

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

**Eighty-Second Session  
April 14, 2023**

The Committee on Judiciary was called to order by Chair Brittney Miller at 9:10 a.m. on Friday, April 14, 2023, in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, 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.leg.state.nv.us/App/NELIS/REL/82nd2023](http://www.leg.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:**

None



**STAFF MEMBERS PRESENT:**

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

**OTHERS PRESENT:**

None

**Chair Miller:**

[Roll was called. Rules and protocols were explained.] Good morning, everyone. Welcome to Assembly Judiciary. As you know, today is deadline day; so there are a lot of moving parts, and many things are happening. Due to it being deadline day, we are going to go into recess, but we will have public comment before then. With that, we will go ahead and start our work session. We will be taking the bills on the agenda out of order and one of the main reasons for that is because I had promised Assemblywoman Summers-Armstrong that her bill would be first. I had inadvertently skipped it yesterday and then skipped it again. Therefore, we are going to start with Assembly Bill 257. Ms. Thornton, please walk us through Assembly Bill 257.

**Assembly Bill 257: Revises provisions relating to forensic medical examinations of certain victims of certain crimes. (BDR 16-839)**

**Diane C. Thornton, Committee Policy Analyst:**

Assembly Bill 257 is sponsored by Assemblywoman Summers-Armstrong and was heard in Committee on March 15, 2023 [[Exhibit C](#)].

There is one proposed amendment; Liz Ortenburger from SafeNest proposed the following:

- Amend section 1, subsection 2 to authorize a county to seek reimbursement of cost incurred from a strangulation examination from the state, subject to an appropriation made by the Legislature;
- Amend section 1, subsection 4, paragraph (b) to provide that "strangulation forensic medical examination" means an examination conducted by a health care provider for the purpose of assessing a victim's health care needs and coordinate treatment of any injuries incurred during the assault; and
- Amend section 1, subsection 4 by adding a new paragraph (c) to provide that the collection of evidence is permitted for the potential use during a criminal investigation and prosecution.

**Chair Miller:**

Members, are there any questions? Not seeing any, I will take a motion to amend and do pass Assembly Bill 257.

ASSEMBLYWOMAN MARZOLA MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 257.

ASSEMBLYWOMAN MOSCA SECONDED THE MOTION.

Members, any further discussion on the motion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

With that, I will assign the floor speech to Assemblywoman Summers-Armstrong. Next on the agenda we will do Assembly Bill 342. Ms. Thornton, please walk us through that.

**Assembly Bill 342: Requires an adult-use cannabis retail store and cannabis consumption lounge to take certain actions to verify the age of a consumer before selling cannabis or a cannabis product. (BDR 56-1024)**

**Diane C. Thornton, Committee Policy Analyst:**

Assembly Bill 342 is sponsored by Assemblyman Hibbetts and was heard on March 23, 2023 [[Exhibit D](#)]. There is one proposed amendment from the Nevada Cannabis Association. It would delete section 1 of the bill and replace with language that requires a cannabis establishment agent prior to selling cannabis or cannabis product to verify the age of a consumer. The consumer's age must be verified by checking a government-issued identification card containing a photograph of the consumer using an approved identification scanner.

**Chair Miller:**

Members, I just want to reiterate that this is the amendment that was accepted. It was the original one from the Nevada Cannabis Association. With that, are there any additional questions? Not seeing any, I will entertain a motion to amend and do pass Assembly Bill 342.

ASSEMBLYWOMAN MARZOLA MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 342.

ASSEMBLYMAN YUREK SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

I will assign that floor speech to Assemblyman Hibbetts. Ms. Thornton, please walk us through Assembly Bill 405.

**Assembly Bill 405: Revises provisions relating to court programs for the treatment of mental illness or intellectual disabilities. (BDR 14-729)**

**Diane C. Thornton, Committee Policy Analyst:**

Assembly Bill 405 is sponsored by this Committee and was heard on April 5, 2023 [[Exhibit E](#)]. There is one proposed amendment. Judge Nadia Wood, Las Vegas Justice Court, proposed the following:

- Delete the changes to existing law in section 3, subsection 4 of the bill regarding the authorization of a defendant who tenders a plea of guilty, guilty but mentally ill or nolo contendere, or is found guilty or guilty but mentally ill of a sexual offense that is punishable by a category B felony to be assigned to the program.

**Chair Miller:**

Members, are there any questions on Assembly Bill 405? Not seeing any, I will entertain a motion to amend and do pass.

ASSEMBLYWOMAN MARZOLA MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 405.

ASSEMBLYWOMAN NEWBY SECONDED THE MOTION.

Any further comments on the motion?

**Assemblyman Yurek:**

I wanted to go on record to make it clear that even though I am going to have to go with a no vote today, I really like the intent and policy objective of this bill. My remaining concern on this, and I am hopeful that if it does not get addressed in this house that it would be addressed in the Senate, has to do with the fact that our law enforcement agencies are struggling with the resources they need to carry out everything that we ask them to do. There remain too many unknowns with this, in particular the cost that it would impose upon the Clark County Detention Center; specifically, the provision that would require them to house Department of Corrections inmates for up to 25 days. Therefore, I am going to vote no today, but I really wanted to make sure that I got on record with how supportive I am of the underlying policy, and I hope that we can address some of those issues.

**Chair Miller:**

Any additional comments? [There were none.]

THE MOTION PASSED. (ASSEMBLYMEN GALLANT, GRAY,  
HANSEN, HARDY, AND YUREK VOTED NO.)

I will assign the floor statement to Assemblywoman Cohen. Next, we have Assembly Bill 369. Ms. Thornton, please walk us through that.

**Assembly Bill 369: Revises provisions governing the administration of justice.  
(BDR 14-67)**

**Diane C. Thornton, Committee Policy Analyst:**

Assembly Bill 369 is sponsored by Assemblyman Orentlicher [[Exhibit F](#)]. There is one proposed amendment. Leisa Moseley and Nick Shepack from the Fines and Fees Justice Center proposed an amendment, which does the following:

- Revises in section 5 the income levels;
- Amends section 7 to clarify that a person is presumed indigent if the person has a household income that is less than 200 percent rather than 400 percent of the income limit;
- Amends section 9 to include fees; and
- Amends in sections 10 and 12 the credit given for community service.

**Chair Miller:**

Members, are there any additional questions? Not seeing any, I will entertain a motion to amend and do pass Assembly Bill 369.

ASSEMBLYWOMAN MARZOLA MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 369.

ASSEMBLYWOMAN CONSIDINE SECONDED THE MOTION.

Are there any additional comments on Assembly Bill 369? [There were none.]

THE MOTION PASSED. (ASSEMBLYMEN GALLANT, GRAY,  
HANSEN, HARDY, YUREK VOTED NO.)

I will assign the floor speech to Assemblyman Orentlicher. We are going to add an additional bill to the agenda, which is Assembly Bill 253. Please walk us through that one, Ms. Thornton.

**Assembly Bill 253: Provides for the licensure and regulation of certain events at which the sale and consumption of cannabis or cannabis products is allowed.  
(BDR 56-152)**

**Diane C. Thornton, Committee Policy Analyst:**

Assembly Bill 253 is sponsored by Assemblyman Miller and was heard in Committee on March 15, 2023 [[Exhibit G](#)]. There is one amendment proposed by Assemblyman Miller. It deletes sections 2, 3, 13, and 17 of the bill; provides a definition of "portable cannabis

vendor"; and provides a process for issuing portable cannabis licenses. There is also a mock-up on the following pages.

**Chair Miller:**

Members, I trust you have had the opportunity to review that extensive amendment as well. Does anyone still have any additional questions? Not seeing any, I will entertain a motion to amend and do pass Assembly Bill 253.

ASSEMBLYWOMAN MARZOLA MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 253.

ASSEMBLYWOMAN CONSIDINE SECONDED THE MOTION.

Are there any additional comments?

**Assemblywoman Bilbray Axelrod:**

I am going to vote to move this bill out of committee. I do think it needs some more work, but I do want to give it life.

**Assemblywoman La Rue Hatch:**

I too still have concerns, but I have talked with the sponsor about them; namely, that we need to ensure these are at 21-plus events, and that these are in entirely enclosed spaces to address the smoke. He has assured me that we will continue to work on that; therefore, I will be a yes out of committee in the hopes to get it to a yes on the floor.

**Chair Miller:**

Any additional comments? Not seeing any, I will go ahead and take a vote.

THE MOTION PASSED. (ASSEMBLYMEN GRAY, HANSEN, HARDY,  
AND YUREK VOTED NO.)

I will assign the floor speech to Assemblyman Miller. At this time, we are going to roll the next item on the agenda. We are going to take public comment right now.

[Public comment was heard.]

Like I said, we are going to go into recess. I know this is going to be a strenuous day for everyone. Members, please stay by your electronic devices or have your attachés available to approach you. Of course, we are not the only Committee doing this; pretty much all committees today will be as fluid. With that, we are going into recess.

[Recess to the call of the Chair at 9:28 a.m.]

**Chair Miller:**

I would like to welcome everyone back into Judiciary [at 12:52 p.m.]. We do not need to do attendance because we are still in Committee, and I can see that everyone is here. I know that Assembly Bill 209, which is on the agenda, has been a major topic of discussion, as well as a major piece of policy proposal. Of course, it is highly important, and I know that there are a lot of concerns and positions on all sides of the argument. This is not just a two-sided argument; it is a multifaceted issue.

Those who were paying attention to the floor session today may have noticed that Assembly Bill 404 did receive a waiver. I requested that waiver to keep the conversation going, to have something to work with, and I believe that was the right move. First of all, Assemblywoman González did an amazing job with her presentation on Assembly Bill 209. The issue is that we need to keep working together, and what I ask of everyone here and everyone listening is to come to the table and get to a place of agreement. I know there are multiple sides to this issue, and I know that the members are very willing, eager, and excited to talk to folks from each one. That is what I hope happens as we move forward; that we are able to come up with some real solutions, some real movement, and some real engagement and compromise on this.

With that said, Assembly Bill 404 is the one that is alive for now, and I hope that we can all work together. Remember, at the end of the day we may be a dais full of lawyers and yes, even a doctor, but we are also a dais full of patients. I just wanted everyone to be fully aware of what is going on. We are not going to work session Assembly Bill 209, but Assembly Bill 404 has received a waiver.

**Assembly Bill 209: Revises provisions relating to certain providers of health care.  
(BDR 3-833)**

[Assembly Bill 209 was not considered.]

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Before I adjourn, we will not have Committee on Monday; not sure about Tuesday; all I can say is stay tuned and pay attention to agendas because at this point, we are in the process of getting bills sent over to us from the Senate. Therefore, sleep in on Monday, and watch for an agenda for Tuesday. This has been a stressful week; everyone, take care of yourself, and let us continue to be kind to each other. With that, this meeting is adjourned.

The meeting adjourned [at 12:55 p.m.].

RESPECTFULLY SUBMITTED:

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Aaron Klatt  
Committee Secretary

APPROVED BY:

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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 [Assembly Bill 257](#), presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is the Work Session Document for [Assembly Bill 342](#), presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit E](#) is the Work Session Document for [Assembly Bill 405](#), presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit F](#) is the Work Session Document for [Assembly Bill 369](#), presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit G](#) is the Work Session Document for [Assembly Bill 253](#), presented by Diane C. Thornton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.