

**(REPRINTED WITH ADOPTED AMENDMENTS)**  
**FIRST REPRINT** **S.B. 291**

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SENATE BILL NO. 291—COMMITTEE ON HUMAN  
RESOURCES AND FACILITIES

(ON BEHALF OF COMMISSION ON SCHOOL SAFETY  
AND JUVENILE VIOLENCE)

MARCH 7, 2001

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Referred to Committee on Human Resources and Facilities

SUMMARY—Makes various changes concerning reporting and investigation of certain violent or sexual offenses committed on school property, on school buses or at school activities. (BDR 34-199)

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

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

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AN ACT relating to schools; requiring certain administrators of public schools that do not have school police officers and of private schools to report certain violent or sexual offenses that are committed on school property, on school buses or at school activities to the appropriate local law enforcement agency; authorizing the board of trustees of each school district and the governing body of each charter school and private school to establish procedures for the additional reporting of such offenses by other employees of the school district or school; and providing other matters properly relating thereto.

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

- 1     **Section 1.** Chapter 388 of NRS is hereby amended by adding thereto  
2 the provisions set forth as sections 2 to 8, inclusive, of this act.  
3     **Sec. 2.** *As used in sections 2 to 8, inclusive, of this act, unless the*  
4 *context otherwise requires, the words and terms defined in sections 3 and*  
5 *4 of this act have the meanings ascribed to them in those sections.*  
6     **Sec. 3.** *“Local law enforcement agency” means:*  
7         1. *The sheriff’s office of a county;*  
8         2. *A metropolitan police department; or*  
9         3. *A police department of an incorporated city.*  
10    **Sec. 4.** *“Violent or sexual offense” means any act that, if prosecuted*  
11 *in this state, would constitute any of the following offenses:*  
12         1. *Murder or voluntary manslaughter pursuant to NRS 200.010 to*  
13 *200.260, inclusive.*



- 1     2. *Mayhem pursuant to NRS 200.280.*
- 2     3. *Kidnapping pursuant to NRS 200.310 to 200.340, inclusive.*
- 3     4. *Sexual assault pursuant to NRS 200.366.*
- 4     5. *Robbery pursuant to NRS 200.380.*
- 5     6. *Administering poison or another noxious or destructive substance*  
6 *or liquid with intent to cause death pursuant to NRS 200.390.*
- 7     7. *Battery with intent to commit a crime pursuant to NRS 200.400.*
- 8     8. *Administering a drug or controlled substance to another person*  
9 *with the intent to enable or assist the commission of a felony or crime of*  
10 *violence pursuant to NRS 200.405 or 200.408.*
- 11    9. *False imprisonment pursuant to NRS 200.460, if the false*  
12 *imprisonment involves the use or threatened use of force or violence*  
13 *against the victim or the use or threatened use of a firearm or a deadly*  
14 *weapon.*
- 15    10. *Assault with a deadly weapon pursuant to NRS 200.471.*
- 16    11. *Battery which is committed with the use of a deadly weapon or*  
17 *which results in substantial bodily harm pursuant to NRS 200.481.*
- 18    12. *An offense involving pornography and a minor pursuant to NRS*  
19 *200.710 or 200.720.*
- 20    13. *Solicitation of a minor to engage in acts constituting the*  
21 *infamous crime against nature pursuant to NRS 201.195.*
- 22    14. *Intentional transmission of the human immunodeficiency virus*  
23 *pursuant to NRS 201.205.*
- 24    15. *Open or gross lewdness pursuant to NRS 201.210.*
- 25    16. *Lewdness with a child pursuant to NRS 201.230.*
- 26    17. *An offense involving pandering or prostitution in violation of*  
27 *NRS 201.300, 201.320 or 201.340.*
- 28    18. *Coercion pursuant to NRS 207.190, if the coercion involves the*  
29 *use or threatened use of force or violence against the victim or the use or*  
30 *threatened use of a firearm or a deadly weapon.*
- 31    19. *An attempt, conspiracy or solicitation to commit an offense listed*  
32 *in subsections 1 to 18, inclusive.*
- 33    **Sec. 5.** *For the purposes of sections 2 to 8, inclusive, of this act, a*  
34 *person:*
  - 35    1. *Has “reasonable cause to believe” if, in light of all the*  
36 *surrounding facts and circumstances which are known or which*  
37 *reasonably should be known to the person at the time, a reasonable*  
38 *person would believe, under those facts and circumstances, that an act,*  
39 *transaction, event, situation or condition exists, is occurring or has*  
40 *occurred.*
  - 41    2. *Acts “as soon as reasonably practicable” if, in light of all the*  
42 *surrounding facts and circumstances which are known or which*  
43 *reasonably should be known to the person at the time, a reasonable*  
44 *person would act within approximately the same period under those facts*  
45 *and circumstances.*
  - 46    3. *May make a report required by section 6 of this act by telephone*  
47 *or, in light of all the surrounding facts and circumstances which are*  
48 *known or which reasonably should be known to the person at the time,*  
49 *by any other means of oral, written or electronic communication that a*



1 *reasonable person would believe, under those facts and circumstances, is*  
2 *a reliable and swift means of communicating information to the person*  
3 *who receives the information.*

4 **Sec. 6. 1.** *If a public school does not have a school police officer,*  
5 *the administrator of the public school who is designated pursuant to*  
6 *subsection 2 and who knows or has reasonable cause to believe that a*  
7 *violent or sexual offense has been committed on the property of the*  
8 *public school, at an activity sponsored by the public school or on a school*  
9 *bus while the bus was being used for an activity related to the school*  
10 *shall report the commission of the violent or sexual offense to the*  
11 *appropriate local law enforcement agency as soon as reasonably*  
12 *practicable but not later than 24 hours after the administrator of the*  
13 *public school knows or has reasonable cause to believe that a person has*  
14 *committed the violent or sexual offense.*

15 **2.** *The board of trustees of each school district and the governing*  
16 *body of each charter school:*

17 *(a) Shall, for each public school that does not have a school police*  
18 *officer, designate the administrator of the public school who is required*  
19 *to report a violent or sexual offense pursuant to subsection 1; and*

20 *(b) May establish procedures for the additional reporting by other*  
21 *employees of the school district or the charter school of a violent or*  
22 *sexual offense committed on the property of the public school, at an*  
23 *activity sponsored by the public school or on a school bus while the bus*  
24 *was being used for an activity related to the school.*

25 **3.** *A report made pursuant to this section must include, without*  
26 *limitation:*

27 *(a) If known, the name of the victim of the violent or sexual offense*  
28 *and the name of the person who committed the violent or sexual offense;*

29 *(b) The location where the violent or sexual offense was committed;*  
30 *and*

31 *(c) The facts and circumstances that support the person's belief that*  
32 *the violent or sexual offense was committed.*

33 **Sec. 7. 1.** *If a person who is required to make a report of a violent*  
34 *or sexual offense pursuant to section 6 of this act makes such a report in*  
35 *good faith and in accordance with that section, the person is immune*  
36 *from civil or criminal liability for any act or omission related to that*  
37 *report, but the person is not immune from civil or criminal liability for*  
38 *any other act or omission committed by the person as part of, in*  
39 *connection with or as a principal, accessory or conspirator to the violent*  
40 *or sexual offense, regardless of the nature of the other act or omission.*

41 **2.** *If a person is not required to make a report pursuant to section 6*  
42 *of this act and the person makes such a report to an administrator of a*  
43 *public school or a local law enforcement agency in good faith, the person*  
44 *is immune from civil or criminal liability for any act or omission related*  
45 *to that report, but the person is not immune from civil or criminal*  
46 *liability for any other act or omission committed by the person as part of,*  
47 *in connection with or as a principal, accessory or conspirator to the*  
48 *violent or sexual offense, regardless of the nature of the other act or*  
49 *omission.*



1     3. *For the purposes of this section, if a person reports to an*  
2 *administrator of a public school or a local law enforcement agency that*  
3 *another person has committed a violent or sexual offense, whether or not*  
4 *the person is required to make such a report pursuant to section 6 of this*  
5 *act, the person is presumed to have made the report in good faith unless*  
6 *the person is being prosecuted for a criminal violation, including,*  
7 *without limitation, a violation of the provisions of NRS 207.280.*

8     **Sec. 8.** *1. If a person reports to a local law enforcement agency*  
9 *that another person has committed a violent or sexual offense against a*  
10 *person 60 years of age or older, whether or not the person is required to*  
11 *make such a report pursuant to section 6 of this act, and the violent or*  
12 *sexual offense against the person 60 years of age or older would*  
13 *constitute abuse, exploitation, isolation or neglect of a person 60 years of*  
14 *age or older, as defined in NRS 200.5092, the report made by the person*  
15 *shall be deemed to be a report of the abuse, exploitation, isolation or*  
16 *neglect of the person 60 years of age or older that has been made*  
17 *pursuant to NRS 200.5093 and:*

18     *(a) The appropriate agencies shall act upon the report pursuant to*  
19 *NRS 200.5091 to 200.50995, inclusive; and*

20     *(b) The report may be used in the same manner as other reports that*  
21 *are made pursuant to NRS 200.5093.*

22     **2.** *If a person reports to a local law enforcement agency that another*  
23 *person has committed a violent or sexual offense against a child who is*  
24 *12 years of age or younger, whether or not the person is required to make*  
25 *such a report pursuant to section 6 of this act, and the violent or sexual*  
26 *offense against the child would constitute a violent or sexual offense, as*  
27 *defined in NRS 202.876, against a child who is 12 years of age or*  
28 *younger, the report made by the person shall be deemed to be a report of*  
29 *the commission of a violent or sexual offense against the child who is 12*  
30 *years of age or younger that has been made pursuant to NRS 202.882.*

31     **3.** *If a person reports to a local law enforcement agency that another*  
32 *person has committed a violent or sexual offense against a child who is*  
33 *under the age of 18 years, whether or not the person is required to make*  
34 *such a report pursuant to section 6 of this act, and the violent or sexual*  
35 *offense against the child would constitute abuse or neglect of a child who*  
36 *is under the age of 18 years, as defined in NRS 432B.020, the report*  
37 *made by the person shall be deemed to be a report of the abuse or neglect*  
38 *of a child who is under the age of 18 years that has been made pursuant*  
39 *to NRS 432B.220 and:*

40     *(a) The appropriate agencies shall act upon the report pursuant to*  
41 *chapter 432B of NRS; and*

42     *(b) The report may be used in the same manner as other reports that*  
43 *are made pursuant to NRS 432B.220.*

44     **Sec. 9.** Chapter 394 of NRS is hereby amended by adding thereto the  
45 provisions set forth as sections 10 to 16, inclusive, of this act.

46     **Sec. 10.** *As used in sections 10 to 16, inclusive, of this act, unless the*  
47 *context otherwise requires, the words and terms defined in sections 11*  
48 *and 12 of this act have the meanings ascribed to them in those sections.*



\* S B 2 9 1 R 1 \*

- 1     **Sec. 11.** *“Local law enforcement agency” means:*  
2     1. *The sheriff’s office of a county;*  
3     2. *A metropolitan police department; or*  
4     3. *A police department of an incorporated city.*  
5     **Sec. 12.** *“Violent or sexual offense” means any act that, if*  
6 *prosecuted in this state, would constitute any of the following offenses:*  
7     1. *Murder or voluntary manslaughter pursuant to NRS 200.010 to*  
8 *200.260, inclusive.*  
9     2. *Mayhem pursuant to NRS 200.280.*  
10    3. *Kidnapping pursuant to NRS 200.310 to 200.340, inclusive.*  
11    4. *Sexual assault pursuant to NRS 200.366.*  
12    5. *Robbery pursuant to NRS 200.380.*  
13    6. *Administering poison or another noxious or destructive substance*  
14 *or liquid with intent to cause death pursuant to NRS 200.390.*  
15    7. *Battery with intent to commit a crime pursuant to NRS 200.400.*  
16    8. *Administering a drug or controlled substance to another person*  
17 *with the intent to enable or assist the commission of a felony or crime of*  
18 *violence pursuant to NRS 200.405 or 200.408.*  
19    9. *False imprisonment pursuant to NRS 200.460, if the false*  
20 *imprisonment involves the use or threatened use of force or violence*  
21 *against the victim or the use or threatened use of a firearm or a deadly*  
22 *weapon.*  
23    10. *Assault with a deadly weapon pursuant to NRS 200.471.*  
24    11. *Battery which is committed with the use of a deadly weapon or*  
25 *which results in substantial bodily harm pursuant to NRS 200.481.*  
26    12. *An offense involving pornography and a minor pursuant to NRS*  
27 *200.710 or 200.720.*  
28    13. *Solicitation of a minor to engage in acts constituting the*  
29 *infamous crime against nature pursuant to NRS 201.195.*  
30    14. *Intentional transmission of the human immunodeficiency virus*  
31 *pursuant to NRS 201.205.*  
32    15. *Open or gross lewdness pursuant to NRS 201.210.*  
33    16. *Lewdness with a child pursuant to NRS 201.230.*  
34    17. *An offense involving pandering or prostitution in violation of*  
35 *NRS 201.300, 201.320 or 201.340.*  
36    18. *Coercion pursuant to NRS 207.190, if the coercion involves the*  
37 *use or threatened use of force or violence against the victim or the use or*  
38 *threatened use of a firearm or a deadly weapon.*  
39    19. *An attempt, conspiracy or solicitation to commit an offense listed*  
40 *in subsections 1 to 18, inclusive.*  
41    **Sec. 13.** *For the purposes of sections 10 to 16, inclusive, of this act,*  
42 *a person:*  
43    1. *Has “reasonable cause to believe” if, in light of all the*  
44 *surrounding facts and circumstances which are known or which*  
45 *reasonably should be known to the person at the time, a reasonable*  
46 *person would believe, under those facts and circumstances, that an act,*  
47 *transaction, event, situation or condition exists, is occurring or has*  
48 *occurred.*



1       2. Acts "as soon as reasonably practicable" if, in light of all the  
2 surrounding facts and circumstances which are known or which  
3 reasonably should be known to the person at the time, a reasonable  
4 person would act within approximately the same period under those facts  
5 and circumstances.

6       3. May make a report required by section 14 of this act by telephone  
7 or, in light of all the surrounding facts and circumstances which are  
8 known or which reasonably should be known to the person at the time,  
9 by any other means of oral, written or electronic communication that a  
10 reasonable person would believe, under those facts and circumstances, is  
11 a reliable and swift means of communicating information to the person  
12 who receives the information.

13       **Sec. 14.** 1. An administrator of a private school who is designated  
14 pursuant to subsection 2 and who knows or has reasonable cause to  
15 believe that a violent or sexual offense has been committed on the  
16 property of the private school, at an activity sponsored by the private  
17 school or on a school bus while the bus was being used for an activity  
18 related to the school shall report the commission of the violent or sexual  
19 offense to the appropriate local law enforcement agency as soon as  
20 reasonably practicable but not later than 24 hours after the administrator  
21 of the private school knows or has reasonable cause to believe that a  
22 person has committed the violent or sexual offense.

23       2. The governing body of each private school:

24       (a) Shall designate the administrator of the private school who is  
25 required to report a violent or sexual offense pursuant to subsection 1;  
26 and

27       (b) May establish procedures for the additional reporting by other  
28 employees of the private school of a violent or sexual offense committed  
29 on the property of the private school, at an activity sponsored by the  
30 private school or on a school bus while the bus was being used for an  
31 activity related to the school.

32       3. A report made pursuant to this section must include, without  
33 limitation:

34       (a) If known, the name of the victim of the violent or sexual offense  
35 and the name of the person who committed the violent or sexual offense;

36       (b) The location where the violent or sexual offense was committed;  
37 and

38       (c) The facts and circumstances that support the person's belief that  
39 the violent or sexual offense was committed.

40       **Sec. 15.** 1. If a person who is required to make a report of a violent  
41 or sexual offense pursuant to section 14 of this act makes such a report  
42 in good faith and in accordance with that section, the person is immune  
43 from civil or criminal liability for any act or omission related to that  
44 report, but the person is not immune from civil or criminal liability for  
45 any other act or omission committed by the person as part of, in  
46 connection with or as a principal, accessory or conspirator to the violent  
47 or sexual offense, regardless of the nature of the other act or omission.

48       2. If a person is not required to make a report pursuant to section 14  
49 of this act and the person makes such a report to an administrator of a



1 *private school or a local law enforcement agency in good faith, the*  
2 *person is immune from civil or criminal liability for any act or omission*  
3 *related to that report, but the person is not immune from civil or criminal*  
4 *liability for any other act or omission committed by the person as part of,*  
5 *in connection with or as a principal, accessory or conspirator to the*  
6 *violent or sexual offense, regardless of the nature of the other act or*  
7 *omission.*

8 *3. For the purposes of this section, if a person reports to an*  
9 *administrator of a private school or a local law enforcement agency that*  
10 *another person has committed a violent or sexual offense, whether or not*  
11 *the person is required to make such a report pursuant to section 14 of*  
12 *this act, the person is presumed to have made the report in good faith*  
13 *unless the person is being prosecuted for a criminal violation, including,*  
14 *without limitation, a violation of the provisions of NRS 207.280.*

15 **Sec. 16. 1.** *If a person reports to a local law enforcement agency*  
16 *that another person has committed a violent or sexual offense against a*  
17 *person 60 years of age or older, whether or not the person is required to*  
18 *make such a report pursuant to section 14 of this act, and the violent or*  
19 *sexual offense against the person 60 years of age or older would*  
20 *constitute abuse, exploitation, isolation or neglect of a person 60 years of*  
21 *age or older, as defined in NRS 200.5092, the report made by the person*  
22 *shall be deemed to be a report of the abuse, exploitation, isolation or*  
23 *neglect of the person 60 years of age or older that has been made*  
24 *pursuant to NRS 200.5093 and:*

25 *(a) The appropriate agencies shall act upon the report pursuant to*  
26 *NRS 200.5091 to 200.50995, inclusive; and*

27 *(b) The report may be used in the same manner as other reports that*  
28 *are made pursuant to NRS 200.5093.*

29 **2.** *If a person reports to a local law enforcement agency that another*  
30 *person has committed a violent or sexual offense against a child who is*  
31 *12 years of age or younger, whether or not the person is required to make*  
32 *such a report pursuant to section 14 of this act, and the violent or sexual*  
33 *offense against the child would constitute a violent or sexual offense, as*  
34 *defined in NRS 202.876, against a child who is 12 years of age or*  
35 *younger, the report made by the person shall be deemed to be a report of*  
36 *the commission of a violent or sexual offense against the child who is 12*  
37 *years of age or younger that has been made pursuant to NRS 202.882.*

38 **3.** *If a person reports to a local law enforcement agency that another*  
39 *person has committed a violent or sexual offense against a child who is*  
40 *under the age of 18 years, whether or not the person is required to make*  
41 *such a report pursuant to section 14 of this act, and the violent or sexual*  
42 *offense against the child would constitute abuse or neglect of a child who*  
43 *is under the age of 18 years, as defined in NRS 432B.020, the report*  
44 *made by the person shall be deemed to be a report of the abuse or neglect*  
45 *of a child who is under the age of 18 years that has been made pursuant*  
46 *to NRS 432B.220 and:*

47 *(a) The appropriate agencies shall act upon the report pursuant to*  
48 *chapter 432B of NRS; and*



1     ***(b) The report may be used in the same manner as other reports that***  
2     ***are made pursuant to NRS 432B.220.***  
3     **Sec. 17.** This act becomes effective on July 1, 2001.

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