

Amendment No. 677

Senate Amendment to Assembly Bill No. 132 First Reprint	(BDR 5-783)
<b>Proposed by:</b> Senate Committee on Judiciary	
<b>Amendment Box:</b> Replaces Amendment No. 657.	
<b>Amends:</b> Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: No	

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. 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 custody to  
2 make certain disclosures to the child concerning his or her constitutional rights relating to  
3 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 thereto a new  
2 section to read as follows:

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

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

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

10 *(c) You have the right to have your parent or guardian with you while you*  
11 *talk to me.*

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

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

5 (f) Do you want to talk to me?

6 2. As used in this section ~~f~~

7 ~~(a) "Custodial,"~~ **"custodial interrogation" means ~~an~~ any interrogation of a**  
8 ~~child while the child is in custody.~~

9 ~~(b) "Interrogation" means questioning which is initiated by a peace officer~~  
10 ~~or probation officer or any words or actions on the part of a peace officer or~~  
11 ~~probation officer, other than those which are ordinarily attendant to confinement~~  
12 ~~or detention, that the peace officer or probation officer should know are~~  
13 ~~reasonably likely to elicit an incriminating response from the child who is being~~  
14 ~~questioned.] **person who is required to be advised of his or her rights pursuant to**~~  
15 **Miranda v. Arizona, 384 U.S. 436 (1966).**

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

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

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

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