

SENATE BILL NO. 252—SENATOR FLORES

MARCH 13, 2023

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing civil actions. (BDR 2-852)

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

~

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

AN ACT relating to civil actions; making reasonable fees for the provision of a focus group recoverable as costs incurred in connection with certain civil actions; 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 a prevailing party certain costs incurred in connection with certain
3 civil actions. (NRS 18.020, 18.050) Existing law defines the term “costs” for
4 purposes of such an award to include certain fees, costs and expenses. (NRS
5 18.005) This bill expands the definition of “costs” to include reasonable fees for the
6 provision of a focus group.

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 for each witness, unless the court
6 allows a larger fee after determining that the circumstances
7 surrounding the expert's testimony were of such necessity as to
8 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. *Reasonable fees for the provision of a focus group. As*
27 *used in this subsection, "focus group" means a group of persons*
28 *assembled to provide feedback concerning a strategy or technique*
29 *being considered in connection with the action, including, without*
30 *limitation, jury voir dire.*

31 18. Any other reasonable and necessary expense incurred in
32 connection with the action, including reasonable and necessary
33 expenses for computerized services for legal research.

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

36 1. Pending on October 1, 2023; or

37 2. Filed on or after October 1, 2023.

