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NEVADA COALITION TO END DOMESTIC AND SEXUAL VIOLENCE 2023 LEGISLATIVE SESSION: PASSED BILLS SUMMARY

INTRODUCTION

Throughout the 2023 Legislative Session, the Nevada Coalition to End Domestic and Sexual Violence (NCEDSV) Policy Team was actively following, engaging in, and advocating for policy changes that address the response, intervention, and prevention of power-based violence. This document contains information on all the bills that NCEDSV was involved in or monitoring. They are categorized by relevance of topic.

If you have any questions, please contact NCEDSV Policy Director, Serena Evans at publicpolicy@ncedsv.org or 775-857-7540.

TABLE OF CONTENTS

Domestic Violence	2
Sexual Violence	4
Sex/Human Trafficking	6
Economic Justice	8
Reproductive Justice	9
Healthcare	10
Housing	11
Firearms	12

DOMESTIC VIOLENCE

Assembly Bill 51

- **Summary:** Increases the timeframe for arrest for domestic violence from 24 hours to seven days. Requires that if law enforcement has a face-to-face encounter with the perpetrator to determine probable cause, they must arrest them on the scene or within 24 hours if they get away. If the law enforcement officer did not have face-to-face contact with the perpetrator or enough sufficient time to determine probable cause, they have up to seven days to make an arrest without a warrant. Cleans up language to ensure that those convicted of domestic violence battery do not qualify for probation or suspension of their sentence. Makes changes to the training requirements for victim advocates to qualify for privileged/confidential communications with their clients. Specifies which topics must be covered under the 20-hour training.
- **Primary Bill Sponsor:** Assembly Committee on Judiciary
- **Position:** Support
- **Effective Date:** October 1, 2023

Assembly Bill 119

- **Summary:** Establishes the Vulnerable Adult Fatality Review Committee with the Department of Health and Human Services. The Committee is tasked with reviewing each death in the State that is known or suspected to have been caused by or related to adult maltreatment that is referred to the Committee by the Division, law enforcement, or a family member of the deceased individual. Aside from reviewing deaths, the committee shall cross-reference databases, review trends, and identify and review disparities. Before end of year of even numbered year, the Committee compile and publish a report.
- **Primary Bill Sponsor:** Assembly Committee on Health and Human Services
- **Position:** Support
- **Effective Date:** Pending Governor's approval

Assembly Bill 125

- **Summary:** This bill expands the requirements for the Tribal Liaisons of the Department of Public Safety to maintain ongoing communications between Indian tribes and tribal communities, tribal organizations, and Urban Indian organizations relating to missing and murdered indigenous persons. Requires that state and local law enforcement departs must accept reports of a person who is 18 years of age or older and is missing from an Indian reservation or Indian colony in Nevada and then

enter this information into the National Crime Information Center and shall notify the Missing and Murdered Unit within the Office of Justice Services of the Bureau of Indian Affairs.

- **Primary Bill Sponsor:** Assemblywoman Backus, Assemblywoman Gorelow, and Assemblyman Hafen.
- **Position:** Support
- **Effective Date:** July 1, 2023

Assembly Bill 257

- **Summary:** Requires forensic medical examinations to include strangulation exams. Requires the county in whose jurisdiction the strangulation happened to cover the cost of the exam and explicitly states that the victim-survivor should not be charged for the exam. To cover these exams, an appropriation of \$1,080,000 was appointed for Fiscal Year 2023-2024, and Fiscal Year 2024-2025.
- **Primary Bill Sponsor:** Assemblywoman Shondra Summers-Armstrong
- **Position:** Support
- **Effective Date:** Section 5 effective June 15, 2023. Section 3.5 effective July 1, 2023. Sections 1, 2, 3, and 4 effective October 1, 2023.

Assembly Bill 356

- **Summary:** Prohibits anyone from placing or installing a mobile tracking device on another person's vehicle without their knowledge or consent. Doing so is punishable as a misdemeanor for the first offense, a gross misdemeanor for the second offense, and a category C felony for the third or subsequent offenses.
- **Primary Bill Sponsor:** Assemblywoman Jill Dickman, Assemblywoman Selena La Rue Hatch, Assemblywoman Natha Anderson, Assemblywoman Alexis Hansen, Assemblywoman Heidi Kasama, Senator Heidi Gansert, Senator Pete Goicoechea, Senator Robin Titus, Senator Ira Hansen.
- **Position:** Support
- **Effective Date:** July 1, 2023

Senate Bill 382

- **Summary:** Removes the provision that in cases of protection orders involving minors, the adverse party is granted automatic council during hearings ensuring an equal balance of power among applicants and adverse parties. Anything that is said during a protection order proceeding is not admissible in any criminal or delinquency proceeding.
- **Primary Bill Sponsor:** Senate Committee on Judiciary

- **Position:** Support
- **Effective Date:** July 1, 2023

Senate Bill 412

- **Summary:** Changes the definition of strangulation to “intentionally applying sufficient pressure to another person to make it difficult or impossible for the person to breathe, including, without limitation, applying pressure to the neck, throat or windpipe that may prevent or hinder breathing or reduce the intake of air, or applying any pressure to the neck on either side of the windpipe, but not the windpipe itself, to stop the flow of blood to the brain via the carotid arteries.
- **Primary Bill Sponsor:** Senate Committee on Judiciary on behalf of the Governor’s Office
- **Position:** No opinion
- **Effective Date:** Sections 1 to 57, inclusive, and 58 effective June 12, 2023. Section 57.5 effective July 1, 2023.

SEXUAL VIOLENCE

Assembly Bill 163

- **Summary:** Expands existing employee protections for victim-survivors of domestic violence to include victim-survivors of sexual violence. These protections include: (1) up to 120 hours of paid or unpaid time off, at the discretion of the employer, to attend medical appointments, court appearances, advocacy appointments, or any other matter relating to their victimization (2) Reasonable employer accommodations for the overall safety of the victim-survivors (employee) and (3) Allows victim-survivors to qualify for unemployment benefits if they ultimately have to leave their job due to safety concerns.
- **Primary Bill Sponsor:** Assemblywoman Gonzalez, Assemblywoman Considine, Assemblywoman Thomas, Senator Spearman, Senator Neal, Senator Harris.
- **Position:** Support
- **Effective Date:** June 5, 2023 for the purpose of adopting regulations and administrative tasks, January 1, 2024 for all other purposes.

Assembly Bill 245

- **Summary:** The bill establishes student resources and prevention efforts to address power-based violence on K-12 and higher education campuses. The bill defines power-based violence as an umbrella term to address violence more broadly. It establishes the Committee on Responses to Power-Based Violence in Schools

through the Department of Education. Requires K-12 school districts to enter into a Memorandum of Understanding with community-based advocacy agencies. Requires schools to post and distribute information regarding victim-survivor resources, including the statewide hotline routing number to connect individuals to a community-based victim advocate serving their geographical region. Renames the Task Force on Sexual Misconduct at Institutions of Higher Education to the Task Force on Power-Based Violence at Institutions of Higher Education. Adds additional task force members and responsibilities. Creates permissive language allowing higher education institutions to require mandatory training on the prevention and intervention of power-based violence and requiring information on available victim services to be included in syllabi for each course of instruction.

- **Primary Bill Sponsor:** Assemblywoman Selena Torres, Assemblywoman Elaine Marzola, Assemblywoman Cecelia Gonzalez, Assemblywoman Heidi Kasama, Senator Lisa Krasner.
- **Position:** Support
- **Effective Date:** July 1, 2023

Assembly Bill 276

- **Summary:** Allows for forensic medical exams to be conducted via telehealth by an appropriately trained medical provider at an originating site.
- **Primary Bill Sponsor:** Assemblywoman Bea Duran, Assemblywoman Selena Torres, Assemblywoman Clara Thomas, Assemblywoman Elaine Marzola.
- **Position:** Support
- **Effective Date:** July 1, 2023

Senate Bill 36

- **Summary:** Adds solicitation of a child for prostitution to the list of sexual offenses which require a psychosexual evaluation and a certification that the person convicted does not represent a high risk to re-offend. Requires the Division of Parole and Probation to arrange for an evaluation of the defendant and report to the court.
- **Primary Bill Sponsor:** Senate Committee on Judiciary
- **Position:** No opinion
- **Effective Date:** Sections 1 to 4, inclusive, and 5 effective October 1, 2023. Section 4.5 and 6 effective July 1, 2023.

Senate Bill 67

- **Summary:** Revises the definition of a sexual offense for purposes of parole to be consistent with the definition elsewhere in the Nevada Revised Statute.

- **Primary Bill Sponsor:** Senate Committee on Judiciary
- **Position:** No opinion
- **Effective Date:** May 23, 2023

Senate Bill 129

- **Summary:** Abolishes the statute of limitations for when a victim-survivor of sexual assault can pursue civil actions against their perpetrator.
- **Primary Bill Sponsor:** Senator Lisa Krasner, Senator Pat Spearman, Senator Heidi Seevers Gansert, Senator Carrie Buck, Senator Robin Titus, Assemblywoman Shannon Bilbray-Axelrod, Assemblywoman Clara Thomas.
- **Position:** Support
- **Effective Date:** May 31, 2023

Senate Bill 321

- **Summary:** Prohibits law enforcement agencies or forensic laboratories from using the DNA of a victim-survivor for any other purpose besides solving the sexual assault. Law enforcement cannot use the DNA collected from a victim-survivor through forensic evidence kit to prosecute the victim-survivor in any other crime, as a basis to search for additional evidence of any other criminal act, or for any purpose that is not directly linked to solving the sexual assault.
- **Primary Bill Sponsor:** Senator Lisa Krasner, Senator Dallas Harris, Senator Heidi Seevers Gansert, Senator James Ohrenschall, Assemblywoman Clara Thomas, Assemblywoman Michelle Gorelow, Assemblywoman Richard McArthur, Assemblywoman Heidi Kasama.
- **Position:** Support
- **Effective Date:** October 1, 2023

SEX/HUMAN TRAFFICKING

Assembly Bill 183

- **Summary:** Requires that all facilities for the detention of children or child welfare agencies to screen each individual detained at their facility or within their custody for commercial sexual exploitation. If they determine that the child is experiencing commercial sexual exploitation, the facility is to report the child to an agency that provides child welfare services as soon as practical. The child welfare agency must act upon any reports made.

- **Primary Bill Sponsor:** Assembly Committee on Judiciary
- **Position:** Support
- **Effective Date:** Section 7 effective June 1, 2023. Sections 1 to 6, inclusive, of this act effective June 1, 2023, for purposes of adopting any regulations or performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act, and on October 1, 2023, for all other purposes.

Assembly Bill 275

- **Summary:** Allows for victim-survivors of sex trafficking to petition the courts to seal their records for crimes that accrued during their victimization. Prohibits the courts from charging fees for the sealing of these records.
- **Primary Bill Sponsor:** Assemblywoman Melissa Hardy, Assemblyman Gregory Hafen, Assemblywoman Toby Yurek, Senator Scott Hammond, Senator Pat Spearman.
- **Position:** Support
- **Effective Date:** July 1, 2023

Senate Bill 66

- **Summary:** An individual who is convicted of “severe forms of human trafficking” as defined by the federal definition, is disqualified for life from operating a commercial motor vehicle.
- **Primary Bill Sponsor:** Senate Committee on Growth and Infrastructure
- **Position:** No opinion
- **Effective Date:** July 1, 2023

Senate Bill 389

- **Summary:** Renames the Contingency Account for Victims of Human Trafficking as the Account for Victims of Human Trafficking. States that the funds from this account may be used to establish alternative responses to law enforcement for the intervention of trafficking and establish resources for human trafficking. Appoints \$1 M to this account. Extends the time frame for which a victim-survivor of human trafficking may apply for the Victims of Crime Act funding from 24 months to 60 months after the incident. Requires law enforcement agencies, The State of Nevada Human Trafficking Coalition, the Coalition to Prevent the Commercial Sexual Exploitation of Children, the Nevada Policy Council of Human Trafficking, each local human trafficking task force, and recipients of account funding to submit data to the Center for the Analysis of Crime Statistics by July 1 of each even-numbered year.

- **Primary Bill Sponsor:** Senator Melanie Scheible
- **Position:** Support
- **Effective Date:** Sections 1 to 7, inclusive, 8 and 8.5 effective on July 1, 2023. Sections 7.5 and 9 effective June 13, 2023.

ECONOMIC JUSTICE

Assembly Bill 37

- **Summary:** Establishes the Behavioral Workforce Development Center of Nevada.
- **Primary Bill Sponsor:** Assembly Committee on Education
- **Position:** Support
- **Effective Date:** Section 12 effective June 15, 2023. Section 10 effective July 1, 2023. Sections 1 to 10, inclusive, and 11 effective on June 15, 2023, for the purpose of performing any preparatory administrative tasks that are necessary to carry out the provisions of this act, and on October 1, 2023, for all other purposes.

Assembly Bill 138

- **Summary:** Requires the State Plan for Medicaid to include coverage for mental health services and services for the treatment of a substance use disorder.
- **Primary Bill Sponsor:** Assembly Committee on Health and Human Services
- **Position:** Support
- **Effective Date:** Section 4 effective June 12, 2023. Section 3 of this act effective on July 1, 2023. Sections 1 and 2 of this act effective June 12, 2023, for the purpose of performing any preparatory administrative tasks that are necessary to carry out the provisions of this act, and on July 1, 2024, for all other purposes.

Assembly Joint Resolution 5

- **Summary:** Proposes to amend the Nevada Constitution to allow for lotteries and the sale of lottery tickets.
- **Primary Bill Sponsor:** Assemblyman Cameron Miller and Assemblywoman Daniele Monroe-Moreno.
- **Position:** Support
- **Effective Date:** Will have to be passed during the next Legislature (2025) and will then become a ballot measure for Nevada voters.

REPRODUCTIVE JUSTICE

Senate Bill 131

- **Summary:** Offers protection for those providing and seeking reproductive health care in Nevada. Prohibits disqualifying from licensure or disciplining a medical professional for providing or assisting in matters relating to reproductive health care. Prohibits the Governor from surrendering or issuing an arrest warrant for a person who is charged in another state with a criminal violation related to abortion/reproductive health care. Prohibits state agencies from assisting in certain investigations and proceedings initiated in other states related to abortion/reproductive health care.
- **Primary Bill Sponsor:** Senator Nicole Cannizzaro, Senator Roberta Lange, Senator Melanie Scheible, Senator Rochelle Nguyen, and Senator Pat Spearman.
- **Position:** Support
- **Effective Date:** May 30, 2023

Senate Bill 172

- **Summary:** Allows a minor to give expressed consent to healthcare providers for services relating to the prevention of sexually transmitted diseases and the dispensing or administration of contraceptive drugs or devices without the consent or notification of their parents or legal guardians.
- **Primary Bill Sponsor:** Senator Dallas Harris, Senator Melanie Scheible, Senator Fabian Donate
- **Position:** Support
- **Effective Date:** June 5, 2023

Senate Bill 280

- **Summary:** Requires hospitals to provide for the insertion or injection of a long-acting reversible contraception, also known as an IUD, if requested by a patient who is at the hospital to give birth.
- **Primary Bill Sponsor:** Senator Rochelle Nguyen
- **Position:** Support
- **Effective Date:** Sections 1 to 7, inclusive, and 9 effective October 1, 2023. Sections 8 and 10 to 17, inclusive, effective June 1, 2023, for the purpose of adopting any regulations or performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act and January 1, 2024, for all other purposes. Section 18 effective June 2, 2023

Senate Bill 309

- **Summary:** Establishes the crime of fertility fraud. Fertility fraud is defined as a healthcare provider who knowingly implants their own human reproductive matter or other human reproductive matter not agreed upon by the patient without expressed consent. Fertility fraud is a category B felony. A person who has experienced fertility fraud may pursue civil actions to recover damages but must do so within three years after the discovery.
- **Primary Bill Sponsor:** Senator Nicole Cannizzaro, Senator Roberta Lange, and Senator Pat Spearman.
- **Position:** Support
- **Effective Date:** July 1, 2023

Senate Joint Resolution 7

- **Summary:** A resolution to amend Nevada's Constitution to include protections for abortion care in addition to a person's right to access all reproductive health care measures, including; obtaining birth control, prenatal care, childbirth, postpartum care, vasectomy, and tubal ligation, miscarriage management, and infertility care.
- **Primary Bill Sponsor:** Senator Nicole Cannizzaro, Senator Roberta Lange, Senator Melanie Scheible, Senator Pat Spearman, Senator Rochelle Nguyen, Assemblywoman Sandra Jauregui, Assemblywoman Leslie Cohen, Assemblywoman Shea Backus, Assemblywoman Elaine Marzola, Assemblywoman Michelle Gorelow.
- **Position:** Support
- **Effective Date:** Enrolled - will have to be passed during the next Legislature (2025) and will then become a ballot measure for Nevada voters.

HEALTHCARE

Assembly Bill 292

- **Summary:** Ensures access to necessary medical and reproductive care for incarcerated women in Nevada.
- **Primary Bill Sponsor:** Assemblywoman Cecelia Gonzalez, Senator Pat Spearman, Senator Dina Neal.
- **Position:** No position.
- **Effective Date:** Section 24 effective June 15, 2023. Sections 1 to 23, inclusive, effective June 15, 2023, for the purpose of adopting any regulations or policies and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act, and on October 1, 2023, for all other purposes.

Senate Bill 153

- **Summary:** Requires the Nevada Department of Corrections to create regulations and policies regarding the care and treatment of transgender, gender non-conforming, and intersex incarcerated persons.
- **Primary Bill Sponsor:** Senator Melanie Schieble, Senator Dallas Harris, Senator Pat Spearman, Assemblywoman Cecelia Gonzalez, Assemblywoman Sarah Peters.
- **Position:** Support
- **Effective Date:** May 31, 2023

Assembly Bill 163

- **Summary:** Requires health insurance companies to cover gender-affirming care. Prohibits insurers discriminating on the basis of gender identity or expression.
- **Primary Bill Sponsor:** Senator Melanie Schieble, Senator Dallas Harris, Senator Pat Spearman.
- **Position:** No opinion
- **Effective Date:** July 1, 2023

Senate Bill 439

- **Summary:** Public health omnibus bill that relates to communicable diseases, including HIV. The bill builds upon the decriminalization of HIV by increasing access to care, treatment, and education by reducing barriers.
- **Primary Bill Sponsor:** Senator Dallas Harris, Senator Melanie Scheible, Senator Fabian Donate.
- **Position:** Support
- **Effective Date:** Sections 1, 2, 11, 12, 14 to 75, inclusive, and 79 effective June 15, 2023, for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act and January 1, 2024, for all other purposes. Sections 3 to 10, inclusive, 13, 76, 77 and 78 effective June 15, 2023.

HOUSING

Assembly Bill 310

- **Summary:** Adds new provisions directing the Housing Division of the Department of Business and Industry to develop and implement a supportive housing grant program. The program must include a process for applying for a grant to procure

and develop supportive housing and fund the operations of supportive housing partnerships. The bill also establishes the Nevada Supportive Housing Development Fund and makes an appropriation of \$32.2 million to the fund to carry out the supportive housing grant program. The Division must consult with the Nevada Interagency Advisory Council on Homeless before approving any application for a grant and adopting regulations to carry out the grant program. An annual report about the program must be submitted to the Governor and Director of Legislative Counsel Bureau.

- **Bill Sponsor:** Assemblywoman Daniele Monroe-Moreno
- **Position:** Support
- **Effective Date:** Sections 5 and 6 effective June 15, 2023. Sections 1 to 4, inclusive, effective June 15, 2023, for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act, and on January 1, 2024, for all other purposes.

Senate Bill 363

- **Summary:** Authorizes the Housing Divisions to give priority preference to projects that provide housing for women veterans, previously incarcerated women, survivors of domestic violence, elderly women, and unmarried persons with primarily physical custody of a child.
- **Bill Sponsor:** Senator Pat Spearman and Senator Skip Daly.
- **Position:** Support
- **Effective Date:** October 1, 2023 426

FIREARMS

Senate Bill 294

- **Summary:** Requires licensed firearm dealers to provide a locking device to store a firearm with each sale or transfer. Requires firearms dealers to post notice that unlawful storage may result in imprisonment or a fine. Requires schools to include provisions related to active assailants in their crisis response plans and requires law enforcement training. Requires that the Department of Health and Human Services develop and implement a safe firearm storage education campaign.
- **Primary Bill Sponsor:** Senator Fabian Donate
- **Position:** No position
- **Effective Date:** July 1, 2023