

## DISCLAIMER

Electronic versions of the exhibits in these minutes may not be complete.

This information is supplied as an informational service only and should not be relied upon as an official record.

Original exhibits are on file at the Legislative Counsel Bureau Research Library in Carson City.

Contact the Library at (775) 684-6827 or [library@lcb.state.nv.us](mailto:library@lcb.state.nv.us).

**REPORT OF SUBCOMMITTEE ON ASSEMBLY BILL 138  
TO ASSEMBLY COMMITTEE ON EDUCATION**

**Summary:** Assembly Bill 138 (A.B.) provides for repealing the prohibition against pupils carrying or possessing any electronic device used for paging or communication while on school grounds.

**Members Present**

Assemblyman R. Garn Mabey, Jr., Chair  
Assemblywoman Sharron Angle  
Assemblyman Jason D. Geddes  
Assemblyman Bob McCleary

**Subcommittee Meeting**

March 5, 2003: The subcommittee met in Room 3143, of the Legislative Building to consider Assembly Bill 138. The proceedings were simultaneously videoconferenced in Room 4412 of the Grant Sawyer Building, 555 East Washington Avenue, Las Vegas. Carol Stonefield, Senior Research Analyst, Legislative Counsel Bureau, summarized the testimony on A.B. 138 before the Assembly Committee on Education on February 24, 2003, the legislative history of Assembly Bill 427 (Chapter 613, *Statutes of Nevada 1993*), which enacted *Nevada Revised Statutes* (NRS) 392.930, and selected states' statutory provisions governing electronic communication devices. Testimony was received from Assemblyman David E. Goldwater, sponsor of A.B. 138, Karyn Wright from Clark County School District, and the students of Mrs. Traci Kannon's class at Becker Middle School in Las Vegas.

Instead of repealing NRS 392.930 outright, Ms. Wright offered an amendment that would authorize local boards of trustees to adopt policies to govern student use of electronic communication devices.

The Becker Middle School students suggested that *Kentucky Revised Statutes Annotated* § 158.165 be followed as a model. They said that the provision, which directs each local board of education to develop a policy and to enforce it, would be an appropriate and fair way to control the use of electronic communication devices.

**Subcommittee Recommendation**

The subcommittee unanimously recommends that the full Assembly Committee on Education consider and approve a motion to "Amend and Do Pass" for A.B. 138 and that an amendment be drafted that reflects the intent embodied in Ky. Rev. Stat. Ann. § 158.165. This recommended amendment includes the following concepts:

M 1/3

ASSEMBLY EDUCATION  
DATE: 3/26/03 ROOM: 3143 EXHIBIT M  
SUBMITTED BY: ASSEMBLYMAN MABEY

- Each board of trustees shall develop a policy governing the possession and use of personal electronic communication devices while on school property or while attending school-sponsored or school-related activities.
- The policy shall be included in the district's published standards or code of student conduct.
- The policy shall include disciplinary actions for student violation of the policy.

2003AssemblyEducation/Reports/AB138

**Kentucky Revised Statutes Annotated**

**158.165 Possession and use of personal telecommunications device by public school student.**

(1) The board of education of each school district shall develop a policy regarding the possession and use of a personal telecommunications device by a student while on school property or while attending a school-sponsored or school-related activity on or off school property, and shall include the policy in the district's written standards of student conduct. A student who violates the policy shall be subject to discipline as provided by board policy.

(2) In this section, "personal telecommunications device" means a device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor, including, but not limited to, a paging device and a cellular telephone.

**Effective:** July 14, 2000

**History:** Amended 2000 Ky. Acts ch. 34, sec. 1, effective July 14, 2000. -- Created 1990 Ky. Acts ch. 87, sec. 1, effective March 19, 1990.