

ASSEMBLY BILL NO. 76—ASSEMBLYMAN YEAGER

PREFILED JANUARY 30, 2023

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing civil actions. (BDR 2-147)

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

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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 civil actions; increasing the maximum amount recoverable as costs for the reasonable fees of certain expert witnesses; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, a court is required or authorized, depending on certain
2 factors, to award to a prevailing party certain costs incurred in connection with
3 certain civil actions. Such costs include the reasonable fees of not more than five
4 expert witnesses in an amount of not more than \$1,500 for each witness, unless the
5 court allows a larger fee under certain circumstances. (NRS 18.005, 18.020,
6 18.050) This bill increases the maximum amount of that fee to not more than
7 \$15,000 for each expert witness.

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

1 Section 1. NRS 18.005 is hereby amended to read as follows:
2 18.005 For the purposes of NRS 18.010 to 18.150, inclusive,
3 the term “costs” means:
4 1. Clerks’ fees.
5 2. Reporters’ fees for depositions, including a reporter’s fee for
6 one copy of each deposition.
7 3. Jurors’ fees and expenses, together with reasonable
8 compensation of an officer appointed to act in accordance with
9 NRS 16.120.



1 4. Fees for witnesses at trial, pretrial hearings and deposing
2 witnesses, unless the court finds that the witness was called at the
3 instance of the prevailing party without reason or necessity.

4 5. Reasonable fees of not more than five expert witnesses in an
5 amount of not more than ~~[\$1,500]~~ **\$15,000** for each *expert* witness,
6 unless the court allows a larger fee after determining that the
7 circumstances surrounding the ~~[expert's]~~ testimony *of the expert*
8 *witness* were of such necessity as to require the larger fee.

9 6. Reasonable fees of necessary interpreters.

10 7. The fee of any sheriff or licensed process server for the
11 delivery or service of any summons or subpoena used in the action,
12 unless the court determines that the service was not necessary.

13 8. Compensation for the official reporter or reporter pro
14 tempore.

15 9. Reasonable costs for any bond or undertaking required as
16 part of the action.

17 10. Fees of a court bailiff or deputy marshal who was required
18 to work overtime.

19 11. Reasonable costs for telecopies.

20 12. Reasonable costs for photocopies.

21 13. Reasonable costs for long distance telephone calls.

22 14. Reasonable costs for postage.

23 15. Reasonable costs for travel and lodging incurred taking
24 depositions and conducting discovery.

25 16. Fees charged pursuant to NRS 19.0335.

26 17. Any other reasonable and necessary expense incurred in
27 connection with the action, including reasonable and necessary
28 expenses for computerized services for legal research.

29 **Sec. 2.** The amendatory provisions of this act apply to an
30 action that is:

31 1. Pending on July 1, 2023; or

32 2. Filed on or after July 1, 2023.

33 **Sec. 3.** This act becomes effective on July 1, 2023.

