
ASSEMBLY BILL NO. 366—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE DIVISION OF PAROLE AND PROBATION)

MARCH 23, 2005

Referred to Committee on Judiciary

SUMMARY—Requires Division of Parole and Probation of Department of Public Safety to charge persons placed under its supervision fee for training its employees. (BDR 16-1035)

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.

AN ACT relating to offenders; requiring the Division of Parole and Probation of the Department of Public Safety to charge each person placed under its supervision a fee for training employees of the Division; 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 213 of NRS is hereby amended by adding
2 thereto a new section to read as follows:
3 1. *The Division shall charge a person placed under the*
4 *supervision of the Division a fee of \$10 for the training of*
5 *employees of the Division.*
6 2. *The Chief may waive the fee for the training of employees*
7 *of the Division, in whole or in part, if he determines that payment*
8 *of the fee would create an economic hardship on the person*
9 *placed under the supervision of the Division.*
10 3. *Unless waived pursuant to subsection 2, the payment by a*
11 *person placed under the supervision of the Division of the fee*
12 *charged pursuant to subsection 1 is a condition of his parole,*
13 *probation or residential confinement.*



1 **4. Any money collected by the Division pursuant to**
2 **subsection 1:**

3 **(a) Must be deposited in the State Treasury and accounted for**
4 **separately in the State General Fund;**

5 **(b) May only be used for the training of employees of the**
6 **Division;**

7 **(c) Must be administered by the Division; and**

8 **(d) Does not revert to the State General Fund at the end of any**
9 **fiscal year.**

10 **5. As used in this section, “person placed under the**
11 **supervision of the Division” means a parolee, probationer or**
12 **person supervised by the Division through residential**
13 **confinement.**

14 **Sec. 2.** NRS 213.107 is hereby amended to read as follows:

15 213.107 As used in NRS 213.107 to 213.157, inclusive, **and**
16 **section 1 of this act**, unless the context otherwise requires:

17 1. “Board” means the State Board of Parole Commissioners.

18 2. “Chief” means the Chief Parole and Probation Officer.

19 3. “Division” means the Division of Parole and Probation of
20 the Department of Public Safety.

21 4. “Residential confinement” means the confinement of a
22 person convicted of a crime to his place of residence under the terms
23 and conditions established by the Board.

24 5. “Sex offender” means any person who has been or is
25 convicted of a sexual offense.

26 6. “Sexual offense” means:

27 (a) A violation of NRS 200.366, subsection 4 of NRS 200.400,
28 NRS 200.710, 200.720, subsection 2 of NRS 200.730, NRS
29 201.180, paragraph (a) or subparagraph (2) of paragraph (b) of
30 subsection 1 of NRS 201.195, NRS 201.230 or 201.450, or
31 paragraph (a) or (b) of subsection 4 or paragraph (a) or (b) of
32 subsection 5 of NRS 201.560;

33 (b) An attempt to commit any offense listed in paragraph (a); or

34 (c) An act of murder in the first or second degree, kidnapping in
35 the first or second degree, false imprisonment, burglary or invasion
36 of the home if the act is determined to be sexually motivated at a
37 hearing conducted pursuant to NRS 175.547.

38 7. “Standards” means the objective standards for granting or
39 revoking parole or probation which are adopted by the Board or the
40 Chief.

41 **Sec. 3.** NRS 213.1243 is hereby amended to read as follows:

42 213.1243 1. The Board shall establish by regulation a
43 program of lifetime supervision of sex offenders to commence after
44 any period of probation or any term of imprisonment and any period



1 of release on parole. The program must provide for the lifetime
2 supervision of sex offenders by parole and probation officers.

3 2. Lifetime supervision shall be deemed a form of parole for
4 the limited purposes of the applicability of the provisions of NRS
5 213.1076, subsection 9 of NRS 213.1095, NRS 213.1096 , ~~and~~
6 subsection 2 of NRS 213.110 ~~and~~ *and section 1 of this act.*

7 3. A person who violates a condition imposed on him pursuant
8 to the program of lifetime supervision is guilty of a category B
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 not
11 more than 6 years, and may be further punished by a fine of not
12 more than \$5,000.

13 **Sec. 4.** The amendatory provisions of this act apply to a person
14 placed under the supervision of the Division of Parole and Probation
15 of the Department of Public Safety on or after July 1, 2005.

16 **Sec. 5.** This act becomes effective on July 1, 2005.



