

**Amendment No. 1006**

Assembly Amendment to Senate Bill No. 341 Second Reprint	(BDR 14-678)
<b>Proposed by:</b> Committee on Judiciary	
<b>Amendment Box:</b>	
<b>Resolves Conflicts with:</b> N/A	
<b>Amends:</b> Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: No	

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend sec. 3, page 5, line 7, by deleting:

“or 201.450” and inserting:

“~~or~~, *201.450 or 201.540*”.

Amend sec. 3, page 5, line 9, by deleting “201.560;” and inserting:

“201.560 ~~;~~, *NRS 212.187 or 433.554*;”.

Amend sec. 20, page 14, between lines 37 and 38, by inserting:

*“(8) The tier level of notification assigned to the offender.”.*

Amend the bill as a whole by adding a new section designated sec. 22.5, following sec. 22, to read as follows:

“**Sec. 22.5.** NRS 179D.035 is hereby amended to read as follows:

179D.035 “Convicted” includes, but is not limited to, an adjudication of delinquency or a finding of guilt by a court having jurisdiction over juveniles if the adjudication of delinquency or the finding of guilt is for the commission of any of the following offenses:

1. A crime against a child that is listed in subsection 6 of NRS 179D.210.
2. A sexual offense that is listed in subsection ~~[19]~~ 22 of NRS 179D.410.
3. A sexual offense that is listed in paragraph (b) of subsection 2 of NRS 62F.260.”.

Amend sec. 23, page 16, line 23, by deleting “An” and inserting:

“~~An~~”

***1. Except as otherwise provided in subsection 2, an”.***

Amend sec. 23, page 16, line 25, by deleting “1.” and inserting “~~[1-]~~ (a)”.

Amend sec. 23, page 16, line 26, by deleting “2.” and inserting “~~[2-]~~ (b)”.

Amend sec. 23, page 16, line 28, by deleting “3.” and inserting “~~[3-]~~ (c)”.

Amend sec. 23, page 16, line 30, by deleting “4.” and inserting “~~[4-]~~ (d)”.

Amend sec. 23, page 16, line 32, by deleting “~~[D]~~ C” and inserting “D”.

Amend sec. 23, page 16, between lines 33 and 34, by inserting:

***“2. An offender convicted of a crime against a child who commits a second or subsequent violation of subsection 1 within 7 years after the first violation is guilty of a category C felony and shall be punished as provided in NRS 193.130. A court shall not grant probation to or suspend the sentence of a person convicted pursuant to this subsection.”.***

Amend the bill as a whole by adding new sections designated sections 23.3 and 23.7, following sec. 23, to read as follows:

“**Sec. 23.3.** NRS 179D.400 is hereby amended to read as follows:

179D.400 1. “Sex offender” means a person who, after July 1, 1956, is or has been:

(a) Convicted of a sexual offense listed in NRS 179D.410; or

(b) Adjudicated delinquent or found guilty by a court having jurisdiction over juveniles of a sexual offense listed in subsection ~~19~~ **22** of NRS 179D.410.

2. The term includes, but is not limited to:

(a) A sexually violent predator.

(b) A nonresident sex offender who is a student or worker within this State.

**Sec. 23.7.** NRS 179D.410 is hereby amended to read as follows:

179D.410 “Sexual offense” means any of the following offenses:

1. Murder of the first degree committed in the perpetration or attempted perpetration of sexual assault or of sexual abuse or sexual molestation of a child less than 14 years of age pursuant to paragraph (b) of subsection 1 of NRS 200.030.

2. Sexual assault pursuant to NRS 200.366.

3. Statutory sexual seduction pursuant to NRS 200.368.

4. Battery with intent to commit sexual assault pursuant to NRS 200.400.

5. An offense involving the administration of a drug to another person with the intent to enable or assist the commission of a felony pursuant to NRS 200.405, if the felony is an offense listed in this section.

6. An offense involving the administration of a controlled substance to another person with the intent to enable or assist the commission of a crime of violence pursuant to NRS 200.408, if the crime of violence is an offense listed in this section.

7. Abuse of a child pursuant to NRS 200.508, if the abuse involved sexual abuse or sexual exploitation.

8. An offense involving pornography and a minor pursuant to NRS 200.710 to 200.730, inclusive.

9. Incest pursuant to NRS 201.180.

10. Solicitation of a minor to engage in acts constituting the infamous crime against nature pursuant to NRS 201.195.

11. Open or gross lewdness pursuant to NRS 201.210.

12. Indecent or obscene exposure pursuant to NRS 201.220.

13. Lewdness with a child pursuant to NRS 201.230.

14. Sexual penetration of a dead human body pursuant to NRS 201.450.

15. *Sexual conduct between certain employees of schools or volunteers at schools and pupils pursuant to NRS 201.540.*

16. Luring a child or mentally ill person pursuant to NRS 201.560, if punished as a felony.

~~16.]~~ 17. *Voluntary sexual conduct between a prisoner and another person pursuant to NRS 212.187.*

18. *Abuse of a client in a mental health facility pursuant to NRS 433.554.*

19. An attempt or conspiracy to commit an offense listed in subsections 1 to ~~15, inclusive.~~  
~~17.]~~ 18, *inclusive.*

20. An offense that is determined to be sexually motivated pursuant to NRS 175.547 or 207.193.

~~{18.}~~ **21.** An offense committed in another jurisdiction that, if committed in this State, would be an offense listed in this section. This subsection includes, but is not limited to, an offense prosecuted in:

- (a) A tribal court.
- (b) A court of the United States or the Armed Forces of the United States.

~~{19.}~~ **22.** An offense of a sexual nature committed in another jurisdiction, whether or not the offense would be an offense listed in this section, if the person who committed the offense resides or has resided or is or has been a student or worker in any jurisdiction in which the person is or has been required by the laws of that jurisdiction to register as a sex offender because of the offense.

This subsection includes, but is not limited to, an offense prosecuted in:

- (a) A tribal court.
- (b) A court of the United States or the Armed Forces of the United States.
- (c) A court having jurisdiction over juveniles.”.

Amend sec. 24, page 16, line 35, after “179D.550” by deleting “A” and inserting:

~~{A}~~

***1. Except as otherwise provided in subsection 2, a’.***

Amend sec. 24, page 16, line 36, by deleting “1.” and inserting “~~{1.}~~ (a)”.

Amend sec. 24, page 16, line 37, by deleting “2.” and inserting “~~{2.}~~ (b)”.

Amend sec. 24, page 16, line 39, by deleting “3.” and inserting “~~{3.}~~ (c)”.

Amend sec. 24, page 16, line 41, by deleting “4.” and inserting “~~{4.}~~ (d)”.

Amend sec. 24, page 16, line 43, by deleting “~~{D}~~ C” and inserting “D”.

Amend sec. 24, page 16, after line 44, after, by inserting:

***“2. An offender convicted of a crime against a child who commits a second or subsequent violation of subsection 1 within 7 years after the first violation is guilty of a category C felony and shall be punished as provided in NRS 193.130. A court shall not grant probation to or suspend the sentence of a person convicted pursuant to this subsection.”.***

Amend the bill as a whole by adding new sections designated sections 24.3 and 24.7, following sec. 24, to read as follows:

**“Sec. 24.3.** NRS 179D.610 is hereby amended to read as follows:

179D.610 1. “Sex offender” means a person who, after July 1, 1956, is or has been:

(a) Convicted of a sexual offense listed in NRS 179D.620; or

(b) Adjudicated delinquent or found guilty by a court having jurisdiction over juveniles of a sexual offense listed in subsection ~~{19}~~ 22 of NRS 179D.620.

2. The term includes, but is not limited to:

(a) A sexually violent predator.

(b) A nonresident sex offender who is a student or worker within this State.

**Sec. 24.7.** NRS 179D.620 is hereby amended to read as follows:

179D.620 “Sexual offense” means any of the following offenses:

1. Murder of the first degree committed in the perpetration or attempted perpetration of sexual assault or of sexual abuse or sexual molestation of a child less than 14 years of age pursuant to paragraph (b) of subsection 1 of NRS 200.030.

2. Sexual assault pursuant to NRS 200.366.

3. Statutory sexual seduction pursuant to NRS 200.368, if punished as a felony.

4. Battery with intent to commit sexual assault pursuant to NRS 200.400.

5. An offense involving the administration of a drug to another person with the intent to enable or assist the commission of a felony pursuant to NRS 200.405, if the felony is an offense listed in this section.

6. An offense involving the administration of a controlled substance to another person with the intent to enable or assist the commission of a crime of violence pursuant to NRS 200.408, if the crime of violence is an offense listed in this section.

7. Abuse of a child pursuant to NRS 200.508, if the abuse involved sexual abuse or sexual exploitation and is punished as a felony.

8. An offense involving pornography and a minor pursuant to NRS 200.710 to 200.730, inclusive.

9. Incest pursuant to NRS 201.180.

10. Solicitation of a minor to engage in acts constituting the infamous crime against nature pursuant to NRS 201.195, if punished as a felony.

11. Open or gross lewdness pursuant to NRS 201.210, if punished as a felony.

12. Indecent or obscene exposure pursuant to NRS 201.220, if punished as a felony.

13. Lewdness with a child pursuant to NRS 201.230.

14. Sexual penetration of a dead human body pursuant to NRS 201.450.

15. *Sexual conduct between certain employees of schools or volunteers at schools and pupils pursuant to NRS 201.540.*

16. Luring a child or mentally ill person pursuant to NRS 201.560, if punished as a felony.

~~{16.}~~ 17. *Voluntary sexual conduct between a prisoner and another person pursuant to NRS 212.187.*

**18. Abuse of a client in a mental health facility pursuant to NRS 433.554.**

**19.** An attempt or conspiracy to commit an offense listed in subsections 1 to ~~15, inclusive.~~  
~~17.]~~ **18, inclusive.**

**20.** An offense that is determined to be sexually motivated pursuant to NRS 175.547 or 207.193.

~~18.]~~ **21.** An offense committed in another jurisdiction that, if committed in this State, would be an offense listed in this section. This subsection includes, but is not limited to, an offense prosecuted in:

(a) A tribal court.

(b) A court of the United States or the Armed Forces of the United States.

~~19.]~~ **22.** An offense of a sexual nature committed in another jurisdiction and punished as a felony, whether or not the offense would be an offense listed in this section, if the person who committed the offense resides or has resided or is or has been a student or worker in any jurisdiction in which the person is or has been required by the laws of that jurisdiction to register as a sex offender because of the offense. This subsection includes, but is not limited to, an offense prosecuted in:

(a) A tribal court.

(b) A court of the United States or the Armed Forces of the United States.

(c) A court having jurisdiction over juveniles.”.

Amend sec. 27, page 21, line 18, by deleting “or” and inserting “~~or~~”.

Amend sec. 27, page 21, line 19, after “(d)” by inserting:

***“Sexual conduct between certain employees of schools or volunteers at schools and pupils pursuant to NRS 201.540;***



(e)".

Amend sec. 27, page 21, line 20, by deleting "felony." and inserting:

"felony ~~(f)~~; *or*

*(f) Abuse of a client in a mental health facility pursuant to NRS 433.554."*

Amend sec. 34.5, page 25, line 39, after "(l)" by inserting:

*"Sexual conduct between certain employees of schools or volunteers at schools and pupils pursuant to NRS 201.540.*

(m)".

Amend sec. 34.5, page 25, line 41, by deleting "(m)" and inserting:

~~"(m) (n) Voluntary sexual conduct between a prisoner and another person pursuant to NRS 212.187.~~

*(o) Abuse of a client in a mental health facility pursuant to NRS 433.554.*

(p)".

Amend sec. 34.5, page 25, lines 42 and 43, by deleting:

"(l), inclusive.

(n)" and inserting:

~~"(l), inclusive.~~

~~—(n) (m), inclusive.~~

(q)".

Amend sec. 34.5, page 26, line 1, by deleting "(o)" and inserting "(r)".

Amend the title of the bill, twentieth line, after "offender" by inserting:

“expanding the crimes that constitute a sexual offense for purposes of registration, community notification and determining certain penalties; increasing penalties for a second or subsequent violation of certain requirements concerning registration and notification of offenders convicted of a crime against a child and of sex offenders;”.