

(Reprinted with amendments adopted on April 16, 2021)

FIRST REPRINT

A.B. 132

ASSEMBLY BILL NO. 132—ASSEMBLYMEN FLORES, TORRES,
GONZÁLEZ; ANDERSON, BROWN-MAY, CONSIDINE,
DURAN, MARTINEZ, SUMMERS-ARMSTRONG AND THOMAS

FEBRUARY 15, 2021

JOINT SPONSOR: SENATOR DONATE

Referred to Committee on Judiciary

SUMMARY—Establishes provisions relating to custodial
interrogations of children. (BDR 5-783)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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

AN ACT relating to juvenile justice; requiring a peace officer or
probation officer who takes a child into custody to make
certain disclosures to the child before initiating a custodial
interrogation; and providing other matters properly
relating thereto.

Legislative Counsel's Digest:

1 This bill requires a peace officer or probation officer who takes a child into
2 custody to make certain disclosures to the child concerning his or her constitutional
3 rights relating to custodial interrogations before initiating a custodial interrogation.

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

1 **Section 1.** Chapter 62C of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *1. A peace officer or probation officer who takes a child into*
4 *custody pursuant to NRS 62C.010 shall, before initiating a*
5 *custodial interrogation, disclose to the child:*

6 *(a) You have the right to remain silent, which means you do*
7 *not have to say anything to me unless you want to. It is your*
8 *choice.*



1 (b) *If you choose to talk to me, whatever you tell me I can tell a*
2 *judge in court.*

3 (c) *You have the right to have your parent with you while you*
4 *talk to me.*

5 (d) *You have the right to have a lawyer with you while you talk*
6 *to me. If your family cannot pay for a lawyer, you will get a free*
7 *lawyer. That lawyer is your lawyer and can help you if you decide*
8 *that you want to talk to me.*

9 (e) *These are your rights. Do you understand what I have told*
10 *you?*

11 (f) *Do you want to talk to me?*

12 2. *As used in this section:*

13 (a) *“Custodial interrogation” means an interrogation of a*
14 *child while the child is in custody.*

15 (b) *“Interrogation” means questioning which is initiated by a*
16 *peace officer or probation officer or any words or actions on the*
17 *part of a peace officer or probation officer, other than those which*
18 *are ordinarily attendant to confinement or detention, that the*
19 *peace officer or probation officer should know are reasonably*
20 *likely to elicit an incriminating response from the child who is*
21 *being questioned.*

22 **Sec. 2.** (Deleted by amendment.)

23 **Sec. 3.** (Deleted by amendment.)

24 **Sec. 4.** (Deleted by amendment.)

25 **Sec. 5.** This act becomes effective on July 1, 2021.

