
SENATE BILL NO. 108—COMMITTEE ON JUDICIARY

FEBRUARY 9, 2021

(ON BEHALF OF THE NEVADA YOUTH LEGISLATURE)

Referred to Committee on Judiciary

SUMMARY—Establishes provisions relating to the administration of justice. (BDR 14-549)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 1)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 the administration of justice; requiring any person employed in the criminal justice system in this State to complete periodic training relating to implicit bias and cultural competency; requiring the Attorney General to adopt regulations concerning such training; requiring any person who files with a court a petition commencing a juvenile proceeding to file an affidavit certifying certain information; prohibiting a court from accepting a petition commencing a juvenile proceeding unless the petition is accompanied by such an affidavit; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law establishes various provisions relating to criminal procedure in
2 this State. (Title 14 of NRS) **Section 1** of this bill requires any person who is
3 employed in the criminal justice system in this State to complete, in addition to any
4 other required training and generally at least once every 2 years, training relating to
5 implicit bias and cultural competency. **Section 1** also requires that such training
6 include certain specific instruction relating to implicit bias and cultural
7 competency. Additionally, **section 1**: (1) requires the Attorney General to adopt
8 regulations concerning such training; and (2) authorizes the Attorney General to
9 consult with any person whose assistance the Attorney General determines will be
10 helpful when adopting such regulations.



11 Existing law also establishes provisions specifically relating to the procedure
12 before adjudication in juvenile proceedings in this State. (Chapter 62C of NRS)
13 **Section 2** of this bill requires any person who files with a court a petition that
14 commences a juvenile proceeding to also file an affidavit certifying that: (1) every
15 person who was involved in the decision to file the petition and who is required to
16 complete the training set forth in **section 1** has completed such training; and (2) the
17 petition is not being filed as a result of any inappropriate discrimination on the
18 basis of any protected class or characteristic. **Section 2** also prohibits a court from
19 accepting any petition that commences a juvenile proceeding unless the petition is
20 accompanied by such an affidavit.

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

1 **Section 1.** Chapter 169 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *1. Any person who is employed in the criminal justice system*
4 *in this State, including, without limitation, any magistrate, master,*
5 *prosecuting attorney, public defender, peace officer, employee of a*
6 *court, prosecuting attorney's office or public defender's office, or*
7 *employee of the Department of Corrections or the Division of*
8 *Parole and Probation of the Department of Public Safety, shall*
9 *complete, in addition to any other required training, training*
10 *relating to implicit bias and cultural competency. Unless the*
11 *regulations adopted by the Attorney General pursuant to*
12 *subsection 3 provide otherwise, such training relating to implicit*
13 *bias and cultural competency must be completed at least once*
14 *every 2 years.*

15 *2. The training required by subsection 1 must include,*
16 *without limitation, instruction that:*

17 *(a) Explains what implicit bias is, where implicit bias comes*
18 *from, the importance of understanding implicit bias and the*
19 *negative impacts of implicit bias, and offers examples of actions*
20 *that can be taken to reduce implicit bias;*

21 *(b) Provides information regarding cultural competency,*
22 *including, without limitation, sensitivity to the needs of children,*
23 *lesbian, gay, bisexual and transgender persons, racial and ethnic*
24 *minorities, religious minorities and women; and*

25 *(c) Provides information regarding:*

26 *(1) Socioeconomic conditions in various areas in this State;*
27 *and*

28 *(2) Historical inequities in the juvenile justice and criminal*
29 *justice systems.*

30 *3. The Attorney General shall adopt regulations to carry out*
31 *the provisions of this section. When adopting such regulations, the*



1 *Attorney General may consult with any person whose assistance*
2 *the Attorney General determines will be helpful.*

3 4. *As used in this section, "cultural competency" means an*
4 *understanding of how people and institutions can respond*
5 *respectfully and effectively to people of all cultures, economic*
6 *statuses, language backgrounds, races, ethnic backgrounds,*
7 *disabilities, religions, genders, gender identities or expressions,*
8 *sexual orientations, veteran statuses and other characteristics in a*
9 *manner that recognizes, affirms and values the worth and*
10 *preserves the dignity of people, families and communities.*

11 **Sec. 2.** Chapter 62C of NRS is hereby amended by adding
12 thereto a new section to read as follows:

13 1. *Any person who files with a court a petition that*
14 *commences a juvenile proceeding shall also file an affidavit*
15 *executed by the person which certifies that:*

16 (a) *Every person who was involved in the decision to file the*
17 *petition and is subject to the provisions of section 1 of this act has*
18 *completed the training required by that section; and*

19 (b) *The petition is not being filed as a result of any*
20 *inappropriate discrimination on the basis of any protected class or*
21 *characteristic.*

22 2. *A court shall not accept any petition that commences a*
23 *juvenile proceeding unless the petition is accompanied by the*
24 *affidavit required pursuant to subsection 1.*

25 **Sec. 3.** The provisions of NRS 354.599 do not apply to any
26 additional expenses of a local government that are related to the
27 provisions of this act.

28 **Sec. 4.** 1. This section becomes effective upon passage and
29 approval.

30 2. Sections 1, 2 and 3 of this act become effective:

31 (a) Upon passage and approval for the purpose of adopting any
32 regulations and performing any preparatory administrative tasks that
33 are necessary to carry out the provisions of this act; and

34 (b) On January 1, 2022, for all other purposes.

