ASSEMBLY BILL NO. 297–ASSEMBLYMAN O'NEILL

MARCH 14, 2023
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Referred to Committee on Judiciary

SUMMARY—Revises provisions governing pretrial release hearings. (BDR 14-911)

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

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AN ACT relating to pretrial release hearings; excluding Saturdays, Sundays and legal holidays for the purpose of calculating the 48-hour period in which a pretrial release hearing must occur after a person has been taken into custody; and providing other matters properly relating thereto.

Legislative Counsel's Digest:
1   Existing law requires a court to hold a pretrial release hearing, in open court or
2 by means of remote communication, to determine the custody status of a person
3 within 48 hours after the person has been taken into custody, unless good cause is
4 shown by a party, in which case, the court is authorized to continue the pretrial
5 release hearing. (NRS 178.4849) This bill provides that for the purpose of
6 calculating the 48-hour period in which the pretrial release hearing must occur,
7 Saturdays, Sundays and legal holidays are excluded.

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

1   **Section 1.** NRS 178.4849 is hereby amended to read as
2 follows:
3   178.4849   1.   Except as otherwise provided in this section and
4 NRS 178.484 and 178.4847, a court shall, within 48 hours after a
5 person has been taken into custody, **_exclusive of Saturdays,_**
6 **_Sundays and all days declared to be legal holidays pursuant to_**
7 **_NRS 236.015,_** hold a pretrial release hearing, in open court or by
8 means of remote communication, to determine the custody status of

1 the person. The pretrial release hearing may be continued for good
2 cause shown.
3   2. As used in this section, "remote communication" means
4 communication through telephone or videoconferencing.
5   **Sec. 2.**   This act becomes effective upon passage and approval.

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