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FIRST REPRINT

S.B. 457

SENATE BILL NO. 457—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE OFFICE OF THE GOVERNOR)

APRIL 7, 2025

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to public safety.
(BDR 15-1038)

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 public safety; revising provisions relating to assault, battery, stalking, pornography involving minors, domestic violence, and driving under the influence of alcohol or a prohibited substance; revising provisions relating to the interception, listening and recording of certain communications; requiring a compliance hearing after the issuance of certain orders to relinquish firearms; establishing certain unlawful acts related to certain theft offenses involving property damage; revising provisions relating to offenders; establishing provisions related to the creation of corridors and the adjudication and reporting of certain offenses committed within such corridors; making various changes related to juvenile justice; prohibiting the construction of certain findings relating to actions for wrongful conviction; revising provisions relating to the sealing of records and specialty court programs; revising provisions relating to pretrial release; revising provisions relating to immunity for certain witnesses; revising provisions relating to opioid use disorder; making appropriations; providing penalties; and providing other matters properly relating thereto.



* S B 4 5 7 R 1 *

Legislative Counsel's Digest:

1 Existing law provides that if a person commits an assault upon an officer who
2 is performing his or her duty and the person knew or should have known that the
3 victim was an officer, the person is guilty of: (1) a category B felony if the assault
4 is made with the use of a deadly weapon or the present ability to use a deadly
5 weapon; (2) a category D felony if the person is a probationer, prisoner or parolee;
6 or (3) if neither of those circumstances is present, a gross misdemeanor. (NRS
7 200.471) Additionally, existing law provides that if a person commits a battery
8 upon an officer and the person knew or should have known that the victim was an
9 officer, the person is guilty of: (1) a category B felony if the battery causes
10 substantial bodily harm or is committed by strangulation; or (2) if those
11 circumstances are not present and no greater penalty is provided by law, a gross
12 misdemeanor. (NRS 200.481) **Sections 1.3 and 1.7** of this bill revise the definition
13 of "officer" for the purposes of the enhanced penalties for assault or battery to
14 include an employee of this State or a political subdivision of this State whose
15 normal job responsibilities require the employee to: (1) interact with the public; and
16 (2) perform tasks related to child welfare services or child protective services or
17 other tasks that expose the person to comparable danger. Additionally, **sections 1.3**
18 **and 1.7** of this act apply the enhanced penalties to an assault or battery committed
19 against a hospitality employee.

20 Existing law prohibits a person from stalking and prescribes various penalties
21 related to the circumstance under which the offense is committed. (NRS 200.575)
22 **Section 2** of this bill expands the unlawful acts which constitute stalking to include
23 certain courses of conduct that would cause the victim to feel terrorized, frightened,
24 intimidated, harassed or fearful for the immediate safety of a person in a dating
25 relationship with the victim. **Section 2** also makes various changes to provide that
26 stalking encompasses both acts committed in person and by electronic means, and
27 provides that such penalties are generally applicable to such acts regardless of
28 medium. **Sections 50 and 63** of this bill make conforming changes related to the
29 commission of stalking by electronic means under **section 2**.

30 Existing law makes it unlawful, with certain exceptions, to intercept, listen or
31 record a wire, electronic or oral communication. In relevant part, existing law
32 establishes various exceptions to this prohibition for peace officers acting under
33 certain circumstances related to the barricade of a person, a hostage situation or the
34 threatened use of an explosive. (NRS 179.463, 200.620) **Sections 2.5 and 60.3** of
35 this bill establish an additional exception for a peace officer or certain persons
36 acting under the direction of the peace officer who intercept the communication for
37 the sole purpose of investigating a sexual offense against a child. **Sections 60.2,**
38 **60.4 and 60.5** of this bill make various changes related to the terminology
39 applicable to **section 60.5**.

40 Existing law provides that a person who knowingly and willfully has in his or
41 her possession any film, photograph or other visual representation depicting a
42 person under the age of 16 years as the subject of the sexual portrayal or engaging
43 in, simulating, or assisting others to engage in or simulate, sexual conduct is guilty
44 of possession of pornography involving a minor. (NRS 200.730) **Section 3** of this
45 bill revises the unit of prosecution for such an offense and prescribes that each
46 person depicted under the age of 16 years in any film, photograph or other visual
47 presentation constitutes a separate offense. **Section 41** of this bill makes a
48 conforming change related to **section 3**.

49 Existing law: (1) prescribes various circumstances in which a person is
50 prohibited from owning, possessing or having under his or her custody or control a
51 firearm; and (2) establishes procedures related to the surrender, sale or transfer of a
52 firearm by certain persons who are prohibited from owning, possessing or having
53 under their custody or control a firearm. (NRS 33.031, 33.033, 202.360, 202.361)
54 **Sections 4, 30 and 51** of this bill generally require a court to schedule a compliance



55 hearing under such circumstances to determine whether a person has complied with
56 a court order to surrender, sell or transfer a firearm. **Sections 4, 30 and 51,**
57 however, authorize the court to cancel the compliance hearing under certain
58 circumstances. **Sections 5, 31 and 52** of this bill apply certain related definitions in
59 existing law to **sections 4, 30 and 51,** respectively.

60 Existing law establishes certain crimes making it unlawful to take or obtain
61 property. (NRS 205.0821-205.295) **Section 29.1** of this bill creates a new crime
62 which provides that if a person intentionally causes property damage to a retail
63 establishment in the commission of a theft offense and the aggregate value of the
64 amount involved in the theft or property damage, or any combination thereof, is
65 \$500 or more, the person is guilty of a category C felony.

66 Existing law sets forth certain unlawful acts that constitute domestic violence
67 when committed against certain persons. (NRS 33.018) **Section 32** of this bill
68 revises the unlawful acts that constitute domestic violence to include kidnapping as
69 well as an attempt or solicitation to commit any unlawful act that constitutes
70 domestic violence.

71 Existing law establishes provisions concerning actions for wrongful conviction.
72 (NRS 41.900-41.970) **Section 34.3** of this bill provides that the entry of a
73 certificate of innocence and the award in an action for wrongful conviction is not a
74 finding that: (1) certain persons committed a wrongdoing; or (2) there was not
75 probable cause under certain circumstances.

76 In general, existing law authorizes a juvenile court to order a child who is
77 subject to the jurisdiction of the juvenile court or the parent or guardian of such a
78 child, or both, to perform community service. (NRS 62E.180) Existing law defines
79 "community service" for the purposes of such orders. (NRS 62A.060) **Section 34.7**
80 of this bill makes various changes to the definition of "community service."

81 Existing law provides that if a child who is alleged to be delinquent is taken
82 into custody and detained, the child must be given a detention hearing before the
83 juvenile court. (NRS 62C.040) **Section 35** of this bill requires the juvenile court to
84 order a qualified professional to evaluate the mental health of a child who: (1) is
85 alleged to have committed certain unlawful acts involving a battery against a school
86 employee or a child welfare professional; and (2) has in the previous year been
87 taken into custody two or more times for certain battery offenses. **Section 36** of this
88 bill makes a conforming change related to the detention of such children under
89 **section 35.**

90 Existing law requires a juvenile court to suspend the license of a juvenile under
91 certain circumstances if a child is adjudicated to be in need of supervision because
92 the child: (1) is a habitual truant; (2) committed an unlawful act related to tobacco;
93 (3) committed certain unlawful acts related to a controlled substance or alcohol; or
94 (4) placed graffiti on or defaced property. (NRS 62E.430, 62E.440, 62E.630,
95 62E.690) **Sections 39.2-39.8** of this bill make various changes to authorize the
96 juvenile court to order the Department of Motor Vehicles to issue a restricted
97 driver's license to the child if the issuance is in the best interest of the child.
98 **Section 76.5** of this bill makes a conforming change regarding the circumstances
99 under which the Department of Motor Vehicles may issue a restricted driver's
100 license.

101 Existing law requires a court to discharge a defendant and dismiss the
102 proceedings or set aside the judgment of conviction upon completion of the terms
103 and conditions related to a program of treatment for alcohol or other substance use
104 disorder, a program for treatment of mental illness or a program of treatment for
105 veterans and members of the military or certain other terms and conditions.
106 Thereafter, existing law requires the sealing of records related to the discharge,
107 dismissal or setting aside a judgment of conviction. (NRS 176.211, 176A.240,
108 176A.245, 176A.260, 176A.265, 176A.290, 176A.295) **Sections 42, 44, 46 and 49**
109 of this bill provide that the automatic record sealing provisions do not apply to such



110 persons who were charged with certain offenses related to the abuse or neglect of a
111 child or the abuse of an older or vulnerable person.

112 Existing law generally requires a court to hold a pretrial release hearing to
113 determine the custody status of a person not later than 48 hours after the person has
114 been taken into custody. (NRS 178.4849) **Section 53** of this bill provides that the
115 48 hours within which a pretrial release hearing must be held excludes legal
116 holidays.

117 Existing law requires a court to release any bail at the time of sentencing, if the
118 court has not already done so, unless the defendant owes fines and costs, in which
119 case, the bail must be applied towards the fines and costs. (NRS 178.522, 178.528)
120 **Section 56** of this bill provides that under these circumstances if the bail has been
121 deposited by a person other than a surety, and upon notice and the agreement of the
122 person, the bail must first be applied towards the payment of any restitution owed
123 by the defendant. **Section 55** of this bill makes a conforming change related to the
124 procedures prescribed by **section 56**.

125 Existing law authorizes: (1) a district attorney and any attorney employed by a
126 district attorney to prosecute a person in a county other than the county by which
127 the district attorney is employed for the limited purpose of conducting a pretrial
128 release hearing; and (2) such an attorney to receive a stipend for being available on
129 a weekend or holiday to serve as a prosecuting attorney in a pretrial release hearing.
130 (NRS 178.760) **Section 58** of this bill similarly authorizes a city attorney in a
131 county whose population is less than 100,000 (currently all counties except Clark
132 and Washoe Counties) to be deputized to prosecute a person in the county that
133 encompasses the city attorney for the limited purpose of serving as a prosecuting
134 attorney in a pretrial release hearing, and authorizes the city attorney to receive the
135 stipend for such services.

136 Existing law establishes procedures related to transactional immunity for
137 witnesses in criminal cases. (NRS 178.572-178.578) **Sections 57 and 88** of this bill
138 revise and repeal these provisions to establish derivative use immunity for such
139 witnesses.

140 Existing law authorizes the establishment of correctional programs and judicial
141 programs for the reentry of offenders and parolees into the community. (NRS
142 209.4871-209.4889) **Section 60.8** authorizes the Department of Corrections to
143 establish an alternative correctional program for the reentry of certain offenders
144 into the community. **Sections 60.7, 61.3 and 61.7** of this bill establish and revise
145 various provisions concerning the alternative correctional programs.

146 Existing law authorizes the Director of the Department of Corrections and the
147 sheriff, chief of police or town marshal to establish programs for the treatment of
148 prisoners with a substance use disorder using medication-assisted treatment. (NRS
149 209.4247, 211.400) **Sections 61 and 62** of this bill require persons who establish
150 such programs to collaborate with the Department of Health and Human Services if
151 the program relates to opioid use disorder.

152 Existing law: (1) authorizes a board of county commissioners, with certain
153 exceptions, to exercise all powers necessary or proper to address matters of local
154 concern for the effective operation of a county government, whether or not the
155 powers are expressly granted to the board; and (2) defines "matter of local concern"
156 for such purposes. (NRS 244.143, 244.146) Existing law also authorizes a board of
157 county commissioners to enact and enforce local police and sanitary ordinances and
158 regulations that are not in conflict with the general laws and regulations of this
159 State. (NRS 244.357) **Section 65.5** of this bill requires a board of county
160 commissioners in a county whose population is 700,000 or more (currently only
161 Clark County) to adopt an ordinance that designates the geographic boundaries of
162 one or more corridors in which the commission of crime poses a significant risk to
163 public safety and the economic welfare of this State due to the high concentration
164 of tourists, visitors, employees and other persons in such corridors. **Section 65.5**



165 provides that a person who is charged with, convicted of or the subject of deferred
166 adjudication for any offense punishable as a misdemeanor: (1) for the first offense
167 within the corridor, may as a condition of release, sentencing, suspension of
168 sentence or deferred adjudication, as applicable, be prohibited from entering the
169 corridor in which the offense occurred for a period not to exceed 1 year; and (2) for
170 a second or subsequent offense within the corridor, may as a condition of release,
171 sentencing, suspension of sentence or deferred adjudication, as applicable, be
172 prohibited from entering the corridor in which the offense occurred for a period of
173 not less than 1 year but not more than 2 years.

174 **Section 29.5** of this bill authorizes a justice court, in a county wherein the
175 board of county commissioners adopts an ordinance designating the geographic
176 boundaries of one or more corridors pursuant to **section 65.5**, to establish an
177 appropriate program for the adjudication of offenses punishable as a misdemeanor
178 that occurred within the boundaries of such corridors. **Section 29.7** of this bill
179 requires a justice court that establishes a program pursuant to **section 29.5** to
180 prepare and submit: (1) to the Legislature an annual report containing certain
181 information regarding crimes that occur within such corridors; and (2) to the
182 respective board of county commissioners a monthly report containing certain
183 information regarding crimes that occur within such corridors.

184 Existing law requires the Department of Health and Human Services to conduct
185 a statewide needs assessment to determine the priorities for allocating money from
186 the Fund for a Resilient Nevada; and (2) based on that needs assessment, develop a
187 statewide plan for allocating the money in the Fund. (NRS 433.734) Existing law
188 also prescribes specific requirements concerning the statewide needs assessment.
189 (NRS 433.736) **Section 70** of this bill requires the statewide assessment to establish
190 priorities related to the identification of educational resources to be used for the
191 training of law enforcement and other criminal justice agencies related to trauma-
192 informed practices and medication-assisted treatment for persons with opioid use
193 disorder. **Section 69** of this bill makes a conforming change to refer to provisions
194 renumbered by **section 70**.

195 Existing law establishes provisions related to peer recovery support services.
196 (NRS 433.622-433.641) **Section 66** of this bill requires the Department of Health
197 and Human Services to make available certain information relating to peer recovery
198 support services. **Sections 68 and 85-87** of this bill make conforming changes
199 governing the applicability of **section 66** to certain existing provisions of law
200 related to peer support services.

201 Existing law sets forth various penalties involving driving or operating a
202 vehicle or vessel under the influence of alcohol, a controlled substance or a
203 prohibited substance under certain circumstances. (Chapter 484C of NRS, NRS
204 488.400-488.520) **Sections 77 and 81** of this bill provide that the prohibition on a
205 person driving or operating a vehicle or vessel with a specific amount of marijuana
206 or marijuana metabolite in his or her blood applies to certain offenses punishable as
207 a felony. **Sections 80 and 82** of this bill increase the terms of imprisonment for a
208 person who proximately causes the death of another person while driving or
209 operating a vehicle or vessel under the influence of alcohol or a controlled
210 substance. Additionally, **sections 80 and 82** further provide that any such person
211 who proximately causes the death of another person and who has previously been
212 once or twice convicted of certain offenses related to driving or operating a vehicle
213 or vessel under the influence of alcohol or a controlled substance is subject to an
214 increased penalty.

215 **Sections 87.3 and 87.5** make appropriations to the Interim Finance Committee
216 for allocation to the Department of Corrections and the Administrative Office of the
217 Courts for the purposes of carrying out the provisions of this act.



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

1 **Section 1.** (Deleted by amendment.)

2 **Sec. 1.3.** NRS 200.471 is hereby amended to read as follows:
3 200.471 1. As used in this section:

4 (a) "Assault" means:

5 (1) Unlawfully attempting to use physical force against
6 another person; or

7 (2) Intentionally placing another person in reasonable
8 apprehension of immediate bodily harm.

9 (b) *"Child protective services" has the meaning ascribed to it*
10 *in NRS 432B.042.*

11 (c) *"Child welfare services" has the meaning ascribed to it in*
12 *NRS 432B.044.*

13 (d) "Fire-fighting agency" has the meaning ascribed to it in
14 NRS 239B.020.

15 ~~[(e)]~~ (e) "Health care facility" means a facility licensed
16 pursuant to chapter 449 of NRS, an office of a person listed in NRS
17 629.031, a clinic or any other location, other than a residence, where
18 health care is provided.

19 ~~[(d)]~~ (f) *"Hospitality employee" means a person employed by a*
20 *resort hotel, resort condominium, arena, stadium or convention*
21 *center, including, without limitation, a person who is employed in*
22 *a position of front desk staff, housekeeping, concierge, valet, bell*
23 *service, gaming floor, food and beverage, retail, security, facility*
24 *or hotel administration, count room, management or any other*
25 *position who is responsible for ensuring a positive guest*
26 *experience, and whose employment duties require the employee to:*

27 (1) *Wear identification, clothing, a uniform or other*
28 *insignia that identifies the employee as working for a resort hotel,*
29 *resort condominium, arena, stadium or convention center; and*

30 (2) *Be physically on the property of the resort hotel, resort*
31 *condominium, arena, stadium or convention center or otherwise*
32 *traveling within a corridor, as described in section 65.5 of this act.*

33 (g) "Officer" means:

34 (1) A person who possesses some or all of the powers of a
35 peace officer;

36 (2) A person employed in a full-time salaried occupation of
37 fire fighting for the benefit or safety of the public;

38 (3) A member of a volunteer fire department;

39 (4) A jailer, guard or other correctional officer of a city or
40 county jail;

41 (5) A prosecuting attorney of an agency or political
42 subdivision of the United States or of this State;



1 (6) A justice of the Supreme Court, judge of the Court of
2 Appeals, district judge, justice of the peace, municipal judge,
3 magistrate, court commissioner, master or referee, including a
4 person acting pro tempore in a capacity listed in this subparagraph;

5 (7) An employee of this State or a political subdivision of
6 this State whose official duties require the employee to make home
7 visits;

8 (8) *An employee of this State or a political subdivision of*
9 *this State who as part of his or her normal job responsibilities:*

10 (I) *Interacts with the public; and*

11 (II) *Performs tasks related to child welfare services or*
12 *child protective services or tasks that expose the person to*
13 *comparable dangers;*

14 (9) A civilian employee or a volunteer of a law enforcement
15 agency whose official duties require the employee or volunteer to:

16 (I) Interact with the public;

17 (II) Perform tasks related to law enforcement; and

18 (III) Wear identification, clothing or a uniform that
19 identifies the employee or volunteer as working or volunteering for
20 the law enforcement agency;

21 ~~(9)~~ (10) A civilian employee or a volunteer of a fire-
22 fighting agency whose official duties require the employee or
23 volunteer to:

24 (I) Interact with the public;

25 (II) Perform tasks related to fire fighting or fire
26 prevention; and

27 (III) Wear identification, clothing or a uniform that
28 identifies the employee or volunteer as working or volunteering for
29 the fire-fighting agency; or

30 ~~(10)~~ (11) A civilian employee or volunteer of this State or
31 a political subdivision of this State whose official duties require the
32 employee or volunteer to:

33 (I) Interact with the public;

34 (II) Perform tasks related to code enforcement; and

35 (III) Wear identification, clothing or a uniform that
36 identifies the employee or volunteer as working or volunteering for
37 this State or a political subdivision of this State.

38 ~~(e)~~ (h) "Provider of health care" means:

39 (1) A physician, a medical student, a perfusionist, an
40 anesthesiologist assistant or a physician assistant licensed pursuant
41 to chapter 630 of NRS, a practitioner of respiratory care, a
42 homeopathic physician, an advanced practitioner of homeopathy, a
43 homeopathic assistant, an osteopathic physician, a physician
44 assistant or anesthesiologist assistant licensed pursuant to chapter
45 633 of NRS, a podiatric physician, a podiatry hygienist, a physical



1 therapist, a medical laboratory technician, an optometrist, a
2 chiropractic physician, a chiropractic assistant, a naprapath, a doctor
3 of Oriental medicine, a nurse, a student nurse, a certified nursing
4 assistant, a nursing assistant trainee, a medication aide - certified, a
5 person who provides health care services in the home for
6 compensation, a dentist, a dental student, a dental hygienist, a dental
7 hygienist student, an expanded function dental assistant, an
8 expanded function dental assistant student, a pharmacist, a
9 pharmacy student, an intern pharmacist, an attendant on an
10 ambulance or air ambulance, a psychologist, a social worker, a
11 marriage and family therapist, a marriage and family therapist
12 intern, a clinical professional counselor, a clinical professional
13 counselor intern, a behavior analyst, an assistant behavior analyst, a
14 registered behavior technician, a mental health technician, a licensed
15 dietitian, the holder of a license or a limited license issued under the
16 provisions of chapter 653 of NRS, a public safety officer at a health
17 care facility, an emergency medical technician, an advanced
18 emergency medical technician, a paramedic or a participant in a
19 program of training to provide emergency medical services; or

20 (2) An employee of or volunteer for a health care facility
21 who:

- 22 (I) Interacts with the public;
- 23 (II) Performs tasks related to providing health care; and
- 24 (III) Wears identification, clothing or a uniform that
25 identifies the person as an employee or volunteer of the health care
26 facility.

27 ~~(f)~~ (i) *“Resort hotel” has the meaning ascribed to it in*
28 *NRS 463.01865.*

29 (j) “School employee” means a licensed or unlicensed person
30 employed by a board of trustees of a school district pursuant to NRS
31 391.100 or 391.281.

32 ~~(g)~~ (k) “Sporting event” has the meaning ascribed to it in
33 NRS 41.630.

34 ~~(h)~~ (l) “Sports official” has the meaning ascribed to it in
35 NRS 41.630.

36 ~~(i)~~ (m) “Taxicab” has the meaning ascribed to it in
37 NRS 706.8816.

38 ~~(j)~~ (n) “Taxicab driver” means a person who operates a
39 taxicab.

40 ~~(k)~~ (o) “Transit operator” means a person who operates a bus
41 or other vehicle as part of a public mass transportation system.

42 ~~(l)~~ (p) “Utility worker” means an employee of a public utility
43 as defined in NRS 704.020 whose official duties require the
44 employee to:

45 (1) Interact with the public;



1 (2) Perform tasks related to the operation of the public
2 utility; and

3 (3) Wear identification, clothing or a uniform that identifies
4 the employee as working for the public utility.

5 2. A person convicted of an assault shall be punished:

6 (a) If paragraph (c) or (d) does not apply to the circumstances of
7 the crime and the assault is not made with the use of a deadly
8 weapon or the present ability to use a deadly weapon, for a
9 misdemeanor.

10 (b) If the assault is made with the use of a deadly weapon or the
11 present ability to use a deadly weapon, for a category B felony by
12 imprisonment in the state prison for a minimum term of not less
13 than 1 year and a maximum term of not more than 6 years, or by a
14 fine of not more than \$5,000, or by both fine and imprisonment.

15 (c) If paragraph (d) does not apply to the circumstances of the
16 crime and if the assault:

17 (1) Is committed upon:

18 (I) An officer, *a hospitality employee*, a school employee,
19 a taxicab driver, a transit operator or a utility worker who is
20 performing his or her duty;

21 (II) A provider of health care while the provider of health
22 care is performing his or her duty or is on the premises where he or
23 she performs that duty; or

24 (III) A sports official based on the performance of his or
25 her duties at a sporting event; and

26 (2) The person charged knew or should have known that the
27 victim was an officer, *a hospitality employee*, a provider of health
28 care, a school employee, a taxicab driver, a transit operator, a utility
29 worker or a sports official,

30 ↪ for a gross misdemeanor, unless the assault is made with the use
31 of a deadly weapon or the present ability to use a deadly weapon,
32 then for a category B felony by imprisonment in the state prison for
33 a minimum term of not less than 1 year and a maximum term of not
34 more than 6 years, or by a fine of not more than \$5,000, or by both
35 fine and imprisonment.

36 (d) If the assault:

37 (1) Is committed by a probationer, a prisoner who is in
38 lawful custody or confinement or a parolee upon:

39 (I) An officer, *a hospitality employee*, a school employee,
40 a taxicab driver, a transit operator or a utility worker who is
41 performing his or her duty;

42 (II) A provider of health care while the provider of health
43 care is performing his or her duty or is on the premises where he or
44 she performs that duty; or



1 (III) A sports official based on the performance of his or
2 her duties at a sporting event; and

3 (2) The probationer, prisoner or parolee charged knew or
4 should have known that the victim was an officer, *a hospitality*
5 *employee*, a provider of health care, a school employee, a taxicab
6 driver, a transit operator, a utility worker or a sports official,

7 ↪ for a category D felony as provided in NRS 193.130, unless the
8 assault is made with the use of a deadly weapon or the present
9 ability to use a deadly weapon, then for a category B felony by
10 imprisonment in the state prison for a minimum term of not less
11 than 1 year and a maximum term of not more than 6 years, or by a
12 fine of not more than \$5,000, or by both fine and imprisonment.

13 **Sec. 1.7.** NRS 200.481 is hereby amended to read as follows:

14 200.481 1. As used in this section:

15 (a) "Battery" means any willful and unlawful use of force or
16 violence upon the person of another.

17 (b) "Child" means a person less than 18 years of age.

18 (c) "*Child protective services*" *has the meaning ascribed to it*
19 *in NRS 432B.042.*

20 (d) "*Child welfare services*" *has the meaning ascribed to it in*
21 *NRS 432B.044.*

22 (e) "Fire-fighting agency" has the meaning ascribed to it in
23 NRS 239B.020.

24 ~~(d)~~ (f) "*Hospitality employee*" *means a person employed by a*
25 *resort hotel, resort condominium, arena, stadium or convention*
26 *center, including, without limitation, a person who is employed in*
27 *a position of front desk staff, housekeeping, concierge, valet, bell*
28 *service, gaming floor, food and beverage, retail, security, facility*
29 *or hotel administration, count room, management or any other*
30 *position who is responsible for ensuring a positive guest*
31 *experience, and whose employment duties require the employee to:*

32 (1) *Wear identification, clothing, a uniform or other*
33 *insignia that identifies the employee as working for a resort hotel,*
34 *resort condominium, arena, stadium or convention center; and*

35 (2) *Be physically on the property of the resort hotel, resort*
36 *condominium, arena, stadium or convention center or otherwise*
37 *traveling within a corridor, as described in section 65.5 of this act.*

38 (g) "Officer" means:

39 (1) A person who possesses some or all of the powers of a
40 peace officer;

41 (2) A person employed in a full-time salaried occupation of
42 fire fighting for the benefit or safety of the public;

43 (3) A member of a volunteer fire department;

44 (4) A jailer, guard, matron or other correctional officer of a
45 city or county jail or detention facility;



1 (5) A prosecuting attorney of an agency or political
2 subdivision of the United States or of this State;

3 (6) A justice of the Supreme Court, judge of the Court of
4 Appeals, district judge, justice of the peace, municipal judge,
5 magistrate, court commissioner, master or referee, including,
6 without limitation, a person acting pro tempore in a capacity listed
7 in this subparagraph;

8 (7) An employee of this State or a political subdivision of
9 this State whose official duties require the employee to make home
10 visits;

11 (8) *An employee of this State or a political subdivision of*
12 *this State who as part of his or her normal job responsibilities:*

13 (I) *Interacts with the public; and*

14 (II) *Performs tasks related to child welfare services or*
15 *child protective services or tasks that expose the person to*
16 *comparable dangers;*

17 (9) A civilian employee or a volunteer of a law enforcement
18 agency whose official duties require the employee or volunteer to:

19 (I) Interact with the public;

20 (II) Perform tasks related to law enforcement; and

21 (III) Wear identification, clothing or a uniform that
22 identifies the employee or volunteer as working or volunteering for
23 the law enforcement agency;

24 ~~(9)~~ (10) A civilian employee or a volunteer of a fire-
25 fighting agency whose official duties require the employee or
26 volunteer to:

27 (I) Interact with the public;

28 (II) Perform tasks related to fire fighting or fire
29 prevention; and

30 (III) Wear identification, clothing or a uniform that
31 identifies the employee or volunteer as working or volunteering for
32 the fire-fighting agency; or

33 ~~(10)~~ (11) A civilian employee or volunteer of this State or
34 a political subdivision of this State whose official duties require the
35 employee or volunteer to:

36 (I) Interact with the public;

37 (II) Perform tasks related to code enforcement; and

38 (III) Wear identification, clothing or a uniform that
39 identifies the employee or volunteer as working or volunteering for
40 this State or a political subdivision of this State.

41 ~~(h)~~ (h) "Provider of health care" has the meaning ascribed to it
42 in NRS 200.471.

43 ~~(i)~~ (i) *"Resort hotel" has the meaning ascribed to it in*
44 *NRS 463.01865.*



1 (j) "School employee" means a licensed or unlicensed person
2 employed by a board of trustees of a school district pursuant to NRS
3 391.100 or 391.281.

4 ~~(g)~~ (k) "Sporting event" has the meaning ascribed to it in
5 NRS 41.630.

6 ~~(h)~~ (l) "Sports official" has the meaning ascribed to it in
7 NRS 41.630.

8 ~~(i)~~ (m) "Strangulation" means intentionally applying
9 sufficient pressure to another person to make it difficult or
10 impossible for the person to breathe, including, without limitation,
11 applying pressure to the neck, throat or windpipe that may prevent
12 or hinder breathing or reduce the intake of air, or applying any
13 pressure to the neck on either side of the windpipe, but not the
14 windpipe itself, to stop the flow of blood to the brain via the carotid
15 arteries.

16 ~~(j)~~ (n) "Taxicab" has the meaning ascribed to it in
17 NRS 706.8816.

18 ~~(k)~~ (o) "Taxicab driver" means a person who operates a
19 taxicab.

20 ~~(l)~~ (p) "Transit operator" means a person who operates a bus
21 or other vehicle as part of a public mass transportation system.

22 ~~(m)~~ (q) "Utility worker" means an employee of a public utility
23 as defined in NRS 704.020 whose official duties require the
24 employee to:

25 (1) Interact with the public;

26 (2) Perform tasks related to the operation of the public
27 utility; and

28 (3) Wear identification, clothing or a uniform that identifies
29 the employee as working for the public utility.

30 2. Except as otherwise provided in NRS 200.485, a person
31 convicted of a battery, other than a battery committed by an adult
32 upon a child which constitutes child abuse, shall be punished:

33 (a) If the battery is not committed with a deadly weapon, and no
34 substantial bodily harm to the victim results, except under
35 circumstances where a greater penalty is provided in this section or
36 NRS 197.090, for a misdemeanor.

37 (b) If the battery is not committed with a deadly weapon, and
38 either substantial bodily harm to the victim results or the battery is
39 committed by strangulation, for a category C felony as provided in
40 NRS 193.130.

41 (c) If:

42 (1) The battery is committed upon:

43 (I) An officer, *hospitality employee*, school employee,
44 taxicab driver, transit operator or utility worker who was performing
45 his or her duty;



1 (II) A provider of health care while the provider of health
2 care is performing his or her duty or is on the premises where he or
3 she performs that duty; or

4 (III) A sports official based on the performance of his or
5 her duties at a sporting event;

6 (2) The officer, *hospitality employee*, provider of health care,
7 school employee, taxicab driver, transit operator, utility worker or
8 sports official suffers substantial bodily harm or the battery is
9 committed by strangulation; and

10 (3) The person charged knew or should have known that the
11 victim was an officer, *hospitality employee*, provider of health care,
12 school employee, taxicab driver, transit operator, utility worker or
13 sports official,

14 ↪ for a category B felony by imprisonment in the state prison for a
15 minimum term of not less than 2 years and a maximum term of not
16 more than 10 years, or by a fine of not more than \$10,000, or by
17 both fine and imprisonment.

18 (d) If the battery:

19 (1) Is committed upon:

20 (I) An officer, *hospitality employee*, school employee,
21 taxicab driver, transit operator or utility worker who is performing
22 his or her duty;

23 (II) A provider of health care while the provider of health
24 care is performing his or her duty or is on the premises where he or
25 she performs that duty; or

26 (III) A sports official based on the performance of his or
27 her duties at a sporting event; and

28 (2) The person charged knew or should have known that the
29 victim was an officer, *hospitality employee*, provider of health care,
30 school employee, taxicab driver, transit operator, utility worker or
31 sports official,

32 ↪ for a gross misdemeanor, except under circumstances where a
33 greater penalty is provided in this section.

34 (e) If the battery is committed with the use of a deadly weapon,
35 and:

36 (1) No substantial bodily harm to the victim results, for a
37 category B felony by imprisonment in the state prison for a
38 minimum term of not less than 2 years and a maximum term of not
39 more than 10 years, and may be further punished by a fine of not
40 more than \$10,000.

41 (2) Substantial bodily harm to the victim results or the
42 battery is committed by strangulation, for a category B felony by
43 imprisonment in the state prison for a minimum term of not less
44 than 2 years and a maximum term of not more than 15 years, and
45 may be further punished by a fine of not more than \$10,000.



1 (f) If the battery is committed by a probationer, a prisoner who
2 is in lawful custody or confinement or a parolee, without the use of
3 a deadly weapon, whether or not substantial bodily harm results and
4 whether or not the battery is committed by strangulation, for a
5 category B felony by imprisonment in the state prison for a
6 minimum term of not less than 1 year and a maximum term of not
7 more than 6 years.

8 (g) If the battery is committed by a probationer, a prisoner who
9 is in lawful custody or confinement or a parolee, with the use of a
10 deadly weapon, and:

11 (1) No substantial bodily harm to the victim results, for a
12 category B felony by imprisonment in the state prison for a
13 minimum term of not less than 2 years and a maximum term of not
14 more than 10 years.

15 (2) Substantial bodily harm to the victim results or the
16 battery is committed by strangulation, for a category B felony by
17 imprisonment in the state prison for a minimum term of not less
18 than 2 years and a maximum term of not more than 15 years.

19 **Sec. 2.** NRS 200.575 is hereby amended to read as follows:

20 200.575 1. A person who, without lawful authority, willfully
21 or maliciously engages in a course of conduct directed towards a
22 victim that would cause a reasonable person under similar
23 circumstances to feel terrorized, frightened, intimidated, harassed or
24 fearful for his or her immediate safety or the immediate safety of a
25 family or household member ~~or~~ *or a person with whom the victim*
26 *has had or is having a dating relationship*, and that actually causes
27 the victim to feel terrorized, frightened, intimidated, harassed or
28 fearful for his or her immediate safety or the immediate safety of a
29 family or household member ~~or~~ *or a person with whom the victim*
30 *has had or is having a dating relationship*, commits the crime of
31 stalking. Except where the provisions of subsection 2, 3 or 4 are
32 applicable, a person who commits the crime of stalking:

33 (a) For the first offense, is guilty of a misdemeanor.

34 (b) For the second offense, is guilty of a gross misdemeanor.

35 (c) For the third or any subsequent offense, is guilty of a
36 category C felony and shall be punished by imprisonment in the
37 state prison for a minimum term of not less than 1 year and a
38 maximum term of not more than 5 years, and may be further
39 punished by a fine of not more than \$5,000.

40 2. Except as otherwise provided in subsection 3 or 4 and unless
41 a more severe penalty is prescribed by law, a person who commits
42 the crime of stalking where the victim is under the age of 16 and the
43 person is 5 or more years older than the victim:

44 (a) For the first offense, is guilty of a gross misdemeanor.



1 (b) For the second offense, is guilty of a category C felony and
2 shall be punished by imprisonment in the state prison for a
3 minimum term of not less than 2 years and a maximum term of not
4 more than 5 years, and may be further punished by a fine of not
5 more than \$5,000.

6 (c) For the third or any subsequent offense, is guilty of a
7 category B felony and shall be punished by imprisonment in the
8 state prison for a minimum term of not less than 2 years and a
9 maximum term of not more than 15 years, and may be further
10 punished by a fine of not more than \$5,000.

11 3. A person who commits the crime of stalking and in
12 conjunction therewith threatens the person with the intent to cause
13 the person to be placed in reasonable fear of death or substantial
14 bodily harm commits the crime of aggravated stalking. A person
15 who commits the crime of aggravated stalking shall be punished for
16 a category B felony by imprisonment in the state prison for a
17 minimum term of not less than 2 years and a maximum term of not
18 more than 15 years, and may be further punished by a fine of not
19 more than \$5,000.

20 4. A person who commits the crime of stalking ~~[with the use of~~
21 ~~an Internet or network site, electronic mail, text messaging or any~~
22 ~~other similar means of communication]~~ *by electronic means* to
23 publish, display or distribute information in a manner that
24 substantially increases the risk of harm or violence to the victim
25 shall be punished for a category C felony as provided in
26 NRS 193.130.

27 5. If any act engaged in by a person was part of the course of
28 conduct that constitutes the crime of stalking and was initiated or
29 had an effect on the victim in this State, the person may be
30 prosecuted in this State.

31 6. Except as otherwise provided in subsection 2 of NRS
32 200.571, a criminal penalty provided for in this section may be
33 imposed in addition to any penalty that may be imposed for any
34 other criminal offense arising from the same conduct or for any
35 contempt of court arising from the same conduct.

36 7. If the court finds that a person convicted of stalking pursuant
37 to this section committed the crime against a person listed in
38 subsection 1 of NRS 33.018 and that the victim has an ongoing,
39 reasonable fear of physical harm, the court shall enter the finding in
40 its judgment of conviction or admonishment of rights.

41 8. If the court includes such a finding in a judgment of
42 conviction or admonishment of rights issued pursuant to this
43 section, the court shall:



1 (a) Inform the person convicted that he or she is prohibited from
2 owning, possessing or having under his or her control or custody
3 any firearm pursuant to NRS 202.360; and

4 (b) Order the person convicted to permanently surrender, sell or
5 transfer any firearm that he or she owns or that is in his or her
6 possession or under his or her custody or control in the manner set
7 forth in NRS 202.361.

8 9. A person who violates any provision included in a judgment
9 of conviction or admonishment of rights issued pursuant to this
10 section concerning the surrender, sale, transfer, ownership,
11 possession, custody or control of a firearm is guilty of a category B
12 felony and shall be punished by imprisonment in the state prison for
13 a minimum term of not less than 1 year and a maximum term of not
14 more than 6 years, and may be further punished by a fine of not
15 more than \$5,000. The court must include in the judgment of
16 conviction or admonishment of rights a statement that a violation of
17 such a provision in the judgment or admonishment is a category B
18 felony and shall be punished by imprisonment in the state prison for
19 a minimum term of not less than 1 year and a maximum term of not
20 more than 6 years, and may be further punished by a fine of not
21 more than \$5,000.

22 10. The penalties provided in this section do not preclude the
23 victim from seeking any other legal remedy available.

24 11. As used in this section:

25 (a) *“Act” includes, without limitation, accessing a social media*
26 *account of a specified person.*

27 (b) “Course of conduct” means ~~fa pattern of conduct which~~
28 ~~consists of~~ two or more acts *conducted in person or by electronic*
29 *means* over a period of time that evidences a continuity of purpose
30 directed at a specific person.

31 ~~{(b)}~~ (c) *“Dating relationship” has the meaning ascribed to it*
32 *in NRS 33.018.*

33 (d) *“Electronic means” includes, without limitation, through*
34 *the use of an Internet or network site, a social media*
35 *communication, electronic mail, text messaging or any other*
36 *similar means of communication used to electronically publish,*
37 *display or distribute information.*

38 (e) “Family or household member” means a spouse, a former
39 spouse, a parent or other person who is related by blood or marriage
40 or is or was actually residing with the person.

41 ~~{(e)}~~ (f) “Internet or network site” has the meaning ascribed to it
42 in NRS 205.4744.

43 ~~{(d)}~~ (g) “Network” has the meaning ascribed to it in
44 NRS 205.4745.



1 ~~(e)~~ (h) “Offense” includes, without limitation, a violation of
2 the law of any other jurisdiction that prohibits the same or similar
3 conduct set forth in this section.

4 (i) *“Social media communication” means:*

5 (1) *A private communication, including, without limitation,*
6 *a message or image, sent between users of a social media*
7 *platform; or*

8 (2) *A communication, including, without limitation, a*
9 *message or image, which is made available or otherwise shared on*
10 *a social media platform and which is visible to other users of the*
11 *social media platform or the public.*

12 ~~(f)~~ (j) “Text messaging” means a communication in the form
13 of electronic text or one or more electronic images sent from a
14 telephone or computer to another person’s telephone or computer by
15 addressing the communication to the recipient’s telephone number.

16 ~~(g)~~ (k) “Without lawful authority” includes acts which are
17 initiated or continued without the victim’s consent. The term does
18 not include acts which are otherwise protected or authorized by
19 constitutional or statutory law, regulation or order of a court of
20 competent jurisdiction, including, but not limited to:

21 (1) Picketing which occurs during a strike, work stoppage or
22 any other labor dispute.

23 (2) The activities of a reporter, photographer, camera
24 operator or other person while gathering information for
25 communication to the public if that person is employed or engaged
26 by or has contracted with a newspaper, periodical, press association
27 or radio or television station and is acting solely within that
28 professional capacity.

29 (3) The activities of a person that are carried out in the
30 normal course of his or her lawful employment.

31 (4) Any activities carried out in the exercise of the
32 constitutionally protected rights of freedom of speech and assembly.

33 **Sec. 2.5.** NRS 200.620 is hereby amended to read as follows:

34 200.620 1. Except as otherwise provided in subsection 5 and
35 NRS 179.410 to 179.515, inclusive, 209.419 and 704.195, it is
36 unlawful for any person to intercept or attempt to intercept any wire
37 communication unless:

38 (a) The interception or attempted interception is made with the
39 prior consent of one of the parties to the communication; and

40 (b) An emergency situation exists and it is impractical to obtain
41 a court order as required by NRS 179.410 to 179.515, inclusive,
42 before the interception, in which event the interception is subject to
43 the requirements of subsection 3. If the application for ratification is
44 denied, any use or disclosure of the information so intercepted is



1 unlawful, and the person who made the interception shall notify the
2 sender and the receiver of the communication that:

3 (1) The communication was intercepted; and

4 (2) Upon application to the court, ratification of the
5 interception was denied.

6 2. This section does not apply to any person, or to the officers,
7 employees or agents of any person, engaged in the business of
8 providing service and facilities for wire communication where the
9 interception or attempted interception is to construct, maintain,
10 conduct or operate the service or facilities of that person.

11 3. Any person who has made an interception in an emergency
12 situation as provided in paragraph (b) of subsection 1 shall, within
13 72 hours of the interception, make a written application to a justice
14 of the Supreme Court or district judge for ratification of the
15 interception. The interception must not be ratified unless the
16 applicant shows that:

17 (a) An emergency situation existed and it was impractical to
18 obtain a court order before the interception; and

19 (b) Except for the absence of a court order, the interception met
20 the requirements of NRS 179.410 to 179.515, inclusive.

21 4. NRS 200.610 to 200.690, inclusive, do not prohibit the
22 recording, and NRS 179.410 to 179.515, inclusive, do not prohibit
23 the reception in evidence, of conversations on wire communications
24 installed in the office of an official law enforcement or fire-fighting
25 agency, or a public utility, if the equipment used for the recording is
26 installed in a facility for wire communications or on a telephone
27 with a number listed in a directory, on which emergency calls or
28 requests by a person for response by the law enforcement or fire-
29 fighting agency or public utility are likely to be received. In
30 addition, those sections do not prohibit the recording or reception in
31 evidence of conversations initiated by the law enforcement or fire-
32 fighting agency or public utility from such a facility or telephone in
33 connection with responding to the original call or request, if the
34 agency or public utility informs the other party that the conversation
35 is being recorded.

36 5. The interception or attempted interception of a wire
37 communication is not unlawful under the circumstances set forth in
38 subsection 1 of NRS 179.463 ~~[-]~~ *or section 60.3 of this act.*

39 **Sec. 3.** NRS 200.730 is hereby amended to read as follows:
40 200.730 ~~[A]~~

41 *1. Subject to subsection 2, a person who knowingly and*
42 *willfully* ~~[has in his or her possession]~~ *possesses* for any purpose
43 any film, photograph or other visual presentation depicting a person
44 under the age of 16 years as the subject of a sexual portrayal or



1 engaging in or simulating, or assisting others to engage in or
2 simulate, sexual conduct:

3 ~~11~~ (a) For the first offense, is guilty of a category B felony and
4 shall be punished by imprisonment in the state prison for a
5 minimum term of not less than 1 year and a maximum term of not
6 more than 6 years, and may be further punished by a fine of not
7 more than \$5,000.

8 ~~12~~ (b) For any subsequent offense, is guilty of a category A
9 felony and shall be punished by imprisonment in the state prison for
10 a minimum term of not less than 1 year and a maximum term of life
11 with the possibility of parole, and may be further punished by a fine
12 of not more than \$5,000.

13 *2. Each person under the age of 16 years depicted in any*
14 *film, photograph or other visual presentation described in*
15 *subsection 1 constitutes a separate offense for purposes of this*
16 *section.*

17 **Sec. 4.** Chapter 202 of NRS is hereby amended by adding
18 thereto a new section to read as follows:

19 *1. If a court orders a person to surrender, sell or transfer any*
20 *firearm pursuant to NRS 202.361, the court shall require the*
21 *person to appear for a compliance hearing to determine whether*
22 *the person has complied with the provisions of the order for the*
23 *surrender, sale or transfer of the firearm.*

24 *2. Except as otherwise provided in subsection 3, the court*
25 *shall schedule the compliance hearing not earlier than 2 business*
26 *days nor later than 5 business days after the issuance of the order*
27 *for the surrender, sale or transfer of the firearm.*

28 *3. If a person is in custody at the time that the compliance*
29 *hearing is scheduled pursuant to subsection 2, the court shall*
30 *reschedule the compliance hearing to a date that is not later than*
31 *1 business day after the release of the person from custody.*

32 *4. The court may cancel the compliance hearing if:*

33 *(a) The person provides the affidavit described in paragraph*
34 *(d) of subsection 1 of NRS 202.361;*

35 *(b) The person provides the receipt or other documentation*
36 *required by subsection 2, 3 or 4 of NRS 202.361, as applicable; or*

37 *(c) The court issues a search warrant pursuant to subsection 5*
38 *of NRS 202.361.*

39 **Sec. 5.** NRS 202.253 is hereby amended to read as follows:

40 202.253 As used in NRS 202.253 to 202.369, inclusive ~~11~~ ,
41 *and section 4 of this act:*

42 1. "Antique firearm" has the meaning ascribed to it in 18
43 U.S.C. § 921(a)(16).

44 2. "Explosive or incendiary device" means any explosive or
45 incendiary material or substance that has been constructed, altered,



1 packaged or arranged in such a manner that its ordinary use would
2 cause destruction or injury to life or property.

3 3. "Firearm" means any device designed to be used as a
4 weapon from which a projectile may be expelled through the barrel
5 by the force of any explosion or other form of combustion.

6 4. "Firearm capable of being concealed upon the person"
7 applies to and includes all firearms having a barrel less than 12
8 inches in length.

9 5. "Firearms importer or manufacturer" means a person
10 licensed to import or manufacture firearms pursuant to 18 U.S.C.
11 Chapter 44.

12 6. "Machine gun" means any weapon which shoots, is
13 designed to shoot or can be readily restored to shoot more than one
14 shot, without manual reloading, by a single function of the trigger.

15 7. "Motor vehicle" means every vehicle that is self-propelled.

16 8. "Semiautomatic firearm" means any firearm that:

17 (a) Uses a portion of the energy of a firing cartridge to extract
18 the fired cartridge case and chamber the next shell or round;

19 (b) Requires a separate function of the trigger to fire each
20 cartridge; and

21 (c) Is not a machine gun.

22 9. "Unfinished frame or receiver" means a blank, a casting or a
23 machined body that is intended to be turned into the frame or lower
24 receiver of a firearm with additional machining and which has been
25 formed or machined to the point at which most of the major
26 machining operations have been completed to turn the blank, casting
27 or machined body into a frame or lower receiver of a firearm even if
28 the fire-control cavity area of the blank, casting or machined body is
29 still completely solid and unmachined.

30 **Sec. 6.** (Deleted by amendment.)

31 **Sec. 7.** (Deleted by amendment.)

32 **Sec. 8.** (Deleted by amendment.)

33 **Sec. 9.** (Deleted by amendment.)

34 **Sec. 10.** (Deleted by amendment.)

35 **Sec. 11.** (Deleted by amendment.)

36 **Sec. 12.** (Deleted by amendment.)

37 **Sec. 13.** (Deleted by amendment.)

38 **Sec. 14.** (Deleted by amendment.)

39 **Sec. 15.** (Deleted by amendment.)

40 **Sec. 16.** (Deleted by amendment.)

41 **Sec. 17.** (Deleted by amendment.)

42 **Sec. 18.** (Deleted by amendment.)

43 **Sec. 19.** (Deleted by amendment.)

44 **Sec. 20.** (Deleted by amendment.)

45 **Sec. 21.** (Deleted by amendment.)



1 **Sec. 22.** (Deleted by amendment.)

2 **Sec. 23.** (Deleted by amendment.)

3 **Sec. 24.** (Deleted by amendment.)

4 **Sec. 25.** (Deleted by amendment.)

5 **Sec. 26.** (Deleted by amendment.)

6 **Sec. 27.** (Deleted by amendment.)

7 **Sec. 28.** (Deleted by amendment.)

8 **Sec. 29.** (Deleted by amendment.)

9 **Sec. 29.1.** Chapter 205 of NRS is hereby amended by adding
10 thereto a new section to read as follows:

11 **1. If a person intentionally causes property damage to a retail**
12 **establishment during the commission of a theft offense and the**
13 **aggregate value of the amount involved in the theft or property**
14 **damage, or any combination thereof, is \$500 or more, the person**
15 **is guilty of a category C felony and shall be punished as provided**
16 **in NRS 193.130.**

17 **2. As used in this section:**

18 **(a) "Retail establishment" means an establishment that sells**
19 **goods or merchandise from a fixed location for direct**
20 **consumption by a purchaser. The term includes, without**
21 **limitation, an establishment that prepares and sells meals or other**
22 **edible products, regardless of the place of consumption by the**
23 **consumer.**

24 **(b) "Theft offense" means a violation of NRS 205.0832 or**
25 **205.240, as applicable.**

26 **Sec. 29.3.** Chapter 4 of NRS is hereby amended by adding
27 thereto the provisions set forth as sections 29.5 and 29.7 of this act.

28 **Sec. 29.5. 1. In a county wherein the board of county**
29 **commissioners adopts an ordinance that designates the**
30 **geographic boundaries of one or more corridors pursuant to**
31 **section 65.5 of this act, a justice court may establish an**
32 **appropriate program for the adjudication of offenses punishable**
33 **as a misdemeanor that occurred within such corridors.**

34 **2. Under a program established pursuant to subsection 1, a**
35 **justice court may rescind an order prohibiting a person from**
36 **entering a corridor upon the successful completion by the person**
37 **of a diversion program for which participation is a condition of**
38 **release, sentencing, suspended sentence or deferred adjudication.**

39 **Sec. 29.7. 1. On or before July 1 of each year, a justice**
40 **court that has established a program for the adjudication of**
41 **offenses pursuant to section 29.5 of this act shall prepare and**
42 **submit an annual report to the Legislature.**

43 **2. Except as otherwise provided in subsection 5, the report**
44 **prepared and submitted pursuant to subsection 1 must include,**
45 **without limitation:**



1 (a) *The number of persons charged, convicted and sentenced*
2 *for any offense punishable as a misdemeanor in the corridor*
3 *during the immediately preceding year;*

4 (b) *The underlying crime for which such persons were*
5 *charged, convicted and sentenced in the corridor during the*
6 *immediately preceding year;*

7 (c) *The rate of successful completion of the sentence or*
8 *condition of release, which must be expressed as the percentage of*
9 *persons who successfully completed the sentence or condition of*
10 *release imposed by the court out of the total number of persons*
11 *sentenced by the court;*

12 (d) *The number of persons subject to an order prohibiting a*
13 *person from entering the geographic boundaries of a corridor*
14 *designated by ordinance in the immediately preceding year,*
15 *including, without limitation, whether the person has been*
16 *charged or convicted of a repeat offense within a corridor; and*

17 (e) *The information described in paragraphs (a) to (d),*
18 *inclusive, pertaining to any person who has been ordered,*
19 *assigned or sentenced to a diversion program.*

20 3. *Not later than the last day of each calendar month, a*
21 *justice court that has established a program for adjudication*
22 *pursuant to section 29.5 of this act shall prepare and submit a*
23 *monthly report to the board of county commissioners.*

24 4. *Except as otherwise provided in subsection 5, the report*
25 *prepared and submitted pursuant to subsection 3 must include,*
26 *without limitation:*

27 (a) *Any information required to be submitted to the*
28 *Legislature pursuant to subsection 2;*

29 (b) *The total number of cases involving offenses punishable as*
30 *a misdemeanor that were committed within a corridor;*

31 (c) *For each case reported pursuant to paragraph (b):*

32 (1) *The name of the presiding justice of the peace;*

33 (2) *The case number or other case identifier used by the*
34 *justice court for each case;*

35 (3) *Whether the person is a repeat offender for an offense*
36 *committed within the corridor; and*

37 (4) *If the person is a repeat offender for an offense*
38 *committed within a corridor:*

39 (I) *The duration of the time that has passed between the*
40 *commission of the offenses;*

41 (II) *The conditions of the sentences for the offenses;*
42 *and*

43 (III) *Whether the defendant was incarcerated for the*
44 *offenses.*



1 *5. Any report submitted pursuant to this section must not*
2 *include any identifying information of the:*

3 *(a) Person who was the subject of an order prohibiting the*
4 *person from entering a corridor; or*

5 *(b) Business or location where the underlying offense*
6 *occurred.*

7 **Sec. 30.** Chapter 33 of NRS is hereby amended by adding
8 thereto a new section to read as follows:

9 *1. If a court orders an adverse party to surrender, sell or*
10 *transfer any firearm pursuant to NRS 33.031, the court shall*
11 *require the adverse party to appear for a compliance hearing to*
12 *determine whether the adverse party has complied with the*
13 *provisions of the order for the surrender, sale or transfer of the*
14 *firearm.*

15 *2. Except as otherwise provided in subsection 3, the court*
16 *shall schedule the compliance hearing not earlier than 2 business*
17 *days nor later than 5 business days after the issuance of the order*
18 *for the surrender, sale or transfer.*

19 *3. If an adverse party is in custody at the time that the*
20 *compliance hearing is scheduled pursuant to subsection 2, the*
21 *court shall reschedule the compliance hearing to a date that is not*
22 *later than 1 business day after the release of the adverse party*
23 *from custody.*

24 *4. The court may cancel the compliance hearing if:*

25 *(a) The person provides the affidavit described in paragraph*
26 *(d) of subsection 1 of NRS 33.033;*

27 *(b) The adverse party provides the receipt or other*
28 *documentation required by subsection 2, 3 or 4 of NRS 33.033, as*
29 *applicable; or*

30 *(c) The court issues a search warrant pursuant to subsection 5*
31 *of NRS 33.033.*

32 **Sec. 31.** NRS 33.017 is hereby amended to read as follows:

33 33.017 As used in NRS 33.017 to 33.100, inclusive, *and*
34 *section 30 of this act*, unless the context otherwise requires:

35 1. "Extended order" means an extended order for protection
36 against domestic violence.

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

39 **Sec. 32.** NRS 33.018 is hereby amended to read as follows:

40 33.018 1. Domestic violence occurs when a person commits
41 one of the following acts against or upon the person's spouse or
42 former spouse, any other person to whom the person is related by
43 blood or marriage, any other person with whom the person has had
44 or is having a dating relationship, any other person with whom the
45 person has a child in common, the minor child of any of those



1 persons, the person's minor child or any other person who has been
2 appointed the custodian or legal guardian for the person's minor
3 child:

- 4 (a) A battery.
- 5 (b) An assault.
- 6 (c) Coercion pursuant to NRS 207.190.
- 7 (d) A sexual assault.
- 8 (e) A knowing, purposeful or reckless course of conduct
9 intended to harass the other person. Such conduct may include, but
10 is not limited to:
 - 11 (1) Stalking.
 - 12 (2) Arson.
 - 13 (3) Trespassing.
 - 14 (4) Larceny.
 - 15 (5) Destruction of private property.
 - 16 (6) Carrying a concealed weapon without a permit.
 - 17 (7) Injuring or killing an animal.
 - 18 (8) Burglary.
 - 19 (9) An invasion of the home.

- 20 (f) A false imprisonment.
- 21 (g) Pandering.
- 22 **(h) A kidnapping.**
- 23 **(i) An attempt or solicitation to commit an offense described in**
24 **paragraphs (a) to (h), inclusive.**

- 25 2. The provisions of this section do not apply to:
- 26 (a) Siblings, except those siblings who are in a custodial or
27 guardianship relationship with each other; or
 - 28 (b) Cousins, except those cousins who are in a custodial or
29 guardianship relationship with each other.

30 3. As used in this section, "dating relationship" means
31 frequent, intimate associations primarily characterized by the
32 expectation of affectional or sexual involvement. The term does not
33 include a casual relationship or an ordinary association between
34 persons in a business or social context.

35 **Sec. 33.** (Deleted by amendment.)

36 **Sec. 34.** (Deleted by amendment.)

37 **Sec. 34.3.** NRS 41.910 is hereby amended to read as follows:

38 41.910 1. If a court finds that a person is entitled to a
39 judgment pursuant to NRS 41.900, the court shall enter a certificate
40 of innocence finding that the person was innocent of the felony for
41 which the person was wrongfully convicted.

42 2. If a court does not find that a person is entitled to a judgment
43 pursuant to NRS 41.900, the action must be dismissed and the court
44 shall not enter a certificate of innocence.



1 3. Upon an entry of a certificate of innocence pursuant to
2 subsection 1, the court shall order sealed all records of the
3 conviction, except such records maintained by the parties
4 concerning a civil action for wrongful conviction brought pursuant
5 to NRS 41.900, which are in the custody of any agency of criminal
6 justice or any public or private agency, company, official or other
7 custodian of records in the State of Nevada and shall order all such
8 records of the person returned to the file of the court where the
9 underlying criminal action was commenced from, including, without
10 limitation, the Federal Bureau of Investigation and all other agencies
11 of criminal justice which maintain such records and which are
12 reasonably known by either the person or the court to have
13 possession of such records. Such records must be sealed regardless
14 of whether the person has any prior criminal convictions in this
15 State.

16 4. The records maintained by the parties concerning a civil
17 action for wrongful conviction pursuant to subsection 3 must remain
18 confidential.

19 *5. The entry of a certificate of innocence pursuant to*
20 *subsection 1 and the provision of an award pursuant to NRS*
21 *41.950 shall not be construed to be a finding that:*

22 *(a) A person involved in the investigation, prosecution or*
23 *conviction of the underlying offense committed any wrongdoing;*
24 *or*

25 *(b) There was not probable cause to arrest or file a complaint*
26 *against the person subject to the certificate of innocence.*

27 **Sec. 34.7.** NRS 62A.060 is hereby amended to read as
28 follows:

29 62A.060 ~~[1.]~~ "Community service" means ~~[community~~
30 ~~service]~~ *a community-based activity that:*

31 *1. Facilitates civic engagement or enhances connections*
32 *between the child and his or her community, provides training in*
33 *life skills or increases the employability of the child through basic*
34 *job training;*

35 *2. Is designed to:*

36 *(a) Encourage the development of empathy for victims of*
37 *crime;*

38 *(b) Repair harm done to victims and the community by giving*
39 *back to victims and the community;*

40 *(c) Facilitate the development of critical thinking and problem*
41 *solving skills;*

42 *(d) Facilitate the development of a deeper understanding of*
43 *community problems;*

44 *(e) Update the child with a better understanding of how to*
45 *make constructive changes;*



1 (f) Assist the child with gaining a sense of individual
2 effectiveness;

3 (g) Facilitate the development in the child of a personal stake
4 in the well-being of the community; or

5 (h) Provide the child with a better understanding of the need
6 for involvement in the community in a way that affects positive
7 change; and

8 3. Is performed in accordance with NRS 62E.190.

9 ~~[2. The term includes, but is not limited to, public service,
10 work on public projects, supervised work for the benefit of the
11 community or any other work required by the juvenile court.]~~

12 **Sec. 35.** Chapter 62C of NRS is hereby amended by adding
13 thereto a new section to read as follows:

14 1. A child must not be released before a detention hearing is
15 held pursuant to NRS 62C.040 if the child:

16 (a) Is taken into custody for an unlawful act in violation of
17 NRS 200.481 against a school employee or child welfare
18 professional; and

19 (b) Has, in the previous year, been taken two or more times
20 into custody for an unlawful act in violation of paragraph (d) of
21 subsection 2 of NRS 200.481 for which:

22 (1) The child has been placed on informal supervision
23 pursuant to NRS 62C.200; or

24 (2) A petition has been filed alleging that the child is
25 delinquent.

26 2. At the detention hearing, the juvenile court shall order the
27 mental health of the child to be evaluated by a qualified
28 professional, if the child has not been ordered by the court to be so
29 evaluated in the previous year.

30 3. If an evaluation is required by subsection 2, the court
31 shall:

32 (a) Detain the child at a facility for the detention of children
33 for not more than 14 days or until the completion of the
34 evaluation, whichever is sooner; or

35 (b) Place the child under a program of supervision in the
36 home of the child that may include electronic surveillance of the
37 child.

38 4. If a child is evaluated by a qualified professional pursuant
39 to subsection 2, the statements made by the child to the qualified
40 professional during the evaluation and any evidence directly or
41 indirectly derived from those statements may not be used for any
42 purpose in a proceeding which is conducted to prove that the child
43 committed a delinquent act or criminal offense. The provisions of
44 this subsection do not prohibit the district attorney from proving
45 that the child committed a delinquent act or criminal offense



1 *based upon evidence obtained from sources or by means that are*
2 *independent of the statements made by the child to the qualified*
3 *professional during the evaluation.*

4 5. As used in this section:

5 (a) "Child protective services" has the meaning ascribed to it
6 in NRS 432B.042.

7 (b) "Child welfare professional" means an employee of this
8 State or a political subdivision of this State who as part of his or
9 her job responsibilities:

10 (1) *Interacts with the public; and*

11 (2) *Performs tasks related to child welfare services or child*
12 *protective services or tasks that expose the person to comparable*
13 *dangers.*

14 (c) "Child welfare services" has the meaning ascribed to it in
15 NRS 432B.044.

16 (d) "School employee" means any licensed or unlicensed
17 person employed by a board of trustees of a school district
18 pursuant to NRS 391.100 or 391.281.

19 **Sec. 36.** NRS 62C.100 is hereby amended to read as follows:

20 62C.100 1. When a complaint is made alleging that a child is
21 delinquent or in need of supervision:

22 (a) The complaint must be referred to a probation officer of the
23 appropriate county; and

24 (b) The probation officer shall conduct a preliminary inquiry to
25 determine whether the best interests of the child or of the public:

26 (1) Require that a petition be filed; or

27 (2) Would better be served by placing the child under
28 informal supervision pursuant to NRS 62C.200.

29 2. If, after conducting the preliminary inquiry, the probation
30 officer recommends the filing of a petition, the district attorney shall
31 determine whether to file the petition.

32 3. If, after conducting the preliminary inquiry, the probation
33 officer does not recommend the filing of a petition or that the child
34 be placed under informal supervision, the probation officer must
35 notify the complainant regarding the complainant's right to seek a
36 review of the complaint by the district attorney.

37 4. If the complainant seeks a review of the complaint by the
38 district attorney, the district attorney shall:

39 (a) Review the facts presented by the complainant;

40 (b) Consult with the probation officer; and

41 (c) File the petition with the juvenile court if the district attorney
42 believes that the filing of the petition is necessary to protect the
43 interests of the child or of the public.

44 5. The determination of the district attorney concerning
45 whether to file the petition is final.



1 6. Except as otherwise provided in NRS 62C.060 ~~§~~ *and*
2 *section 35 of this act*, if a child is in detention or shelter care, the
3 child must be released immediately if a petition alleging that the
4 child is delinquent or in need of supervision is not:

5 (a) Approved by the district attorney; or

6 (b) Filed within 4 days after the date the complaint was referred
7 to the probation officer, excluding Saturdays, Sundays and holidays,
8 except that the juvenile court may, for good cause shown by the
9 district attorney, allow an additional 4 days for the filing of the
10 petition, excluding Saturdays, Sundays and holidays.

11 **Sec. 37.** (Deleted by amendment.)

12 **Sec. 38.** (Deleted by amendment.)

13 **Sec. 39.** (Deleted by amendment.)

14 **Sec. 39.2.** NRS 62E.430 is hereby amended to read as follows:

15 62E.430 1. ~~§~~ *Except as otherwise provided in this section,*
16 *if* a child is adjudicated to be in need of supervision because the
17 child is a habitual truant, the juvenile court shall:

18 (a) The first time the child is adjudicated to be in need of
19 supervision because the child is a habitual truant:

20 (1) Order:

21 (I) The child to pay a fine of not more than \$100 or, if the
22 parent or guardian of the child knowingly induced the child to be a
23 habitual truant, order the parent or guardian to pay the fine; or

24 (II) The child to perform not less than 8 hours but not
25 more than 16 hours of community service; and

26 (2) If the child is 14 years of age or older, order the
27 suspension of the driver's license of the child for at least 30 days but
28 not more than 6 months. If the child does not possess a driver's
29 license, the juvenile court shall prohibit the child from applying for
30 a driver's license for 30 days:

31 (I) Immediately following the date of the order if the child
32 is eligible to apply for a driver's license; or

33 (II) After the date the child becomes eligible to apply for
34 a driver's license if the child is not eligible to apply for a driver's
35 license.

36 (b) The second or any subsequent time the child is adjudicated
37 to be in need of supervision because the child is a habitual truant:

38 (1) Order:

39 (I) The child to pay a fine of not more than \$200 or, if the
40 parent or guardian of the child knowingly induced the child to be a
41 habitual truant, order the parent or guardian to pay the fine;

42 (II) The child to perform not more than 10 hours of
43 community service; or

44 (III) Compliance with the requirements set forth in both
45 sub-subparagraphs (I) and (II); and



1 (2) If the child is 14 years of age or older, order the
2 suspension of the driver's license of the child for at least 60 days but
3 not more than 1 year. If the child does not possess a driver's license,
4 the juvenile court shall prohibit the child from applying for a
5 driver's license for 60 days:

6 (I) Immediately following the date of the order if the child
7 is eligible to apply for a driver's license; or

8 (II) After the date the child becomes eligible to apply for
9 a driver's license if the child is not eligible to apply for a driver's
10 license.

11 2. The juvenile court may suspend the payment of a fine
12 ordered pursuant to paragraph (a) of subsection 1 if the child attends
13 school for 60 consecutive school days, or its equivalent in a school
14 district operating under an alternative schedule authorized pursuant
15 to NRS 388.090, after the imposition of the fine, or has a valid
16 excuse acceptable to the child's teacher or the principal for any
17 absence from school within that period.

18 3. The juvenile court may suspend the payment of a fine
19 ordered pursuant to this section if the parent or guardian of a child is
20 ordered to pay a fine by another court of competent jurisdiction in a
21 case relating to or arising out of the same circumstances that caused
22 the juvenile court to adjudicate the child in need of supervision.

23 4. The community service ordered pursuant to this section must
24 be performed at the child's school of attendance, if practicable.

25 *5. If the juvenile court finds that the suspension of the*
26 *driver's license of a child pursuant to this section is not in the best*
27 *interest of the child, the juvenile court may order the Department*
28 *of Motor Vehicles to issue the child a restricted driver's license*
29 *pursuant to NRS 483.490.*

30 *6. If the juvenile court issues an order requiring the*
31 *Department of Motor Vehicles to issue a restricted driver's license*
32 *to a child pursuant to subsection 5, not later than 5 days after*
33 *issuing the order, the juvenile court shall forward to the*
34 *Department of Motor Vehicles a copy of the order.*

35 **Sec. 39.4.** NRS 62E.440 is hereby amended to read as follows:

36 62E.440 1. **[H]** *Except as otherwise provided in this section,*
37 *if* a child is adjudicated to be in need of supervision because the
38 child has committed an offense related to tobacco, the juvenile court
39 may:

40 (a) The first time the child is adjudicated to be in need of
41 supervision because the child has committed an offense related to
42 tobacco, order the child to:

43 (1) Pay a fine of \$25; and

44 (2) Attend and complete a tobacco awareness and cessation
45 program.



1 (b) The second time the child is adjudicated to be in need of
2 supervision because the child has committed an offense related to
3 tobacco, order the child to:

4 (1) Pay a fine of \$50; and

5 (2) Attend and complete a tobacco awareness and cessation
6 program.

7 (c) The third or any subsequent time the child is adjudicated to
8 be in need of supervision because the child has committed an
9 offense related to tobacco, order:

10 (1) The child to pay a fine of \$75;

11 (2) The child to attend and complete a tobacco awareness
12 and cessation program; and

13 (3) That the driver's license of the child be suspended for at
14 least 30 days but not more than 90 days or, if the child does not
15 possess a driver's license, prohibit the child from receiving a
16 driver's license for at least 30 days but not more than 90 days:

17 (I) Immediately following the date of the order, if the
18 child is eligible to receive a driver's license.

19 (II) After the date the child becomes eligible to apply for
20 a driver's license, if the child is not eligible to receive a license on
21 the date of the order.

22 2. If the juvenile court orders a child to pay a fine pursuant to
23 this section and the child willfully fails to pay the fine, the juvenile
24 court may order that the driver's license of the child be suspended
25 for at least 30 days but not more than 90 days or, if the child does
26 not possess a driver's license, prohibit the child from receiving a
27 driver's license for at least 30 days but not more than 90 days:

28 (a) Immediately following the date of the order, if the child is
29 eligible to receive a driver's license.

30 (b) After the date the child becomes eligible to apply for a
31 driver's license, if the child is not eligible to receive a license on the
32 date of the order.

33 ➤ If the child is already the subject of a court order suspending or
34 delaying the issuance of the driver's license of the child, the juvenile
35 court shall order the additional suspension or delay, as appropriate,
36 to apply consecutively with the previous order.

37 3. If the juvenile court ~~finds that the suspension of~~
38 the driver's license of ~~the~~ child pursuant to this section ~~is not~~
39 ~~in the best interest of the child~~, the juvenile court may order the
40 Department of Motor Vehicles to issue ~~the child~~ a restricted driver's
41 license pursuant to NRS 483.490 . ~~permitting the child to drive a~~
42 ~~motor vehicle:~~

43 ~~—(a) To and from work or in the course of his or her work, or~~
44 ~~both;~~

45 ~~—(b) To and from school; or~~



1 ~~—(c) To acquire supplies of medicine or food or receive regularly~~
2 ~~scheduled medical care for himself, herself or a member of his or~~
3 ~~her immediate family.]~~

4 *4. If the juvenile court issues an order requiring the*
5 *Department of Motor Vehicles to issue a restricted driver's license*
6 *to a child pursuant to subsection 3, not later than 5 days after*
7 *issuing the order, the juvenile court shall forward to the*
8 *Department of Motor Vehicles a copy of the order.*

9 **Sec. 39.6.** NRS 62E.630 is hereby amended to read as follows:

10 62E.630 1. Except as otherwise provided in this section, if a
11 child is adjudicated delinquent for the unlawful act of using,
12 possessing, selling or distributing a controlled substance, or
13 purchasing, consuming or possessing an alcoholic beverage in
14 violation of NRS 202.020, the juvenile court shall:

15 (a) If the child possesses a driver's license, issue an order
16 suspending the driver's license of the child for at least 90 days but
17 not more than 2 years; or

18 (b) If the child does not possess a driver's license and the child
19 is or will be eligible to receive a driver's license within the 2 years
20 immediately following the date of the order, issue an order
21 prohibiting the child from receiving a driver's license for a period
22 specified by the juvenile court which must be at least 90 days but
23 not more than 2 years:

24 (1) Immediately following the date of the order, if the child
25 is eligible to receive a driver's license; or

26 (2) After the date the child will be eligible to receive a
27 driver's license, if the child is not eligible to receive a driver's
28 license on the date of the order.

29 2. If the child is already the subject of a court order suspending
30 or delaying the issuance of the driver's license of the child, the
31 juvenile court shall order the additional suspension or delay, as
32 appropriate, to apply consecutively with the previous order.

33 3. If the juvenile court finds that ~~[a] the~~ suspension ~~[for delay in~~
34 ~~the issuance]~~ of the driver's license of a child pursuant to this
35 section ~~[would cause or is causing a severe or undue hardship to] is~~
36 *not in the best interest of* the child, ~~[for his or her immediate family~~
37 ~~and that the child is otherwise eligible to receive a driver's license,]~~
38 the juvenile court may order the Department of Motor Vehicles to
39 issue *the child* a restricted driver's license ~~[to the child]~~ pursuant to
40 NRS 483.490.

41 4. If the juvenile court issues an order requiring the
42 Department of Motor Vehicles to issue a restricted driver's license
43 to a child pursuant to subsection 3, not later than 5 days after issuing
44 the order, the juvenile court shall forward to the Department of
45 Motor Vehicles a copy of the order.



1 **Sec. 39.8.** NRS 62E.690 is hereby amended to read as follows:
2 62E.690 1. Except as otherwise provided in this section, if a
3 child is adjudicated delinquent for the unlawful act of placing
4 graffiti on or otherwise defacing public or private property owned or
5 possessed by another person in violation of NRS 206.125 or
6 206.330 or for the unlawful act of carrying a graffiti implement in
7 certain places without valid authorization in violation of NRS
8 206.335, the juvenile court shall:

9 (a) If the child possesses a driver's license, issue an order
10 suspending the driver's license of the child for at least 1 year but not
11 more than 2 years; or

12 (b) If the child does not possess a driver's license and the child
13 is or will be eligible to receive a driver's license within the 2 years
14 immediately following the date of the order, issue an order
15 prohibiting the child from receiving a driver's license for a period
16 specified by the juvenile court which must be at least 1 year but not
17 more than 2 years:

18 (1) Immediately following the date of the order, if the child
19 is eligible to receive a driver's license; or

20 (2) After the date the child will be eligible to receive a
21 driver's license, if the child is not eligible to receive a driver's
22 license on the date of the order.

23 2. If the child is already the subject of a court order suspending
24 or delaying the issuance of the driver's license of the child, the
25 juvenile court shall order the additional suspension or delay, as
26 appropriate, to apply consecutively with the previous order.

27 3. *If the juvenile court finds that the suspension of the*
28 *driver's license of a child pursuant to this section is not in the best*
29 *interest of the child, the juvenile court may order the Department*
30 *of Motor Vehicles to issue the child a restricted driver's license*
31 *pursuant to NRS 483.490.*

32 4. *If the juvenile court issues an order requiring the*
33 *Department of Motor Vehicles to issue a restricted driver's license*
34 *to a child pursuant to subsection 3, not later than 5 days after*
35 *issuing the order, the juvenile court shall forward to the*
36 *Department of Motor Vehicles a copy of the order.*

37 **Sec. 40.** (Deleted by amendment.)

38 **Sec. 41.** NRS 176.0931 is hereby amended to read as follows:

39 176.0931 1. If a defendant is convicted of a sexual offense,
40 the court shall include in sentencing, in addition to any other
41 penalties provided by law, a special sentence of lifetime supervision.

42 2. The special sentence of lifetime supervision commences
43 after any period of probation or any term of imprisonment and any
44 period of release on parole.



1 3. A person sentenced to lifetime supervision may petition the
2 sentencing court or the State Board of Parole Commissioners for
3 release from lifetime supervision. The sentencing court or the Board
4 shall grant a petition for release from a special sentence of lifetime
5 supervision if:

6 (a) The person has complied with the requirements of the
7 provisions of NRS 179D.010 to 179D.550, inclusive;

8 (b) The person has not been convicted of an offense that poses a
9 threat to the safety or well-being of others for an interval of at least
10 10 consecutive years after the person's last conviction or release
11 from incarceration, whichever occurs later; and

12 (c) The person is not likely to pose a threat to the safety of
13 others, as determined by a licensed, clinical professional who has
14 received training in the treatment of sexual offenders, if released
15 from lifetime supervision.

16 4. A person who is released from lifetime supervision pursuant
17 to the provisions of subsection 3 remains subject to the provisions
18 for registration as a sex offender and to the provisions for
19 community notification, unless the person is otherwise relieved from
20 the operation of those provisions pursuant to the provisions of NRS
21 179D.010 to 179D.550, inclusive.

22 5. As used in this section:

23 (a) "Offense that poses a threat to the safety or well-being of
24 others" includes, without limitation:

25 (1) An offense that involves:

26 (I) A victim less than 18 years of age;

27 (II) A crime against a child as defined in
28 NRS 179D.0357;

29 (III) A sexual offense as defined in NRS 179D.097;

30 (IV) A deadly weapon, explosives or a firearm;

31 (V) The use or threatened use of force or violence;

32 (VI) Physical or mental abuse;

33 (VII) Death or bodily injury;

34 (VIII) An act of domestic violence;

35 (IX) Harassment, stalking, threats of any kind or other
36 similar acts;

37 (X) The forcible or unlawful entry of a home, building,
38 structure, vehicle or other real or personal property; or

39 (XI) The infliction or threatened infliction of damage or
40 injury, in whole or in part, to real or personal property.

41 (2) Any offense listed in subparagraph (1) that is committed
42 in this State or another jurisdiction, including, without limitation, an
43 offense prosecuted in:

44 (I) A tribal court.



1 (II) A court of the United States or the Armed Forces of
2 the United States.

3 (b) "Sexual offense" means:

4 (1) A violation of NRS 200.366, subsection 4 of NRS
5 200.400, NRS 200.710, 200.720, *paragraph (b) of* subsection ~~2~~ 1
6 of NRS 200.730, paragraph (a) of subsection 1 of NRS 200.975,
7 NRS 201.180, 201.230, 201.450, 201.540 or 201.550 or paragraph
8 (a) or (b) of subsection 4 or paragraph (a) or (b) of subsection 5 of
9 NRS 201.560;

10 (2) An attempt to commit an offense listed in subparagraph
11 (1); or

12 (3) An act of murder in the first or second degree,
13 kidnapping in the first or second degree, false imprisonment,
14 burglary or invasion of the home if the act is determined to be
15 sexually motivated at a hearing conducted pursuant to NRS 175.547.

16 **Sec. 42.** NRS 176.211 is hereby amended to read as follows:

17 176.211 1. Except as otherwise provided in this subsection,
18 upon a plea of guilty, guilty but mentally ill or nolo contendere, but
19 before a judgment of guilt, the court may, without entering a
20 judgment of guilt and with the consent of the defendant, defer
21 judgment on the case to a specified future date and set forth specific
22 terms and conditions for the defendant. The duration of the deferral
23 period must not exceed the applicable period set forth in subsection
24 1 of NRS 176A.500 or the extension of the period pursuant to
25 subsection 2 of NRS 176A.500. The court may not defer judgment
26 pursuant to this subsection if the defendant has entered into a plea
27 agreement with a prosecuting attorney unless the plea agreement
28 allows the deferral.

29 2. The terms and conditions set forth for the defendant during
30 the deferral period may include, without limitation, the:

31 (a) Payment of restitution;

32 (b) Payment of court costs;

33 (c) Payment of an assessment in lieu of any fine authorized by
34 law for the offense;

35 (d) Payment of any other assessment or cost authorized by law;

36 (e) Completion of a term of community service;

37 (f) Placement on probation pursuant to NRS 176A.500 and the
38 ordering of any conditions which can be imposed for probation
39 pursuant to NRS 176A.400; or

40 (g) Completion of a specialty court program.

41 3. The court:

42 (a) Upon the consent of the defendant:

43 (1) Shall defer judgment for any defendant who has entered a
44 plea of guilty, guilty but mentally ill or nolo contendere to a
45 violation of paragraph (a) of subsection 2 of NRS 453.336; or



1 (2) May defer judgment for any defendant who is placed in a
2 specialty court program. The court may extend any deferral period
3 for not more than 12 months to allow for the completion of a
4 specialty court program.

5 (b) Shall not defer judgment for any defendant who has been
6 convicted of ~~[a]~~:

7 (1) A violent or sexual offense as defined in NRS 202.876
8 ~~[a]~~;

9 (2) A crime against a child as defined in NRS 179D.0357
10 ~~[a]~~;

11 (3) A violation of NRS 200.508 ; or ~~[a]~~

12 (4) A violation of NRS 574.100 that is punishable pursuant to
13 subsection 6 of that section.

14 4. Upon violation of a term or condition:

15 (a) Except as otherwise provided in paragraph (b):

16 (1) The court may enter a judgment of conviction and
17 proceed as provided in the section pursuant to which the defendant
18 was charged.

19 (2) Notwithstanding the provisions of paragraph (e) of
20 subsection 2 of NRS 193.130, the court may order the defendant to
21 the custody of the Department of Corrections if the offense is
22 punishable by imprisonment in the state prison.

23 (b) If the defendant has been placed in the program for a first or
24 second violation of paragraph (a) of subsection 2 of NRS 453.336,
25 the court may allow the defendant to continue to participate in the
26 program or terminate the participation of the defendant in the
27 program. If the court terminates the participation of the defendant in
28 the program, the court shall allow the defendant to withdraw his or
29 her plea.

30 5. Upon completion of the terms and conditions of the deferred
31 judgment, and upon a finding by the court that the terms and
32 conditions have been met, the court shall discharge the defendant
33 and dismiss the proceedings. Discharge and dismissal pursuant to
34 this section is without adjudication of guilt and is not a conviction
35 for purposes of employment, civil rights or any statute or regulation
36 or license or questionnaire or for any other public or private
37 purpose, but is a conviction for the purpose of additional penalties
38 imposed for second or subsequent convictions or the setting of bail.
39 Discharge and dismissal restores the defendant, in the contemplation
40 of the law, to the status occupied before the arrest, indictment or
41 information.

42 6. ~~[The]~~ *Except as otherwise provided in subsection 7, the*
43 court shall order sealed all documents, papers and exhibits in the
44 defendant's record, minute book entries and entries on dockets, and
45 other documents relating to the case in the custody of such other



1 agencies and officers as are named in the court's order if the
2 defendant fulfills the terms and conditions imposed by the court and
3 the Division. The court shall order those records sealed without a
4 hearing unless the Division or the prosecutor petitions the court, for
5 good cause shown, not to seal the records and requests a hearing
6 thereon.

7 *7. The provisions of subsection 6 do not apply to, and the*
8 *court may not order sealed pursuant to subsection 6, the records of*
9 *a defendant who is charged with a violation of NRS 200.508 or*
10 *200.5099 and who is discharged pursuant to this section.*

11 **8.** If the court orders sealed the record of a defendant
12 discharged pursuant to this section, the court shall send a copy of the
13 order to each agency or officer named in the order. Each such
14 agency or officer shall notify the court in writing of its compliance
15 with the order.

16 ~~[8.]~~ **9.** As used in this section:

17 (a) "Court" means a district court of the State of Nevada.

18 (b) "Specialty court program" has the meaning ascribed to it in
19 NRS 176A.065.

20 **Sec. 43.** (Deleted by amendment.)

21 **Sec. 44.** NRS 176A.245 is hereby amended to read as follows:

22 176A.245 1. Except as otherwise provided in ~~[subsection 2,]~~
23 *this section*, after a defendant is discharged from probation or a case
24 is dismissed pursuant to NRS 176A.240, the court shall order sealed
25 all documents, papers and exhibits in the defendant's record, minute
26 book entries and entries on dockets, and other documents relating to
27 the case in the custody of such other agencies and officers as are
28 named in the court's order if the defendant fulfills the terms and
29 conditions imposed by the court and the Division. The court shall
30 order those records sealed without a hearing unless the Division
31 petitions the court, for good cause shown, not to seal the records and
32 requests a hearing thereon.

33 2. If the defendant is charged with a violation of NRS 200.485,
34 484C.110 or 484C.120 and the charges are conditionally dismissed
35 or the judgment of conviction is set aside as provided in NRS
36 176A.240, not sooner than 7 years after the charges are
37 conditionally dismissed or the judgment of conviction is set aside
38 and upon the filing of a petition by the defendant, the justice court,
39 municipal court or district court, as applicable, shall order that all
40 documents, papers and exhibits in the defendant's record, minute
41 book entries and entries on dockets, and other documents relating to
42 the case in the custody of such other agencies and officers as are
43 named in the court's order be sealed. The justice court, municipal
44 court or district court, as applicable, shall order those records sealed



1 without a hearing unless the Division petitions the court, for good
2 cause shown, not to seal the records and requests a hearing thereon.

3 3. *The provisions of subsection 1 do not apply to, and the*
4 *court may not order sealed pursuant to this section, the records of*
5 *a defendant who is charged with a violation of NRS 200.508 or*
6 *200.5099 and who is discharged from probation, whose case is*
7 *dismissed or whose judgment of conviction was set aside pursuant*
8 *to NRS 176A.240.*

9 4. If the court orders sealed the record of a defendant who is
10 discharged from probation, whose case is dismissed, whose charges
11 were conditionally dismissed or whose judgment of conviction was
12 set aside pursuant to NRS 176A.240, the court shall send a copy of
13 the order to each agency or officer named in the order. Each such
14 agency or officer shall notify the court in writing of its compliance
15 with the order.

16 **Sec. 45.** (Deleted by amendment.)

17 **Sec. 46.** NRS 176A.265 is hereby amended to read as follows:

18 176A.265 1. Except as otherwise provided in ~~subsection 2,~~
19 *this section*, after a defendant is discharged from probation or a case
20 is dismissed pursuant to NRS 176A.260, the district court, justice
21 court or municipal court, as applicable, shall order sealed all
22 documents, papers and exhibits in the defendant's record, minute
23 book entries and entries on dockets, and other documents relating to
24 the case in the custody of such other agencies and officers as are
25 named in the court's order if the defendant fulfills the terms and
26 conditions imposed by the court and the Division. The district court,
27 justice court or municipal court, as applicable, shall order those
28 records sealed without a hearing unless the Division petitions the
29 court, for good cause shown, not to seal the records and requests a
30 hearing thereon.

31 2. If the defendant is charged with a violation of NRS 200.485,
32 484C.110 or 484C.120 and the charges are conditionally dismissed
33 or the judgment of conviction is set aside as provided in NRS
34 176A.260, not sooner than 7 years after the charges are
35 conditionally dismissed or the judgment of conviction is set aside
36 and upon the filing of a petition by the defendant, the justice court,
37 municipal court or district court, as applicable, shall order that all
38 documents, papers and exhibits in the defendant's record, minute
39 book entries and entries on dockets, and other documents relating to
40 the case in the custody of such other agencies and officers as are
41 named in the court's order be sealed. The justice court, municipal
42 court or district court, as applicable, shall order those records sealed
43 without a hearing unless the Division petitions the court, for good
44 cause shown, not to seal the records and requests a hearing thereon.



1 3. *The provisions of subsection 1 do not apply to, and the*
2 *court may not order sealed pursuant to this section, the records of*
3 *a defendant who is charged with a violation of NRS 200.508 or*
4 *200.5099 and who is discharged from probation, whose case is*
5 *dismissed or whose judgment of conviction was set aside pursuant*
6 *to NRS 176A.260.*

7 4. If the district court, justice court or municipal court, as
8 applicable, orders sealed the record of a defendant who is
9 discharged from probation, whose case is dismissed, whose charges
10 were conditionally dismissed or whose judgment of conviction was
11 set aside pursuant to NRS 176A.260, the court shall send a copy of
12 the order to each agency or officer named in the order. Each such
13 agency or officer shall notify the district court, justice court or
14 municipal court, as applicable, in writing of its compliance with the
15 order.

16 **Sec. 47.** (Deleted by amendment.)

17 **Sec. 48.** (Deleted by amendment.)

18 **Sec. 49.** NRS 176A.295 is hereby amended to read as follows:

19 176A.295 1. Except as otherwise provided in ~~subsection 2,~~
20 *this section*, after a defendant is discharged from probation or a case
21 is dismissed pursuant to NRS 176A.290, the justice court, municipal
22 court or district court, as applicable, shall order sealed all
23 documents, papers and exhibits in the defendant's record, minute
24 book entries and entries on dockets, and other documents relating to
25 the case in the custody of such other agencies and officers as are
26 named in the court's order if the defendant fulfills the terms and
27 conditions imposed by the court and the Division. The justice court,
28 municipal court or district court, as applicable, shall order those
29 records sealed without a hearing unless the Division petitions the
30 court, for good cause shown, not to seal the records and requests a
31 hearing thereon.

32 2. If the defendant is charged with a violation of NRS 200.485,
33 484C.110 or 484C.120 and the charges are conditionally dismissed
34 or the judgment of conviction is set aside as provided in NRS
35 176A.290, not sooner than 7 years after the charges are
36 conditionally dismissed or the judgment of conviction is set aside
37 and upon the filing of a petition by the defendant, the justice court,
38 municipal court or district court, as applicable, shall order that all
39 documents, papers and exhibits in the defendant's record, minute
40 book entries and entries on dockets, and other documents relating to
41 the case in the custody of such other agencies and officers as are
42 named in the court's order be sealed. The justice court, municipal
43 court or district court, as applicable, shall order those records sealed
44 without a hearing unless the Division petitions the court, for good
45 cause shown, not to seal the records and requests a hearing thereon.



1 3. *The provisions of subsection 1 do not apply to, and the*
2 *court may not order sealed pursuant to this section, the records of*
3 *a defendant who is charged with a violation of NRS 200.508 or*
4 *200.5099 and who is discharged from probation, whose case is*
5 *dismissed or whose judgment of conviction was set aside pursuant*
6 *to NRS 176A.290.*

7 4. If the justice court, municipal court or district court, as
8 applicable, orders sealed the record of a defendant who is
9 discharged from probation, whose case is dismissed, whose charges
10 were conditionally dismissed or whose judgment of conviction was
11 set aside pursuant to NRS 176A.290, the court shall send a copy of
12 the order to each agency or officer named in the order. Each such
13 agency or officer shall notify the justice court, municipal court or
14 district court, as applicable, in writing of its compliance with the
15 order.

16 **Sec. 50.** NRS 176A.413 is hereby amended to read as follows:

17 176A.413 1. Except as otherwise provided in subsection 2, if
18 a defendant is convicted of stalking ~~[with the use of an Internet or~~
19 ~~network site, electronic mail, text messaging or any other similar~~
20 ~~means of communication]~~ *by electronic means* pursuant to
21 ~~[subsection 4 of]~~ NRS 200.575, an offense involving pornography
22 and a minor pursuant to NRS 200.710 to 200.730, inclusive, luring a
23 child or a person with mental illness through the use of a computer,
24 system or network pursuant to paragraph (a) or (b) of subsection 4
25 of NRS 201.560 or a violation of NRS 201.553 which involved the
26 use of an electronic communication device and the court grants
27 probation or suspends the sentence, the court shall, in addition to
28 any other condition ordered pursuant to NRS 176A.400, order as a
29 condition of probation or suspension that the defendant not own or
30 use a computer, including, without limitation, use electronic mail, a
31 chat room or the Internet.

32 2. The court is not required to impose a condition of probation
33 or suspension of sentence set forth in subsection 1 if the court finds
34 that:

35 (a) The use of a computer by the defendant will assist a law
36 enforcement agency or officer in a criminal investigation;

37 (b) The defendant will use the computer to provide
38 technological training concerning technology of which the
39 defendant has a unique knowledge; or

40 (c) The use of the computer by the defendant will assist
41 companies that require the use of the specific technological
42 knowledge of the defendant that is unique and is otherwise
43 unavailable to the company.

44 3. Except as otherwise provided in subsection 1, if a defendant
45 is convicted of an offense that involved the use of a computer,



1 system or network and the court grants probation or suspends the
2 sentence, the court may, in addition to any other condition ordered
3 pursuant to NRS 176A.400, order as a condition of probation or
4 suspension that the defendant not own or use a computer, including,
5 without limitation, use electronic mail, a chat room or the Internet.

6 4. As used in this section:

7 (a) "Computer" has the meaning ascribed to it in NRS 205.4735
8 and includes, without limitation, an electronic communication
9 device.

10 (b) "Electronic communication device" has the meaning
11 ascribed to it in NRS 200.737.

12 (c) *"Electronic means" has the meaning ascribed to it in*
13 *NRS 200.575.*

14 (d) "Network" has the meaning ascribed to it in NRS 205.4745.

15 ~~[(d)]~~ (e) "System" has the meaning ascribed to it in
16 NRS 205.476.

17 ~~[(e) "Text messaging" has the meaning ascribed to it in~~
18 ~~NRS 200.575.]~~

19 **Sec. 51.** Chapter 178 of NRS is hereby amended by adding
20 thereto a new section to read as follows:

21 *1. If a court prohibits a person from possessing a firearm as a*
22 *condition of release pursuant to NRS 178.4851, the court shall*
23 *require the person to appear for a compliance hearing to*
24 *determine whether the person has complied with the prohibition.*

25 *2. The court shall schedule the compliance hearing not*
26 *earlier than 2 business days nor later than 5 business days after*
27 *the release of the person.*

28 *3. For the purpose of complying with a condition of release*
29 *prohibiting the person from possessing a firearm, the person and*
30 *the court may follow the procedures for:*

31 (a) *The surrender, sale or transfer of firearms described in*
32 *NRS 202.361; and*

33 (b) *The cancellation of a compliance hearing described in*
34 *section 4 of this act.*

35 **Sec. 52.** NRS 178.483 is hereby amended to read as follows:

36 178.483 As used in NRS 178.483 to 178.548, inclusive, *and*
37 *section 51 of this act*, unless the context otherwise requires,
38 "electronic transmission," "electronically transmit" or
39 "electronically transmitted" means any form or process of
40 communication not directly involving the physical transfer of paper
41 or another tangible medium which:

42 1. Is suitable for the retention, retrieval and reproduction of
43 information by the recipient; and



1 2. Is retrievable and reproducible in paper form by the recipient
2 through an automated process used in conventional commercial
3 practice.

4 **Sec. 53.** NRS 178.4849 is hereby amended to read as follows:

5 178.4849 1. Except as otherwise provided in subsection 2
6 and NRS 178.484 and 178.4847, a court shall, within 48 hours after
7 a person has been taken into custody, *excluding any day declared to*
8 *be a legal holiday pursuant to NRS 236.015*, hold a pretrial release
9 hearing, in open court or by means of remote communication, to
10 determine the custody status of the person.

11 2. The court may continue a pretrial release hearing:

12 (a) At the request of either party or the court and for good cause
13 shown.

14 (b) Upon stipulation of the parties. The court shall schedule a
15 hearing continued pursuant to this paragraph for the date specified
16 by stipulation.

17 3. A stipulation made pursuant to subsection 2 may be:

18 (a) An oral stipulation; or

19 (b) A written stipulation communicated by mail, by electronic
20 mail, via the Internet or by other electronic means.

21 4. The prosecuting attorney, the defendant and the defendant's
22 attorney may appear at a pretrial release hearing by means of remote
23 communication. An appearance by means of remote communication
24 must be treated in the same manner as an appearance in person.

25 5. A magistrate who presides over a pretrial release hearing
26 may do so by means of remote communication.

27 6. As used in this section:

28 (a) "Magistrate" means a judicial officer who presides over a
29 pretrial release hearing.

30 (b) "Remote communication" means communication through
31 telephone or videoconferencing.

32 **Sec. 54.** (Deleted by amendment.)

33 **Sec. 55.** NRS 178.522 is hereby amended to read as follows:

34 178.522 1. When the condition of the bond has been satisfied
35 or the forfeiture thereof has been set aside or remitted, the court
36 shall exonerate the obligors and release any bail. The court shall
37 exonerate the obligors and release any bail at the time of sentencing
38 the defendant ~~{, if the court has not previously done so}~~ unless the
39 money deposited ~~{by the defendant}~~ as bail must be applied ~~{to~~
40 ~~satisfy a judgment}~~ pursuant to NRS 178.528.

41 2. A surety may be exonerated by a deposit of cash in the
42 amount of the bond or by a timely surrender of the defendant into
43 custody.



1 **Sec. 56.** NRS 178.528 is hereby amended to read as follows:

2 178.528 1. When money has been deposited ~~[]~~ *as bail by a*
3 *person other than a surety*, if it remains on deposit at the time of ~~[a~~
4 ~~judgment for the payment of a fine.] sentencing~~, the court, or the
5 clerk under the direction of the court, *upon the provision of notice*
6 *to and the agreement of the person who deposited the bail*, shall
7 apply the money in satisfaction ~~[thereof.]~~ *of any restitution.* ~~[and]~~

8 2. *If a distribution is not made pursuant to subsection 1, or*
9 *after satisfying the restitution pursuant to subsection 1 there is a*
10 *surplus remaining, as applicable, the court, or the clerk under the*
11 *direction of the court, shall apply the money to any* fine and costs .

12 3. *If there is any surplus remaining after the distributions are*
13 *made pursuant subsections 1 and 2, as applicable, the court, or the*
14 *clerk under the direction of the court*, shall refund the surplus ~~[, if~~
15 ~~any.]~~ to the person who deposited the bail, unless that person has
16 directed, in writing, that any surplus be refunded to another.

17 **Sec. 57.** NRS 178.572 is hereby amended to read as follows:

18 178.572 1. ~~[H]~~ *If a witness refuses, on the basis of the*
19 *privilege against self-incrimination, to testify or provide other*
20 *information that is necessary to the public interest in* any
21 investigation before a grand jury, ~~[or]~~ any preliminary examination
22 ~~[or]~~ *and trial or other evidentiary proceeding* in any court of record,
23 the ~~[court on motion of the State]~~ *prosecuting attorney* may *request*
24 *that the court issue an order* ~~[that any material witness be released~~
25 ~~from all liability to be prosecuted or punished on account of any]~~ *of*
26 *immunity to compel the witness to testify or provide other*
27 *information.*

28 2. *If a court issues an order of immunity:*

29 (a) *The witness may not refuse to testify or provide other*
30 *information on the basis of the privilege against self-*
31 *incrimination;*

32 (b) *The testimony or other* ~~[evidence the witness may be~~
33 ~~required to produce.~~

34 ~~—2.]~~ *information compelled under the order, or any information*
35 *directly or indirectly derived from the testimony or other*
36 *information, may not be used against the person in any criminal*
37 *case, except a prosecution for:*

38 (1) *Perjury committed in the giving of such testimony;*

39 (2) *Giving a false statement; or*

40 (3) *Otherwise failing to comply with the order; and*

41 (c) *Before the provision of any testimony by the witness,*
42 *the court shall advise the witness orally and in writing of the*
43 *information described in paragraph (b) and the effect of the*
44 *immunity in regards to future prosecutions.*



1 3. Any ~~motion,~~ *request*, hearing or order regarding the
2 immunity of a grand jury witness must not be made public before an
3 indictment or presentment is issued in the case.

4 **Sec. 58.** NRS 178.760 is hereby amended to read as follows:

5 178.760 Notwithstanding any other provision of law:

6 1. A district attorney, assistant district attorney ~~or~~ *or a*
7 *designated city attorney may:*

8 (a) *If the attorney is a* deputy district attorney or other attorney
9 employed by a district attorney ~~may:~~

10 ~~—(a) Be~~ *be* deputized to prosecute a person in a county other than
11 the county by which the attorney is employed for the limited
12 purpose of serving as the prosecuting attorney in a pretrial release
13 hearing required by NRS 178.4849. An assistant district attorney,
14 deputy district attorney or other attorney employed by a district
15 attorney must receive the approval of the district attorney of the
16 county in which the attorney is employed before serving as the
17 prosecuting attorney in a pretrial release hearing in a county other
18 than the county by which the attorney is employed.

19 (b) *If the attorney is a designated city attorney, be deputized to*
20 *prosecute a person in the county which encompasses the city that*
21 *employs the city attorney for the limited purpose of serving as the*
22 *prosecuting attorney in a pretrial release hearing required by*
23 *NRS 178.4849.*

24 (c) Receive a stipend for being available on a weekend or
25 holiday to serve as the prosecuting attorney in a pretrial release
26 hearing required by NRS 178.4849 or for serving as the prosecuting
27 attorney in any such pretrial release hearing conducted on a
28 weekend or holiday.

29 2. A public defender and the State Public Defender may,
30 pursuant to an interlocal agreement, authorize the public defender,
31 State Public Defender or any other attorney employed by the public
32 defender or State Public Defender to provide for the representation
33 of a defendant in a pretrial release hearing required by NRS
34 178.4849 in any county.

35 3. A public defender, the State Public Defender or any other
36 attorney employed by the public defender or State Public Defender
37 may receive a stipend for being available on a weekend or holiday
38 to represent a defendant in a pretrial release hearing required by
39 NRS 178.4849 or for representing a defendant in any such pretrial
40 release hearing conducted on a weekend ~~or~~ or holiday.

41 4. *As used in this section, “designated city attorney” means a*
42 *city attorney in a county in this State whose population is less than*
43 *100,000.*

44 **Sec. 59.** (Deleted by amendment.)

45 **Sec. 60.** (Deleted by amendment.)



1 **Sec. 60.1.** Chapter 179 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 60.2 and 60.3 of this act.

3 **Sec. 60.2.** *“Sexual offense against a child” includes any act*
4 *upon a child constituting:*

5 1. *Sexual assault pursuant to NRS 200.366;*

6 2. *Statutory sexual seduction pursuant to NRS 200.368;*

7 3. *Incest pursuant to NRS 201.180;*

8 4. *Open or gross lewdness pursuant to NRS 201.210;*

9 5. *Lewdness with a child pursuant to NRS 201.230;*

10 6. *Sado-masochistic abuse pursuant to NRS 201.262; or*

11 7. *Luring a child or a person with mental illness pursuant to*
12 *NRS 201.560, if punished as a felony.*

13 **Sec. 60.3.** *1. The interception, listening or recording of a*
14 *wire, electronic or oral communication by a peace officer, or a*
15 *designated person acting under the direction or request of a peace*
16 *officer, is not unlawful if the peace officer or designated person is*
17 *intercepting the communication for the sole purpose of*
18 *investigating a sexual offense against a child.*

19 2. *As used in this section, “designated person” means:*

20 (a) *A child, with the consent of the parent or legal guardian of*
21 *the child; and*

22 (b) *The parent or legal guardian of a child.*

23 **Sec. 60.4.** NRS 179.410 is hereby amended to read as follows:

24 179.410 As used in NRS 179.410 to 179.515, inclusive, *and*
25 *sections 60.2 and 60.3 of this act*, except where the context
26 otherwise requires, the words and terms defined in NRS 179.415 to
27 179.455, inclusive, *and section 60.2 of this act* have the meanings
28 ascribed to them in those sections.

29 **Sec. 60.5.** NRS 179.460 is hereby amended to read as follows:

30 179.460 1. The Attorney General or the district attorney of
31 any county may apply to a Supreme Court justice or to a district
32 judge in the county where the interception is to take place for an
33 order authorizing the interception of wire, electronic or oral
34 communications, and the judge may, in accordance with NRS
35 179.470 to 179.515, inclusive, grant an order authorizing the
36 interception of wire, electronic or oral communications by
37 investigative or law enforcement officers having responsibility for
38 the investigation of the offense as to which the application is made,
39 when the interception may provide evidence of the commission of
40 murder, kidnapping, robbery, extortion, bribery, escape of an
41 offender in the custody of the Department of Corrections,
42 destruction of public property by explosives, a sexual offense
43 against a child, sex trafficking, a violation of NRS 200.463, 200.464
44 or 200.465, trafficking in persons in violation of NRS 200.467 or
45 200.468, a violation of NRS 201.553, the commission of any



1 offense which is made a felony by the provisions of chapter 453 or
2 454 of NRS or a violation of NRS 463.160 or 465.086.

3 2. A provider of electronic communication service or a public
4 utility, an officer, employee or agent thereof or another person
5 associated with the provider of electronic communication service or
6 public utility who, pursuant to an order issued pursuant to
7 subsection 1, provides information or otherwise assists an
8 investigative or law enforcement officer in the interception of a
9 wire, electronic or oral communication is immune from any liability
10 relating to any interception made pursuant to the order.

11 ~~{3. As used in this section, "sexual offense against a child"~~
12 ~~includes any act upon a child constituting:~~

- 13 ~~—(a) Incest pursuant to NRS 201.180;~~
14 ~~—(b) Lewdness with a child pursuant to NRS 201.230;~~
15 ~~—(c) Sado-masochistic abuse pursuant to NRS 201.262;~~
16 ~~—(d) Sexual assault pursuant to NRS 200.366;~~
17 ~~—(e) Statutory sexual seduction pursuant to NRS 200.368;~~
18 ~~—(f) Open or gross lewdness pursuant to NRS 201.210; or~~
19 ~~—(g) Luring a child or a person with mental illness pursuant to~~
20 ~~NRS 201.560, if punished as a felony.]~~

21 **Sec. 60.6.** Chapter 209 of NRS is hereby amended by adding
22 thereto the provisions set forth as sections 60.7 and 60.8 of this act.

23 **Sec. 60.7.** *"Alternative correctional program" means the*
24 *program for reentry of offenders into the community that is*
25 *established by the Director pursuant to section 60.8 of this act.*

26 **Sec. 60.8. 1.** *The Director may establish an alternative*
27 *correctional program for reentry of offenders into the community*
28 *pursuant to this section.*

29 **2.** *If the Director establishes an alternative correctional*
30 *program pursuant to this section, the Director may:*

31 *(a) Assign offenders whom:*

32 *(1) The Director has requested that the Chair of the State*
33 *Board of Parole Commissioners assign to the custody of the*
34 *Division to participate in a correctional program pursuant to*
35 *subsection 3 of NRS 209.4888; and*

36 *(2) The Chair does not assign to the custody of the Division*
37 *to participate in a correctional program pursuant to subsection 3*
38 *of NRS 209.4888; and*

39 *(b) Supervise offenders participating in the alternative*
40 *correctional program.*

41 **Sec. 61.** NRS 209.4247 is hereby amended to read as follows:
42 209.4247 1. To the extent that money is available ~~{}~~ *and*
43 *subject to subsection 2,* the Director shall, with the approval of the
44 Board, establish a program of treatment for offenders with a
45 substance use disorder using medication-assisted treatment.



1 2. *If the program established pursuant to subsection 1 relates*
2 *to opioid use disorder, the Director shall collaborate with the*
3 *Department of Health and Human Services to establish the*
4 *program.*

5 3. The program established pursuant to subsection 1 must:

6 (a) Provide each eligible offender who participates in the
7 program with appropriate medication-assisted treatment for the
8 period in which the offender is incarcerated; and

9 (b) Require that all decisions regarding the type, dosage or
10 duration of any medication administered to an eligible offender as
11 part of his or her medication-assisted treatment be made by a
12 treating physician and the eligible offender.

13 ~~[3.]~~ 4. Except as otherwise provided in this section, any
14 offender who the Director has determined has a substance use
15 disorder for which a medication-assisted treatment exists and who
16 meets any reasonable conditions imposed by the Director pursuant
17 to subsection ~~[4.]~~ 5 is eligible to participate in the program
18 established pursuant to subsection 1 and must be offered the
19 opportunity to participate. If an offender received medication-
20 assisted treatment immediately preceding his or her incarceration,
21 the offender is eligible to continue that medication-assisted
22 treatment as a participant in the program. Participation in the
23 program must be voluntary.

24 ~~[4.]~~ 5. Except as otherwise provided in this subsection, the
25 Director may impose reasonable conditions for an offender to be
26 eligible to participate in the program established pursuant to
27 subsection 1 and to continue his or her participation in the program.
28 The Director shall not deny an offender the ability to participate in
29 the program or terminate the participation of an offender in the
30 program on the basis that:

31 (a) The results of a screening test administered to the offender
32 upon the commencement of his or her incarceration or upon the
33 commencement of his or her participation in the program indicated
34 the presence of a controlled substance; or

35 (b) The offender committed an infraction of the rules of the
36 institution or facility before or during the participation of the
37 offender in the program.

38 ~~[5.]~~ 6. An offender who participates in the program established
39 pursuant to subsection 1 is not subject to discipline on the basis that
40 the results of a screening test administered to the offender during his
41 or her participation in the program indicated the presence of a
42 controlled substance.

43 ~~[6.]~~ 7. As used in this section:



1 (a) "Medication-assisted treatment" means treatment for a
2 substance use disorder using medication approved by the United
3 States Food and Drug Administration for that purpose.

4 (b) "Substance use disorder" means a cluster of cognitive,
5 behavioral and psychological symptoms indicating that a person
6 continues using a substance despite significant substance-related
7 problems.

8 **Sec. 61.3.** NRS 209.4871 is hereby amended to read as
9 follows:

10 209.4871 As used in NRS 209.4871 to 209.4889, inclusive,
11 *and sections 60.7 and 60.8 of this act*, unless the context otherwise
12 requires, the words and terms defined in NRS 209.4873 to 209.488,
13 inclusive, *and section 60.7 of this act* have the meanings ascribed to
14 them in those sections.

15 **Sec. 61.7.** NRS 209.4889 is hereby amended to read as
16 follows:

17 209.4889 1. Except as otherwise provided in NRS 208.280,
18 the Director may enter into one or more contracts with one or more
19 public or private entities to provide any of the following services, as
20 necessary and appropriate, to offenders or parolees participating in a
21 correctional *program, alternative correctional program* or judicial
22 program:

23 (a) Transitional housing;

24 (b) Treatment pertaining to a substance use disorder or mental
25 health;

26 (c) Training in life skills;

27 (d) Vocational rehabilitation and job skills training; and

28 (e) Any other services required by offenders or parolees who are
29 participating in a correctional *program, alternative correctional*
30 *program* or judicial program.

31 2. The Director may consult with the Division before entering
32 into a contract with a public or private entity pursuant to
33 subsection 1.

34 3. The Director shall, as necessary and appropriate, provide
35 referrals and information regarding:

36 (a) Any of the services provided pursuant to subsection 1;

37 (b) Access and availability of any appropriate self-help groups;

38 (c) Social services for families and children; and

39 (d) Permanent housing.

40 4. The Director may apply for and accept any gift, donation,
41 bequest, grant or other source of money to carry out the provisions
42 of this section. Money received pursuant to this subsection may be
43 deposited with the State Treasurer for credit to the Account for
44 Reentry Programs in the State General Fund created by
45 NRS 480.810.



1 5. A contract entered into between the Director and a public or
2 private entity pursuant to subsection 1 must require the entity to:

3 (a) Provide a budget concerning all services the entity will
4 provide during the duration of any grant received.

5 (b) Provide all services required by any grant received.

6 (c) Provide to the Department for its approval a curriculum for
7 any program of services the entity will provide.

8 (d) Provide to the Division, if appropriate, a list of the parolees
9 who have completed or are currently participating in a program of
10 services provided by the entity pursuant to any grant received.

11 (e) Provide to any offender or parolee who completes a program
12 of services provided by the entity a certificate of completion, and
13 provide a copy of such a certificate to the Division or the
14 Department, as appropriate.

15 (f) To the extent financially practicable and necessary, assess the
16 risk levels and needs of offenders and parolees by using a validated
17 assessment tool.

18 (g) Share with the Director information concerning assessments
19 of the risk levels and needs of offenders and parolees so the Director
20 can ensure that adequate assessments are being conducted.

21 (h) While the entity is providing services pursuant to the
22 contract, meet annually with the Director, a representative of the
23 Division, and other entities that have entered into a contract with
24 the Director pursuant to subsection 1 to discuss, without limitation:

25 (1) The services provided by the entities, including the
26 growth and success of the services, any problems with the services
27 and any potential solutions to such problems;

28 (2) Issues relating to the reentry of offenders and parolees
29 into the community and reducing the risk of recidivism; and

30 (3) Issues relating to offenders and parolees who receive
31 services from an entity and are subsequently convicted of another
32 crime.

33 6. As used in this section, "training in life skills" includes,
34 without limitation, training in the areas of:

35 (a) Parenting;

36 (b) Improving human relationships;

37 (c) Preventing domestic violence;

38 (d) Maintaining emotional and physical health;

39 (e) Preventing alcohol and other substance use disorders;

40 (f) Preparing for and obtaining employment; and

41 (g) Budgeting, consumerism and personal finances.

42 **Sec. 62.** NRS 211.400 is hereby amended to read as follows:

43 211.400 1. To the extent that money is available, a sheriff,
44 chief of police or town marshal who is responsible for a county, city
45 or town jail or detention facility shall establish a program to provide



1 for the treatment of prisoners with a substance use disorder using
2 medication-assisted treatment.

3 2. *If the program established pursuant to subsection 1 relates*
4 *to opioid use disorder, the sheriff, chief of police or town marshal*
5 *shall collaborate with the Department of Health and Human*
6 *Services to establish the program.*

7 3. The program established pursuant to subsection 1 must:

8 (a) Provide each eligible prisoner who participates in the
9 program with appropriate medication-assisted treatment for the
10 period in which the prisoner is incarcerated; and

11 (b) Require that all decisions regarding the type, dosage or
12 duration of any medication administered to an eligible prisoner as
13 part of his or her medication-assisted treatment be made by a
14 treating physician and the eligible prisoner.

15 ~~[3.]~~ 4. Except as otherwise provided in this section, any
16 prisoner who the sheriff, chief of police or town marshal has
17 determined has a substance use disorder for which a medication-
18 assisted treatment exists and who meets any reasonable conditions
19 imposed by the sheriff, chief of police or town marshal pursuant to
20 subsection ~~[4.]~~ 5 is eligible to participate in the program established
21 pursuant to subsection 1 and must be offered the opportunity to
22 participate. If a prisoner received medication-assisted treatment
23 immediately preceding his or her incarceration, the prisoner is
24 eligible to continue that medication-assisted treatment as a
25 participant in the program. Participation in the program must be
26 voluntary.

27 ~~[4.]~~ 5. Except as otherwise provided in this subsection, the
28 sheriff, chief of police or town marshal may impose reasonable
29 conditions for a prisoner to be eligible to participate in the program
30 established pursuant to subsection 1 and to continue his or her
31 participation in the program. The sheriff, chief of police or town
32 marshal shall not deny a prisoner the ability to participate in the
33 program or terminate the participation of a prisoner in the program
34 on the basis that:

35 (a) The results of a screening test administered to the prisoner
36 upon the commencement of his or her incarceration or upon the
37 commencement of his or her participation in the program indicated
38 the presence of a controlled substance; or

39 (b) The prisoner committed an infraction of the rules of the
40 county, city or town jail or detention facility before or during the
41 participation of the prisoner in the program.

42 ~~[5.]~~ 6. A prisoner who participates in the program established
43 pursuant to subsection 1 is not subject to discipline on the basis that
44 the results of a screening test administered to the prisoner during his



1 or her participation in the program indicated the presence of a
2 controlled substance.

3 ~~[6.]~~ 7. As used in this section, “medication-assisted treatment”
4 means treatment for a substance use disorder using medication
5 approved by the United States Food and Drug Administration for
6 that purpose.

7 **Sec. 63.** NRS 213.1258 is hereby amended to read as follows:

8 213.1258 1. Except as otherwise provided in subsection 2, if
9 the Board releases on parole a prisoner convicted of stalking ~~[with~~
10 ~~the use of an Internet or network site, electronic mail, text~~
11 ~~messaging or any other similar means of communication]~~ by
12 *electronic means* pursuant to ~~[subsection 4 of]~~ NRS 200.575, an
13 offense involving pornography and a minor pursuant to NRS
14 200.710 to 200.730, inclusive, luring a child or a person with mental
15 illness through the use of a computer, system or network pursuant to
16 paragraph (a) or (b) of subsection 4 of NRS 201.560 or a violation
17 of NRS 201.553 which involved the use of an electronic
18 communication device, the Board shall, in addition to any other
19 condition of parole, require as a condition of parole that the parolee
20 not own or use a computer, including, without limitation, use
21 electronic mail, a chat room or the Internet.

22 2. The Board is not required to impose a condition of parole set
23 forth in subsection 1 if the Board finds that:

24 (a) The use of a computer by the parolee will assist a law
25 enforcement agency or officer in a criminal investigation;

26 (b) The parolee will use the computer to provide technological
27 training concerning technology of which the defendant has a unique
28 knowledge; or

29 (c) The use of the computer by the parolee will assist companies
30 that require the use of the specific technological knowledge of the
31 parolee that is unique and is otherwise unavailable to the company.

32 3. Except as otherwise provided in subsection 1, if the Board
33 releases on parole a prisoner convicted of an offense that involved
34 the use of a computer, system or network, the Board may, in
35 addition to any other condition of parole, require as a condition of
36 parole that the parolee not own or use a computer, including,
37 without limitation, use electronic mail, a chat room or the Internet.

38 4. As used in this section:

39 (a) “Computer” has the meaning ascribed to it in NRS 205.4735
40 and includes, without limitation, an electronic communication
41 device.

42 (b) “Electronic communication device” has the meaning
43 ascribed to it in NRS 200.737.

44 (c) *“Electronic means” has the meaning ascribed to it in*
45 *NRS 200.575.*



1 (d) "Network" has the meaning ascribed to it in NRS 205.4745.
2 ~~[(d)]~~ (e) "System" has the meaning ascribed to it in
3 NRS 205.476.

4 ~~[(e) "Text messaging" has the meaning ascribed to it in
5 NRS 200.575.]~~

6 **Sec. 64.** (Deleted by amendment.)

7 **Sec. 65.** (Deleted by amendment.)

8 **Sec. 65.5.** Chapter 244 of NRS is hereby amended by adding
9 thereto a new section to read as follows:

10 *1. In a county whose population is 700,000 or more, the*
11 *board of county commissioners shall adopt an ordinance that*
12 *designates the geographic boundaries of one or more corridors in*
13 *which the commission of crime poses a significant risk to public*
14 *safety and the economic welfare of this State due to the high*
15 *concentration of tourists, visitors, employees and other persons in*
16 *such corridors.*

17 *2. The boundaries of a corridor established pursuant to*
18 *subsection 1:*

19 *(a) May be contiguous or noncontiguous.*

20 *(b) Must be displayed on a map in a manner capable of being*
21 *understood by a person of ordinary intelligence and posted on the*
22 *Internet website of the county in which the corridor is established.*

23 *3. In a county that establishes a corridor pursuant to*
24 *subsection 1:*

25 *(a) Except as otherwise provided in paragraph (b), a person*
26 *who is charged with, convicted of or the subject of deferred*
27 *adjudication for any offense punishable as a misdemeanor:*

28 *(1) For a first offense within the corridor, may, as a*
29 *condition of release, sentencing, suspension of sentence or*
30 *deferred adjudication, as applicable, be prohibited from entering*
31 *the corridor in which the offense occurred for a period not to*
32 *exceed 1 year.*

33 *(2) For a second or subsequent offense within the corridor,*
34 *may, as a condition of release, sentencing, suspension of sentence*
35 *or deferred adjudication, as applicable, be prohibited from*
36 *entering the corridor in which the offense occurred for a period of*
37 *not less than 1 year but not more than 2 years.*

38 *(b) The board of county commissioners may provide by*
39 *ordinance for any condition or exemption under which a person*
40 *who is charged with, convicted of or the subject of adjudication for*
41 *any offense punishable as a misdemeanor may enter the corridor*
42 *in which the offense occurred.*



1 **Sec. 66.** Chapter 433 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *The Department shall make available on an Internet website*
4 *maintained by the Department information relating to peer*
5 *recovery support services.*

6 **Sec. 67.** (Deleted by amendment.)

7 **Sec. 68.** NRS 433.622 is hereby amended to read as follows:

8 433.622 As used in NRS 433.622 to 433.641, inclusive, *and*
9 *section 66 of this act*, unless the context otherwise requires, the
10 words and terms defined in NRS 433.623 to 433.629, inclusive,
11 have the meanings ascribed to them in those sections.

12 **Sec. 69.** NRS 433.730 is hereby amended to read as follows:

13 433.730 1. On or before June 30 of each even-numbered
14 year, the Advisory Committee shall submit to the Director of the
15 Department a report of recommendations concerning:

16 (a) The statewide needs assessment conducted pursuant to
17 paragraph (a) of subsection 1 of NRS 433.734, including, without
18 limitation, the establishment of priorities pursuant to paragraph ~~(e)~~
19 (f) of subsection 1 of NRS 433.736; and

20 (b) The statewide plan to allocate money from the Fund
21 developed pursuant to paragraph (b) of subsection 1 of
22 NRS 433.734.

23 2. When developing recommendations to be included in the
24 report pursuant to subsection 1, the Advisory Committee shall
25 consider:

26 (a) Health equity and identifying relevant disparities among
27 racial and ethnic populations, geographic regions and special
28 populations in this State; and

29 (b) The need to prevent overdoses, address disparities in access
30 to health care and prevent substance use among youth.

31 3. When developing recommendations concerning the
32 establishment of priorities pursuant to paragraph ~~(e)~~ (f) of
33 subsection 1 of NRS 433.736, the Advisory Committee shall use an
34 objective method to define the potential positive and negative
35 impacts of a priority on the health of the affected communities with
36 an emphasis on disproportionate impacts to any population targeted
37 by the priority.

38 4. Before finalizing a report of recommendations pursuant to
39 subsection 1, the Advisory Committee must hold at least one public
40 meeting to solicit comments from the public concerning the
41 recommendations and make any revisions to the recommendations
42 determined, as a result of the public comment received, to be
43 necessary.



1 **Sec. 70.** NRS 433.736 is hereby amended to read as follows:
2 433.736 1. A statewide needs assessment conducted by the
3 Department, in consultation with the Office, pursuant to paragraph
4 (a) of subsection 1 of NRS 433.734 must:

5 (a) Be evidence-based and use information from damages
6 reports created by experts as part of the litigation described in
7 subsection 1 of NRS 433.732.

8 (b) Include an analysis of the impacts of opioid use and opioid
9 use disorder on this State that uses quantitative and qualitative data
10 concerning this State and the regions, counties and Native American
11 tribes in this State to determine the risk factors that contribute to
12 opioid use, the use of substances and the rates of opioid use
13 disorder, other substance use disorders and co-occurring disorders
14 among residents of this State.

15 (c) Focus on health equity and identifying disparities across all
16 racial and ethnic populations, geographic regions and special
17 populations in this State.

18 (d) Take into account the resources of state, regional, local and
19 tribal agencies and nonprofit organizations, including, without
20 limitation, any money recovered or anticipated to be recovered by
21 county, local or tribal governmental agencies through judgments or
22 settlements resulting from litigation concerning the manufacture,
23 distribution, sale or marketing of opioids, and the programs
24 currently existing in each geographic region of this State to address
25 opioid use disorder and other substance use disorders.

26 (e) *Identify educational resources for governmental agencies*
27 *involved in law enforcement or criminal justice for training*
28 *related to trauma-informed practices for persons with opioid use*
29 *disorder and medication-assisted treatment for persons with opioid*
30 *use disorder.*

31 (f) Based on the information and analyses described in
32 paragraphs (a) to ~~[(d)]~~ (e), inclusive, establish priorities for the use
33 of the funds described in subsection 1 of NRS 433.732. Such
34 priorities must include, without limitation, priorities related to the
35 *training described in paragraph (e) and* prevention of overdoses,
36 addressing disparities in access to health care and the prevention of
37 substance use among youth.

38 2. When conducting a needs assessment, the Department, in
39 consultation with the Office, shall:

40 (a) Use community-based participatory research methods or
41 similar methods to conduct outreach to groups impacted by the use
42 of opioids, opioid use disorder and other substance use disorders,
43 including, without limitation:

44 (1) Persons and families impacted by the use of opioids and
45 other substances;



1 (2) Providers of treatment for opioid use disorder and other
2 substance use disorders;

3 (3) Substance use disorder prevention coalitions;

4 (4) Communities of persons in recovery from opioid use
5 disorder and other substance use disorders;

6 (5) Providers of services to reduce the harms caused by
7 opioid use disorder and other substance use disorders;

8 (6) Persons involved in the child welfare system;

9 (7) Providers of social services;

10 (8) Faith-based organizations;

11 (9) Providers of health care and entities that provide health
12 care services; and

13 (10) Members of diverse communities disproportionately
14 impacted by opioid use and opioid use disorder; and

15 (b) Conduct outreach to governmental agencies who interact
16 with persons or groups impacted by the use of opioids, opioid use
17 disorder and other substance use disorders, including, without
18 limitation:

19 (1) The Office of the Attorney General, the Department of
20 Public Safety, the Department of Corrections, courts, juvenile
21 justice agencies and other governmental agencies involved in law
22 enforcement or criminal justice;

23 (2) Agencies which provide child welfare services and other
24 governmental agencies involved in the child welfare system; and

25 (3) Public health agencies.

26 **3. As used in this section, "medication-assisted treatment"**
27 **has the meaning ascribed to it in NRS 639.28079.**

28 **Sec. 71.** (Deleted by amendment.)

29 **Sec. 72.** (Deleted by amendment.)

30 **Sec. 73.** (Deleted by amendment.)

31 **Sec. 74.** (Deleted by amendment.)

32 **Sec. 75.** (Deleted by amendment.)

33 **Sec. 76.** (Deleted by amendment.)

34 **Sec. 76.5.** NRS 483.490 is hereby amended to read as follows:

35 483.490 1. Except as otherwise provided in this section, after
36 a driver's license has been suspended or revoked and one-half of the
37 period during which the driver is not eligible for a license has
38 expired, the Department may, unless the statute authorizing the
39 suspension or revocation prohibits the issuance of a restricted
40 license, issue a restricted driver's license to an applicant permitting
41 the applicant to drive a motor vehicle:

42 (a) To and from work or in the course of his or her work, or
43 both; or



1 (b) To acquire supplies of medicine or food or receive regularly
2 scheduled medical care for himself, herself or a member of his or
3 her immediate family.

4 ➤ Before a restricted license may be issued, the applicant must
5 submit sufficient documentary evidence to satisfy the Department
6 that a severe hardship exists because the applicant has no alternative
7 means of transportation and that the severe hardship outweighs the
8 risk to the public if the applicant is issued a restricted license.

9 2. If the driver's license of a person assigned to a program
10 established pursuant to NRS 484C.392 is suspended or revoked, the
11 Department may issue a restricted driver's license to an applicant
12 that is valid while he or she is participating in and complying with
13 the requirements of the program and that permits the applicant to
14 drive a motor vehicle:

15 (a) To and from a testing location established by a designated
16 law enforcement agency pursuant to NRS 484C.393;

17 (b) If applicable, to and from work or in the course of his or her
18 work, or both;

19 (c) To and from court appearances;

20 (d) To and from counseling; or

21 (e) To receive regularly scheduled medical care for himself or
22 herself.

23 3. Except as otherwise provided in NRS **62E.430, 62E.440,**
24 **62E.630**  **and 62E.690,** after a driver's license has been revoked
25 or suspended pursuant to title 5 of NRS or NRS 392.148, the
26 Department may issue a restricted driver's license to an applicant
27 permitting the applicant to drive a motor vehicle:

28 (a) If applicable, to and from work or in the course of his or her
29 work, or both; or

30 (b) If applicable, to and from school.

31 4. After a driver's license has been suspended pursuant to NRS
32 483.443, the Department may issue a restricted driver's license to an
33 applicant permitting the applicant to drive a motor vehicle:

34 (a) If applicable, to and from work or in the course of his or her
35 work, or both;

36 (b) To receive regularly scheduled medical care for himself,
37 herself or a member of his or her immediate family; or

38 (c) If applicable, as necessary to exercise a court-ordered right to
39 visit a child.

40 5. A driver who violates a condition of a restricted license
41 issued pursuant to subsection 1 or 2 is guilty of a misdemeanor and,
42 if the license of the driver was suspended or revoked for:

43 (a) A violation of NRS 484C.110, 484C.210 or 484C.430;

44 (b) A homicide resulting from driving or being in actual
45 physical control of a vehicle while under the influence of



1 intoxicating liquor or a controlled substance or resulting from any
2 other conduct prohibited by NRS 484C.110, 484C.130 or 484C.430;
3 or

4 (c) A violation of a law of any other jurisdiction that prohibits
5 the same or similar conduct as set forth in paragraph (a) or (b),
6 ↪ the driver shall be punished in the manner provided pursuant to
7 subsection 2 of NRS 483.560.

8 6. The periods of suspensions and revocations required
9 pursuant to this chapter and NRS 484C.210 must run consecutively,
10 except as otherwise provided in NRS 483.465 and 483.475, when
11 the suspensions must run concurrently.

12 7. Whenever the Department suspends or revokes a license, the
13 period of suspension, or of ineligibility for a license after the
14 revocation, begins upon the effective date of the revocation or
15 suspension as contained in the notice thereof.

16 8. Any person for whom a court provides an exception relating
17 to the installation of an ignition interlock device pursuant to
18 subsection 4 of NRS 484C.210 or subsection 2 of NRS 484C.460 is
19 eligible for a restricted driver's license under this section while the
20 person is participating in and complying with the requirements of a
21 program established pursuant to NRS 484C.392.

22 9. If the Department receives a copy of an order requiring a
23 person to install an ignition interlock device in a motor vehicle
24 pursuant to NRS 484C.460, the Department shall issue an ignition
25 interlock privilege to the person after he or she submits proof of
26 compliance with the order. A person who is required to install an
27 ignition interlock device pursuant to NRS 484C.210 or 484C.460
28 shall install the device not later than 14 days after the date on which
29 the order was issued. A driver who violates any condition of an
30 ignition interlock privilege issued pursuant to this subsection is
31 guilty of a misdemeanor and shall be punished in the same manner
32 provided in subsection 2 of NRS 483.560 for driving a vehicle while
33 a driver's license is cancelled, revoked or suspended.

34 **Sec. 77.** NRS 484C.110 is hereby amended to read as follows:

35 484C.110 1. It is unlawful for any person who:

36 (a) Is under the influence of intoxicating liquor;

37 (b) Has a concentration of alcohol of 0.08 or more in his or her
38 blood or breath; or

39 (c) Is found by measurement within 2 hours after driving or
40 being in actual physical control of a vehicle to have a concentration
41 of alcohol of 0.08 or more in his or her blood or breath,

42 ↪ to drive or be in actual physical control of a vehicle on a highway
43 or on premises to which the public has access.



1 2. It is unlawful for any person who:
 2 (a) Is under the influence of a controlled substance;
 3 (b) Is under the combined influence of intoxicating liquor and a
 4 controlled substance; or
 5 (c) Inhales, ingests, applies or otherwise uses any chemical,
 6 poison or organic solvent, or any compound or combination of any
 7 of these, to a degree which renders the person incapable of safely
 8 driving or exercising actual physical control of a vehicle,
 9 ↪ to drive or be in actual physical control of a vehicle on a highway
 10 or on premises to which the public has access. The fact that any
 11 person charged with a violation of this subsection is or has been
 12 entitled to use that drug under the laws of this State is not a defense
 13 against any charge of violating this subsection.

14 3. It is unlawful for any person to drive or be in actual physical
 15 control of a vehicle on a highway or on premises to which the public
 16 has access with an amount of any of the following prohibited
 17 substances in his or her blood or urine that is equal to or greater
 18 than:

	Urine	Blood
	Nanograms	
Prohibited substance	per milliliter	per milliliter
24 (a) Amphetamine	500	100
25 (b) Cocaine	150	50
26 (c) Cocaine metabolite	150	50
27 (d) Heroin	2,000	50
28 (e) Heroin metabolite:		
29 (1) Morphine	2,000	50
30 (2) 6-monoacetyl morphine	10	10
31 (f) Lysergic acid diethylamide	25	10
32 (g) Methamphetamine	500	100
33 (h) Phencyclidine	25	10

34
 35 4. For any violation that is punishable pursuant to paragraph
 36 (c) of subsection 1 of NRS 484C.400, **NRS 484C.410, 484C.430 or**
 37 **484C.440**, it is unlawful for any person to drive or be in actual
 38 physical control of a vehicle on a highway or on premises to which
 39 the public has access with an amount of any of the following
 40 prohibited substances in his or her blood that is equal to or greater
 41 than:



1		Blood
2		Nanograms
3	Prohibited substance	per milliliter
4		
5	(a) Marijuana (delta-9-tetrahydrocannabinol)	2
6	(b) Marijuana metabolite (11-OH-tetrahydrocannabinol)	5

7
8 5. If consumption is proven by a preponderance of the
9 evidence, it is an affirmative defense under paragraph (c) of
10 subsection 1 that the defendant consumed a sufficient quantity of
11 alcohol after driving or being in actual physical control of the
12 vehicle, and before his or her blood or breath was tested, to cause
13 the defendant to have a concentration of alcohol of 0.08 or more in
14 his or her blood or breath. A defendant who intends to offer this
15 defense at a trial or preliminary hearing must, not less than 14 days
16 before the trial or hearing or at such other time as the court may
17 direct, file and serve on the prosecuting attorney a written notice of
18 that intent.

19 6. A person who violates any provision of this section may be
20 subject to any additional penalty set forth in NRS 484B.130 or
21 484B.135.

22 **Sec. 78.** (Deleted by amendment.)

23 **Sec. 79.** (Deleted by amendment.)

24 **Sec. 80.** NRS 484C.430 is hereby amended to read as follows:

25 484C.430 1. ~~Unless a greater penalty is provided pursuant to~~
26 ~~NRS 484C.440, a~~ A person who:

- 27 (a) Is under the influence of intoxicating liquor;
- 28 (b) Has a concentration of alcohol of 0.08 or more in his or her
29 blood or breath;
- 30 (c) Is found by measurement within 2 hours after driving or
31 being in actual physical control of a vehicle to have a concentration
32 of alcohol of 0.08 or more in his or her blood or breath;
- 33 (d) Is under the influence of a controlled substance or is under
34 the combined influence of intoxicating liquor and a controlled
35 substance;
- 36 (e) Inhales, ingests, applies or otherwise uses any chemical,
37 poison or organic solvent, or any compound or combination of any
38 of these, to a degree which renders the person incapable of safely
39 driving or exercising actual physical control of a vehicle; or
- 40 (f) Has a prohibited substance in his or her blood or urine, as
41 applicable, in an amount that is equal to or greater than the amount
42 set forth in subsection 3 or 4 of NRS 484C.110,
43 ➤ and does any act or neglects any duty imposed by law while
44 driving or in actual physical control of any vehicle on or off the
45 highways of this State, if the act or neglect of duty proximately



1 causes the death of, or substantial bodily harm to, another person,
2 *shall be punished as provided in subsection 2.*

3 *2. Unless a greater penalty is provided pursuant to NRS*
4 *484C.440, a person who violates any provision of subsection 1 is*
5 *guilty of :*

6 *(a) If the violation proximately causes the death of another*
7 *person and the person who committed the violation:*

8 *(1) Has not previously been convicted of any offense, a*
9 *category B felony and shall be punished by a term of*
10 *imprisonment in the state prison for a minimum term of not less*
11 *than 2 years and a maximum term of not more than 25 years and*
12 *must be further punished by a fine of not less than \$2,000 nor*
13 *more than \$5,000.*

14 *(2) Has previously been convicted of one or two offenses, a*
15 *category B felony and shall be punished by a term of*
16 *imprisonment in the state prison for a minimum term of not less*
17 *than 5 years and a maximum term of not more than 25 years and*
18 *must be further punished by a fine of not less than \$2,000 nor*
19 *more than \$5,000.*

20 *(b) If the violation proximately causes substantial bodily harm*
21 *to another person,* a category B felony and shall be punished by
22 imprisonment in the state prison for a minimum term of not less
23 than 2 years and a maximum term of not more than 20 years and
24 must be further punished by a fine of not less than \$2,000 nor more
25 than \$5,000.

26 *3. A person ~~is~~ imprisoned pursuant to subsection 2 must,*
27 insofar as practicable, be segregated from offenders whose crimes
28 were violent and, insofar as practicable, be assigned to an institution
29 or facility of minimum security.

30 ~~2.~~ *4. A prosecuting attorney shall not dismiss a charge of*
31 *violating the provisions of subsection 1 in exchange for a plea of*
32 *guilty, guilty but mentally ill or nolo contendere to a lesser charge or*
33 *for any other reason unless the attorney knows or it is obvious that*
34 *the charge is not supported by probable cause or cannot be proved at*
35 *the time of trial. A sentence imposed pursuant to subsection ~~4~~ 2*
36 *may not be suspended nor may probation be granted.*

37 ~~3.~~ *5. Except as otherwise provided in subsection ~~4~~ 6, if*
38 *consumption is proven by a preponderance of the evidence, it is an*
39 *affirmative defense under paragraph (c) of subsection 1 that the*
40 *defendant consumed a sufficient quantity of alcohol after driving or*
41 *being in actual physical control of the vehicle, and before his or her*
42 *blood or breath was tested, to cause the defendant to have a*
43 *concentration of alcohol of 0.08 or more in his or her blood or*
44 *breath. A defendant who intends to offer this defense at a trial*
45 *or preliminary hearing must, not less than 14 days before the trial or*



1 hearing or at such other time as the court may direct, file and serve
2 on the prosecuting attorney a written notice of that intent.

3 ~~[4.]~~ 6. If the defendant is also charged with violating the
4 provisions of NRS 484E.010, 484E.020 or 484E.030, the defendant
5 may not offer the affirmative defense set forth in subsection ~~[3.]~~ 5.

6 ~~[5.]~~ 7. If the defendant was transporting a person who is less
7 than 15 years of age in the motor vehicle at the time of the violation,
8 the court shall consider that fact as an aggravating factor in
9 determining the sentence of the defendant.

10 8. *As used in this section, "offense" means:*

11 (a) *A violation of this section;*

12 (b) *A violation of NRS 484C.110 or 484C.120;*

13 (c) *A homicide resulting from driving or being in actual*
14 *physical control of a vehicle while under the influence of*
15 *intoxicating liquor or a controlled substance or resulting from any*
16 *other conduct prohibited by this section or NRS 484C.110 or*
17 *484C.130; or*

18 (d) *A violation of a law of any other jurisdiction that prohibits*
19 *the same or similar conduct as set forth in paragraph (a), (b)*
20 *or (c).*

21 **Sec. 81.** NRS 488.410 is hereby amended to read as follows:

22 488.410 1. It is unlawful for any person who:

23 (a) Is under the influence of intoxicating liquor;

24 (b) Has a concentration of alcohol of 0.08 or more in his or her
25 blood or breath; or

26 (c) Is found by measurement within 2 hours after operating or
27 being in actual physical control of a power-driven vessel or sailing
28 vessel under way to have a concentration of alcohol of 0.08 or more
29 in his or her blood or breath,

30 ➔ to operate or be in actual physical control of a power-driven
31 vessel or sailing vessel under way on the waters of this State.

32 2. It is unlawful for any person who:

33 (a) Is under the influence of a controlled substance;

34 (b) Is under the combined influence of intoxicating liquor and a
35 controlled substance; or

36 (c) Inhales, ingests, applies or otherwise uses any chemical,
37 poison or organic solvent, or any compound or combination of any
38 of these, to a degree which renders the person incapable of safely
39 operating or exercising actual physical control of a power-driven
40 vessel or sailing vessel under way,

41 ➔ to operate or be in actual physical control of a power-driven
42 vessel or sailing vessel under way on the waters of this State.

43 3. It is unlawful for any person to operate or be in actual
44 physical control of a power-driven vessel or sailing vessel under
45 way on the waters of this State with an amount of any of the



1 following prohibited substances in his or her blood or urine that is
2 equal to or greater than:

3		Urine	Blood
4		Nanograms per	Nanograms per
5	Prohibited substance	milliliter	milliliter
6			
7	(a) Amphetamine	500	100
8	(b) Cocaine	150	50
9	(c) Cocaine metabolite	150	50
10	(d) Heroin	2,000	50
11	(e) Heroin metabolite:		
12	(1) Morphine	2,000	50
13	(2) 6-monoacetyl morphine	10	10
14	(f) Lysergic acid diethylamide	25	10
15	(g) Methamphetamine	500	100
16	(h) Phencyclidine	25	10
17			

18 4. For any violation that is punishable pursuant to NRS
19 **488.420, 488.425 or** 488.427, it is unlawful for any person to
20 operate or be in actual physical control of a power-driven vessel or
21 sailing vessel under way on the waters of this State with an amount
22 of any of the following prohibited substances in his or her blood that
23 is equal to or greater than:

24		Blood
25		Nanograms per
26		milliliter
27	Prohibited substance	
28		
29	(a) Marijuana (delta-9-tetrahydrocannabinol)	2
30	(b) Marijuana metabolite (11-OH-tetrahydrocannabinol)	5
31		

32 5. If consumption is proven by a preponderance of the
33 evidence, it is an affirmative defense under paragraph (c) of
34 subsection 1 that the defendant consumed a sufficient quantity of
35 alcohol after operating or being in actual physical control of the
36 power-driven vessel or sailing vessel, as applicable, under way and
37 before his or her blood was tested, to cause the defendant to have a
38 concentration of 0.08 or more of alcohol in his or her blood or
39 breath. A defendant who intends to offer this defense at a trial
40 or preliminary hearing must, not less than 14 days before the trial or
41 hearing or at such other time as the court may direct, file and serve
42 on the prosecuting attorney a written notice of that intent.

43 6. Except as otherwise provided in NRS 488.427, a person who
44 violates the provisions of this section is guilty of a misdemeanor.



1 **Sec. 82.** NRS 488.420 is hereby amended to read as follows:

2 488.420 1. ~~[Unless a greater penalty is provided pursuant to~~
3 ~~NRS 488.425, a]~~ A person who:

4 (a) Is under the influence of intoxicating liquor;

5 (b) Has a concentration of alcohol of 0.08 or more in his or her
6 blood or breath;

7 (c) Is found by measurement within 2 hours after operating or
8 being in actual physical control of a power-driven vessel or sailing
9 vessel under way to have a concentration of alcohol of 0.08 or more
10 in his or her blood or breath;

11 (d) Is under the influence of a controlled substance or is under
12 the combined influence of intoxicating liquor and a controlled
13 substance;

14 (e) Inhales, ingests, applies or otherwise uses any chemical,
15 poison or organic solvent, or any compound or combination of any
16 of these, to a degree which renders the person incapable of safely
17 operating or being in actual physical control of a power-driven
18 vessel or sailing vessel under way; or

19 (f) Has a prohibited substance in his or her blood or urine, as
20 applicable, in an amount that is equal to or greater than the amount
21 set forth in subsection 3 or 4 of NRS 488.410,

22 ↪ and does any act or neglects any duty imposed by law while
23 operating or being in actual physical control of any power-driven
24 vessel or sailing vessel under way, if the act or neglect of duty
25 proximately causes the death of, or substantial bodily harm to,
26 another person, *shall be punished as provided in subsection 2.*

27 *2. Unless a greater penalty is provided pursuant to NRS*
28 *488.425, a person who violates subsection 1 is guilty of :*

29 *(a) If the violation proximately causes the death of another*
30 *person and the person who committed the violation:*

31 *(1) Has not previously been convicted of any offense, a*
32 *category B felony and shall be punished by a term of*
33 *imprisonment in the state prison for a minimum term of not less*
34 *than 2 years and a maximum term of not more than 25 years and*
35 *shall be further punished by a fine of not less than \$2,000 nor*
36 *more than \$5,000.*

37 *(2) Has previously been convicted of one or two offenses, a*
38 *category B felony and shall be punished by a term of*
39 *imprisonment in the state prison for a minimum term of not less*
40 *than 5 years and a maximum term of not more than 25 years and*
41 *shall be further punished by a fine of not less than \$2,000 nor*
42 *more than \$5,000.*

43 *(b) If the violation proximately causes substantial bodily harm*
44 *to another person, a category B felony and shall be punished by*
45 *imprisonment in the state prison for a minimum term of not less*



1 than 2 years and a maximum term of not more than 20 years and
2 shall be further punished by a fine of not less than \$2,000 nor more
3 than \$5,000.

4 ~~3.~~ A person ~~[so]~~ imprisoned *pursuant to subsection 2* must,
5 insofar as practicable, be segregated from offenders whose crimes
6 were violent and, insofar as practicable, be assigned to an institution
7 or facility of minimum security.

8 ~~[2.]~~ 4. A prosecuting attorney shall not dismiss a charge of
9 violating the provisions of subsection 1 in exchange for a plea of
10 guilty, guilty but mentally ill or nolo contendere to a lesser charge or
11 for any other reason unless the prosecuting attorney knows or it is
12 obvious that the charge is not supported by probable cause or cannot
13 be proved at the time of trial. A sentence imposed pursuant to
14 subsection ~~[H]~~ 2 must not be suspended, and probation must not be
15 granted.

16 ~~[3.]~~ 5. If consumption is proven by a preponderance of the
17 evidence, it is an affirmative defense under paragraph (c) of
18 subsection 1 that the defendant consumed a sufficient quantity of
19 alcohol after operating or being in actual physical control of the
20 power-driven vessel or sailing vessel, as applicable, under way and
21 before his or her blood was tested, to cause the defendant to have a
22 concentration of alcohol of 0.08 or more in his or her blood or
23 breath. A defendant who intends to offer this defense at a trial
24 or preliminary hearing must, not less than 14 days before the trial or
25 hearing or at such other time as the court may direct, file and serve
26 on the prosecuting attorney a written notice of that intent.

27 ~~[4.]~~ 6. If a person less than 15 years of age was in the vessel at
28 the time of the defendant's violation, the court shall consider that
29 fact as an aggravating factor in determining the sentence of the
30 defendant.

31 7. *As used in this section, "offense" means:*

32 (a) *A violation of this section;*

33 (b) *A violation of NRS 488.410;*

34 (c) *A homicide resulting from operating or being in actual*
35 *physical custody of a power-driven vessel or sailing vessel under*
36 *way while under the influence of intoxicating liquor or a*
37 *controlled substance or resulting from any other conduct*
38 *prohibited by this section or NRS 488.410 or 488.425; or*

39 (d) *A violation of a law of any other jurisdiction that prohibits*
40 *the same or similar conduct as set forth in paragraph (a), (b)*
41 *or (c).*

42 **Sec. 83.** (Deleted by amendment.)

43 **Sec. 84.** (Deleted by amendment.)

44 **Sec. 85.** NRS 641.029 is hereby amended to read as follows:

45 641.029 The provisions of this chapter do not apply to:



- 1 1. A physician who is licensed to practice in this State;
- 2 2. A person who is licensed to practice dentistry in this State;
- 3 3. A person who is licensed as a marriage and family therapist
- 4 or marriage and family therapist intern pursuant to chapter 641A of
- 5 NRS;
- 6 4. A person who is licensed as a clinical professional counselor
- 7 or clinical professional counselor intern pursuant to chapter 641A of
- 8 NRS;
- 9 5. A person who is licensed to engage in social work pursuant
- 10 to chapter 641B of NRS;
- 11 6. A person who is licensed as an occupational therapist or
- 12 occupational therapy assistant pursuant to chapter 640A of NRS;
- 13 7. A person who is licensed as a clinical alcohol and drug
- 14 counselor, licensed or certified as an alcohol and drug counselor or
- 15 certified as an alcohol and drug counselor intern, a clinical alcohol
- 16 and drug counselor intern, a problem gambling counselor or a
- 17 problem gambling counselor intern, pursuant to chapter 641C of
- 18 NRS;
- 19 8. A person who provides or supervises the provision of peer
- 20 recovery support services in accordance with the provisions of NRS
- 21 433.622 to 433.641, inclusive ~~§~~, *and section 66 of this act*;
- 22 9. A person who is licensed as a behavior analyst or an
- 23 assistant behavior analyst or registered as a registered behavior
- 24 technician pursuant to chapter 641D of NRS, while engaged in the
- 25 practice of applied behavior analysis as defined in NRS 641D.080;
- 26 or
- 27 10. Any member of the clergy,
- 28 ➔ if such a person does not commit an act described in NRS
- 29 641.440 or represent himself or herself as a psychologist.
- 30 **Sec. 86.** NRS 641B.040 is hereby amended to read as follows:
- 31 641B.040 The provisions of this chapter do not apply to:
- 32 1. A physician who is licensed to practice in this State;
- 33 2. A nurse who is licensed to practice in this State;
- 34 3. A person who is licensed as a psychologist pursuant to
- 35 chapter 641 of NRS or authorized to practice psychology in this
- 36 State pursuant to the Psychology Interjurisdictional Compact
- 37 enacted in NRS 641.227;
- 38 4. A person who is licensed as a marriage and family therapist
- 39 or marriage and family therapist intern pursuant to chapter 641A of
- 40 NRS;
- 41 5. A person who is licensed as a clinical professional counselor
- 42 or clinical professional counselor intern pursuant to chapter 641A of
- 43 NRS;
- 44 6. A person who is licensed as an occupational therapist or
- 45 occupational therapy assistant pursuant to chapter 640A of NRS;



1 7. A person who is licensed as a clinical alcohol and drug
2 counselor, licensed or certified as an alcohol and drug counselor or
3 certified as a clinical alcohol and drug counselor intern, an alcohol
4 and drug counselor intern, a problem gambling counselor or a
5 problem gambling counselor intern, pursuant to chapter 641C of
6 NRS;

7 8. A person who provides or supervises the provision of peer
8 recovery support services in accordance with NRS 433.622 to
9 433.641, inclusive ~~§~~, *and section 66 of this act*;

10 9. Any member of the clergy;

11 10. A county welfare director;

12 11. Any person who may engage in social work or clinical
13 social work in his or her regular governmental employment but does
14 not hold himself or herself out to the public as a social worker; or

15 12. A student of social work and any other person preparing for
16 the profession of social work under the supervision of a qualified
17 social worker in a training institution or facility recognized by the
18 Board, unless the student or other person has been issued a
19 provisional license pursuant to paragraph (b) of subsection 1 of NRS
20 641B.275. Such a student must be designated by the title “student of
21 social work” or “trainee in social work,” or any other title which
22 clearly indicates the student’s training status.

23 **Sec. 87.** NRS 641C.130 is hereby amended to read as follows:

24 641C.130 The provisions of this chapter do not apply to:

25 1. A physician who is licensed pursuant to the provisions of
26 chapter 630 or 633 of NRS;

27 2. A nurse who is licensed pursuant to the provisions of chapter
28 632 of NRS and is authorized by the State Board of Nursing to
29 engage in the practice of counseling persons with alcohol and other
30 substance use disorders or the practice of counseling persons with
31 an addictive disorder related to gambling;

32 3. A psychologist who is licensed pursuant to the provisions of
33 chapter 641 of NRS or authorized to practice psychology in this
34 State pursuant to the Psychology Interjurisdictional Compact
35 enacted in NRS 641.227;

36 4. A clinical professional counselor or clinical professional
37 counselor intern who is licensed pursuant to chapter 641A of NRS;

38 5. A marriage and family therapist or marriage and family
39 therapist intern who is licensed pursuant to the provisions of chapter
40 641A of NRS and is authorized by the Board of Examiners for
41 Marriage and Family Therapists and Clinical Professional
42 Counselors to engage in the practice of counseling persons with
43 alcohol and other substance use disorders or the practice of
44 counseling persons with an addictive disorder related to gambling;

45 6. A person who is:



(a) Licensed as:

(1) A clinical social worker pursuant to the provisions of chapter 641B of NRS; or

(2) A master social worker or an independent social worker pursuant to the provisions of chapter 641B of NRS and is engaging in clinical social work as part of an internship program approved by the Board of Examiners for Social Workers; and

(b) Authorized by the Board of Examiners for Social Workers to engage in the practice of counseling persons with alcohol and other substance use disorders or the practice of counseling persons with an addictive disorder related to gambling; or

7. A person who provides or supervises the provision of peer recovery support services in accordance with NRS 433.622 to 433.641, inclusive ~~§~~, or section 66 of this act.

Sec. 87.3. 1. There is hereby appropriated from the State General Fund to the Interim Finance Committee for allocation to the Administrative Office of the Courts for the purpose of carrying out the provisions of this act the following sums:

For the Fiscal Year 2025-2026	\$919,080
For the Fiscal Year 2026-2027	\$948,695

2. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 18, 2026, and September 17, 2027, respectively, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 18, 2026, and September 17, 2027, respectively.

Sec. 87.5. 1. There is hereby appropriated from the State General Fund to the Interim Finance Committee for allocation to the Department of Corrections for costs associated with carrying out the provisions of this act the following sums:

For the Fiscal Year 2025-2026	\$2,242,145
For the Fiscal Year 2026-2027	\$2,915,779

2. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after



1 September 18, 2026, and September 17, 2027, respectively, by
2 either the entity to which the money was appropriated or the entity
3 to which the money was subsequently granted or transferred, and
4 must be reverted to the State General Fund on or before
5 September 18, 2026, and September 17, 2027, respectively.

6 **Sec. 88.** NRS 178.574 and 178.578 are hereby repealed.

7 **Sec. 89.** The provisions of subsection 1 of NRS 218D.380 do
8 not apply to any provision of this act which adds or revises a
9 requirement to submit a report to the Legislature.

TEXT OF REPEALED SECTIONS

178.574 Order of immunity bar to prosecution; exception.

Such order of immunity shall forever be a bar to prosecution against the witness for any offense shown in whole or in part by such testimony or other evidence except for perjury committed in the giving of such testimony.

178.578 Denial of motion. The court shall deny the motion of the State under NRS 178.572 if it reasonably appears to the court that such testimony or evidence would subject the witness to prosecution, except for perjury committed in the giving of such testimony, under the laws of another state or of the United States.



