

Amendment No. 898

Assembly Amendment to Assembly Bill No. 125 First Reprint (BDR 43-796)

Proposed by: Assembly Committee on Ways and Means

Amendment Box: Replaces Amendment No. 861.

Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will ADD an appropriation where one does not currently exist in A.B. 125 R1.

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. 125 ~~[ASSEMBLYWOMAN]~~ ASSEMBLYMEN BACKUS ; GORELOW AND HAFEN

FEBRUARY 9, 2023

JOINT SPONSORS: SENATORS BUCK AND KRASNER

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to public safety. (BDR 43-796)

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 public safety; requiring the tribal liaison for the Department of Public Safety to maintain ongoing communication relating to missing or murdered indigenous persons between the Department and certain entities; authorizing ~~[a law enforcement agency]~~ the Department to accept a report relating to certain persons missing from an Indian reservation or Indian colony located in whole or in part in this State; requiring ~~[the Peace Officers' Standards and Training Commission]~~ certain law enforcement agencies to ~~[adopt certain regulations for the training of peace officers]~~ notify certain persons or agencies after receiving a report related to a missing indigenous ~~[persons:]~~ person; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law requires each state agency that communicates with Indian tribes on a regular
2 basis to designate a tribal liaison whose duties include maintaining ongoing communication
3 between the state agency and affected Indian tribes. (NRS 233A.260) **Section 2** of this bill
4 requires the tribal liaison for the Department of Public Safety to also maintain ongoing
5 communication related to missing or murdered indigenous persons between the Department
6 and: (1) Indian tribes and tribal communities in this State; (2) tribal organizations; (3) urban
7 Indian organizations; (4) other tribal liaisons designated by state agencies; and (5)
8 nongovernmental entities that provide services to women who are members of Indian tribes.
9 Existing law requires each sheriff, chief of police or other law enforcement agency which
10 receives a report of a person missing under suspicious circumstances who is 18 years of age or
11 older to enter the information concerning the missing person into the computer for the
12 National Crime Information Center. (NRS 480.500) **Section 3** of this bill authorizes ~~[a sheriff,~~
13 ~~chief of police or other law enforcement agency]~~ the Department to: (1) accept a report of a
14 person who is 18 years of age or older and missing under certain circumstances from an
15 Indian reservation or Indian colony that is located in whole or in any part of this State; and (2)

enter the information concerning the missing person into the computer for the National Crime Information Center.

~~Existing law requires the Peace Officers' Standards and Training Commission to adopt regulations which require that all peace officers receive training in the handling of cases involving missing children. (NRS 289.510) Section 4 of this bill requires the Commission to also adopt regulations which require that all peace officers receive training in the taking of reports and the handling of cases relating to missing indigenous women and other indigenous persons.~~

Section 3.5 of this bill requires each sheriff, chief of police or other law enforcement agency that receives a report that an indigenous person who is 18 years of age or older is missing from an Indian reservation or Indian colony that is located in whole or in part in this State to notify: (1) the Missing and Murdered Unit within the Office of Justice Services of the Bureau of Indian Affairs; (2) a person employed as a police officer by the Indian tribe having jurisdiction over the Indian reservation or Indian colony from which the person is missing; or (3) the tribal liaison for the Department.

Section 4.5 of this bill makes an appropriation to the Investigation Division of the Department for personnel, travel, operating, equipment and information services expenses to carry out the provisions of this bill.

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

Section 1. Chapter 480 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 ~~and~~, 3 and 3.5 of this act.

Sec. 2. *In addition to the duties set forth in NRS 233A.260, the tribal liaison for the Department shall maintain ongoing communication relating to missing or murdered indigenous persons between the Department and:*

1. *Indian tribes and tribal communities in this State;*
2. *Tribal organizations;*
3. *Urban Indian organizations;*
4. *Other tribal liaisons designated by state agencies pursuant to NRS 233A.260; and*
5. *Nongovernmental entities that provide services to women who are members of Indian tribes.*

Sec. 3. *Notwithstanding any other provision of state or local law, ~~a sheriff, chief of police or other law enforcement agency~~ the Department may:*

1. *Accept a report of a person who is 18 years of age or older and missing from an Indian reservation or Indian colony that is located in whole or in part in this State if the person who is reported missing:*

- (a) *Has a physical or mental disability;*
- (b) *Is missing after an emergency or natural disaster;*
- (c) *Is missing under:*

(1) *Circumstances that indicate he or she may be in danger or that his or her disappearance may not be voluntary; or*

(2) *Any other suspicious circumstance; and*

2. *Enter the information concerning the missing person into ~~the computer for~~ the National Crime Information Center pursuant to NRS 480.500.*

Sec. 3.5. *If a person reports to a sheriff, chief of police or other law enforcement agency that an indigenous person who is 18 years of age or older is missing from an Indian reservation or Indian colony that is located in whole or in part in this State, the sheriff, chief of police or other law enforcement agency, as applicable, shall notify:*

1 1. The Missing and Murdered Unit within the Office of Justice Services of
 2 the Bureau of Indian Affairs;

3 2. A person employed as a police officer by the Indian tribe having
 4 jurisdiction over the Indian reservation or Indian colony from which the person
 5 is missing; or

6 3. The tribal liaison designated by the Department pursuant to NRS
 7 233A.260.

8 **Sec. 4.** ~~NRS 289.510 is hereby amended to read as follows:~~

9 ~~289.510 1. The Commission:~~

10 ~~(a) Shall meet at the call of the Chair, who must be elected by a majority vote~~
 11 ~~of the members of the Commission;~~

12 ~~(b) Shall provide for and encourage the training and education of persons~~
 13 ~~whose primary duty is law enforcement to ensure the safety of the residents of and~~
 14 ~~visitors to this State;~~

15 ~~(c) Shall adopt regulations establishing minimum standards for the certification~~
 16 ~~and decertification, recruitment, selection and training of peace officers. The~~
 17 ~~regulations must establish:~~

18 ~~(1) Requirements for evaluations to be conducted during the recruitment~~
 19 ~~and selection of peace officers, which must identify implicit bias on the part of a~~
 20 ~~peace officer on the basis of race, color, religion, national origin, physical or mental~~
 21 ~~disability, sexual orientation or gender identity or expression;~~

22 ~~(2) Requirements for basic training for category I, category II and category~~
 23 ~~III peace officers and reserve peace officers;~~

24 ~~(3) Standards for programs for the continuing education of peace officers,~~
 25 ~~including minimum courses of study and requirements concerning attendance,~~
 26 ~~which must require that all peace officers annually complete not less than 12 hours~~
 27 ~~of continuing education in courses that address:~~

28 ~~(I) Racial profiling;~~

29 ~~(II) Mental health, including, without limitation, crisis intervention;~~

30 ~~(III) The well being of officers;~~

31 ~~(IV) Implicit bias recognition;~~

32 ~~(V) De-escalation;~~

33 ~~(VI) Human trafficking; and~~

34 ~~(VII) Firearms.~~

35 ~~(4) Qualifications for instructors of peace officers;~~

36 ~~(5) Requirements for the certification of a course of training; and~~

37 ~~(6) Standards for an annual behavioral wellness visit for peace officers to~~
 38 ~~aid in preserving the emotional and mental health of the peace officer and assessing~~
 39 ~~conditions that may affect the performance of duties by the peace officer.~~

40 ~~(d) Shall, when necessary, present courses of training and continuing education~~
 41 ~~courses for category I, category II and category III peace officers and reserve peace~~
 42 ~~officers.~~

43 ~~(e) May make necessary inquiries to determine whether the agencies of this~~
 44 ~~State and of the local governments are complying with standards set forth in its~~
 45 ~~regulations.~~

46 ~~(f) Shall carry out the duties required of the Commission pursuant to NRS~~
 47 ~~432B.610 and 432B.620.~~

48 ~~(g) May perform any other acts that may be necessary and appropriate to the~~
 49 ~~functions of the Commission as set forth in NRS 289.450 to 289.680, inclusive.~~

50 ~~(h) May enter into an interlocal agreement with an Indian tribe to provide~~
 51 ~~training to and certification of persons employed as police officers by that Indian~~
 52 ~~tribe.~~

~~(i) Shall develop and approve a standard curriculum of certified training programs in crisis intervention, which may be made available in an electronic format, and which address specialized responses to persons with mental illness and train peace officers to identify the signs and symptoms of mental illness, to de-escalate situations involving persons who appear to be experiencing a behavioral health crisis and, if appropriate, to connect such persons to treatment. A peace officer who completes any program developed pursuant to this paragraph must be issued a certificate of completion.~~

~~2. Regulations adopted by the Commission:~~

~~(a) Apply to all agencies of this State and of local governments in this State that employ persons as peace officers;~~

~~(b) Must require that all peace officers receive training in the handling of cases involving abuse or neglect of children or missing children;~~

~~(c) Must require that all peace officers receive training in the taking of reports and handling of cases relating to missing indigenous women and other indigenous persons.~~

~~(d) Must require that all peace officers receive training in the handling of cases involving abuse, neglect, exploitation, isolation and abandonment of older persons or vulnerable persons; and~~

~~[(d)] (c) May require that training be carried on at institutions which it approves in these regulations.] (Deleted by amendment.)~~

Sec. 4.5. 1. There is hereby appropriated from the State General Fund to the Investigation Division of the Department of Public Safety for personnel, travel, operation, equipment and information services expenses to carry out the provisions of this act the following sums:

For the Fiscal Year 2023-2024 \$104,945

For the Fiscal Year 2024-2025 \$113,148

2. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 20, 2024, and September 19, 2025, respectively, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 20, 2024, and September 19, 2025, respectively.

Sec. 5. [1.] This [section becomes effective upon passage and approval.

~~2. Sections 1, 2 and 3 of this] act [become] becomes effective on July 1, 2023.~~

~~[3. Section 4 of this act becomes effective:~~

~~(a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and~~

~~(b) On January 1, 2024, for all other purposes.]~~