

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON JUDICIARY**

**Eighty-Second Session
May 8, 2023**

The Committee on Judiciary was called to order by Chair Brittney Miller at 9 a.m. on Monday, May 8, 2023, in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda [[Exhibit A](#)], the Attendance Roster [[Exhibit B](#)], and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.state.nv.us/App/NELIS/REL/82nd2023.

COMMITTEE MEMBERS PRESENT:

Assemblywoman Brittney Miller, Chair
Assemblywoman Elaine Marzola, Vice Chair
Assemblywoman Shannon Bilbray-Axelrod
Assemblywoman Lesley E. Cohen
Assemblywoman Venicia Considine
Assemblywoman Danielle Gallant
Assemblyman Ken Gray
Assemblywoman Alexis Hansen
Assemblywoman Melissa Hardy
Assemblywoman Selena La Rue Hatch
Assemblywoman Erica Mosca
Assemblywoman Sabra Newby
Assemblyman David Orentlicher
Assemblywoman Shondra Summers-Armstrong
Assemblyman Toby Yurek

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Senator Dallas Harris, Senate District No. 11
Senator Nicole J. Cannizzaro, Senate District No. 6

Minutes ID: 1032



STAFF MEMBERS PRESENT:

Diane C. Thornton, Committee Policy Analyst
Bradley A. Wilkinson, Committee Counsel
Devon Kajatt, Committee Manager
Traci Dory, Committee Secretary
Ashley Torres, Committee Assistant

OTHERS PRESENT:

Leisa Moseley-Sayles, Nevada State Director, Fines and Fees Justice Center
Joshua G. Cole, Private Citizen, Fredericksburg, Virginia
Erica Roth, Government Affairs Liaison, Deputy Public Defender, Washoe County
Public Defender's Office
Annette Magnus, Executive Director, Battle Born Progress
John J. Piro, Chief Deputy Public Defender, Legislative Liaison, Clark County Public
Defender's Office
Tonja Brown, Private Citizen, Carson City, Nevada
Annemarie Grant, Private Citizen, Quincy, Massachusetts
Val Thomason, Private Citizen, Las Vegas, Nevada
Al Rojas, Private Citizen, Las Vegas, Nevada
Pamela Del Porto, Executive Director, Nevada Sheriffs' and Chiefs' Association
Beth Schmidt, Director-Police Sergeant, Office of Intergovernmental Services,
Las Vegas Metropolitan Police Department
John T. Jones, Jr., Chief Deputy District Attorney, Legislative Liaison, Clark County
District Attorney's Office; and representing Nevada District Attorneys
Association
Saha Salahi, Intern to Senate Majority Leader Nicole J. Cannizzaro
Serena Evans, Policy Director, Nevada Coalition to End Domestic and Sexual
Violence

Chair Miller:

[Roll was called. Committee protocol was explained.] We have five bills on work session today as well as two bill hearings. We will start with our work session. Our first bill is Senate Bill 34 (1st Reprint).

Senate Bill 34 (1st Reprint): Revises provisions relating to legal representation in certain actions or proceedings. (BDR 3-422)

Diane C. Thornton, Committee Policy Analyst:

Senate Bill 34 (1st Reprint) revises provisions relating to legal representation in certain actions or proceedings and was sponsored by the Senate Committee on Judiciary on behalf of the Office of the Attorney General and heard in Committee on April 26, 2023. [Read from [Exhibit C](#)]. There are two proposed amendments. The first amendment, proposed by Leslie Nino Piro, General Counsel, Office of the Attorney General, proposed amending section 1 to

reinstate the language from the bill authorizing the Attorney General or the chief legal officer or other authorized representative of a political subdivision of this state to provide legal representation to a state legislator; and to amend section 3 to reinstate certain language from the bill relating to special counsel employed by the Attorney General.

The second amendment on the work session today is sponsored by John McCormick from the Administrative Office of the Courts. He proposed including "judge of the Court of Appeals" in the definition of a state judicial officer.

Chair Miller:

Members, are there any questions? Not seeing any, I will take a motion to amend and do pass Senate Bill 34 (1st Reprint).

ASSEMBLYWOMAN MARZOLA MOVED TO AMEND AND DO PASS
SENATE BILL 34 (1ST REPRINT).

ASSEMBLYWOMAN NEWBY SECONDED THE MOTION.

Are there any comments on the motion. [There were none.]

THE MOTION PASSED. (ASSEMBLYMEN GALLANT, GRAY,
HANSEN, HARDY, AND YUREK VOTED NO. ASSEMBLYWOMAN
CONSIDINE WAS ABSENT FOR THE VOTE.)

I will take the floor statement. We will take Senate Bill 37 next.

Senate Bill 37: Authorizes governmental attorneys to volunteer as third-party neutral mediators under certain circumstances. (BDR 1-428)

Diane C. Thornton, Committee Policy Analyst:

Senate Bill 37 authorizes governmental attorneys to volunteer as third-party neutral mediators under certain circumstances and was sponsored by the Senate Committee on Judiciary on behalf of the Office of the Attorney General and heard in Committee on April 26, 2023. There are no amendments for this measure [[Exhibit D](#)].

Chair Miller:

Members, are there any questions on Senate Bill 37? Not seeing any, I will take a motion to do pass Senate Bill 37.

ASSEMBLYWOMAN MARZOLA MADE A MOTION TO DO PASS
SENATE BILL 37.

ASSEMBLYWOMAN MOSCA SECONDED THE MOTION.

Are there any comments on the motion? [There were none.]

THE MOTION PASSED. (ASSEMBLYWOMAN CONSIDINE WAS ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblywoman Summers-Armstrong. The next bill on work session will be Senate Bill 55 (1st Reprint).

Senate Bill 55 (1st Reprint): Revises various provisions relating to courts. (BDR 1-432)

Diane C. Thornton, Committee Policy Analyst:

Senate Bill 55 (1st Reprint) revises various provisions relating to courts and was sponsored by the Senate Committee on Judiciary on behalf of the Nevada Supreme Court and heard in Committee on April 21, 2023. There are no amendments to the measure [[Exhibit E](#)].

Chair Miller:

Members, are there any questions on Senate Bill 55 (1st Reprint)? Not seeing any, I will entertain a motion to do pass Senate Bill 55 (1st Reprint).

ASSEMBLYWOMAN MARZOLA MADE A MOTION TO DO PASS SENATE BILL 55 (1ST REPRINT).

ASSEMBLYWOMAN SUMMERS-ARMSTRONG SECONDED THE MOTION.

Are there any questions on the motion? [There were none.]

THE MOTION PASSED. (ASSEMBLYWOMAN CONSIDINE WAS ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblywoman La Rue Hatch. We will move to Senate Bill 62 (1st Reprint) next.

Senate Bill 62 (1st Reprint): Revises provisions relating to the Commission on Judicial Discipline. (BDR 1-437)

Diane C. Thornton, Committee Policy Analyst:

Senate Bill 62 (1st Reprint) revises provisions relating to the Commission on Judicial Discipline and was sponsored by the Senate Committee on Judiciary on behalf of the Nevada Supreme Court and heard in Committee on April 21, 2023. There are no amendments to this measure [[Exhibit F](#)].

Chair Miller:

Are there any questions on Senate Bill 62 (1st Reprint)? Not seeing any, I will entertain a motion to do pass Senate Bill 62 (1st Reprint).

ASSEMBLYWOMAN MARZOLA MADE A MOTION TO DO PASS
SENATE BILL 62 (1ST REPRINT).

ASSEMBLYWOMAN NEWBY SECONDED THE MOTION.

Are there any questions on the motion? [There were none.]

THE MOTION PASSED. (ASSEMBLYWOMAN CONSIDINE WAS
ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblyman Yurek. Next, we will take Senate Bill 67.

Senate Bill 67: Revises the definition of the term "sexual offense" for the purpose of certain provisions relating to parole. (BDR 16-258)

Diane C. Thornton, Committee Policy Analyst:

Senate Bill 67 revises the definition of the term "sexual offense" for the purpose of certain provisions relating to parole and was sponsored by the Senate Committee on Judiciary on behalf of the Department of Public Safety and heard in Committee on April 25, 2023. There are no amendments to this measure [[Exhibit G](#)].

Chair Miller:

Are there any questions on Senate Bill 67? Not seeing any, I will entertain a motion to do pass Senate Bill 67.

ASSEMBLYWOMAN MARZOLA MADE A MOTION TO DO PASS
SENATE BILL 67.

ASSEMBLYMAN GRAY SECONDED THE MOTION.

Are there any questions on the motion? [There were none.]

THE MOTION PASSED. (ASSEMBLYWOMAN CONSIDINE WAS
ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblyman Gray. That concludes our work session today. We have two bills on the agenda. The first one is Senate Bill 296 (2nd Reprint), and it will be presented by Senator Dallas Harris and Mr. Joshua Cole, who is on Zoom. The hearing is open, and you may begin when you are ready.

Senate Bill 296 (2nd Reprint): Revises provisions related to traffic stops. (BDR 43-196)

Senator Dallas Harris, Senate District No. 11:

I am happy to present a bill in front of this iteration of the Assembly Committee on Judiciary. With me today, I have Ms. Leisa Moseley-Sayles, who will be presenting this bill with me, and via Zoom, I have former Virginia Delegate, Joshua Cole. Virginia has passed similar legislation and so he will speak to their motivations and what their legislation looks like. I will just briefly, if I may, Madam Chair, go over what the bill does, the mechanics, and then turn it over to Ms. Moseley and Mr. Cole for their comments.

A little bit of level setting here: this bill makes some traffic offenses secondary. All that means is, it can no longer be the primary or sole reason a police officer pulls you over. In the state of Nevada today, we have a secondary seatbelt law. If you are not wearing your seatbelt and that is the only thing you are doing wrong, the cops cannot pull you over. As a matter of fact, if you are talking on your cell phone and that is the only thing you are doing that is incorrect, the police cannot pull you over. If you are coming from out of town and you have not registered your car within the 30 days we say you are supposed to register it, the police cannot pull you over.

What I would like this Committee to do is just take a second and listen to the offenses I am adding and think, Is this any more dangerous than driving while talking on your phone or not wearing your seatbelt? I would submit that the answer is clearly no. Here in the state of Nevada, the reason we have a secondary seatbelt law, despite the federal dollars that we are leaving on the table and all of the evidence that it actually makes folks safer, is because we believe here in this state that we should be left alone. If we are not doing anything wrong, if we are not causing any danger to anyone outside of us, we want to be able to move about our life. This bill reflects that just a little bit deeper.

The first offense is registration, and that really is now only down to 30 days. If your registration is 30 days late or less, how about we let you just keep going? Now, that does not mean you are not going to have to pay your late fees when you go to register. You are not getting off the hook. You are still going to have to register your car. If you are pulled over for something else, the officer can still cite you for that lack of registration. The next couple of offenses are related to your license plate and your moving permit. If your license plate is just on the back and you do not have one on the front, but it is visible, we are going to let you keep rolling. We have all of these weird, ticky-tacky laws about how the license plate has to be securely fastened to the vehicle at a height not less than 12 inches from the ground. If you, for some reason, miss that, but it is still visible, we are going to let you keep rolling. And that is true also, again, of the moving permit.

The last couple of violations are really related to mechanics. If you have one brake light out, just one, not two, you got one brake light out, you are missing one reflector or one tail lamp, we are going to let you keep rolling. Now, with these equipment violations, I wanted to ensure that we would allow officers to continue to provide their public service of letting you know you have a brake light out. Maybe you do not know you have a taillight out. I have

authorized officers to continue to pull you over and give you a written or oral warning so that you know and you can get that fixed. I think that should mitigate some of the dangerous aspects that you might worry about here. That is the bill from page 1 to page 6. I am going to turn it over to Ms. Moseley for a couple of comments and then to Delegate Cole, with your permission, Chair.

Leisa Moseley-Sayles, Nevada State Director, Fines and Fees Justice Center:

I am excited to be copresenting and offering supportive testimony for this bill this morning along with Senator Harris. It is something that the Fines and Fees Justice Center is passionate about. For anyone on the Committee who does not know, the Fines and Fees Justice Center is a national organization that works to eliminate fees in the criminal legal system and to ensure that fines are proportionate and just and proportionate to an individual's ability to pay. One of the reasons we are supportive of this bill is because, as I mentioned earlier, it is something that the Fines and Fees Justice Center wants to expand our work with, and we are passionate about this issue.

One of the reasons is, traffic stops are the most common reason for contact with law enforcement in the United States. There is research that shows that these traffic stops are not always for moving violations. Instead, they are for what is often considered, as Senator Harris pointed out, administrative infractions that are unrelated to a motorist driving behind the wheel. These infractions include some of the things that Senator Harris said: a broken taillight, a taillight that is not illuminated, a license plate that is not secured in the position it should be, or a vehicle registration that is a few days behind.

In 2020 the University of Nevada, Las Vegas conducted a study that found 58.6 percent of traffic violations that turned into warrants were for administrative violations. They were not for behind-the-wheel driving. They were not for infractions that were related to public safety. Only 16 percent of those infractions that were turned into warrants were actually related to a motorist driving. Based on nationwide research and data, we all know and are aware that these traffic stops mostly impact low-income communities and communities of color.

But there is an aspect of these traffic stops that is a lot less often talked about. That is the significant risk that it poses to law enforcement officers. According to a Department of Justice study in 2017, the most common police activity that led to police deaths was the common traffic stop. I will send that report to the Committee if you would like. It is an issue that needs to be addressed, and there are a handful of places across the country that are actually addressing this: Philadelphia, Pittsburgh, San Francisco, and the entire state of Virginia. Hopefully, we get to add Nevada to the list of those jurisdictions that are prioritizing our community safety and our officer safety and making these offenses secondary. We believe that in doing so, this will free up officers on the street to work on crimes that do directly impact public safety and crimes that we would consider more serious.

With that, those are my comments in support of this bill. I will stand with Senator Harris once our next presenter is finished and be ready for any questions that the Committee may have. Thank you.

Joshua G. Cole, Private Citizen, Fredericksburg, Virginia:

Thank you for allowing me to join you all virtually today. I do want to speak in support of this bill. We passed a similar version of this bill back in 2020 during our special session in the General Assembly here in Virginia. I echo the comments of the Senator that as we look at this bill, it is for safety of both our law enforcement and the citizens in the community. When I spoke before the Committee a couple of weeks ago, I talked about how we had a community policing act that we passed as well. During that community policing act in Virginia, when we took a look at the data that was presented back to us, we found out that 30 percent of traffic stops were counted against Black Virginians even though they only represented 19 percent of the state's population. For LatinX drivers, they are 9 percent of the population here in Virginia and accounted for roughly 55 percent of the stops as well.

As we are taking consideration of this bill, we are looking at community safety and public safety. We wanted to make sure that our law enforcement agents are protected. We wanted to make sure that our communities were protected. That was one of the reasons why we passed this bill with very much similar situations, whether it is the registration, the tags being expired, the headlight being out—we utilize all of those in our bill as well. Unfortunately, I do not have the data, as of now, on how that has changed. I am unfortunately not in the legislature anymore, but I could get that data if anyone would request it as of today since that bill has been in effect in Virginia for going on two years now. I can certainly get that data if anyone would like. I urge you all to support this bill as it has been in effect in Virginia for over two years. We have seen that this has both protected our law enforcement agents and our community members as well. Thank you.

Senator Harris:

With that, Chair Miller, we will stand for any questions the Committee may have.

Chair Miller:

Are there any questions from Committee members?

Assemblywoman La Rue Hatch:

My question is, if a peace officer does pull someone over, if this is in effect, they pull someone over for one of these offenses, what are the repercussions? I think both for the officer, but also what is the legal recourse for the individual who goes through that?

Senator Harris:

It would be the same remedies that are in place when an officer makes a stop in violation of the law today. It does not change the remedies available, and often those are very sensitive to the facts. You would have to challenge the stop, and then a court would deal with that accordingly.

Chair Miller:

I am sorry, what are those remedies?

Senator Harris:

I do not practice in this area of law. I do know that there are times when if officers were not supposed to stop you or did not have probable cause for the stop in the first place, that evidence they may have found could be tossed out depending upon the arguments that the lawyers use. But that is not always the case; again, it really depends on the circumstances, and I would be getting out of my depth if I were to mention other remedies that might be available.

Assemblywoman Cohen:

Over the weekend I got a notice from the Department of Motor Vehicles (DMV), saying that my registration is going to be due soon. With that and reading the bill, it made me think about a situation where there have been times when I had the renewal sticker in my car and I just wanted to clean off my license plate first, but I was late to work, and then three weeks later, it is still in my car. Obviously, the Las Vegas Metropolitan Police Department (Metro) and the Nevada State Police of the Department of Public Safety are different agencies than DMV, but has there been any thought about possibly, if this passes and an officer sees someone does not have their registration up-to-date, like sending out notices, something like that, or is it presumed that will be done through DMV and whatever happens, as you said, they will accrue the fines and they will have to move forward in that way.

Senator Harris:

Officers would not be sending out notifications, as they do not do that currently. It would remain through the DMV. I know we have some law enforcement agents in the audience and as they come up to testify, they may be able to speak to their ability to electronically check whether registration is up-to-date, regardless of what is on the sticker. It is my understanding that most patrol vehicles, but maybe not all folks on patrol, have the ability to double-check that it is, in fact, registered, even if your sticker did not quite make it onto the vehicle. But there would be no additional law enforcement notification requirements through this particular piece of legislation.

Assemblywoman Hansen:

I do not know where these stats would be. You might not have them, but we know that sometimes really dangerous people have been caught over a traffic stop. It is almost like they hit the jackpot because they got this guy or gal who has been on the run. In this instance, I am curious as to how many times we have caught somebody like that based on some of these very minor things. I get what you are trying to do, and I support that. I was just curious, in section 9.9, subsection 7, is that the kind of leeway that we have then, that the officer could stop and give the oral warning, and maybe he or she has run the plate? Do you know what I am getting at?

Senator Harris:

Section 9.9, subsection 7 really is about allowing the officer to give you that warning notification that your stop lamp is out. You are correct. Officers have conducted small stops and found big things. My response to that has generally been, we could also allow officers to go and knock on every door and hope that some criminal is in fact behind it. But the basis of our system is that we only allow officers to go looking when they have probable cause for it. Yes, if we all relaxed our rights a little bit, cops might be able to find more folks, but that would generally require them to be able to search without any other reason to do so. And that makes me a little uncomfortable when officers are pulling you over for something small, but they are hoping that they can buy the time to find something big. It is a trade-off that we do, in fact, face. But my little conservative heart says that a police officer has to have probable cause for what they stopped you for, and if they do not have probable cause for thinking you committed some horrendous murder, then I should be able to keep on driving.

Assemblywoman Hansen:

Exactly, and I am on board with you on that. I do not want this to be used as an ability to just find other stuff. I totally get that. But I am thinking that the way the presentation came across is, an officer on the tail lamp can pull you over. But for the registration, no, if it is within 30 days, correct? Did I understand it right?

Senator Harris:

Yes, I specifically added the ability for the warning for the equipment violations so that we can allow officers to remind you, Hey, did you know your tail lamp is out? Because folks may not know and maybe it takes that officer to give you that warning for you to even know that you had some failing equipment. When we are driving in our cars, we cannot necessarily see our brake lights or know if they are out, and I wanted to maintain that ability with respect to those particular violations.

Assemblywoman Hansen:

Perfect. Thank you for that.

Assemblywoman Newby:

My question really is more on the larger policy schematic for Nevada. The governmental services tax, which is part of your car registration, is a large part of what funds our state. Unfortunately, I would rather it not be, but being Nevada, that is the way we have set things up. If I drive fine and I never make any mistakes and I never speed, but I never register my car, how is that ever fixed? How do I ever pay up?

Senator Harris:

This will not allow you to drive your vehicle if it is just completely not registered; you need a license plate on the vehicle. There is nothing that would allow someone to just kind of roll around in perpetuity without any registration or having a license plate or a moving permit on your vehicle. When it comes to the moving permit specifically, when you first buy a car, that is what you are going to get. This bill does not touch the provisions that require the moving permit to be valid. If your moving permit gets expired, we are going to pull you over.

The second thing I will note is that it is just 30 days. The second you roll into month two, you are going to get pulled over. The third thing I would say is that if you even go two miles over, speeding is no longer in this bill. There was a version that would have speeding as a secondary violation from 0 to 5 miles an hour; that is no longer in this bill. If you are going two miles an hour over, an officer can now cite you for your registration as well. If you get pulled over for something else and you have any of these violations, the officer can cite you for all of them. I do not think there is a scenario in which someone can in perpetuity not have their vehicle registered for a long period of time and skate our laws.

Assemblywoman Newby:

What if you have two or more secondary violations? I am not wearing my seatbelt, you cannot pull me over for that; my car registration is expired, you cannot pull me over for that; my taillight is out, you cannot pull me over for that either, but I have all three.

Senator Harris:

With the taillight, they would be able to pull you over and give you a warning for that. You are going to get some lights potentially there. When it comes to multiple secondary violations, I do not believe that the way the law is constructed that that leads to necessarily one primary. If each one is a secondary, then each one is a secondary, and you do not stack up several secondaries to then make probable cause to pull someone over. But I will tell you what, I do not know any person who does not go five miles over every day.

Officers will still have plenty of mechanisms, I think, to pull folks over who they feel are actually dangerous on the road. If you are causing some danger, which for most of you who live in the south know, we have a really bad DUI problem. If you are out on the roads past midnight, you are going to likely see someone who is visibly drunk driving on the road. This will allow officers a bit more time to focus on those dangerous drivers who we need to get off of the streets and not worry so much about those people who were driving ten and two [with their hands at the 10 o'clock and 2 o'clock positions] but may have a small mechanical violation or were just slightly late on their registration. I will also note, just briefly, nothing changes about the fees. When you need to go register that vehicle, the later you are, the more it is going to cost you, and that penalty and check will continue to be there.

Assemblywoman Bilbray-Axelrod:

I am trying to make sense of the idea that you could get pulled over and get a warning. The officer is still pulling you over. How is that keeping officers safe?

Senator Harris:

My goal, originally, if you would have seen the first iteration of this bill, there were probably about ten offenses on here. As the legislative process often goes, I have had discussions with the law enforcement community, with progressive partners, and this is the compromise that we have come to in order to try and walk a line of both safety for officers and folks who were on the road. Ideally, I will admit, I maybe would not have had them be able to even pull you over for those small things, but I can admit that I was persuaded that there may be some function in allowing them to continue to give a warning so that folks will know when those

equipment violations are actually occurring. Otherwise, you have to wait for your husband to see you pulling out by the front lawn or something to let you know, Oh, hey, the taillight is out.

It is a balance that we have been trying to strike, and I think this piece of legislation will significantly reduce police and civilian interactions when not necessary. When they pull you over for that warning, I think and I hope that as long as it is a warning, often oral—hopefully not written, but they can give the written one—that the interaction is very short and is designed not to extend beyond as long as traffic stops are supposed to extend within our constitutional laws.

Chair Miller:

While you are saying you are trying to protect the officers and you refer to them as people and vehicles, but Nevadans, Americans; can you explain a little more what you are trying to protect them from?

Senator Harris:

As Ms. Moseley mentioned, traffic stops are dangerous for both civilians, Nevadans, as well as police officers. It is often because they can be scary, right? Anytime a police officer pulls someone over—because this is the United States of America—that person may have a gun in their vehicle, and officers are very much prepared for that scenario. Officers know that traffic stops can be dangerous.

On the flipside, there are populations of Nevadans and Americans who are just as scared of police interactions. Sometimes this turns into a scenario in which people are being pulled over because they fell asleep in their car and now, they are running and things get jumbled, and officers are caught in situations where they are afraid; the person who got stopped is afraid. I have seen the scenario even when it comes to jaywalking. I did a ride-along, and there was an officer who stopped someone for jaywalking. He ran. Then they got into a scuffle, and it turned out the guy had a gun, and now the officer is in a life-threatening situation. I think if you have watched the news any time in the last five to ten years, you are familiar with police interactions gone wrong based on often small stops like taillights. I believe that was the case in South Carolina where a young man was shot while he was running away. The goal here really is to try and minimize those interactions when not necessary for public safety in order to keep both our law enforcement officers and the community safer.

Chair Miller:

Senator, can you clarify what you mean by gone wrong? When you talk about a man running and getting shot and people being scared, did that person have a weapon? What was the officer scared of?

Senator Harris:

I cannot remember the name of the gentleman in this particular case, and often it is because there are too many to remember. But there was a gentleman who was pulled over, and I think maybe he might have had a warrant, so he took off. There are mixed stories about whether he had a weapon. There was some evidence that maybe an officer plopped a weapon near him after. Not that that is generally the case when these things happen, but these are and can sometimes be life-and-death situations when they do not have to be. The Committee may be familiar with the story of Philando Castile, who is a young man who was stopped by a police officer, told the police officer that he had a gun because he was trying to come clean, and he let the officer know that there was a gun in the vehicle. At the end of that interaction, Mr. Castile was dead before he even got out of his car. There are many examples where police officers feel like their life is in danger; sometimes their life actually is. Then we see citizens being shot. Did that answer your question, Chair?

Chair Miller:

Not specifically.

Leisa Moseley-Sayles:

I would like to offer some additional commentary and some data also that may help shed some light on some of this. We are talking about officer safety and also community safety. I want to point out that officers always have discretion. We never want to take that away from officers to be able to pull someone over if they feel like they need to—that is always going to be there. I want to point out a couple of studies that we have some data on. In a 2012 study, I believe it was—that is the most recent numbers that we have for this New York study—almost 300,000 stop and frisk, officer-initiated traffic stops and frisks, only 2 percent of those yielded weapons—2 percent. It is a very small number. In a study out of, I believe, Washington, D.C., there were 63,000 stops, and only 1 percent of those stops yielded any kind of weaponry. From that perspective, we are putting officers in danger. We are putting community members in danger when it is not absolutely necessary.

I pointed out a study that was conducted by the University of Nevada, Las Vegas. It is a study that was conducted in Las Vegas. This is Las Vegas data. It is not out of another state. It is our own data. Almost 70 percent of traffic stops that were conducted by Las Vegas Metropolitan Police Department members that were cited were for violations that were not related to dangerous driving; they were not related to public safety. They were for violations—as a matter of fact, the one that the highest percentage was pulled over for was vehicle registration. People just simply did not have the money to register their vehicle. They had a taillight that was out, that was broken or not working, and they did not know it; or maybe they did not know it and did not have time to go to the auto parts store and get a bulb to replace it. These are the things that we are asking you to think about.

We are not taking away the ability for officers to do their jobs. As a matter of fact, we are trying to make it safer. Officers will always have discretion, but if they see something that they feel like they should pull someone over for, this bill gives them a way to do that. But if it is something that is not absolutely necessary—if someone is driving and their vehicle

registration is simply expired—officers do have the ability to run that plate to see if there are any warrants or if there is anything that we should be thinking about pulling this person over for. They will always have that. But if it is simply a vehicle registration that is a few days late, let them go. It is not necessary to endanger people's lives because someone has a taillight out, a vehicle registration that is expired, or a license plate that is not secured where it should be. Again, officers will always have the discretion to be able to do that. I just wanted to point that out because we do have some numbers. I can stand for questions if there are any questions related to that.

Chair Miller:

I am shocked that the most recent study was in 2012.

Leisa Moseley-Sayles:

That is the one with the most up-to-date data we have been able to access.

Chair Miller:

I would be very interested in seeing those numbers for the trend in the past decade. But in the few studies that you did mention, when you talk about safety, who was more at risk, was it the people or the police? Which side did these interactions actually result in harm for?

Leisa Moseley-Sayles:

Let me make sure I am understanding what you are asking me. Are you asking me who was most harmed?

Chair Miller:

Victimized, yes.

Leisa Moseley-Sayles:

I really like to refrain from using the word "victimized." What I am saying is, this presents danger for both sides. The study that I cited is a Department of Justice study that was done in 2017. The study was specifically on officer deaths, and within that study, the most common reason for death of officers was the officer-initiated traffic stop. Now that encompasses all stops. But my point is, if we can minimize those stops through something as simple as not pulling people over for a broken taillight or a vehicle registration that is expired, then let us do that. It is dangerous enough. And I speak to you as a former officer. I rarely talk about my law enforcement career, rarely, because it is just not something that I talk about, but I speak to you from that perspective. It is dangerous enough being on the street pulling people over. People look in their mirror and see an officer—Oh my God, I do not know what is going to happen. But also, officers walking up to a car and having no idea what they are facing, that is common. Let us do that only when they have to, not when they do not have to.

Chair Miller:

It is interesting that we live in a city where, if you extend your time for your parking meter, you are mailed a parking ticket. And yet, why is it not the same for simply registration or plates or taillights? Why is it not simply that you just get mailed, Hey, here is your warning?

Leisa Moseley-Sayles:

In an ideal world, if the Fines and Fees Justice Center has our way, that is the way we are going. We have talked with some jurisdictions about that. As a matter of fact, we have worked recently with the City of Reno to implement what we call a Lights On! program. We are working with them to do a pilot program. If someone has a taillight that is out or broken, and an officer will pull them over, rather than giving them a citation they give them a voucher to say this is where you can get your taillight fixed, or this is where you can get your headlight fixed. Imagine what kind of relationship building that would be for community members, if an officer pulls them over and instead of giving them a citation, they give them a voucher to say this is where you can go get that fixed. As I said, if the Fines and Fees Justice Center has our way, that is where we are headed. We would love it if people got a citation in the mail; that would eliminate all of this, but it would still hold people accountable. We want people to be held accountable, but we also want to keep everyone safe as much as we possibly can.

Assemblyman Yurek:

Senator, it is nice to see you in this context and off the basketball court. You are much less intimidating in this hearing room. I also want to commend you and say thank you for your work in the other house to work with the stakeholders and to listen. That is a testament to you as a legislator who is willing to craft legislation, listen, and take the feedback; and what we have is a lot more palatable today, I think, at least from my perspective. It is interesting because the broader policy that we are talking about here I do not think is fully addressed in the bill. I think there are some elements of this, but there is a broader context for a conversation about how proactive we want our law enforcement officers to be. It is, certainly, a dangerous job, and as someone who has done thousands of stops, I think just the high volume that you do and you walk up, you think you are just approaching somebody about a brake light, and they just robbed a bank. It is difficult to maintain that heightened level of awareness and situational awareness. That is why they are dangerous. I appreciate what you are trying to do here. But like I said, I do not think that that is fully resolved in this bill, and I want to clarify that if I can through this question.

By the way, the other term for this a "pretextual stop." We will use something like a registration or broken light as a pretext for a deeper investigation that I would like to do, which by the way, is legal under the *Whren v. United States* decision dating back to 1996, clarifying pretextual stops as completely constitutional. If an officer in this scenario under your bill, assuming it passes and became law, decides to pull an individual over and warn them that their reflector is out, if that officer approaches the car and sees that the driver is exhibiting symptoms of maybe being under the influence, if there is an open container, would that officer be permitted to investigate a secondary offense, even though the intent was only to originally walk up and offer either a verbal or written warning? Can you clarify that that sort of investigation and therefore a pretextual stop would still be permitted under this law?

Senator Harris:

I would suggest what you described is actually not a pretextual stop. That is a stop where you had no probable cause for a DUI, but then as you approached, the driver was exhibiting signs, so that probable cause or reasonable suspicion was developed throughout the course of the stop. That would continue to be allowed under this legislation if passed. Now, what would be pretextual, I believe, is if a bank had just been robbed and we had no idea what the car looked like or what the suspect looked like, and the officer sees someone drive by and thinks, Oh, that guy looks funny, and his taillight is out. I am going to pull him over and then start investigating to find out if he is the bank robber. I would put a small difference between those two scenarios. Anytime an officer does a stop and an additional probable cause or a reasonable suspicion arises, that then allows for the additional investigation under current law, and all of that would continue. Assemblyman Yurek, I do think you are correct.

This does not eliminate pretextual stops. That is a much broader piece of legislation. I am hoping that this bill strikes what is a balance between constitutional law which, as you are correct, does allow pretextual stops, and what is I think a quintessential Nevadan belief, that we should be left to our own devices unless we are causing some type of harm.

Assemblyman Yurek:

Thank you for clarifying. That example was probably not the best example of a pretextual stop. Let me pose a different scenario. Say an officer decides he is going to pull an individual over—I am just going to assume that this is pretextual, a broken taillight—and approaches the driver. Would the officer be permitted to, for example, run that driver through the National Crime Information Center or a local crime database and find out, for example, that this individual has a recent history or an arrest for possession of a controlled substance? Would the officer then be able to—under this stop where the initial intent was only to issue a warning—then engage in further conversation and talk to the individual, perhaps ask for consent to search the vehicle if there were any illegal contraband in the car? That might be a better, more accurate, pretextual context stop. Can you clarify under your bill, would that officer be permitted to still do that?

Senator Harris:

This bill does not change anything about consent searches and the kind of constitutional law. That is very broad. Officers would still be able to allow for consent searches within the confines of existing law. There are some guardrails around how long a stop can last. It is not supposed to be any longer than the purpose that they stopped you for unless that additional reasonable suspicion or probable cause arises. I would suggest, if you pull me over for my taillight and you have me there for 30 minutes, you might run into a problem with the state of the current law. This bill does not change any of that, and the stops would have to be within those reasonable limits that the *Constitution* provides us. Does that answer your question, sir?

Assemblyman Yurek:

Yes, it does. Thank you.

Assemblywoman Summers-Armstrong:

During the last session when we were in COVID-19, I am pretty sure we learned that the police have the ability, when they see a tag that is expired, to run it. Can you clarify for me whether or not running the tag is only for registration, or does it bring up any other records as alluded to by my colleague?

Senator Harris:

I would have to leave that to the law enforcement officers in the room who are going to come up and testify. I have never actually had to run a vehicle, so I am not sure what information they get back; or if they have the ability to just run registration or just insurance; or if they run a license and it gives you all the information at once. I am not familiar with those mechanics. Although, I can confirm that officers do have the ability to check to see if registration is up-to-date. The sticker is not the only piece of information they have available to them. But again, I think it may not be available in all instances, and I would have to have law enforcement confirm.

Assemblywoman Summers-Armstrong:

Could we ask law enforcement, Madam Chair, because I am very curious about this? I thought that this information was readily available to police when they ran tags, and I am curious about this.

Chair Miller:

No, not yet.

Assemblywoman Summers-Armstrong:

Okay. I am curious about this because, as everybody knows, I live adjacent to the west side. I drive an old car and my headlight often goes out because I drive an old car. During the last session, we were talking about jaywalking because it was a misdemeanor. At the time, there were something like 8,000 outstanding jaywalking tickets that were pending in justice court during the 2021 Session. The data shows us that most of those jaywalking tickets had been given in my area and to the east. Even during COVID-19, people were being pulled over for registration even when the DMV was closed. We need to be honest about what we are trying to do here. Maybe the Senator wants to be politically correct about it, but I am just going to tell you what I know, and that is Black and Brown people get pulled over for this stuff more than anybody else. We are the ones who are in danger. Police are taught that we are dangerous in a traffic stop and often come to the situation with heightened responses, and it is dangerous for us. If the police could answer the question, that would be great. Ms. Moseley, do you have any of that data broken down, including racial or geographic, for the stops?

Leisa Moseley-Sayles:

If you could repeat your question. Are you specifically asking about the number of jaywalking tickets?

Assemblywoman Summers-Armstrong:

I was okay with the jaywalking tickets. If you have any data that you can break down on the registration tickets by location as well as race, that would be wonderful.

Leisa Moseley-Sayles:

I actually do have that data. I have the study open. Give me just a second.

Senator Harris:

If I may, I will just note that in the last legislative session, I passed legislation that will set up a statewide comprehensive traffic stop database. We will very shortly here have detailed up-to-date numbers about traffic stops in Nevada—where they are happening, to whom they are happening, what different types of stops are occurring—and that is something that our Department of Public Safety is working with all law enforcement agencies on standing up right now. Even though some of our data is a little older than we would like, know that fresh data is on its way as soon as we get that dashboard set up.

Chair Miller:

I would like to rearticulate what Assemblywoman Summers-Armstrong was asking in her original question. I believe that she was asking if an officer goes in to look at the registration tags and there is other information in there, can they use it? I am assuming the answer is yes, because how else would they find out there is a warrant for this person? Could you speak to the Assemblywoman's original question?

Senator Harris:

Absolutely, Chair Miller. Yes, law enforcement would be able to use any information available to them through any databases that they have available. Currently, today, a law enforcement officer could run your plates just because he is sitting right behind you. You actually did not have to go five over or have an expired registration or anything like that. They are, in fact, free to just run your plates as you roll on by. That would still remain the case after this legislation was passed.

Chair Miller:

Assemblywoman, did you have any follow-up questions about that?

Assemblywoman Summers-Armstrong:

I will wait for the data, if that is all right, Madam Chair, and the answer from the police if that is okay when you deem that is appropriate to receive that.

Assemblywoman La Rue Hatch:

I wanted to follow up on my first question. We talked about the possible remedies for the individual who was cited, but I do not think we talked about the repercussions for the law enforcement officer. I know we had a very long discussion on Friday about not criminalizing

officers for doing their jobs. I also know that if the penalty is not specified in the *Nevada Revised Statutes*, it is a misdemeanor, and so I just wanted to make sure, does this mean that our officers would be charged with a misdemeanor if they cite someone, or is there some other penalty?

Senator Harris:

No, there would be no criminal penalty for law enforcement if they conducted a stop and then improperly conducted a search after that stop. The remedies for issues like this as we are discussing is often in case law and would have to be handled in the court. The best thing that could happen for a defendant is that all evidence found by virtue of a stop that was not supposed to occur in the first place would be thrown out and we would have to start at ground zero. But no, there would not be a misdemeanor for law enforcement officers if they pulled you over and they were not supposed to.

Leisa Moseley-Sayles:

Chair Miller, I have some of the data that Assemblywoman Summers-Armstrong is asking for, but I will wait for your cue.

Chair Miller:

I first wanted to make sure that answer was sufficient for Assemblywoman La Rue Hatch. Do you need a follow-up?

[Assemblywoman La Rue Hatch requested clarification from the Committee Counsel]

Bradley A. Wilkinson, Committee Counsel:

No, it is not a crime.

Chair Miller:

My concern with that is, though, by the time we get to the court process, the individual's rights have already been invaded, the person has already been traumatized, and that is a long way down the road for a remedy.

Senator Harris:

I would agree with you that that is a really long time. You have already been arrested and your rights have, in fact, been violated. I, however, am unfamiliar—I do not know of any time where we criminalize an officer for violating civil rights unless there is a willful and wanton beating, where we say, Okay, that is outside of the scope of the job and now you are just assaulting someone; and assault is a crime, and so we are going to charge you, the officer with assault. Aggressively or even inadvertently or slightly violating your Fourth Amendment right, we generally do not treat it as something that we allow criminal penalties for on the law enforcement side. I think that would be a bit of a departure from our general scheme.

Chair Miller:

Yes, and I do not believe anyone is suggesting criminalizing the act; we just want it to stop.

Senator Harris:

Absolutely, I agree. In my discussions with the law enforcement stakeholders in this building, I have made myself very clear about what the intent of this legislation is. At this point, if this bill were to pass, it would be incumbent upon all law enforcement agencies to sufficiently train their law enforcement officers on what the state of the law is and to make sure that that is in every manual and that every officer is up-to-date with the law. Otherwise, they do, in fact, risk missing catching those big guys because they were not supposed to stop you in the first place. I know there will be training on this, and I have also had some further discussions, although I did not put this in the legislation, around when it is proper to be asking for consent stops if you are just stopping someone for a taillight out. We are going to try and limit those as much as possible, but I do agree with you that if we pass the bill, we say we want you to stop doing it, that is what we want you to do.

Leisa Moseley-Sayles:

I believe you are asking for zip code data. The top five zip codes based on the 2020 study where the most open warrants—and again, these are all warrants, but the majority of these would be for administrative offenses—the top one would be 89108, with 8.9 percent of warrants coming out of that zip code. The second one would be 89110, with 7.2 percent. The third one would be 89101 at 5.6 percent. Next would be 89030 with 5.2 percent. Then 89106 is following, with 5.2 percent. I will submit this study to the Committee so that you all have this study to refer to. There are additional zip codes, but those are the top five.

Assemblywoman Summers-Armstrong:

I will say for the record that two of those are in my district and two of the others are immediately adjacent to my district. As I said before, these types of stops for these things like mechanical and registration put poor or working-class Black and Brown people at higher risk, which is backed up by the data.

Leisa Mosely-Sayles:

I do have median income data for the zip codes as well, and the highest, 89108, that had the most warrants, the median income is \$46,165. I will go down to 89106, which was the fifth highest, and the median income there is \$29,906. There is definitely a correlation between income and ability to pay, which, as we know from previous sessions, resulted in people getting traffic warrants. Thankfully, this body passed Assembly Bill 116 of the 81st Session that made those civil infractions versus criminal infractions.

Assemblywoman Gallant:

I appreciate the intent of what you are trying to do. Somebody has been pulled over for her registration because she just forgot. I am curious, as it was presented in terms of the fact that it is reducing the danger for both the officer and the citizen being pulled over because many times it ends up in escalating events. But they still have the ability to pull over for warnings. I am curious how that is going to reduce these escalating events, because most likely the person being pulled over is not going to know the officer's intent is a warning. If they have something on them that is illegal or that they are scared of, they may run most likely, whether it is going to be a ticket or a warning. How is the ability for them to just issue a warning and

it not be a ticket actually going to reduce the consequences for both parties, considering the fact that there could possibly be some tensions in terms of the ethnicity of the person that is being pulled over? Can you help me understand how that is going to help reduce that?

Senator Harris:

If you are telling me you will vote for this bill if I take out the warning provisions, that is an amendment I will put forward.

Assemblywoman Gallant:

I do not think that was what I was inferring. I was just curious about how this was going to result in less dangerous situations with it just being the warning, because the person being pulled over does not know what the intent of the officer is.

Senator Harris:

This is similar to the question that Assemblywoman Hansen asked, and I will just say it is not. Obviously, we will have less police interactions if I remove the warning provisions. It does not get us all the way down to zero for each of these infractions. It is a step, I believe, in the right direction to minimizing these interactions. It will not eliminate them completely. The warning provisions are really for the mechanical aspects, not for the other violations that are in here like the license plate and the registration. That is so that law enforcement officers can continue to let people know, Hey, your light is out. I was persuaded that it is in fact difficult to know if you have a reflector out or a taillight lamp out if an officer does not let you know or give you a warning. I was willing to add that into these mechanical offenses. I started all the way over here, and then the bill has moved a little bit more in one direction, and what I think will strike a balance between not ever letting officers pull you over for anything and putting in a list of where officers should not be pulling you over; it is not probable cause. But then, when it comes to some of this mechanical stuff, if they want to give you a warning, they can. It is a balance I have tried to strike, and I will turn it over to Ms. Moseley, as she also has some thoughts on this.

Leisa Moseley-Sayles:

I just wanted to point out it is just additional options for officers, which they asked for. Officers will always have discretion as to whether they want to pull someone over or not. It is just an additional option. That is all it is. Hopefully, again, as Senator Harris said, it is a step in the right direction. That is, it just gives officers additional options.

Assemblywoman Gallant:

I am just trying to draw a straight line to officers being able to still pull over and just give a warning and how that is going to reduce these interactions provided the person being pulled over is not going to know the intent of the officer. I know you are talking about these studies—looking at New York, San Francisco, Pittsburgh, and Virginia—and wondering how this is actually reducing the number of violent interactions between the police and private citizens. I know we are all watching crime rising at an exorbitant rate in San Francisco and

New York, in particular; so much that the National Guard has been called into San Francisco to deal with some of their crime issues. I am trying to see how this is going to increase safety for the officers and the citizens in a situation like this when they can still pull over.

Senator Harris:

I again want to separate the license plate, registration, moving permit portions of the bill from the mechanical portions of the bill. For those first three, there are no warnings—there is no oral warning or written warning—those are separate from the mechanical ones I have chosen to allow officers to continue to give a written or oral warning.

Personally, in my experience, I was pulled over one time as I was speeding on Interstate 215 and the officer came up to my window. I got out my ID and he said, Oh, no, that is not going to be necessary; just slow down. I almost knew immediately. He did not even ask me for my registration and my license plate. He was just there. He wanted to give me a warning to tell me to slow down. That is just one iteration of what it can look like when an officer is just there to give you a warning and let you know, Hey, your taillight is out. I just wanted to let you know. Again, I do not think that this is going to get interactions to zero. But it will ideally severely limit those interactions where officers do not need to put themselves at risk. The public does not need to be at risk, and there is no return on that risk for the public or for officer safety.

Chair Miller:

I think the general consensus is that we are agreeing on the goal to reduce traffic stops. However, we are not sure with this bill we get there. When we say officers can give warnings and it is up to their discretion, then if I were to have my officers report back to me at the end of the month, How many traffic stops did you do and how many were just based on giving warnings or your discretion, I, as an officer, can report back, Oh, my discretion told me I should stop them. Many of us have experienced officers pulling us over just to give us a warning, or we talked to them and they said, Okay, we will just write you for 5 over even though you are going 25 over. Many of us have experienced that. However, it is about reducing the number of traffic stops. You mentioned in a response a few questions ago about not letting officers pull you over for anything.

I am going to put this on the record because most of the people in this building already know, it has become fodder down in the halls here, that I was pulled over three weeks ago—no traffic violations, no plates or anything expired. When I asked why I was being pulled over, I was told it was because I looked suspicious. Then they began to try to build the case through their questioning, most of which I refused to answer because I know what I have to answer and what I do not have to answer and what they do not have the right to ask me. It went even as far as trying to use the fact that I was driving a rental car as additional suspicion. The irony of pulling over the Chair of the Assembly Committee on Judiciary because she looks suspicious when most people tell me that I look more like the Vice President of the United States than someone who would be suspicious.

We are talking about if this bill gets to the goal of reducing traffic stops so that these interactions that are happening that are negative, that are dangerous, either for the officer or the person pulled over or both are reduced. Does this get to it? We said earlier, to allow discretion. If you can mail me my parking ticket, why not simply mail me a notice that my plates are off or my taillight is out?

Senator Harris:

I will say right now I would consider it a friendly amendment to remove the provision that allows for a warning. My only hesitation is that, as all of you know as lawmakers, this bill has gone through many iterations after many discussions in order to keep our law enforcement coalition on board, as well as some of the more progressive partners. What you are looking at is an imperfect but negotiated piece of legislation. It is not my intent to give officers a workaround in this bill. It was my goal and is my goal to allow officers to continue to do their job safely and ensure that the roads are safe. And if this Committee, as I think I am hearing, would like to remove those provisions, that is a discussion that I am more than willing to have with the stakeholders.

Assemblywoman Marzola:

I believe you stated this information earlier and I apologize, I was trying to take notes and listen. Can you tell me how many other states have passed legislation such as this?

Leisa Moseley-Sayles:

There is only one other state, which is Virginia. There are jurisdictions—Philadelphia, Pittsburgh, and San Francisco. Nevada would be the second state.

Chair Miller:

To clarify, if you know, in Virginia, is it a no-making-stops statute or is it a making-stops-with-discretion-to-give-a-warning statute?

Leisa Moseley-Sayles:

Senator Harris is saying yes, but we have Mr. Cole still on the line from Virginia. I am sure he could answer that since he was part of the legislative body that passed the legislation.

Joshua Cole:

The bill, from my recollection when we passed the bill in 2020, is that they could not be stopped as the primary offense; they could give them tickets once they were stopped for a major offense, and then give them a ticket from that after the fact, but it could not be the primary reason for a traffic stop.

Chair Miller:

I will open it up for testimony in support of Senate Bill 296 (2nd Reprint).

Erica Roth, Government Affairs Liaison, Deputy Public Defender, Washoe County Public Defender's Office:

We are in support. There are two things to consider with this bill. There is both a public safety aspect for the general public and then officer safety, and both those things I believe are balanced. As written, of course, we would not mind taking out the discretionary stops. I will give you a scenario. In my neighborhood, which is one of the more populous neighborhoods for Black and Latinos in the City of Reno, I often see people who are commuting through the center of town to get to the freeway, speeding, near my house—significantly speeding near my house. They speed through a school zone; they speed through the residential neighborhood to get to the freeway. I have never in the last five years seen a single person pulled over for traffic violations on that street for speeding when I see reckless driving frequently by people who do not live in that neighborhood.

Now, on the other hand, as a public defender, many of my cases start with two things: either minor traffic violations, or this other thing that is technically a traffic violation but is patently absurd to me—riding your bicycle on the sidewalk. The number of cases that I have seen where the individual was stopped for riding their bicycle on a sidewalk, I cannot quantify that. I think it is important when we consider that traffic stops can be dangerous for police officers; they are dangerous for police officers. Statistically a traffic stop, and they are trained on this, is the most dangerous situation that they can find themselves in. Now, there is a population in our communities and that is also true. Both of those things can exist at the same time.

We want to set the tone and say, let us try to reduce those. What I would love is for police officers, if they were told, Hey, we want to focus on traffic violations that actually make our communities more dangerous. I do not like seeing people, especially people who do not live in my neighborhood, speed through my neighborhood. So let us set the tone and say those are things we can focus on, and let us not focus on these other things that do not pose a danger. And with that, we support.

Annette Magnus, Executive Director, Battle Born Progress:

We are here today in support of S.B. 296 (R2). Stopping individuals for low-level traffic violations and things like registration requirements can have a significant negative consequence, such as escalating minor incidents into more significant confrontations leading to unnecessary use of force, injury, or even death. Furthermore, this bill will address these issues by limiting the ability of police officers to stop individuals for low-level traffic violations. This will promote fairness and equality and reduce the chances of unnecessary confrontations between law enforcement and citizens.

I will just note in January, I was pulled over because my brake light was out. My husband and I had been working on the brake light for two months. Fun fact, in some cars, if the license plate light goes out, so does the brake light. We had to spend over \$400 to get this fixed because of the type of lights in my car. When I was pulled over, I thought the light was on because we had been working on it and did not realize it had gone back out because clearly, we did not have the fix for it yet. It was 5 a.m. on Mountains Edge Parkway in

Senator Harris's district, and I was headed to the gym. I was scared, and I am a 38-year-old white woman who thought I had fixed the issue and know my rights and the law. I could not imagine if my circumstances were different. People make mistakes, car lights go out, and cars are not always simple or cheap to fix. This just makes sense. Please pass this critical bill. I thank my Senator for this legislation.

John J. Piro, Chief Deputy Public Defender, Legislative Liaison, Clark County Public Defender's Office:

I would like to thank Senator Harris for working with all the parties on this bill to create a piece of commonsense legislation that tries to strike the right balance in this. I urge this Committee to pass this bill.

Chair Miller:

Not seeing anyone else here in Carson City to provide support testimony, is there anyone in Las Vegas? [There was no one.] Is there anyone on the phone who would like to provide testimony in support of Senate Bill 296 (2nd Reprint)?

Tonja Brown, Private Citizen, Carson City, Nevada:

I am with Advocates for the Inmates and the Innocent. We support this bill. We echo the previous comments and would like to mention something that has not been touched on, which I think would be beneficial in passing this bill. We all know about domestic violence. Imagine a victim being pulled over and then having to come home to her abuser to tell the abuser that she had been stopped and got a ticket. I think this would be a reduction in bringing down domestic violence. Some years ago, my daughter was pulled over for a brake light I believe; it was a warning. The officer was very pleasant with her, did not ask for her driver's license or anything, just gave her a warning, and that was fine. However, she had some white girlfriends in the car. She also had male Hispanics in the car. One was her boyfriend, who later became her husband, and his friend. Each and every one of them, the Hispanic males, were asked for their driver's license, and they ran a check on them. I have Hispanic grandchildren and I do not want to see this in the future, and I believe this bill would eliminate that issue too. Then I just want to remind you about Stephen Lara. He was the veteran who came through Nevada, was pulled over by the Nevada Highway Patrol on a traffic stop. They wound up seizing \$87,000 of his money and he is in litigation over that. We support this bill.

Annemarie Grant, Private Citizen, Quincy, Massachusetts:

My brother, Thomas Purdy, was killed by Reno Police and Washoe County Sheriff's Office. I am calling in support of S.B. 296 (2nd Reprint). It is not hard to believe that a community member could end up dead over a broken taillight in a vehicle. Las Vegas Metropolitan Police Department did kill Byron Williams for riding a bicycle without a headlight. I could not make it through the 400-plus deaths during interactions with law enforcement in Nevada, but I did identify James Todora, whose interaction started over a broken taillight and turned into a shootout with Metro. Other deadly traffic stops include: Aaron Wesley [Keller], he was white; Matthew Patton, he was white; Demontry Boyd, she was Black;

Junior Davis Lopez, he was Latino; Humberto Vera-Munoz, he was Latino; David Leigh Coon, he was white; Matthew Gibbon, he was white; and Kyle Zimbelman, he was white. They all started with a traffic stop. Please support this bill. Thank you.

Val Thomason, Private Citizen, Las Vegas, Nevada:

I am with the Las Vegas Democratic Socialists of America, and I am speaking in support of this bill. Over a year ago, my son was in the car when his father was pulled over for late registration. My son's father is Black and formerly incarcerated, and as soon as he was pulled over, the officer pulled him out of the car by physically opening the door and yanking him out of his car. He, of course, was scared and reacted like someone who was scared, and that interaction ended with the officer putting his head through a glass windshield. That was in front of my four-year-old son, who was permanently traumatized by the event. To this day, he still asks me if the police are coming back for his father. Honestly, I cannot tell him no, because in the six years that I have known his father, I have seen him pulled over no less than 40 times. The majority of those times he went to jail because when you are pulled over, they do not actually have to prove that you committed a crime to put you in jail. You can go to jail for several days or several weeks until a judge dismisses the case. That is long enough for you to lose your home, long enough for you to lose your job, or, like one of my good friends who is a single father, long enough to lose your child.

Chair Miller:

Are there any other callers wishing to testify in support? [There were none.] Is there anyone in Carson City who would like to testify in opposition to Senate Bill 296 (2nd Reprint)? Not seeing anyone, is there anyone in Las Vegas?

Al Rojas, Private Citizen, Las Vegas, Nevada:

Before I make my statement. I want to tell Senator Harris I have the utmost respect for her, and I know she is concerned about our community. I want to tell you that I am Latino. I could probably be the new term that is probably going to be on the record pretty soon, Afro-Latino. I do not think I am Afro-Latino, but I could be, and I am 63. I hardly ever get pulled over. There is probably one incident where I got pulled over. I am a staunch supporter of the police, especially here in Las Vegas. I later found out when I read up on the law and I got informed, and I think our Fourth Amendment is very clear, that an officer can pull you over if there is a suspicion. I watch television every night. My favorite programs are crime programs. Many times, we found big criminals that are doing crimes. Keep in mind that 10 percent of the people commit 90 percent of the crimes. Is that correct? Yes, that is correct—10 percent. A lot of these times, pulling somebody over is going to lead to something else.

Now, there are mechanisms if you feel you are not being treated properly by a law officer. You say, Hey, hold on, let me speak with your supervisor. There are some officers that kind of push the law, but there are ways you can file a complaint, you can cooperate, and then later make a complaint—there are processes for getting officers out who are not doing their jobs properly. But especially with crime going high, to limit that an officer can pull you over—if there is something suspicious, they can pull you over. The Fourth Amendment is

very clear on that. My answer is, as citizens, we got to start looking up our rights. Go look up on the Internet what your rights are when you get pulled over. If you get pulled over, or something wrong happens to you, call up your law enforcement. Hey, you know what, what can I do, is there a manager I can call over there? Look up on the Internet. Some of these lawyers are getting pulled over.

I think the laws are very fair. I do not think we should be limiting them. I am supporting the police. If you are suspicious, you should be pulled over. If you got nothing to hide, then take care of it. Now, if you have problems, when you get your oil changes, you should have your lights checked on your car. I learned something today. Go over there and say, I want you to check all my lights, make sure everything is working fine. I just saw something on the TV yesterday that a lot of people are in wrong-way driver crashes because people do not turn their lights on when they are driving. I am totally against this bill. I am supporting the police. I want them to do their job, and we all have to take more responsibility in being law-abiding citizens. Thank you, Senator Harris. I appreciate everything you are doing for our communities.

Chair Miller:

Not seeing anyone else in Las Vegas, we will take opposition testimony from the phone. [There was no one.] Is there anyone who would like to testify in the neutral position on Senate Bill 296 (2nd Reprint)?

Pamela Del Porto, Executive Director, Nevada Sheriffs' and Chiefs' Association:

I want to thank the bill's sponsor for multiple meetings and the willingness to meet with the stakeholders on this bill. I am here today to testify in the neutral position and thank you for your time.

Beth Schmidt, Director-Police Sergeant, Office of Intergovernmental Services, Las Vegas Metropolitan Police Department:

We are here in neutral on S.B. 296 (R2). I want to thank Senator Harris for considering all stakeholders and all of our concerns. Because of this, we are in neutral today.

John T. Jones, Jr., Chief Deputy District Attorney, Legislative Liaison, Clark County District Attorney's Office; and representing Nevada District Attorneys Association:

We are neutral on S.B. 296 (2nd Reprint), and I do want to thank Senator Harris. We had many discussions on this bill over the course of almost two months, and that has gotten us here to the position of neutral. Thank you.

Chair Miller:

Is there anyone on the phone who would like to provide neutral testimony? [There was no one.]

Assemblywoman Summers-Armstrong:

If Ms. Schmidt could just answer the question that I had posed earlier about what information is available when they run plates.

Beth Schmidt:

When we run a plate, we can see what DMV has in there. If, for instance, you and your husband are both on that registration, it would just come back for one person. It would come back for the first person listed. It would be the status. So, if we are looking at 30 days and if it said that it had expired 23 days ago, we would see that. We see what the expiration date is. If this bill goes through, it would be up to DMV whether that is considered expired at that point. If they add the extra 30 days, that will be their decision. We will see the DMV return. In the instance of where you have the sticker—and I think it was Assemblywoman Newby who said you have the sticker, but you forget to put it on—we would be able to see that Assemblywoman Newby had registered her vehicle and had not put the sticker on yet.

Assemblywoman Summers-Armstrong:

Are you implying or saying that it requires an additional background in order to get any other type of background like a warrant or anything that is not included in with DMV; you would have to run something else?

Beth Schmidt:

If the plate is run, whether we call it out or we type it in, what would pop up on the computer is the local criminal record, and that would show for the registered owner only and any DMV information.

Chair Miller:

In a case where you can run plates without pulling someone over, how do you know which person is actually driving the car?

Beth Schmidt:

You do not, and that is part of your investigation. We do not teach that just because there is a warrant on that, that you would pull the person over.

Chair Miller:

I will welcome the bill sponsor up for brief closing remarks.

Senator Harris:

In closing, I just want to thank the Committee for a very robust discussion and hope that we can answer any additional questions that the Committee may have. I want to thank you all for your time.

Leisa Moseley-Sayles:

I want to say again, thank you for hearing this bill and thank you for all of the questions and the dialogue. Also, Chair Miller, I want to express my concern for you that you were pulled over and questioned the way you were and also my frustration. I have had that experience,

which is part of the reason I am at this table today. I have had lots of interactions behind these kinds of infractions, administrative warrants and tickets and not being able to pay. I am happy to say that, today, I do not have that issue, but I am empathetic to anyone that does and who has had that issue. I wish actually we could take this bill in its first iteration. That would be awesome.

I appreciate the work that Senator Harris does in talking with everyone and taking everyone's concerns into consideration. This is a first step, and as with any first step, we have to implement it and see how it plays out. Once that does, we can see where the holes are. As an example, I was thinking of body cameras on police when they first came out, the resistance to those, but now they are welcomed on all fronts. I liken this bill to something like that—let us implement it; let us see how it plays out; let us see where the holes are; and let us see what we need to do next legislative session to make it better. I promise you, if this body is willing, the Fines and Fees Justice Center would be happy to find a sponsor for a bill that will send notices to people when they have these infractions versus pulling someone over. So, Chair Miller, I probably will be coming to you.

Chair Miller:

I will close the hearing on Senate Bill 296 (2nd Reprint). Our next bill is Senate Bill 309, sponsored and presented by Senate Majority Leader Cannizzaro and copresented by Saha Salahi. Majority Leader, when you are ready, please proceed.

Senate Bill 309: Makes various changes relating to health care. (BDR 15-498)

Senator Nicole J. Cannizzaro, Senate District No. 6:

As your Senate Majority Leader, I am pleased to be here this morning to have the opportunity to present to you Senate Bill 309, which creates the crime of fertility fraud and includes additional provisions related to that crime. As you may already know, there have been several high-profile cases of fertility fraud reported in the news over the last several years, and fertility fraud occurs in the field of assisted reproduction when a fertility doctor inseminates a patient with his own sperm without the consent of his patient or when a donor's eggs are used without her consent. Those are the two most common types of fertility fraud.

But as you will see in Senate Bill 309, there are additional definitions that are included. I am excited to have with me here today my brilliant intern who has been doing a fantastic job in our office this legislative session. Saha Salahi is a student at the University of Nevada, Las Vegas, studying communications and media studies with a public policy minor. Before we go over the bill, Madam Chair, with your permission, I would like Ms. Salahi to give the Committee a little bit more background on fertility fraud and the reasons for bringing this bill forward, and then she will turn it back over to me. I will do a walk-through of the bill and then we will be happy to take any questions that you may have.

Saha Salahi, Intern to Senate Majority Leader Nicole J. Cannizzaro:

I would like to speak briefly about the 1991 Nevada physician of the year. Dr. Quincy Fortier was a Nevada fertility specialist who had been considered an esteemed member of his field as a commander of a medical reserve unit at Nellis Air Force Base. He had been elected to the Southern Nevada Memorial Hospital board of trustees and was instrumental in the growth of Faith Lutheran Academy. Despite his medical expertise and high regard within the professional community, the doctor inseminated his patients with his own sperm without their knowledge nor their consent. Recently, through the use of DNA testing kits, many dozens of families concluded that decades ago their doctor violated them during one of the most vulnerable visits to his clinic. Dr. Fortier's lawyers use the defense that Nevada law does not explicitly say doctors cannot use their semen on patients to aid in fertility treatments.

In the past few years, Indiana, Iowa, Arizona, Arkansas, Colorado, Kentucky, Utah, Texas, and Florida have enacted laws on fertility fraud. As of 2019, doctors who use their reproductive material to inseminate patients in Texas are able to be found guilty of sexual assault and face a felony charge in the second degree. In March 2021, the state of Utah decided the use of a doctor's reproductive material without the patient's consent is a third-degree felony. California has had laws enacted since 1996 which constitute fertility fraud a crime punishable by a sentence of 3 to 5 years and a fine of up to \$50,000.

It is unsettling to find out that this human rights violation is currently legal in our state and that doctors have never been charged for participating in such a violation. Nevada has recently been known for being the first state legislature to have a female majority in the nation and putting women's rights at the forefront of policymaking. However, the lack of recourse for this heinous crime has been more than frustrating—it has been shocking. Until legislative changes are enacted in Nevada, it is feasible that a doctor could continue to violate their patients with fertility fraud today. It is my hope that patients in the state never have to experience that of the patients under the care of Dr. Fortier. The doctor's case ended before a judicial decision was reached due to his death, leaving a loophole in Nevada law and an opportunity and a duty for our Legislature to close it. With that, I would like to turn it back over to Senator Cannizzaro to further explain how Nevada could finally join other states in explicitly criminalizing fertility fraud.

Senator Cannizzaro:

Moving to the bill, I will go through a section-by-section analysis. Sections 3 and 4 define the terms of "assisted reproduction" and "human reproductive material" for the purposes of the bill.

Section 5 creates the crime of fertility fraud as a category B felony, which carries a prison term of 2 to 15 years and a fine of up to \$10,000. This crime occurs when a health care provider knowingly implants his or her human reproductive material in a patient without their express consent or when a health care provider knowingly uses human reproductive material other than what was expressly consented to by the patient. Section 6 creates the related crime of fertility fraud in the instance of a person, other than a health care provider,

who knowingly conveys false information to a patient concerning the donor or the human reproductive material to be provided to the patient. That violation is a category C felony. Both sections 5 and 6 provide for the notification of appropriate licensing boards by the Office of the Attorney General upon a conviction for either of those crimes.

Sections 7 and 8 provide that a civil cause of action may be brought within three years after a victim discovers fertility fraud and provides that a victim may also be a spouse, a child, or a donor, and that each child born as a result of that fraud constitutes a separate cause of action. Section 9 adds fertility fraud to the list of sexual offenses for which a court is prohibited from ordering a victim to take a psychological or psychiatric exam.

Sections 10 and 17 add fertility fraud to the list of sexual offenses for which lifetime supervision is required. Sections 11 and 12 add fertility fraud to the list of sexual offenses for which an offender must undergo a psychosexual evaluation and for which a court is prohibited from granting probation or a suspended sentence unless that psychosexual evaluation comes back as less than a high risk to re-offend.

Section 13 provides for victim and witness notification upon conviction as is done with other sexual offenses. Section 14 prohibits the sealing of records for this particular offense. Finally, sections 19 and 20 provide that a health care facility shall not provide a patient with human reproductive material except in accordance with an agreement entered into between the patient and the facility, and the donor and the facility. A violation of these provisions carries a civil penalty of \$10,000 per violation in an action to be brought by the Office of the Attorney General on behalf of the state. A facility that violates these provisions is also subject to license suspension or revocation by the Division of Public and Behavioral Health of the Department of Health and Human Services. That concludes my walk-through of the bill.

Madam Chair, and members of the Committee, I do believe that this is an important piece of legislation for families who are struggling with fertility and who appear at a facility or for someone who is offering to undergo what can be a very intrusive process to donate eggs, or even someone who is donating sperm, in order to allow for families to then have a baby. For them to enter into a facility; trust in a medical provider; put their faith that this process is ultimately going to culminate in the establishment of a family that they have been thus far unable to procure—the time, the emotion and the money that goes into all of this—for them to then be taken advantage of because someone is just so completely narcissistic that they want to utilize that very vulnerable state for their own purposes, I believe deserves a very high penalty. That is reflected in this bill.

We have a duty to ensure that we do not have a loophole where someone can come in and say, Well, it was not expressly prohibited by Nevada law, so good luck suing me, taking my license, or finding some sort of criminal activity. For me, this type of action is akin to a sexual assault. This is the violation of someone's most basic needs, and for us to not take action to ensure that should something this heinous happen in Nevada because we do not have the tools to properly address it, it is our denying our duty to the citizens of Nevada.

I recognize that this may be a rare circumstance, but I think in this rare circumstance, there is a compelling need for both a tough penalty as well as some provisions that would allow for civil recovery for families who were told one thing and then experienced a completely other thing in the course of what can be an extremely emotional and very difficult process, all just to have a family.

Madam Chair, with that, we would love to answer any questions that you and the Committee may have.

Chair Miller:

I do not know if your adjectives really get to how despicable this is and how vulnerable our families are. It is just heinous and unimaginable. This is one crime—we give factors for crimes with intent and without intent—that there is no accidental way that this would happen. Are there any questions from Committee members?

Assemblywoman Cohen:

I have a question about the statute of limitations and maybe a possible request for an amendment. Section 7, subsection 3, paragraph (f) states that the action pursuant to section 8 "shall be deemed to accrue upon the discovery by the aggrieved party of the facts constituting fertility fraud." I would suggest that be opened up a bit, because I could see where you could have a family that realizes there has been fertility fraud, but maybe they were planning to use an anonymous donor anyway. They do not want to go through the hassle of going to court. They do not want anyone to know what has happened. They do not want to raise an issue and they are not necessarily planning to do anything. Then, a few years later they find out the material passed down had a genetic disease attached to it or something like that. Then there needs to be care for the child, but maybe now they have passed up their statute of limitations.

I want to confirm, is it at the time that they found out that the genetic material is not the genetic material they expected, or the time they found out that perhaps the genetic disease was passed down to them? Would you be willing to extend it to allow for such a situation?

Senator Cannizzaro:

The way this reads currently is that it is within three years from the discovery that the fertility fraud had occurred. I would certainly be open to an amendment because I think you have highlighted one of the toughest parts about this: a family who is maybe trying to conceive a child may not be sharing with that child who is young—or with friends and family—that something like this had occurred because they are trying to preserve their family union. They are trying to make sure that that child feels included and part of the family regardless, because now that child is with them; they have given birth to them, they are raising them. There are a lot of very sensitive issues that go into this, and I would be certainly open to an amendment that would allow for some additional leniency. Because I do think there is more than just, We discovered there was fertility fraud, and therefore, now we may have a cause of action for a civil suit. Different things that could motivate that, and I do not want to deny families that ability to pursue that action.

Assemblywoman La Rue Hatch:

I agree with the Chair that "despicable" is a good way to describe this. My question is on sections 4 and 5, on page 3. I know it creates the crime of fertility fraud. Section 5 says, "Knowingly implants his or her own human reproductive material in a patient" without their consent. But then right above in section 4, it says, "'Human reproductive material' means a gamete or human organism." I just want to make sure, and I am obviously not a doctor, that means any genetic material at all—sperm, egg, embryo—that everything falls under this.

Senator Cannizzaro:

Yes. The way that I read these sections, and certainly your very capable Legal Counsel will be able to correct me if I am wrong, but when we talk about "assisted reproduction" in section 3, that is already defined in *Nevada Revised Statutes* 126.510. That includes things like donation of eggs, sperm, and other reproductive material, and when we talk about "human reproductive material," that also would be where you are in a situation where you are not just donating it, but you are also then receiving that in the form of an embryo for the purposes of pregnancy and generating a child. That would all be covered under this. This bill also has the provisions in it for ensuring that there is not knowingly false information provided to either a donor or to a patient who is receiving that reproductive material. I think when you read all that together, it would encompass everything.

Chair Miller:

As soon as you said "paperwork," it adds to the felony because those documents would have been falsified. When we are talking about reproductive materials, would this include things like stem cells and placenta, or are we only talking about for the purpose of reproduction?

Senator Cannizzaro:

The way that Senate Bill 309 reads, this deals specifically with human genetic material in the form of sperm, in the form of eggs, and for the purposes of fertility. I think while trying to make sure we are covering any fertility treatment that you may be receiving or that you, as a donor, are contributing to, it really is just dealing with these very specific instances regarding fertility.

Assemblywoman Summers-Armstrong:

This is a really sensitive issue. Those of us who have gone through this, I cannot even imagine if someone had done this. It is painful and it is frustrating and sometimes humiliating, and to think that this happened to someone is just horrible. In section 5, subsection 2, you have a fine of \$10,000. Can you just give background on why \$10,000? Does this track with other penalties? Under the circumstances, would you believe that a higher penalty might be appropriate here?

Senator Cannizzaro:

First of all, I acknowledge that your sentiment is entirely correct. Anybody who would be the subject of what we are talking about in Senate Bill 309 has probably gone through some very significant hardship to even find themselves in that position because you do not come lightly to fertility treatment. That is just not how that goes. Most of it is not covered by

insurance. You are also expending an exorbitant amount of money. Many times it is not successful on the first try. The emotional and the financial hardship and the strain on the family and on relationships are real. Then to find that you have been told something by a medical provider that is just not true in the course of, during, or even after a pregnancy to me is just unimaginable, but it has happened to so many Nevadans that it is astounding that we even have to have this discussion.

I agree, and the reasons for this being a higher penalty in terms of the length of time and the category, I think are appropriate. With the fine, the \$10,000, that is very typical for a category B felony. I certainly would be open to increasing that because this is something that is very calculated and takes a certain degree of what I refer to as narcissism; that is the best way I can describe it in the setting that we are in in an appropriate fashion. I would certainly be open to an increased penalty. What is in there is in alignment with many category B felonies of a \$10,000 fine.

Assemblywoman Newby:

If this passes and becomes law, this crime does not necessarily preclude the families from seeking civil remedies as well, because a \$10,000 fine is a drop in the bucket compared to the cost of fertility treatments. Could you address that?

Senator Cannizzaro:

You are correct. I mean \$10,000, when you are talking about fertility treatment, would be extremely cheap. When you are looking at even very basic intervention, it can be quite expensive. Section 5, when it is talking about the \$10,000, that is a criminal penalty. Section 7, which we discussed earlier with Assemblywoman Cohen, specifically identifies the statute of limitations that would be for filing a lawsuit. Additionally, there are provisions in section 8 that allow for not only actual damages but also punitive damages to be awarded by a court.

In the event of a civil lawsuit, there are also provisions for recoveries of attorney's fees for the prevailing party should that be part of the civil lawsuit. This would be more than \$10,000. It would be up to a court, and it would be up to the parties in that courtroom to talk about actual damages, which could include things like what you paid for that fertility treatment during the course of that procedure. It could include punitive damages, which are intended to punish the offender in order to ensure when we are talking about appropriate behavior, that we are incentivizing good behavior and deterring bad behavior. In the civil context, those punitive damages could be awarded by a court. It would be up to a jury or potentially a judge to award those. It would allow for the actual recovery of those actual damages, out-of-pocket expenses, and then also any punitive damages. It would be my guess that it would be higher than \$10,000 since it does allow for the actual damages. As we discussed, \$10,000 would be a small amount for fertility treatment.

Chair Miller:

I do not see any additional questions from members. I will open it up for testimony in support here in Carson City.

Serena Evans, Policy Director, Nevada Coalition to End Domestic and Sexual Violence:

I will keep it short and say fertility fraud is reproductive coercion and takes away somebody's ability for informed consent. We are in strong support of this bill. Thank you.

Chair Miller:

Not seeing anyone else here in Carson City, is there anyone in Las Vegas who would like to testify in support of Senate Bill 309? Not seeing anyone approach, is there anyone on the phone who would like to testify in support of Senate Bill 309? [There was no one.]

I will open it up for opposition testimony to Senate Bill 309. Not seeing anyone here in Carson City, is there anyone in Las Vegas? [There was no one.] Is there anyone on the phone who would like to testify in opposition to Senate Bill 309? [There was no one.]

Is there anyone in Carson City who would like to testify in neutral to Senate Bill 309? [There was no one.] Is there anyone in Las Vegas? Not seeing anyone, is there anyone on the phone wishing to provide neutral testimony to Senate Bill 309? [There was no one.]

Senate Majority Leader Cannizzaro is waiving concluding remarks. I will close the hearing on Senate Bill 309. Our last order of business today is public comment. [Public comment was heard.]

This concludes our business for today. I want to remind members that we need to be on the floor in ten minutes to begin at 11:30 a.m. I will see everyone tomorrow morning at 8 a.m. This meeting is adjourned [at 11:20 a.m.].

RESPECTFULLY SUBMITTED:

Traci Dory
Committee Secretary

APPROVED BY:

Assemblywoman Brittney Miller, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is the Work Session Document for Senate Bill 34 (1st Reprint), submitted and presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is the Work Session Document for Senate Bill 37, submitted and presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit E](#) is the Work Session Document for Senate Bill 55 (1st Reprint), submitted and presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit F](#) is the Work Session Document for Senate Bill 62 (1st Reprint), submitted and presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit G](#) is the Work Session Document for Senate Bill 67, submitted and presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.