

ASSEMBLY BILL NO. 412—COMMITTEE ON JUDICIARY

MARCH 27, 2023

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to juvenile justice. (BDR 5-492)

FISCAL NOTE: Effect on Local Government: No. Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to juvenile justice; creating the Nevada Children’s Commission; prescribing the membership and duties of the Commission; creating the Advisory Council for the Nevada Children’s Commission; providing for the establishment of subcommittees of the Commission; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

- 1 Existing law provides generally for a system of juvenile justice in this State.
- 2 (Title 5 of NRS) **Section 7** of this bill: (1) creates the Nevada Children’s
- 3 Commission; (2) provides for the membership of the Commission; (3) prescribes
- 4 the duties of the Commission; and (4) directs the Commission to, among other
- 5 duties, increase awareness of the challenges children and families face in the child
- 6 welfare and juvenile justice systems.
- 7 **Section 8** of this bill creates the Advisory Council for the Nevada Children’s
- 8 Commission and directs the Council to advise the Commission on certain matters.
- 9 **Section 8** requires the Commission to appoint a total of 25 members to the Council
- 10 who represent various interests or specialize in certain fields that are relevant to the
- 11 work of the Commission.
- 12 **Section 9** of this bill: (1) requires the Commission to establish certain
- 13 subcommittees; and (2) authorizes the Commission to establish such additional
- 14 subcommittees as the Commission determines necessary to carry out its duties.
- 15 **Sections 3-6** of this bill define certain terms for the purposes of this bill.



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

1       **Section 1.** Chapter 62B of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 to 9, inclusive, of this  
3 act.

4       **Sec. 2.** *As used in sections 2 to 9, inclusive, of this act, unless*  
5 *the context otherwise requires, the words and terms defined in*  
6 *sections 3 to 6, inclusive, of this act have the meanings ascribed to*  
7 *them in those sections.*

8       **Sec. 3.** *“Agency which provides child welfare services” has*  
9 *the meaning ascribed to it in NRS 62A.015.*

10       **Sec. 4.** *“Commission” means the Nevada Children’s*  
11 *Commission established by section 7 of this act.*

12       **Sec. 5.** *“Council” means the Advisory Council for the*  
13 *Nevada Children’s Commission established by section 8 of this*  
14 *act.*

15       **Sec. 6.** *“Foster care system” has the meaning ascribed to it*  
16 *in NRS 424.088.*

17       **Sec. 7. 1.** *The Nevada Children’s Commission is hereby*  
18 *established.*

19       **2.** *The Commission is comprised of the Chief Justice of the*  
20 *Supreme Court or his or her designee and:*

21       **(a)** *The following members appointed by the Chief Justice:*

22       **(1)** *One member who is a retired justice of the Supreme*  
23 *Court;*

24       **(2)** *Three members who are district court judges consisting*  
25 *of:*

26       **(I)** *One district judge from the Second Judicial District;*

27       **(II)** *One district judge from the Eighth Judicial District;*

28 *and*

29       **(III)** *One district judge from any rural area of the State;*

30       **(3)** *Three members who are representatives of district*  
31 *attorneys in this State consisting of:*

32       **(I)** *One representative from the Office of the District*  
33 *Attorney of Washoe County;*

34       **(II)** *One representative from the Office of the District*  
35 *Attorney of Clark County; and*

36       **(III)** *One representative from the Office of the District*  
37 *Attorney of any rural area of the State;*

38       **(4)** *One member who is a child under the age of 18 years*  
39 *and who is or was subject to the jurisdiction of the juvenile court;*

40       **(5)** *One member who is a representative of the foster care*  
41 *system; and*

42       **(6)** *One at-large member.*



1 (b) *Two members from the Division of Child and Family*  
2 *Services of the Department of Health and Human Services*  
3 *appointed by the Governor; and*

4 (c) *Two members of the Legislature consisting of:*

5 (1) *One member of the Senate, appointed by the Majority*  
6 *Leader of the Senate; and*

7 (2) *One member of the Assembly, appointed by the Speaker*  
8 *of the Assembly.*

9 *↳ In making appointments to the Commission, the appointing*  
10 *authorities shall consider whether the membership generally*  
11 *reflects the geographic diversity of this State.*

12 3. *The appointed members of the Commission serve terms of*  
13 *4 years. Members may be reappointed for an additional term of 4*  
14 *years in the same manner as the original appointments.*

15 4. *The members of the Commission serve:*

16 (a) *At the pleasure of the appointing authority.*

17 (b) *Without compensation but are entitled to receive the per*  
18 *diem allowance and travel expenses for in-person meetings, as is*  
19 *similarly provided for state officers and employees generally.*

20 5. *If a vacancy occurs during the term of a member, the Chief*  
21 *Justice shall appoint a person similarly qualified to replace that*  
22 *member for the remainder of the unexpired term.*

23 6. *The Commission shall:*

24 (a) *Review and consider matters related to the welfare of the*  
25 *children in this State; and*

26 (b) *Increase awareness of the challenges children and families*  
27 *face in the child welfare and juvenile justice systems through:*

28 (1) *Judicial leadership;*

29 (2) *The reformation of judicial practice; and*

30 (3) *The dissemination of information relating to policy*  
31 *affecting the child welfare and juvenile justice systems.*

32 7. *The Chief Justice, upon recommendation of the*  
33 *Commission, shall appoint an Executive Director of the*  
34 *Commission who has successful experience in the administration*  
35 *and promotion of a program comparable to that provided by this*  
36 *section.*

37 8. *The Executive Director of the Commission shall:*

38 (a) *Direct and supervise the technical and administrative*  
39 *activities of the Commission;*

40 (b) *Attend and organize meetings of the Commission;*

41 (c) *Compile, for approval by the Commission and submission*  
42 *to the Chief Justice, a biennial report regarding the work of the*  
43 *Commission and such other matters as the Executive Director may*  
44 *consider desirable; and*

45 (d) *Provide research and act as an advisor to the Commission.*



1       9. *The Commission shall meet at least four times each year at*  
2 *the call of the Chief Justice. At least two meetings of the*  
3 *Commission must be held in-person; and any other meeting may*  
4 *be held by videoconference. All meetings of the Commission are*  
5 *open to the public and must be conducted in accordance with the*  
6 *provisions of chapter 241 of NRS.*

7       10. *A majority of the members of the Commission constitutes*  
8 *a quorum for the transaction of business, and a majority of the*  
9 *members of a quorum present at any meeting is sufficient for any*  
10 *official action taken by the Commission.*

11       **Sec. 8. 1.** *The Advisory Council for the Nevada Children's*  
12 *Commission is hereby established.*

13       2. *The Council consists of 25 members appointed by the*  
14 *Commission who represent various interests or specialize in*  
15 *certain fields that are relevant to the work of the Commission,*  
16 *including, without limitation:*

17       (a) *Persons who are parents or legal guardians of pupils*  
18 *enrolled in public schools.*

19       (b) *Persons who represent an agency which provides child*  
20 *welfare services.*

21       (c) *Persons who represent service providers in the juvenile*  
22 *justice system.*

23       (d) *Persons who specialize in the field of child education.*

24       (e) *Persons who specialize in mental health issues in juveniles.*

25       (f) *Persons who specialize in the prevention of and recovery*  
26 *from substance use disorders in juveniles.*

27       (g) *Persons who are children under the age of 18 years who*  
28 *are or were subject to the jurisdiction of the juvenile court.*

29       ➔ *In making appointments to the Council, the Commission shall*  
30 *consider whether the membership generally reflects the*  
31 *geographic diversity of this State.*

32       **Sec. 9. 1.** *The Commission shall establish the following*  
33 *subcommittees:*

34       (a) *The Juvenile Subcommittee, which is comprised of the*  
35 *Juvenile Justice Oversight Commission established by*  
36 *NRS 62B.600;*

37       (b) *The Child Welfare Subcommittee;*

38       (c) *The Child Education Subcommittee;*

39       (d) *The Child Mental Health Subcommittee; and*

40       (e) *The Juvenile Court Improvement Subcommittee.*

41       2. *The Nevada Children's Commission may establish such*  
42 *additional subcommittees as the Commission determines necessary*  
43 *to carry out the duties of the Commission.*



1      **Sec. 10.** This act becomes effective on July 1, 2023.

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