

**PROPOSED REGULATION OF THE DIRECTOR OF THE
DEPARTMENT OF CORRECTIONS**

LCB File No. R108-26

May 19, 2026

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

AUTHORITY: § 1, NRS 209.42303.

A REGULATION relating to incarcerated persons; establishing provisions relating to mail provided to incarcerated persons by institutions and facilities of the Department of Corrections; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires an institution or facility of the Department of Corrections to provide an offender with the original, physical copy of any physical mail addressed to the offender that the offender is entitled and allowed to receive. Existing law also authorizes the Director of the Department, with the approval of the Board of State Prison Commissioners, to adopt regulations exempting the Department from this requirement if the Department conducts a study and determines, using evidence-based methods, that complying with the requirements presents a danger to the health and safety of the staff or offenders in institutions or facilities of the Department. (NRS 209.42303)

Section 1 of this regulation authorizes an institution or facility to use a digital mail service which has been approved by the Department to receive, process and electronically deliver to an offender any mail, except for legal mail, addressed to the offender. **Section 1** also requires an institution or facility to provide an offender with the original, physical copy of any legal mail addressed to the offender. **Section 1** additionally requires that any mail, except for legal mail, addressed to an offender must be written on either printer paper or bond paper which must be: (1) white in color; and (2) not more than 8 1/2 by 11 inches in size. Lastly, **section 1** defines “legal mail” to mean confidential correspondence between an offender and certain persons or entities that are directly involved in any active legal matters of the offender.

Section 1. Chapter 209 of NAC is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in subsection 2, an institution or facility may use a digital mail service which has been approved by the Department to receive, process and electronically deliver to an offender any mail addressed to the offender.

2. An institution or facility shall provide an offender with the original, physical copy of any legal mail addressed to the offender.

3. Except for any legal mail, any mail addressed to an offender must be written on either printer paper or bond paper which must be:

(a) White in color; and

(b) Not more than 8 1/2 by 11 inches in size.

4. As used in this section, "legal mail" means any confidential correspondence between an offender and any of the following persons or entities if the person or entity is directly involved in any active legal matters of the offender:

(a) An attorney licensed to practice in this State or in another state or territory of the United States, or the District of Columbia;

(b) A law firm;

(c) A program for legal aid;

(d) A court in this State or a court of another state, territory or Indian tribe within the United States; or

(e) A governmental agency.