
ASSEMBLY BILL NO. 219—ASSEMBLYMEN OHRENSCHALL,
MCCLAIN, ANDERSON, MANENDO, PARKS, ALLEN,
ATKINSON, CARPENTER, CLABORN, DENIS, KOIVISTO,
MUNFORD, OCEGUERA, PIERCE AND SIBLEY

MARCH 17, 2005

Referred to Committee on Judiciary

SUMMARY—Creates Nevada Council for the Prevention of
Domestic Violence. (BDR 18-1012)

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 domestic violence; creating the Nevada Council
for the Prevention of Domestic Violence; providing for its
membership and duties; and providing other matters
properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires the Attorney General to appoint a Committee on
2 Domestic Violence. The duties of that committee include reviewing, monitoring
3 and certifying treatment programs for domestic violence offenders and reviewing
4 and making recommendations concerning training programs provided to peace
5 officers related to domestic violence. (NRS 228.470) Existing law also creates the
6 Office of Ombudsman for Victims of Domestic Violence within the Office of the
7 Attorney General to provide assistance to domestic violence victims and to
8 administer the Account for Programs Related to Domestic Violence created in the
9 State General Fund. (NRS 228.440-228.460)
10 This bill creates the Nevada Council for the Prevention of Domestic Violence
11 within the Office of the Attorney General and prescribes the membership and duties
12 of the Council. Those duties include increasing public awareness of domestic
13 violence, recommending necessary legislation relating to domestic violence and
14 providing financial support to programs for the prevention of domestic violence in
15 this State. This bill provides that the expenses incurred by the Council in carrying
16 out its duties will be paid from money received by the Council from gifts, grants,
17 donations and contributions and from other money expended from the Account for
18 Programs Related to Domestic Violence. This bill also requires the Council to study
19 issues pertaining to the administration of the criminal justice system in rural
20 Nevada with respect to offenses involving domestic violence and to submit a report



21 regarding its study to the Director of the Legislative Counsel Bureau for
22 distribution to each regular session of the Legislature.

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

1 **Section 1.** Chapter 228 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 6, inclusive, of this
3 act.

4 **Sec. 2.** *As used in NRS 228.430 to 228.470, inclusive, and*
5 *sections 2 to 6, inclusive, of this act, unless the context otherwise*
6 *requires, the words and terms defined in NRS 228.430 and section*
7 *3 of this act have the meanings ascribed to them in those sections.*

8 **Sec. 3.** *“Council” means the Nevada Council for the*
9 *Prevention of Domestic Violence created pursuant to section 4 of*
10 *this act.*

11 **Sec. 4. 1.** *The Nevada Council for the Prevention of*
12 *Domestic Violence is hereby created within the Office of the*
13 *Attorney General.*

14 **2.** *The Council must consist of not more than 30 members*
15 *appointed by the Attorney General from the various geographical*
16 *regions of the State.*

17 **3.** *The term of office of a member of the Council is 3 years.*

18 **4.** *A vacancy on the Council must be filled in the same*
19 *manner as the original appointment for the remainder of the*
20 *unexpired term.*

21 **5.** *Each member of the Council:*

22 **(a)** *Serves without compensation; and*

23 **(b)** *While engaged in the business of the Council, is entitled to*
24 *receive the per diem allowance and travel expenses provided for*
25 *state officers and employees generally.*

26 **Sec. 5. 1.** *The Attorney General or his designee is the*
27 *Chairman of the Council.*

28 **2.** *The Council shall annually elect a Vice Chairman,*
29 *Secretary and Treasurer from among its members.*

30 **3.** *The Council shall meet at least three times in each*
31 *calendar year and may meet at other times upon the call of the*
32 *Chairman. At least one meeting in each calendar year must be*
33 *held at a location within the Fourth Judicial District, Fifth*
34 *Judicial District, Sixth Judicial District or Seventh Judicial*
35 *District.*

36 **4.** *The Council shall adopt rules for its own management and*
37 *government.*



1 **Sec. 6. 1.** *For the purpose of preventing and eliminating*
2 *domestic violence in this State, the Council shall:*

3 (a) *Increase awareness of the existence and unacceptability of*
4 *domestic violence in this State;*

5 (b) *Make recommendations for any necessary legislation*
6 *relating to domestic violence to the Office of the Attorney General;*
7 *and*

8 (c) *Provide financial support to programs for the prevention of*
9 *domestic violence in this State.*

10 **2.** *The Council shall:*

11 (a) *Study and review all appropriate issues related to the*
12 *administration of the criminal justice system in rural Nevada with*
13 *respect to offenses involving domestic violence, including, without*
14 *limitation, the availability of counseling services; and*

15 (b) *With the assistance of the Court Administrator, based upon*
16 *the study and review conducted pursuant to paragraph (a),*
17 *prepare and submit a report of its findings and recommendations*
18 *to the Director of the Legislative Counsel Bureau, on or before*
19 *February 1 of each odd-numbered year, for transmittal to the next*
20 *regular session of the Legislature. In preparing the report, the*
21 *Council shall solicit comments and recommendations from district*
22 *judges, municipal judges and justices of the peace in rural Nevada*
23 *and include in its report, as a separate section, all comments and*
24 *recommendations that are received by the Council.*

25 **3.** *The Council may apply for and accept gifts, grants,*
26 *donations and contributions from any source for the purpose of*
27 *carrying out its duties pursuant to this section. Any money that the*
28 *Council receives pursuant to this subsection must be deposited in*
29 *and accounted for separately in the Account for Programs Related*
30 *to Domestic Violence created pursuant to NRS 228.460 for use by*
31 *the Council in carrying out its duties.*

32 **Sec. 7.** NRS 228.430 is hereby amended to read as follows:

33 228.430 ~~[As used in NRS 228.430 to 228.470, inclusive, unless~~
34 ~~the context otherwise requires, “domestic] “Domestic~~ violence” has
35 the meaning ascribed to it in NRS 33.018.

36 **Sec. 8.** NRS 228.460 is hereby amended to read as follows:

37 228.460 1. The Account for Programs Related to Domestic
38 Violence is hereby created in the State General Fund. Any
39 administrative assessment imposed and collected pursuant to NRS
40 200.485 must be deposited with the State Controller for credit to the
41 Account.

42 2. The Ombudsman for Victims of Domestic Violence:

43 (a) Shall administer the Account for Programs Related to
44 Domestic Violence; and



- 1 (b) May expend money in the Account only to pay for expenses
2 related to:
3 (1) The Committee on Domestic Violence created pursuant
4 to NRS 228.470;
5 (2) *The Council*;
6 (3) Training law enforcement officers, attorneys and
7 members of the judicial system about domestic violence;
8 ~~(3)~~ (4) Assisting victims of domestic violence and
9 educating the public concerning domestic violence; and
10 ~~(4)~~ (5) Carrying out his duties and the functions of his
11 office.
12 3. All claims against the Account for Programs Related to
13 Domestic Violence must be paid as other claims against the State
14 are paid.

