

ASSEMBLY BILL NO. 159—ASSEMBLYMEMBER HARDY

PREFILED JANUARY 30, 2025

Referred to Committee on Judiciary

SUMMARY—Establishes the Hope Card Program for applicants who have been granted an extended order for protection against domestic violence. (BDR 3-180)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility. Effect on the State: Yes.

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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; establishing the Hope Card Program for applicants who have been granted an extended order for protection against domestic violence; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes a person to file an application for a temporary or extended order for protection against domestic violence. (NRS 33.017-33.100)

Section 1 of this bill establishes the Hope Card Program, which will be developed and administered by the Office of the Attorney General, after consultation and in coordination with the district courts and justice courts, to provide to an applicant who has been granted an extended order for protection against domestic violence, upon request, a Hope Card that provides proof of the granting of such an extended order. Section 1 also prohibits a person from knowingly presenting a fraudulent or expired Hope Card to another person with the specific intent to falsely represent that the person is protected by an extended order.

Section 2 of this bill makes a conforming change to apply the definitions in existing law to section 1.

Section 3 of this bill requires an applicant for an extended order for protection against domestic violence to indicate in the application whether the applicant is requesting a Hope Card.



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

1 **Section 1.** Chapter 33 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *The Hope Card Program, which is intended to provide to*
4 *an applicant who has been granted an extended order, upon*
5 *request, a Hope Card that provides proof of the granting of the*
6 *extended order, is hereby established. The Office of the Attorney*
7 *General shall, after consultation and in coordination with the*
8 *district courts and justice courts, develop and administer the Hope*
9 *Card Program.*

10 2. *The Hope Card Program must ensure that an applicant*
11 *who has been granted an extended order and who has requested a*
12 *Hope Card pursuant to NRS 33.020 is provided with the Hope*
13 *Card as soon as practicable, but not more than 10 business days*
14 *after the extended order is granted.*

15 3. *The Office of the Attorney General shall not charge any*
16 *fee for providing a Hope Card pursuant to this section.*

17 4. *A Hope Card that is provided to an applicant for an*
18 *extended order pursuant to this section:*

19 (a) *Is valid until the date on which the extended order expires;*

20 (b) *May be issued in the form of a tangible, wallet-sized card*
21 *or a digital card, or both;*

22 (c) *Must be in a format established by the Office of the*
23 *Attorney General that contains substantially the following*
24 *information:*

25 (1) *The name and date of birth of the applicant;*

26 (2) *Information relating to the extended order, including,*
27 *without limitation, the court that granted the extended order, the*
28 *case number, the date on which the extended order was granted*
29 *and the date on which the extended order expires;*

30 (3) *The date on which the Hope Card is issued and the date*
31 *on which the Hope Card expires; and*

32 (4) *Any other information that the Office of the Attorney*
33 *General deems appropriate.*

34 5. *A person who knowingly presents a fraudulent or expired*
35 *Hope Card to another person with the specific intent to falsely*
36 *represent that the person is protected by an extended order is*
37 *guilty of a misdemeanor.*

38 **Sec. 2.** NRS 33.017 is hereby amended to read as follows:

39 33.017 As used in NRS 33.017 to 33.100, inclusive, *and*
40 *section 1 of this act*, unless the context otherwise requires:

41 1. "Extended order" means an extended order for protection
42 against domestic violence.



1 2. "Temporary order" means a temporary order for protection
2 against domestic violence.

3 **Sec. 3.** NRS 33.020 is hereby amended to read as follows:

4 33.020 1. If it appears to the satisfaction of the court from
5 specific facts shown by a verified application that an act of domestic
6 violence has occurred or there exists a threat of domestic violence,
7 the court may grant a temporary or extended order. A court shall
8 only consider whether the act of domestic violence or the threat
9 thereof satisfies the requirements of NRS 33.018 without
10 considering any other factor in its determination to grant the
11 temporary or extended order.

12 2. A temporary or extended order must not be granted to the
13 applicant or the adverse party unless the applicant or the adverse
14 party has requested the order and has filed a verified application that
15 an act of domestic violence has occurred or there exists a threat of
16 domestic violence. *An applicant for an extended order shall*
17 *indicate in the application whether the applicant is requesting the*
18 *Office of the Attorney General to provide a Hope Card to the*
19 *applicant in accordance with the provisions of section 1 of this act*
20 *if the court grants the extended order.* If the applicant reasonably
21 believes that disclosing his or her address and contact information in
22 the application would jeopardize his or her safety, the applicant may
23 decline to disclose his or her address and contact information in the
24 application. If the applicant declines to disclose his or her address
25 and contact information in the application, then such information:

26 (a) Must be disclosed to the court and, for criminal justice
27 purposes, to any other authorized agency of criminal justice to allow
28 the agency of criminal justice to carry out any duty required
29 pursuant to NRS 33.017 to 33.100, inclusive;

30 (b) Must be maintained in a separate, confidential, electronic
31 document or database which is not publicly accessible; and

32 (c) Must not be released, disclosed or made accessible to the
33 public, except as authorized by the court.

34 3. The court may require the applicant or the adverse party, or
35 both, to appear before the court before determining whether to grant
36 the temporary or extended order.

37 4. A temporary order may be granted with or without notice to
38 the adverse party. An extended order may only be granted after
39 notice to the adverse party and a hearing on the application.

40 5. A hearing on an application for an extended order must be
41 held within 45 days after the date on which the application for the
42 extended order is filed. If the adverse party has not been served
43 pursuant to NRS 33.060 or 33.065 and fails to appear at the hearing,
44 the court may, upon a showing that law enforcement, after due
45 diligence, has been unable to serve the adverse party or that the



1 adverse party has sought to avoid service by concealment, set a date
2 for a second hearing which must be held within 90 days after the
3 date on which the first hearing was scheduled.

4 6. If the adverse party has not been served pursuant to NRS
5 33.060 or 33.065 and fails to appear on the date set for a second
6 hearing on an application for an extended order pursuant to
7 subsection 5, the court may, upon a showing that law enforcement,
8 after due diligence, has been unable to serve the adverse party or
9 that the adverse party has sought to avoid service by concealment,
10 set a date for a third hearing which must be held within 90 days after
11 the date on which the second hearing was scheduled.

12 7. The court shall rule upon an application for a temporary
13 order within 1 judicial day after it is filed.

14 8. If it appears to the satisfaction of the court from specific
15 facts communicated by electronic means to the court by an alleged
16 victim that an act of domestic violence has occurred and the alleged
17 perpetrator of the domestic violence has been arrested and is
18 presently in custody pursuant to NRS 171.137, the court may grant a
19 temporary order. Before approving an order under such
20 circumstances, the court shall confirm with the appropriate law
21 enforcement agency that the applicant is an alleged victim and that
22 the alleged perpetrator is in custody. Upon approval by the court, the
23 signed order may be transmitted to the facility where the alleged
24 perpetrator is in custody by electronic or telephonic transmission to
25 a facsimile machine. If such an order is received by the facility
26 holding the alleged perpetrator while the alleged perpetrator is still
27 in custody, the order must be personally served by an authorized
28 employee of the facility before the alleged perpetrator is released.
29 The court shall mail a copy of each order issued pursuant to this
30 subsection to the alleged victim named in the order and cause the
31 original order to be filed with the court clerk on the first judicial day
32 after it is issued.

33 9. In a county whose population is 52,000 or more, the court
34 shall be available 24 hours a day, 7 days a week, including
35 nonjudicial days and holidays, to receive electronic communications
36 and for the issuance of a temporary order pursuant to subsection 8.

37 10. In a county whose population is less than 52,000, the court
38 may be available 24 hours a day, 7 days a week, including
39 nonjudicial days and holidays, to receive electronic communications
40 and for the issuance of a temporary order pursuant to subsection 8.

41 11. The clerk of the court shall inform the protected party upon
42 the successful transfer of information concerning the registration to
43 the Central Repository for Nevada Records of Criminal History as
44 required pursuant to NRS 33.095.



1 12. As used in this section, “agency of criminal justice” has the
2 meaning ascribed to it in NRS 179A.030.

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

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

6 (a) Upon passage and approval for the purpose of developing the
7 Hope Card Program established pursuant to section 1 of this act and
8 performing any other preparatory administrative tasks that are
9 necessary to carry out the provisions of this act; and

10 (b) On January 1, 2026, for all other purposes.



