Torts; anatomical gifts

The University of the Pacific, McGeorge School of Law

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Torts

Torts; abandoned mines

**NEV. REV. STAT. § 141._ (new); §§ 445.010, 455.060, 513.094, (amended).**
SB 469 (Committee on Natural Resources); 1989 STAT. Ch. 670.

Under existing law, the Commission on Mineral Resources is responsible for providing standards for the abatement of dangers commonly found around open excavations. Chapter 670 grants civil immunity to a person, the State of Nevada, any political subdivision of the state, or any agency of state political subdivisions, for damages resulting from an act or omission in the construction of a fence around an abandoned mine, provided the construction is done in accordance with the standards prescribed by the Commission.

_AWF_

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5. See id. § 512.006 (defining mine).
6. See id. § 513.094 (stating that the violation of a federal or state statute intended to protect public health constitutes a danger). The administrator of the Division of Mine Inspection of the Department of Industrial Relations may adopt regulations consistent with the Federal Mine Safety and Health Act (30 U.S.C. §§ 801 et seq), as amended. Id. § 512.131.

Torts; anatomical gifts

**NEV. REV. STAT. § 460.010 (amended).**
SB 70 (Horn); 1989 STAT. Ch. 32

Existing law categorizes the procuring, processing, distributing and use of whole human blood, blood products, or blood derivatives as
services and limits liability for such services to negligence or willful misconduct. Chapter 32 places the same limits on liability for the service of procuring, processing, distributing and use of organs or tissue for transplantation into the human body.

PHB


Torts; defense of residence

NEV. REV. STAT. § 41.____ (new).

SB 215 (Malone); 1989 STAT. Ch. 759

Chapter 759 creates a presumption that a person lawfully in a residence, who uses deadly force against an unlawful intruder, is acting in reasonable fear of imminent death or bodily injury if the occupant has reason to believe that an unlawful entry occurred. Under these circumstances, the occupant may not be held liable in personal injury or wrongful death actions, unless the other party


4. Reasonable fear sufficient to justify a homicide requires that the defendant be motivated to act by circumstances sufficient to excite the fear of a reasonable person, and not for a revenge motive. Id. § 200.130 (1987). A justifiable homicide is not criminally punishable. Id. § 200.190 (1987).


7. See id. § 41.085 (1987) (action maintainable by heirs or personal representatives on behalf of decedent).