

Amendment No. 466

Assembly Amendment to Assembly Bill No. 115	(BDR 11-118)
Proposed by: Assembly Committee on Judiciary	
Amendment Box: Replaces Amendment Nos. 82 and 237.	
Amends: Summary: Yes Title: Yes Preamble: Delete Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION		Initial and Date		SENATE ACTION		Initial and Date
Adopted <input type="checkbox"/>	Lost <input type="checkbox"/>	_____		Adopted <input type="checkbox"/>	Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/>	Not <input type="checkbox"/>	_____		Concurred In <input type="checkbox"/>	Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/>	Not <input type="checkbox"/>	_____		Receded <input type="checkbox"/>	Not <input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.



ASSEMBLY BILL NO. 115—ASSEMBLYMEN NGUYEN,
PETERS, GONZÁLEZ; TORRES AND WATTS

FEBRUARY 11, 2021

JOINT SPONSORS: SENATORS SCHEIBLE,
CANNIZZARO; AND BROOKS

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to ~~parentage~~ **domestic relations**.
(BDR 11-118)

FISCAL NOTE: Effect on Local Government: No.
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 ~~parentage~~ **domestic relations; authorizing one or more adults to petition a court for the adoption of a child; authorizing a court to waive the hearing on a petition for the adoption of a child in certain circumstances; requiring that additional information must be included in a petition for the adoption of a child who currently resides in the home of the petitioners**; authorizing a court to determine ~~in certain circumstances~~ that more than two people have a parent and child relationship with a child; ~~establishing provisions concerning custody and visitation, adoption and the termination of parental rights in cases in which a child has more than two parents; requiring the Committee to Review Child Support Guidelines to review the guidelines established by regulation for the support of one or more children to determine the amount of required support in cases in which a child has more than two parents and provide any recommendations for revisions to the Administrator of the Division of Welfare and Supportive Services of the Department of Health and Human Services; requiring the Administrator to review and consider any such recommendations and revise or adopt any necessary regulations;~~ and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 ~~Existing law provides the manners in which the legal relationship of a mother and child~~
- 2 ~~can be established, including: (1) except in the case of a gestational agreement, proof that a~~
- 3 ~~woman gave birth to a child; (2) an adjudication that a woman is the mother of a child; (3)~~
- 4 ~~proof that a woman has adopted a child; (4) an un rebutted presumption of a woman’s~~
- 5 ~~maternity; (5) the consent of a woman to assisted reproduction that resulted in the birth of a~~

child; or (6) an adjudication confirming a woman as a parent of a child born to a gestational carrier. (NRS 126.041) Existing law also provides the manners in which the legal relationship of a father and child can be established, including: (1) an adjudication that a man is the father of a child; (2) proof that a man has adopted a child; (3) the consent of a man to assisted reproduction that resulted in the birth of a child; (4) an adjudication confirming a man as a parent of a child born to a gestational carrier; (5) a presumption of paternity that arises if a man was married to or cohabiting with the natural mother of a child or resides with and holds out a child as his natural child; (6) genetic testing establishing a man as the father of a child; or (7) a voluntary acknowledgment of paternity by a man. (NRS 126.041, 126.051, 126.053)

— Section 2 of this bill authorizes a court to determine that more than two people have a parent and child relationship with a child if the court finds that recognizing only two people as having a parent and child relationship with the child will be detrimental to the child. Section 2 requires a court to consider all relevant factors when making such a determination, including the harm that may occur to a child by removing him or her from a stable environment with a person who has fulfilled the physical needs of the child and psychological needs of the child for care and affection and has assumed that role for a substantial period.

— If a court determines pursuant to section 2 that a child has more than two parents: (1) section 1 of this bill requires a court that is making a determination regarding the legal or physical custody of the child to allocate custody and visitation among the parents based on the best interest of the child; (2) section 4 of this bill prohibits a court from granting a petition for adoption of a child unless each parent of the child provides his or her written consent; and (3) section 6 of this bill provides that, with respect to the termination of parental rights, if the mother of the child relinquishes or proposes to relinquish the child for adoption and all other parents have not consented to the adoption or relinquished the child for adoption, the court must determine whether any such parent and child relationship should be terminated.]

Existing law establishes provisions governing the adoption of children. (NRS 127.010-127.186) Existing law authorizes any adult or married couple to petition a court for the adoption of a child. (NRS 127.030) Section 5.2 of this bill instead provides that one or more adults may petition a court for the adoption of a child and requires that each prospective adopting adult and legal parent seeking to retain his or her parental rights be joined as a petitioner. Section 5.2 also authorizes a court to: (1) waive the hearing on a petition for the adoption of a child if the petitioner is related to the child within the third degree of consanguinity; and (2) determine that a child has a legal relationship with more than two petitioners. Sections 5.1, 5.3-5.6 and 5.7-5.85 of this bill make conforming changes to reflect that a child may have a legal relationship with more than two parents.

Existing law requires that a petition for the adoption of a child who currently resides in the home of the petitioners must contain certain information. (NRS 127.110) Section 5.65 of this bill requires the petition also to include a statement that there are no known signs that the child is currently experiencing victimization from human trafficking, exploitation or abuse.

Section 8 of this bill generally provides that, for the purposes of the Nevada Revised Statutes, if [a court determines pursuant to section 2 that a child has] more than two [parents,] persons have a parent and child relationship with a child pursuant to a prior court order, any reference to [-(1)-] the parents of a child or a parent of a child must be interpreted to include any person whom a court has determined to be a parent of the child. [-(2)-] a parent of a child must be interpreted to include any person whom a court has determined to be a parent of a child and to whom the reference can logically be applied.

— Existing law requires: (1) the Administrator of the Division of Welfare and Supportive Services of the Department of Health and Human Services to adopt regulations that establish the guidelines in this State for the support of one or more children; and (2) the Committee to Review Child Support Guidelines to review such guidelines not less than quadrennially. (NRS 425-620) Existing law requires courts to apply such guidelines to determine the amount of required support in any case involving the support of children or to change the amount of required support. (NRS 125B.080) Section 9 of this bill requires the Committee to: (1) review the guidelines not later than 90 days after the effective date of this bill for the purpose of determining the amount of required support in cases in which a court determines that a child has more than two parents; and (2) provide any recommendations for revisions to the guidelines to the Administrator. Section 9 also requires the Administrator to review and

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~~consider any recommendations of the Committee and revise or adopt any necessary regulations.]~~

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~~[~~ Whereas, Most children have two parents, but in rare cases, a child has more than two people who are that child's parent in every way; and
~~—~~ Whereas, Separating a child from a parent has a devastating psychological and emotional impact on the child, and courts must have the power to protect children from such harm; and
~~—~~ Whereas, This act does not change any of the requirements for establishing a claim to parentage, but rather provides that if more than two people have claims to parentage, a court may determine that a child has more than two parents if recognizing only two people as having a parent and child relationship with the child will be detrimental to the child; and
~~—~~ Whereas, It is the intent of the Legislature that the amendatory provisions of this act will only apply in the rare cases where a child truly has more than two parents, and a finding that a child has more than two parents is necessary to protect the child from the detriment of being separated from one of his or her parents; now, therefore,]

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

Section 1. ~~[Chapter 125C of NRS is hereby amended by adding thereto a new section to read as follows:~~

~~*Notwithstanding any other provision of law, if a court determines pursuant to section 2 of this act that more than two people have a parent and child relationship with a child, a court making a determination regarding the legal or physical custody of the child shall allocate custody and visitation among the parents based on the best interest of the child, including, without limitation, by addressing the need of the child for continuity and stability by preserving established patterns of care and emotional bonds. This section must not be construed to require a court to order that all parents share legal or physical custody of a child.] (Deleted by amendment.)*~~

Sec. 2. ~~[Chapter 126 of NRS is hereby amended by adding thereto a new section to read as follows:~~

- ~~—1. A court may determine that more than two people have a parent and child relationship with a child if the court finds that recognizing only two people as having a parent and child relationship with the child will be detrimental to the child.~~
- ~~—2. In making a determination pursuant to subsection 1, a court shall consider all relevant factors, including, without limitation, the harm that may occur to a child by removing the child from a stable environment with a person who has fulfilled the physical needs of the child and the psychological needs of the child for care and affection and has assumed that role for a substantial period.~~
- ~~—3. A finding of the unfitness of a parent or person with a claim to parentage is not required for a court to make a finding pursuant to subsection 1 that recognizing only two people as having a parent and child relationship with the child will be detrimental to the child.~~
- ~~—4. Unless otherwise specified by a court or expressly provided by law, any person who is determined by a court to have a parent and child relationship with a child:~~

~~1 (a) Is entitled to and possesses all privileges, rights, benefits and protections
2 provided to parents under the laws of this State; and~~

~~3 (b) Possesses all responsibilities, obligations and duties imposed on parents
4 under the laws of this State.] (Deleted by amendment.)~~

5 **Sec. 3.** NRS 126.021 is hereby amended to read as follows:

6 126.021 As used in this chapter, unless the context otherwise requires:

7 1. "Custodial parent" means the parent of a child born out of wedlock who
8 has been awarded physical custody of the child or, if no award of physical custody
9 has been made by a court, the parent with whom the child resides.

10 2. "Nonsupporting parent" means the parent of a child born out of wedlock
11 who has failed to provide an equitable share of his or her child's necessary
12 maintenance, education and support.

13 3. "Parent and child relationship" means the legal relationship existing
14 between a child and his or her natural or adoptive parents incident to which the law
15 confers or imposes rights, privileges, duties and obligations. It includes the mother
16 and child relationship and the father and child relationship. **This subsection does
17 not preclude a determination by a court that a child has such a legal relationship
18 with more than two [people pursuant to section 2 of this act.] persons.**

19 **Sec. 4.** ~~[Chapter 127 of NRS is hereby amended by adding thereto a new
20 section to read as follows:~~

~~21 **Notwithstanding any other provision of law, and except as otherwise provided
22 in NRS 127.090, if a court determines pursuant to section 2 of this act that more
23 than two people have a parent and child relationship with a child, a court shall
24 not grant a petition for adoption of a child unless each parent of the child has
25 provided his or her written consent to the specific adoption proposed by the
26 petition or for relinquishment to an agency authorized to accept relinquishments
27 in accordance with the provisions of this chapter.] (Deleted by amendment.)**~~

28 **Sec. 5.** ~~[NRS 127.005 is hereby amended to read as follows:~~

~~29 **127.005** The provisions of NRS 127.010 to 127.1895, inclusive, and section
30 4 of this act govern the adoption of minor children, and the provisions of NRS
31 127.190, 127.200 and 127.210 and the provisions of NRS 127.010 to 127.1895,
32 inclusive, and section 4 of this act, where not inconsistent with the provisions of
33 NRS 127.190, 127.200 and 127.210, govern the adoption of adults.] (Deleted by
34 amendment.)~~

35 **Sec. 5.1.** **NRS 127.020 is hereby amended to read as follows:**

36 127.020 1. Except as otherwise provided in subsection 2:

37 (a) A minor child may be adopted by ~~[an adult person in the cases and]~~ **one or
38 more adults** subject to the rules prescribed in this chapter.

39 (b) A person adopting a child must be at least 10 years older than the person
40 adopted, and the consent of the child, if over the age of 14 years, is necessary to its
41 adoption.

42 2. A court may approve the adoption of a child without regard to the age of
43 the child and the ages of the prospective adoptive parents if:

44 (a) The child is being adopted by a stepparent, sister, brother, aunt, uncle or
45 first cousin and, if the prospective adoptive parent is married, also by the spouse of
46 the prospective adoptive parent; and

47 (b) The court is satisfied that it is in the best interest of the child and in the
48 interest of the public.

49 **Sec. 5.2.** **NRS 127.030 is hereby amended to read as follows:**

50 127.030 1. ~~[Any adult person or any two persons married to each other]~~
51 **One or more adults** may petition the district court of any county in this state for
52 leave to adopt a child. **Each prospective adopting adult and each legal parent
53 seeking to retain his or her parental rights must be joined as a petitioner.**

1 2. Except as otherwise provided in subsection 5, a married person not
2 lawfully separated from his or her spouse may not adopt a child without the consent
3 of his or her spouse, if such spouse is capable of giving such consent.

4 3. If a spouse consents to an adoption as described in subsection 2, such
5 consent does not establish any parental rights or responsibilities on the part of the
6 spouse unless he or she:

7 (a) Has, in a writing filed with the court, specifically consented to:

8 (1) Adopting the child; and

9 (2) Establishing parental rights and responsibilities; and

10 (b) Is named as an adoptive parent in the order or decree of adoption.

11 4. The court shall not name a spouse who consents to an adoption as
12 described in subsection 2 as an adoptive parent in an order or decree of adoption
13 unless:

14 (a) The spouse has filed a writing with the court as described in paragraph (a)
15 of subsection 3; and

16 (b) The home of the spouse is suitable for the child as determined by an
17 investigation conducted pursuant to NRS 127.120 or 127.2805.

18 5. The court may dispense with the requirement for the consent of a spouse
19 who cannot be located after a diligent search or who is determined by the court to
20 lack the capacity to consent. A spouse for whom the requirement was dispensed
21 pursuant to this subsection must not be named as an adoptive parent in an order or
22 decree of adoption.

23 6. If a person who petitions for the adoption of a child pursuant to this
24 section is related to the child within the third degree of consanguinity, the court
25 may, in its discretion, waive the hearing on the petition.

26 7. The court may determine that a child has a legal relationship with more
27 than two persons who petition for the adoption of the child pursuant to this
28 section.

29 **Sec. 5.3. NRS 127.040 is hereby amended to read as follows:**

30 127.040 1. Except as provided in NRS 127.090, written consent to the
31 specific adoption proposed by the petition or for relinquishment to an agency
32 authorized to accept relinquishments acknowledged by the person or persons
33 consenting, is required from:

34 (a) ~~Both parents if both are living;~~ Each legal parent who is alive; and

35 (b) ~~One parent if the other is dead; or~~

36 ~~(c) The~~ Any legal guardian of the person of ~~the~~ the child appointed by a court
37 of competent jurisdiction.

38 2. Consent is not required of a parent who has been adjudged insane for 2
39 years if the court is satisfied by proof that such insanity is incurable.

40 **Sec. 5.4. NRS 127.043 is hereby amended to read as follows:**

41 127.043 1. Except as otherwise provided in subsection 2, a child must not
42 be placed in an adoptive home until a valid release for or consent to adoption is
43 executed by the ~~mother~~ parent who gave birth to the child as provided by NRS
44 127.070.

45 2. The provisions of this section do not apply if one or more of the existing
46 legal parents is a petitioner or the ~~spouse of a~~ petitioner is related to the child
47 within the third degree of consanguinity.

48 **Sec. 5.5. NRS 127.045 is hereby amended to read as follows:**

49 127.045 1. Except as otherwise provided in subsection 2, until a valid
50 release for or consent to adoption is executed by the ~~mother~~ parent who gave
51 birth to the child as provided by NRS 127.070 and the investigation required by
52 NRS 127.2805 is completed, no person may:

53 (a) Petition any court for the appointment of a guardian; or

1 (b) Be appointed the temporary guardian,
 2 ↪ of the person of the child to be adopted.

3 2. The provisions of subsection 1 do not apply ~~to~~ if one or more of the
 4 existing legal parents is a petitioner or if any ~~person who is related~~ petitioner or
 5 ~~whose~~ his or her spouse is related to the child within the third degree of
 6 consanguinity.

7 **Sec. 5.6. NRS 127.070 is hereby amended to read as follows:**

8 127.070 1. All releases for and consents to adoption executed in this state
 9 by the ~~mother~~ parent who gave birth to a child before the birth of ~~a~~ the child or
 10 within 72 hours after the birth of ~~the~~ the child are invalid.

11 2. A release for or consent to adoption may be executed by ~~the father~~ a
 12 parent before the birth of ~~the~~ a child if the ~~father~~ parent is not married to the
 13 ~~mother~~ parent who gave birth to the child. A release executed ~~by the father~~
 14 under this subsection becomes invalid if:

15 (a) The ~~father of the child marries the mother~~ parents of the child marry each
 16 other before the child is born;

17 (b) The ~~mother of~~ parent who gave birth to the child does not execute a
 18 release for or consent to adoption of the child within 6 months after the birth of the
 19 child; or

20 (c) No petition for adoption of the child has been filed within 2 years after the
 21 birth of the child.

22 **Sec. 5.65. NRS 127.110 is hereby amended to read as follows:**

23 127.110 1. A petition for adoption of a child who currently resides in the
 24 home of the petitioners may be filed at any time after the child has lived in the
 25 home for 30 days.

26 2. The petition for adoption must state, in substance, the following:

27 (a) The full name and age of the petitioners.

28 (b) The age of the child sought to be adopted and the period that the child has
 29 lived in the home of petitioners before the filing of the petition.

30 (c) That it is the desire of the petitioners that the relationship of parent and
 31 child be established between them and the child.

32 (d) Their desire that the name of the child be changed, together with the new
 33 name desired.

34 (e) That the petitioners are fit and proper persons to have the care and custody
 35 of the child.

36 (f) That they are financially able to provide for the child.

37 (g) That there has been a full compliance with the law in regard to consent to
 38 adoption.

39 (h) That there has been a full compliance with NRS 127.220 to 127.310,
 40 inclusive.

41 (i) Whether the child is known to be an Indian child.

42 (j) That there are no known signs that the child is currently experiencing
 43 victimization from human trafficking, exploitation or abuse.

44 3. No order of adoption may be entered unless there has been full compliance
 45 with the provisions of NRS 127.220 to 127.310, inclusive.

46 **Sec. 5.7. NRS 127.123 is hereby amended to read as follows:**

47 127.123 Notice of the filing of a petition for the adoption of a child must be
 48 provided to ~~the~~ all legal ~~custodian~~ custodians or ~~guardian~~ guardians of the
 49 child ~~if that custodian or guardian is a person other than the natural~~ who are not a
 50 legal parent of the child.

51 **Sec. 5.8. NRS 127.160 is hereby amended to read as follows:**

52 127.160 Upon the entry of an order of adoption, the child shall become the
 53 legal child of the persons adopting the child, and they shall become the child's legal

1 parents with all the rights and duties between them of natural parents and legitimate
2 child. By virtue of such adoption the child shall inherit from his or her adoptive
3 parents or their relatives the same as though the child were the legitimate child of
4 such parents, and in case of the death of the child intestate the adoptive parents and
5 their relatives shall inherit the child's estate as if they had been the child's natural
6 parents and relatives in fact. After a decree of adoption is entered, ~~the natural~~
7 ~~parents of an adopted child shall be~~ any parent who has given consent to
8 terminate his or her parental rights is relieved of all parental responsibilities for
9 ~~such~~ the adopted child and ~~they~~ shall not exercise or have any rights over
10 ~~such~~ the adopted child or the property of ~~such~~ the adopted child. The child
11 ~~shall~~ does not owe ~~his or her natural parents or their relatives~~ a parent whose
12 parental rights have been terminated any legal duty ~~nor shall the child~~ and may
13 not inherit from ~~his or her natural parents~~ a parent whose parental rights have
14 been terminated or his or her kindred. Notwithstanding any other provisions to the
15 contrary in this section, the adoption of a child ~~by his or her stepparent shall~~ does
16 not in any way change the status of the relationship between the child and ~~his or~~
17 ~~her natural parent~~ any legal parent who is ~~the spouse of the petitioning~~
18 ~~stepparent~~ a petitioner and whose parental rights have not been terminated.

19 Sec. 5.85. NRS 127.165 is hereby amended to read as follows:

20 127.165 1. ~~The natural parent~~ A prior parent of a child may not bring an
21 action to set aside an adoption after a petition for adoption has been granted, unless
22 a court of competent jurisdiction has previously, in a separate action:

- 23 (a) Set aside the consent to the adoption;
- 24 (b) Set aside the relinquishment of the child for adoption; or
- 25 (c) Reversed an order terminating the parental rights of the ~~natural~~ parent.

26 2. After a petition for adoption has been granted, there is a presumption for
27 the purposes of this chapter that remaining in the home of the adopting ~~parent~~
28 parents is in the child's best interest.

29 Sec. 5.9. NRS 127.2827 is hereby amended to read as follows:

30 127.2827 1. If a child who is in the custody of an agency which provides
31 child welfare services is placed for adoption, the agency must provide the court
32 which is conducting the adoption proceedings with a copy of any order for
33 visitation with a sibling of the child that was issued pursuant to NRS 432B.580 and
34 the court must conduct a hearing to determine whether to include an order for
35 visitation with a sibling in the decree of adoption.

36 2. The court shall incorporate an order for visitation provided to the court
37 pursuant to subsection 1 into the decree of adoption unless, not later than 30 days
38 after notice of the filing of the petition for adoption is provided to ~~the~~ all legal
39 ~~custodian~~ custodians or ~~guardian~~ guardians of the child who are required to be
40 provided with such notice pursuant to NRS 127.123, any interested party in the
41 adoption, including, without limitation, the adoptive parent, the adoptive child, a
42 sibling of the adoptive child, the agency which provides child welfare services or a
43 licensed child-placing agency petitions the court to exclude the order of visitation
44 with a sibling from the decree of adoption or amend the order for visitation before
45 including the order in the decree of adoption.

46 3. The hearing on a petition submitted pursuant to subsection 2 must be held
47 on a different date than the hearing on the petition for adoption. Any interested
48 party is entitled to participate in the hearing. The clerk of the court shall give
49 written notice of the time and place of the hearing to the adoptive parent, the
50 adoptive child, a sibling of the adoptive child, the attorney for the adoptive child or
51 a sibling of the adoptive child, the agency which provides child welfare services
52 and a licensed child-placing agency. Upon the petition of a sibling requesting the
53 inclusion of an order for visitation in the decree of adoption, the court may require

1 the agency which provides child welfare services or the child-placing agency to
2 provide the clerk of the court with the contact information of the adoptive parent,
3 the adoptive child and the attorney for the adoptive child. If so ordered, the agency
4 which provides child welfare services or the child-placing agency must provide
5 such contact information under seal.

6 4. The sole consideration of the court in making a determination concerning
7 visitation with a sibling pursuant to this section is the best interest of the child. If a
8 petition is submitted pursuant to subsection 2, the court must not enter a decree of
9 adoption until the court has made a determination concerning visitation with a
10 sibling.

11 5. If an order for visitation with a sibling is included in a decree of adoption,
12 the court shall, upon the request of a party to the order, provide to the party the case
13 number of the adoption proceeding and any documents or records necessary to
14 enforce the order.

15 6. A party to an order for visitation may petition for enforcement of the order
16 at any time while the order is in effect. A person who fails to comply with the order
17 is in contempt of court. If a party to an order for visitation withholds the contact
18 information of any person in violation of the order, the court may order the agency
19 which provides child welfare services or a licensed child-placing agency to provide
20 such contact information to the court under seal.

21 **Sec. 6.** ~~[Chapter 128 of NRS is hereby amended by adding thereto a new~~
22 ~~section to read as follows:~~

23 ~~— Notwithstanding any other provision of law, if:~~

24 ~~1. A court determines pursuant to section 2 of this act that more than two~~
25 ~~people have a parent and child relationship with a child;~~

26 ~~2. The mother of the child relinquishes or proposes to relinquish the child~~
27 ~~for adoption; and~~

28 ~~3. All other parents have not consented to the adoption of the child or~~
29 ~~relinquished the child for adoption,~~

30 ~~— a proceeding must be brought pursuant to this chapter to determine whether~~
31 ~~any such parent and child relationship should be terminated.] (Deleted by~~
32 ~~amendment.)~~

33 **Sec. 7.** ~~[NRS 128.090 is hereby amended to read as follows:~~

34 ~~— 128.090 1. At the time stated in the notice, or at the earliest time thereafter~~
35 ~~to which the hearing may be postponed, the court shall proceed to hear the petition.~~

36 ~~— 2. The proceedings are civil in nature and are governed by the Nevada Rules~~
37 ~~of Civil Procedure. The court shall in all cases require the petitioner to establish the~~
38 ~~facts by clear and convincing evidence and shall give full and careful consideration~~
39 ~~to all of the evidence presented, with regard to the rights and claims of the parent of~~
40 ~~the child and to any and all ties of blood or affection, but with a dominant purpose~~
41 ~~of serving the best interests of the child.~~

42 ~~— 3. Information contained in a report filed pursuant to NRS 432.097 to~~
43 ~~432.130, inclusive, or chapter 432B of NRS may not be excluded from the~~
44 ~~proceeding by the invoking of any privilege.~~

45 ~~— 4. In the event of postponement, all persons served, who are not present or~~
46 ~~represented in court at the time of the postponement, must be notified thereof in the~~
47 ~~manner provided by the Nevada Rules of Civil Procedure.~~

48 ~~— 5. Any hearing held pursuant to this section must be held in closed court~~
49 ~~without admittance of any person other than those necessary to the action or~~
50 ~~proceeding, unless the court determines that holding such a hearing in open court~~
51 ~~will not be detrimental to the child.~~

52 ~~— 6. Except as otherwise provided in subsection 7, any hearing held pursuant to~~
53 ~~NRS 128.005 to 128.150, inclusive, and section 6 of this act is confidential and~~

~~must be held in closed court without the admittance of any person other than the petitioner, attorneys, any witnesses, the director of an agency which provides child welfare services or an authorized representative of such person and any other person entitled to notice, except by order of the court.~~

~~7. The files and records of the court in a proceeding to terminate parental rights pursuant to NRS 128.005 to 128.150, inclusive, and section 6 of this act are not open to inspection by any person except:~~

~~(a) The person petitioning for the termination of parental rights and a person who intends to file a response to such a petition; or~~

~~(b) Upon an order of the court expressly so permitting pursuant to a petition setting forth the reasons therefor. (Deleted by amendment.)~~

Sec. 8. The preliminary chapter of NRS is hereby amended by adding thereto a new section to read as follows:

Notwithstanding any other provision of law and unless any of the following interpretations is not possible given the context in which a reference is used or a particular statute expressly provides otherwise, if ~~[a court determines pursuant to section 2 of this act that] more than two people have a parent and child relationship with a child [.] pursuant to a prior court order,~~ any reference to:

1. The parents of a child, including, without limitation, a reference to two parents of a child or both parents of a child, must be interpreted to include any person whom a court has determined to be a parent of the child.

2. A parent of a child, including, without limitation, a reference to either parent of a child , a natural parent of a child or a father or mother of a child, must be interpreted to include any person whom a court has determined to be a parent of the child. ~~[and to whom the reference can logically be applied.]~~

Sec. 9. ~~[1. Not later than 90 days after the effective date of this act, the Committee shall:~~

~~(a) Review the guidelines established by regulation pursuant to subsection 2 of NRS 425.620 for the support of one or more children for the purpose of determining the amount of required support in cases in which a court has determined that more than two people have a parent and child relationship with a child pursuant to section 2 of this act; and~~

~~(b) Provide to the Administrator any recommendations for revisions to the guidelines.~~

~~2. The Administrator shall review and consider any recommendations of the Committee to revise the guidelines in accordance with the provisions of NRS 425.620 and, after reviewing and considering such recommendations, shall revise or adopt any necessary regulations in accordance with the provisions of chapter 233B of NRS.~~

~~3. As used in this section:~~

~~(a) "Administrator" means the Administrator of the Division of Welfare and Supportive Services of the Department of Health and Human Services, or a representative of the Administrator.~~

~~(b) "Committee" means the Committee to Review Child Support Guidelines created by NRS 425.610. (Deleted by amendment.)~~

Sec. 10. This act becomes effective upon passage and approval.