic means.*

2. *Except as otherwise provided in subsection 5, if a court or traffic violations bureau has established a system pursuant to subsection 1, a person who has been issued a traffic citation that is filed with the court or traffic violations bureau may, if allowed by the court and in lieu of making a plea and statement of his or her defense or any mitigating circumstances in court, make a plea and state his or her defense or any mitigating circumstances by using the system. Any such plea and statement must be received by the court before the date on which the person is required to appear in court pursuant to the traffic citation.*

3. *If a court or traffic violations bureau allows an eligible person to whom a traffic citation is issued ~~is eligible pursuant to the provisions of this section~~ to use a system established pursuant to subsection 1 to make a plea and state*

his or her defense or any mitigating circumstances and the person chooses to make a plea and state his or her defense or any mitigating circumstances by using such a system, the person waives his or her right to a trial and the right to confront any witnesses.

4. Any system established pursuant to subsection 1 must:

(a) For the purpose of authenticating that the person making the plea and statement of his or her defense or any mitigating circumstances is the person to whom the traffic citation was issued, ~~require~~ be capable of requiring the person to submit ~~+~~ any of the following information, at the discretion of the court or traffic violations bureau:

- (1) The traffic citation number;
- (2) The name and address of the person;
- (3) The state registration number of the person's vehicle, if any;
- (4) The number of the driver's license of the person, if any;
- (5) The offense charged; ~~and~~ or
- (6) Any other information required by any rules adopted by the Nevada Supreme Court pursuant to subsection 6.

(b) Provide notice to each person who uses the system to make a plea and statement of his or her defense or any mitigating circumstances that the person waives his or her right to a trial and the right to confront any witnesses.

(c) If a plea and statement of the defense or mitigating circumstances is submitted by electronic mail, over the Internet or by other electronic means, confirm receipt of the plea and statement or make available to the person making the plea a copy of the plea and statement.

5. A person who has been issued a traffic citation for any of the following offenses may not make a plea and state his or her defense or any mitigating circumstances by using a system established pursuant to subsection 1:

- (a) Aggressive driving in violation of NRS 484B.650;
- (b) Reckless driving in violation of NRS 484B.653;
- (c) Vehicular manslaughter in violation of NRS 484B.657; or
- (d) Driving, operating or being in actual physical control of a vehicle or a vessel under power or sail while under the influence of intoxicating liquor or a controlled substance in violation of NRS 484C.110, 484C.120 or 488.410, as applicable.

6. The Nevada Supreme Court may adopt rules not inconsistent with the laws of this State to carry out the provisions of this section.

Sec. 3. NRS 484A.610 is hereby amended to read as follows:

484A.610 1. Every traffic enforcement agency in this State shall provide in appropriate form traffic citations containing notices to appear which must meet the requirements of chapters 484A to 484E, inclusive, of NRS and be:

- (a) Issued in books; or
- (b) Available through an electronic device used to prepare citations.

2. The chief administrative officer of each traffic enforcement agency is responsible for the issuance of such books and electronic devices and shall

maintain a record of each book, each electronic device and each citation contained therein issued to individual members of the traffic enforcement agency and volunteers of the traffic enforcement agency appointed pursuant to NRS 484B.470. The chief administrative officer shall require and retain a receipt for every book and electronic device that is issued.

3. *Any traffic citation provided by a traffic enforcement agency pursuant to this section may be designed such that the traffic citation:*

(a) *Clearly states at the top of the citation the purpose of the citation and the actions that must be taken by the person to whom the citation is issued;*

(b) *Provides in a conspicuous location near the top of the citation fields for the date and time when and the location where the person to whom the citation is issued is required to appear in court; and*

(c) *Clearly states, in bold type, the consequences of failing to appear in court.*

Sec. 4. NRS 484A.630 is hereby amended to read as follows:

484A.630 1. Whenever a person is halted by a peace officer for any violation of chapters 484A to 484E, inclusive, of NRS punishable as a misdemeanor and is not taken before a magistrate as required or permitted by NRS 484A.720 and 484A.730, the peace officer may prepare a traffic citation manually or electronically in the form of a complaint issuing in the name of "The State of Nevada," containing a notice to appear in court, the name and address of the person, the state registration number of the person's vehicle, if any, the number of the person's driver's license, if any, the offense charged, including a brief description of the offense and the NRS citation, the time and place when and where the person is required to appear in court, and such other pertinent information as may be necessary. *The peace officer may also request, and the person may provide, the electronic mail address and mobile telephone number of the person for the purpose of enabling the court in which the person is required to appear to communicate with the person. If the peace officer requests such information, the peace officer shall expressly inform the person that providing such information is voluntary ~~and~~ and, if the person provides such information, the person thereby gives his or her consent for the court to communicate with the person through such means.* The peace officer shall sign the citation and deliver a copy of the citation to the person charged with the violation. If the citation is prepared electronically, the peace officer shall sign the copy of the citation that is delivered to the person charged with the violation.

2. The time specified in the notice to appear must be at least 5 days after the alleged violation. ~~[unless the person charged with the violation demands an earlier hearing.]~~

3. The place specified in the notice to appear must be before a magistrate, as designated in NRS 484A.750.

4. The person charged with the violation may give his or her written promise to appear in court by signing at least one copy of the traffic citation

prepared by the peace officer and thereupon the peace officer shall not take the person into physical custody for the violation. If the citation is prepared electronically, the peace officer shall indicate on the electronic record of the citation whether the person charged gave his or her written promise to appear. A copy of the citation that is signed by the person charged or the electronic record of the citation which indicates that the person charged gave his or her written promise to appear suffices as proof of service.

5. If the person charged with the violation refuses to sign a copy of the traffic citation but accepts a copy of the citation delivered by the peace officer:

(a) The acceptance shall be deemed personal service of the notice to appear in court;

(b) A copy of the citation signed by the peace officer suffices as proof of service; and

(c) The peace officer shall not take the person into physical custody for the violation.

Sec. 5. NRS 484A.670 is hereby amended to read as follows:

484A.670 1. ~~Regardless~~ *Unless a person makes a plea by using a system established by a court or traffic violations bureau in accordance with section 2 of this act, regardless of the disposition of the charge for which a traffic citation was originally issued, it is unlawful for a person to:*

(a) Violate a written promise to appear in court given to a peace officer upon the issuance of a traffic citation prepared by the peace officer; or

(b) Fail to appear at the time and place set forth in a notice to appear in court that is contained in a traffic citation prepared by a peace officer.

2. Except as otherwise provided in this subsection, a person may comply with a written promise to appear in court or a notice to appear in court by an appearance by counsel. A person who has been convicted of two or more moving traffic violations in unrelated incidents within a 12-month period and is subsequently arrested or issued a citation within that 12-month period shall appear personally in court with or without counsel.

3. ~~A~~ *Unless a person makes a plea by using a system established by a court or traffic violations bureau in accordance with section 2 of this act, a warrant may issue upon a violation of a written promise to appear in court or a failure to appear at the time and place set forth in a notice to appear in court.*

Sec. 6. NRS 484A.700 is hereby amended to read as follows:

484A.700 1. A traffic citation for a parking violation may be prepared manually or electronically.

2. ~~When~~ *Except as otherwise provided in subsection 3, when a traffic citation for a parking violation has been issued identifying by license number a vehicle registered to a person who has not signed the citation, a bench warrant may ~~not~~ be issued for that person for failure to appear before the court ~~unless~~ if:*

(a) A notice to appear concerning the violation is first sent to the person by first-class mail within 60 days after the citation is issued; and

(b) The person does not appear within 20 days after the date of the notice .
~~for~~

3. *A bench warrant may not be issued pursuant to subsection 2 if the notice to appear is returned with a report that it cannot be delivered.*

Sec. 6.5. NRS 176.0611 is hereby amended to read as follows:

176.0611 1. A county or a city, upon recommendation of the appropriate court, may, by ordinance, authorize the justices or judges of the justice or municipal courts within its jurisdiction to impose, ~~for not longer than 50 years,~~ in addition to the administrative assessments imposed pursuant to NRS 176.059, 176.0613 and 176.0623, an administrative assessment for the provision of court facilities.

2. Except as otherwise provided in subsection 3, in any jurisdiction in which an administrative assessment for the provision of court facilities has been authorized, when a defendant pleads guilty or guilty but mentally ill or is found guilty or guilty but mentally ill of a misdemeanor, including the violation of any municipal ordinance, the justice or judge shall include in the sentence the sum of \$10 as an administrative assessment for the provision of court facilities and render a judgment against the defendant for the assessment. If the justice or judge sentences the defendant to perform community service in lieu of a fine, the justice or judge shall include in the sentence the administrative assessment required pursuant to this subsection.

3. The provisions of subsection 2 do not apply to:

- (a) An ordinance regulating metered parking; or
- (b) An ordinance that is specifically designated as imposing a civil penalty or liability pursuant to NRS 244.3575 or 268.019.

4. The money collected for an administrative assessment for the provision of court facilities must not be deducted from the fine imposed by the justice or judge but must be taxed against the defendant in addition to the fine. The money collected for such an administrative assessment must be stated separately on the court's docket and must be included in the amount posted for bail. If bail is forfeited, the administrative assessment included in the amount posted for bail pursuant to this subsection must be disbursed in the manner set forth in subsection 6 or 7. If the defendant is found not guilty or the charges are dismissed, the money deposited with the court must be returned to the defendant. If the justice or judge cancels a fine because the fine has been determined to be uncollectible, any balance of the fine and the administrative assessment remaining unpaid shall be deemed to be uncollectible and the defendant is not required to pay it. If a fine is determined to be uncollectible, the defendant is not entitled to a refund of the fine or administrative assessment the defendant has paid and the justice or judge shall not recalculate the administrative assessment.

5. If the justice or judge permits the fine and administrative assessment for the provision of court facilities to be paid in installments, the payments must be applied in the following order:

(a) To pay the unpaid balance of an administrative assessment imposed pursuant to NRS 176.059;

(b) To pay the unpaid balance of an administrative assessment for the provision of court facilities pursuant to this section;

(c) To pay the unpaid balance of an administrative assessment for the provision of specialty court programs pursuant to NRS 176.0613;

(d) To pay the unpaid balance of an administrative assessment for obtaining a biological specimen and conducting a genetic marker analysis pursuant to NRS 176.0623; and

(e) To pay the fine.

6. The money collected for administrative assessments for the provision of court facilities in municipal courts must be paid by the clerk of the court to the city treasurer on or before the fifth day of each month for the preceding month. The city treasurer shall deposit the money received in a special revenue fund. The city may use the money in the special revenue fund only to:

(a) Acquire land on which to construct additional facilities for the municipal courts or a regional justice center that includes the municipal courts.

(b) Construct or acquire additional facilities for the municipal courts or a regional justice center that includes the municipal courts.

(c) Renovate or remodel existing facilities for the municipal courts.

(d) Acquire furniture, fixtures and equipment necessitated by the construction or acquisition of additional facilities or the renovation of an existing facility for the municipal courts or a regional justice center that includes the municipal courts. This paragraph does not authorize the expenditure of money from the fund for furniture, fixtures or equipment for judicial chambers.

(e) Acquire advanced technology for use in the additional or renovated facilities.

(f) Pay debt service on any bonds issued pursuant to subsection 3 of NRS 350.020 for the acquisition of land or facilities or the construction or renovation of facilities for the municipal courts or a regional justice center that includes the municipal courts.

↪ Any money remaining in the special revenue fund after 5 fiscal years must be deposited in the municipal general fund for the continued maintenance of court facilities if it has not been committed for expenditure pursuant to a plan for the construction or acquisition of court facilities or improvements to court facilities. The city treasurer shall provide, upon request by a municipal court, monthly reports of the revenue credited to and expenditures made from the special revenue fund.

7. The money collected for administrative assessments for the provision of court facilities in justice courts must be paid by the clerk of the court to the county treasurer on or before the fifth day of each month for the preceding month. The county treasurer shall deposit the money received to a special

revenue fund. The county may use the money in the special revenue fund only to:

(a) Acquire land on which to construct additional facilities for the justice courts or a regional justice center that includes the justice courts.

(b) Construct or acquire additional facilities for the justice courts or a regional justice center that includes the justice courts.

(c) Renovate or remodel existing facilities for the justice courts.

(d) Acquire furniture, fixtures and equipment necessitated by the construction or acquisition of additional facilities or the renovation of an existing facility for the justice courts or a regional justice center that includes the justice courts. This paragraph does not authorize the expenditure of money from the fund for furniture, fixtures or equipment for judicial chambers.

(e) Acquire advanced technology for use in the additional or renovated facilities.

(f) Pay debt service on any bonds issued pursuant to subsection 3 of NRS 350.020 for the acquisition of land or facilities or the construction or renovation of facilities for the justice courts or a regional justice center that includes the justice courts.

↪ Any money remaining in the special revenue fund after 5 fiscal years must be deposited in the county general fund for the continued maintenance of court facilities if it has not been committed for expenditure pursuant to a plan for the construction or acquisition of court facilities or improvements to court facilities. The county treasurer shall provide, upon request by a justice court, monthly reports of the revenue credited to and expenditures made from the special revenue fund.

8. If money collected pursuant to this section is to be used to acquire land on which to construct a regional justice center, to construct a regional justice center or to pay debt service on bonds issued for these purposes, the county and the participating cities shall, by interlocal agreement, determine such issues as the size of the regional justice center, the manner in which the center will be used and the apportionment of fiscal responsibility for the center.

Sec. 7. The amendatory provisions of section 6 of this act apply to a notice to appear that is mailed on or after October 1, 2019.

Senator Cancela moved the adoption of the amendment.

Remarks by Senator Cancela.

Amendment No. 656 makes 4 changes to Assembly Bill No. 110. The amendment clarifies that if a court sets up an online, email mail system, the court does not have to allow every offender to take advantage of such a system. It also clarifies the court retains discretion about information it needs to collect authenticating the user of a system is, in fact, the person to whom the traffic citation had been issued. Finally, it clarifies that if a person voluntarily provides an email address

or a mobile phone number to the office, then the person is giving consent for the court to communicate with the person through those means and adds a new section to the bill eliminating the 50-year sunset on the \$10 court construction.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

GENERAL FILE AND THIRD READING

Senate Bill No. 94.

Bill read third time.

The following amendment was proposed by the Committee on Finance:

Amendment No. 654.

SUMMARY—Revises provisions governing the Account for Family Planning. (BDR 40-446)

AN ACT relating to family planning; revising provisions governing ~~expenditures from~~ the Account for Family Planning; ~~making an appropriation to the Account;~~ and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes the Account for Family Planning for the purpose of awarding grants of money to local governmental entities and nonprofit organizations to provide certain family planning services, including the distribution of certain contraceptives, the installation of certain contraceptive devices and the performance of certain contraceptive procedures. The Account is administered by the Administrator of the Division of Public and Behavioral Health of the Department of Health and Human Services. Existing law authorizes the Administrator to use not more than 10 percent of the money in the Account to administer the Account. (NRS 442.725) ~~[Section 1 of this bill]~~ Section 1.2 of this bill transfers the duty to administer the Account from the Administrator to the Director of the Department of Health and Human Services or his or her designee. Additionally, section 1.2 authorizes the ~~[Administrator]~~ Director or his or her designee to also use the money to pay for family planning services offered by providers of health care or for other services offered by a department or division of the Executive Department of State Government through a contract with the recipient of the grant money. Further, section 1.2 decreases from 10 percent to 5 percent the amount of money in the Account that is authorized to be used to administer the Account. Section ~~1.1~~ 1.2 also requires family planning services paid for with money from the Account to be made available to all persons who would otherwise have difficulty obtaining such services.

Existing law requires insurers to cover certain types of contraception. (NRS 689A.0418, 689B.0378, 689C.1676, 695A.1865, 695B.1919, 695C.1696, 695G.1715) Section ~~1.1~~ 1.2 revises the types of contraception for which money from the Account may be used to correspond to the types of contraceptives that insurers are required to cover. Section ~~1.1~~ 1.2 additionally authorizes the use of money from the Account to pay for voluntary sterilization

for men and certain federally recommended vaccinations. Section ~~1.1~~ 1.2 also prohibits the ~~[Administrator]~~ Director or his or her designee or any entity that receives a grant from the Account or enters into a contract with the ~~[Administrator]~~ Director or his or her designee from discriminating against a provider of family planning services. ~~[Section 2 of this bill makes an appropriation to the Account for the purpose of providing family planning services during the 2019-2021 biennium.]~~

Sections 1, 1.3 and 1.4 of this bill make conforming changes.

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

Section 1. NRS 442.720 is hereby amended to read as follows:

442.720 ~~“Administrator”~~ “Director” means the ~~[Administrator of the Division.]~~ *Director of the Department of Health and Human Services.*

~~[Section 1.]~~ *Sec. 1.2.* NRS 442.725 is hereby amended to read as follows:

442.725 1. The Account for Family Planning is hereby created in the State General Fund. The ~~[Administrator]~~ *Director or his or her designee* shall administer the Account.

2. Except as otherwise provided in subsection ~~[5.]~~ 6, the money in the Account must be expended to ~~[award]~~ :

(a) *Award* grants of money to local governmental entities and nonprofit organizations to provide the family planning services described in ~~[this section]~~ *subsection 3* to all persons who would otherwise have difficulty obtaining such services because of poverty, lack of insurance or transportation or any other reason ~~[. Grants of money awarded pursuant to this section]~~ ; or

(b) *Pay for family planning services described in subsection 3 which are provided by a department or division of the Executive Department of State Government or pursuant to a contract with such a department or division, which may include, without limitation, a contract with a community health nurse, a consultant or any other person or entity.*

3. *Money in the Account may only be used to ~~[fund.]~~ pay for:*

(a) The provision of education by trained personnel concerning family planning;

(b) The distribution of information concerning family planning;

(c) The referral of persons to appropriate agencies, organizations and providers of health care for consultation, examination, treatment, genetic counseling and prescriptions for the purpose of family planning;

(d) The distribution of contraceptives, the installation of contraceptive devices and the performance of contraceptive procedures approved by the United States Food and Drug Administration, which must be limited to:

(1) ~~[Sterilization surgery]~~ *Voluntary sterilization* for men and women;

(2) Surgical sterilization implants for women;

(3) Implantable rods;

(4) ~~[Copper]~~ *Copper-based* intrauterine devices ~~[and]~~ ;

- (5) *Progesterone-based* intrauterine devices ; ~~with progestin;~~
~~(5) Contraceptive injections and patches;~~
 (6) *Injections;*
 (7) Combined ~~oral contraceptive pills, progestin only oral contraceptives~~
~~and oral contraceptives for extended or continuous use;~~
~~(7) estrogen- and progestin-based drugs;~~
 (8) *Progestin-based drugs;*
 (9) *Extended- or continuous-regimen drugs;*
 (10) *Estrogen- and progestin-based patches;*
 (11) Vaginal contraceptive rings;
~~(8) (12) Diaphragms [;]~~
~~(9) Contraceptive sponges;~~
~~(10) with spermicide;~~
 (13) *Sponges with spermicide;*
 (14) Cervical caps [;]
~~(11) with spermicide;~~
 (15) Female condoms;
~~(12) (16) Spermicide; [and]~~
~~(13) Levonorgestrel and ulipristal]~~
 (17) *Combined estrogen- and progestin-based drugs for emergency*
contraception or progestin-based drugs for emergency contraception; and
 (18) *Ulipristal acetate [;] for emergency contraception;*
 (e) The provision of or referral of persons for preconception health services
 and assistance to achieve pregnancy; ~~and]~~
 (f) The provision of or referral of persons for testing for and treatment of
 sexually transmitted infections [;
~~3.] ; and~~
 (g) *The provision of any vaccinations recommended by the Advisory*
Committee on Immunization Practices of the Centers for Disease Control and
Prevention of the United States Department of Health and Human Services or
its successor organization.

4. Family planning services funded by a local governmental entity using a grant awarded pursuant to ~~this section]~~ *paragraph (a) of subsection 2* may be provided wholly or partially through a contract between the local governmental entity and another local governmental entity, an agency of the State, a community health nurse, a consultant or any other person or entity.

~~[4.]~~ 5. Family planning services ~~funded using a grant awarded]~~ *paid for* pursuant to this section must be made available to *all* persons requesting such services:

- (a) In a manner that protects the dignity of the recipient;
 (b) Without regard to religion, race, color, national origin, physical or mental disability, age, sex, gender identity or expression, sexual orientation, number of previous pregnancies or marital status;

(c) In accordance with written clinical protocols that are in accordance with nationally recognized standards of care; and

(d) By persons who are required by NRS 432B.220 to report the abuse or neglect of a child.

~~{5.}~~ 6. The ~~{Administrator}~~ *Director or his or her designee* may not use more than ~~{10}~~ 5 percent of the money in the Account to administer the Account.

~~{6.}~~ 7. The ~~{Administrator}~~ *Director or his or her designee* shall award grants of money from the Account *pursuant to paragraph (a) of subsection 2* based entirely on the need for family planning services in the community served by the local governmental entity or the nonprofit organization and the ability of the local governmental entity or nonprofit organization to effectively deliver family planning services.

~~{7.}~~ 8. *The ~~{Administrator}~~ Director or his or her designee or any entity that receives a grant or enters into a contract pursuant to subsection 2 shall not discriminate against any provider of family planning services in any manner, including, without limitation, by:*

(a) Refusing to allow a provider of family planning services to provide family planning services paid with money from the Account; or

(b) Failing to provide timely or appropriate reimbursement for such family planning services.

9. The existence of the Account does not create a right in any local government or nonprofit organization *or other entity* to receive money from the Account.

~~{8.}~~ 10. As used in this section, “preconception health services” means the promotion of proper health practices, screenings and interventions conducted before pregnancy to identify and modify biomedical, behavioral and social risks to a woman’s health or pregnancy outcome through prevention and management.

Sec. 1.3. NRS 442.730 is hereby amended to read as follows:

442.730 1. The ~~{Administrator}~~ *Director or his or her designee* may apply for and accept any gift, donation, bequest, grant or other source of money for the purpose of awarding grants pursuant to NRS 442.725. Any money so received must be deposited in the Account.

2. The interest and income earned on money in the Account from any gift, donation or bequest, after deducting any applicable charges, must be credited to the Account.

3. Money from any gift, donation or bequest that remains in the Account at the end of the fiscal year does not revert to the State General Fund, and the balance in the Account must be carried forward to the next fiscal year.

Sec. 1.4. NRS 442.745 is hereby amended to read as follows:

442.745 1. The State Board of Health shall adopt any regulations necessary to carry out the provisions of NRS 442.710 to 442.745, inclusive. The regulations must establish, without limitation:

(a) The manner in which a local governmental entity or nonprofit organization may apply for a grant pursuant to NRS 442.725; and

(b) A requirement that the recipient of a grant pursuant to NRS 442.725 must submit any information that the State Board of Health determines is necessary for the ~~Administrator~~ *Director or his or her designee* to determine the purposes for which such a grant was used and evaluate the outcomes of services provided using such grants.

2. The regulations adopted pursuant to this section must not require a local governmental entity or nonprofit organization to apply for a grant pursuant to NRS 442.725.

~~Sec. 2. [1. There is hereby appropriated from the State General Fund to the Account for Family Planning created by NRS 442.725 the sum of \$6,000,000 to carry out the purposes set forth in that section.~~

~~2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2021, 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 17, 2021, 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 17, 2021.]~~
(Deleted by amendment.)

Sec. 3. This act becomes effective on July 1, 2019.

Senator Woodhouse moved the adoption of the amendment.

Remarks by Senator Woodhouse.

Amendment No. 654 to Senate Bill No. 94, requires the Director of the Department of Health and Human Services, or his or her designee, to administer the Account instead of the Administrator of the Division of Public and Behavioral Health; reduces the percentage of the money in the Account that may be used by the Director, or his or her designee, to administer the Account from not more than 10 percent to not more than 5 percent of the money in the Account; and deletes the \$6 million General Fund appropriation to the Account.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 8.

Bill read third time.

Remarks by Senator Dondero Loop.

Assembly Bill No. 8 changes the requirement that the Division of Parole and Probation of Nevada's Department of Public Safety review the levels of supervision for probationers and parolees from at least once every six months to a schedule determined by the Nevada Risk Assessment System, or its successor risk assessment tool, or more often if necessary.

Roll call on Assembly Bill No. 8:

YEAS—21.

NAYS—None.

Assembly Bill No. 8 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 16.

Bill read third time.

Remarks by Senator Ohrenschall.

Assembly Bill No. 16 provides an exception to the requirement that a search warrant be executed and returned within 10 days after its issuance. The exception specifies that if a search warrant provides for the collection of a biological specimen from a person, the warrant may be executed and returned within 6 months after its issuance.

Roll call on Assembly Bill No. 16:

YEAS—21.

NAYS—None.

Assembly Bill No. 16 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 61.

Bill read third time.

Remarks by Senator Schieble.

Assembly Bill No. 61 authorizes, rather than requires, the Director of the Department of Corrections to assign offenders who are participating in a program of treatment to residential confinement. The Director may consider whether the offender has failed or refused to comply with the entire program of treatment for any other program when determining whether to assign an offender to residential confinement. Before the Director assigns an offender to serve a term of residential confinement, the Director must notify the Division of Parole and Probation of the Department of Public Safety. The measure also clarifies certain notification requirements by the Department of Corrections and the Division to a victim of a crime who has requested notification. Lastly, all personal information that pertains to a victim received by the Department of Corrections or the Division is confidential.

Roll call on Assembly Bill No. 61:

YEAS—21.

NAYS—None.

Assembly Bill No. 61 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 131.

Bill read third time.

Remarks by Senator Woodhouse.

Assembly Bill No. 131 repeals provisions governing Community-Based Living Arrangement (CBLA) services and instead requires a provider of CBLA services to be licensed and regulated as a facility for the dependent. A recipient of CBLA services is given the same rights as recipients of services from other facilities for the dependent. The measure maintains the requirement that providers, employees and contractors of CBLA services receive criminal background checks and prohibits a person from serving in any of these capacities if convicted of certain crimes. The measure also requires certain inspections of a provider of CBLA services and requires a provider to notify a person receiving services, his or her parent or guardian or another designated person of

certain deficiencies. The bill authorizes the state fire marshal or a designee to enter and inspect facilities where CBLA services are provided.

The measure clarifies that an employment agency that contracts to provide nonmedical personal care services in a client's home is required to obtain a license from the State Board of Health, regardless of where the employment agency is located, if the services are provided in Nevada. The bill requires the current system that provides nonemergency information and referrals to the general public to include information concerning the licensing status of any medical facility or facility for the dependent and certain other entities. In addition, the Department of Health and Human Services is required to review and update such information at least quarterly.

Finally, the measure requires the Legislative Committee on Health Care to conduct a study regarding nonmedical personal care providers. The study must compare standards of training required by different entities; and determine whether employees and contractors of such entities should be required to complete training concerning a minimum set of competencies or complete a minimum amount of training. This bill is effective upon passage and approval for the purposes of adopting regulations and performing any other preparatory administrative tasks; and on January 1, 2020, for all other purposes.

Roll call on Assembly Bill No. 131:

YEAS—21.

NAYS—None.

Assembly Bill No. 131 having received a two-thirds majority, Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 133.

Bill read third time.

Remarks by Senator Hammond.

Assembly Bill No. 133 sets forth legislative findings relating to homeless youth as a subpopulation of the homeless population with complex and different needs than the adult homeless population. The bill declares that it is consistent with the Legislature's intent that the counties in this State work with local community organizations to identify sources of funding and provide funding to reduce youth homelessness.

Roll call on Assembly Bill No. 133:

YEAS—21.

NAYS—None.

Assembly Bill No. 133 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 156.

Bill read third time.

Remarks by Senator Spearman.

Assembly Bill No. 156 makes various changes regarding educational decisions of a child who is in need of protection. Specifically, it requires the court to appoint an educational decision maker for any child alleged to be a child in need of protection. The measure establishes a rebuttable presumption that is in the best interest of the child for the court to appoint a parent or guardian as the educational decision maker; it authorizes the court to appoint another person if certain determinations are made. The bill prescribes the duties of an educational decision maker and requires that certain information be shared with the child welfare agency, the attorney representing the child and the parent or guardian of the child. A child welfare services agency must consult with the education decision maker about allowing a child who is in foster care to remain at his or

her school of origin. In addition, the court is required to ensure an educational decision maker is involved in and notified of any plan to place a child, and it authorizes an educational decision maker to testify at any child welfare hearing to determine the placement.

The bill revises the educational information an agency is required to include in a report required to be submitted as part of a hearing concerning the child's placement. Finally, the court is required to notify the educational decision maker of such a hearing.

Roll call on Assembly Bill No. 156:

YEAS—21.

NAYS—None.

Assembly Bill No. 156 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 228.

Bill read third time.

Remarks by Senator Hardy.

Assembly Bill No. 228 expands the jurisdiction of the Office of the State Long-Term Care Ombudsman to include advocating for recipients of services from adult day care centers, facilities for long-term rehabilitation and living arrangement services. The measure authorizes the administrator of the Aging and Disability Services Division to direct the ombudsman or an advocate to investigate a complaint involving a recipient who receives services from a facility for long-term care or long-term rehabilitation, an adult day care or a provider of living arrangement services. The bill prohibits retaliation against any person who files a complaint with, or provides information to, the ombudsman or an advocate.

A person who violates this prohibition is subject to an administrative fine of not more than \$1,000 for each violation. The aforementioned facilities and service providers are required to post instructions for making a complaint to the ombudsman or an advocate inside each facility and may receive a penalty for failing to comply with the requirement.

Roll call on Assembly Bill No. 228:

YEAS—21.

NAYS—None.

Assembly Bill No. 228 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 266.

Bill read third time.

Remarks by Senator Harris.

Assembly Bill No. 266 provides for automatic sealing of eviction case court files upon entry of a court order dismissing the action for summary eviction ten judicial days after the entry of the court order denying action for summary eviction or 31 days after the tenant files an affidavit to contest the matter, if the landlord fails to file an affidavit of complaint within 30 days after the tenant files the affidavit. Lastly, this measure provides that a notice to surrender must not be available for public inspection.

Roll call on Assembly Bill No. 266:

YEAS—21.

NAYS—None.

Assembly Bill No. 266 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 342.

Bill read third time.

Remarks by Senator Hammond.

Assembly Bill No. 342 allows a student who is a child of an active duty member of the United States Armed Forces and has transferred schools pursuant to the Interstate Compact on Educational Opportunity for Military Children to be immediately eligible to participate and practice in interscholastic sports or other activities. The bill also requires each school district to designate an employee of the school district to serve as a liaison between the district and military families to facilitate the implementation of the Compact. Finally, Assembly Bill No. 342 requires the State Council for the Coordination of the Compact to meet at least twice per year and at the call of the Council's commissioner.

Roll call on Assembly Bill No. 342:

YEAS—21.

NAYS—None.

Assembly Bill No. 342 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 418.

Bill read third time.

Remarks by Senator Pickard.

Assembly Bill No. 418 codifies into statute Rule 68 of the Nevada Rules of Civil Procedure, which sets forth the conditions of service of an offer of judgment upon another party prior to trial under certain circumstances, the manner of acceptance or rejection of the offer and the penalties a court may impose on a party for the rejection of such an offer.

Roll call on Assembly Bill No. 418:

YEAS—21.

NAYS—None.

Assembly Bill No. 418 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 461.

Bill read third time.

Remarks by Senator Washington.

Assembly Bill No. 461 relates to homeless youth. The bill creates the position of liaison for post-secondary education for homeless pupils within the Nevada System of Higher Education to assist homeless and unaccompanied pupils in pursuing postsecondary education. The bill also establishes the Account for the Liaison for Post-Secondary Education for Homeless Pupils and authorizes the liaison to take certain actions to fulfill the duties of the position as defined in the bill. The bill specifies the liaison position will be funded as funds are available; and it authorizes the Nevada System of Higher Education to apply for and accept any gifts, grants and donations from any source for the purpose of funding the position. Finally, the bill authorizes the Board of Regents of the Nevada System of Higher Education to grant a waiver of registration and laboratory fees for homeless and unaccompanied pupils.

Roll call on Assembly Bill No. 461:

YEAS—21.

NAYS—None.

Assembly Bill No. 461 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 464.

Bill read third time.

Remarks by Senator Hansen.

Assembly Bill No. 464 provides that as long as a student returns to the same school he or she attended prior to participating in a foreign exchange program and does not exceed the age allowed for participation, the student will be held harmless for purposes of determining eligibility to participate in interscholastic activities, including sanctioned sports.

Roll call on Assembly Bill No. 464:

YEAS—21.

NAYS—None.

Assembly Bill No. 464 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 480.

Bill read third time.

Remarks by Senator Cannizzaro.

Assembly Bill No. 480 establishes the Supported Decision-Making Act which authorizes an adult with a disability to enter into a supported decision-making agreement in which he or she designates one or more supporters to provide assistance when making decisions or engaging in certain other activities. The measure sets forth the requirements for a supported decision-making agreement and authorizes such an agreement to be terminated in writing or verbally and with notice to the other parties. A decision or request made or communicated by an adult with the assistance of a supporter must, for the purpose of any provision of law, be recognized as the decision or request of the adult and may not be used as evidence of an adult's incapacity.

Roll call on Assembly Bill No. 480:

YEAS—21.

NAYS—None.

Assembly Bill No. 480 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 481.

Bill read third time.

Remarks by Senator Hansen.

Assembly Bill No. 481 increases from \$550,000 to \$605,000 the amount of equity in a homestead property that is protected from a writ of execution.

Roll call on Assembly Bill No. 481:

YEAS—21.

NAYS—None.

Assembly Bill No. 481 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 482.

Bill read third time.

Remarks by Senator Hammond.

Assembly Bill No. 482 revises provisions relating to an application for issuance or renewal of a certificate of permission to perform marriages or specific marriages. A person who is an applicant to become a marriage officiant must take a training course, if established by the county clerk, and pay a fee for a certificate of permission to perform marriages or specific marriages. The measure provides that a person, while on county property, who solicits or otherwise influences another person to be married by a marriage commissioner or justice of the peace or at a commercial wedding chapel is subject to a civil penalty. Finally, each county clerk is authorized to charge a fee for filing and recording or issuing certain documents and must use those fees only to acquire technology or to improve technology used in the office of the county clerk.

Roll call on Assembly Bill No. 482:

YEAS—20.

NAYS—Settelmeyer.

Assembly Bill No. 482 having received a two-thirds majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President and Secretary signed Assembly Bills Nos. 11, 147.

REMARKS FROM THE FLOOR

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

Today, is the first ever Asian-American/Pacific Islander (AAPI) celebration Day at the Nevada Legislature. We are fortunate today to have AAPI community members from southern and northern Nevada representing over 30 AAPI organizations here today to take part in all of the exciting festivities brought to you by the AAPI caucus at the Nevada Legislature. Today, Asian-Americans and Pacific Islanders combine to represent about 10 percent of Nevada's population, the fastest growing segment of Nevada's population for well over a decade. I am fortunate enough to have quite a bit of this population making their home in Senate District 11. Nevadans appreciate the contributions they make each and every day to our State and our country.

The founding members of the Nevada AAPI Legislative Caucus and Assembly District 23, Assembly District 3 and Assembly District 10 have a proclamation in honor of May being AAPI Heritage month. In it, today, May 8, 2019, is named AAPI Celebration Day at the Nevada Legislature, and it also recognizes the establishment of the first AAPI Legislative Caucus at the Nevada Legislature. The proclamation states, in part: "So proclaimed that today we celebrate the rich and vibrant culture, language and traditions of Asian-American and Pacific Islander people adding to the diverse fabric of Nevada; and be it further proclaimed that all Nevadans are encouraged to enjoy the varied events and festivities of Asian Culture Day on May 18 and of Asian/Pacific American Heritage Month throughout May."

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Denis, the privilege of the floor of the Senate Chamber for this day was extended to Glenn McCray and Kathryn McCray.

On request of Senator Kieckhefer, the privilege of the floor of the Senate Chamber for this day was extended to Gracie Cooper and Ashley Harris.

On request of Senator Settlemeyer, the privilege of the floor of the Senate Chamber for this day was extended to Christini Gellhausen and Maureen McNeil.

Senator Cannizzaro moved that the Senate adjourn until Thursday, May 9, 2019, at 11:00 a.m.

Motion carried.

Senate adjourned at 12:48 p.m.

Approved:

KATE MARSHALL
President of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate