

SENATE BILL NO. 14—SENATOR MCGINNESS (BY REQUEST)

PREFILED JANUARY 16, 2007

Referred to Committee on Judiciary

SUMMARY—Provides that a minor who possesses tobacco products or falsely represents his age to obtain tobacco products is subject to the jurisdiction of the juvenile court as a child in need of supervision. (BDR 5-76)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact. 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 tobacco; providing that a minor who possesses tobacco products or falsely represents his age to obtain tobacco products is subject to the jurisdiction of the juvenile court as a child in need of supervision; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 This bill provides that a minor who possesses tobacco products or who falsely
2 represents his age to obtain tobacco products is subject to the jurisdiction of the
3 juvenile court as a child in need of supervision. Under existing law, a child who is
4 alleged to be in need of supervision may be placed under the informal supervision
5 of a probation officer for up to 180 days. (NRS 62C.200) For a first offense, the
6 juvenile court must not adjudicate the child as being in need of supervision, but
7 must instead admonish the child to obey the law, maintain a record of that
8 admonition and refer the child for counseling, behavior modification and social
9 adjustment. (NRS 62E.410) The juvenile court may also order the child to perform
10 community service or to complete certain alternative programs and may suspend
11 the driver’s license of the child. (NRS 62E.180, 62E.210, 62E.250)



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

1 **Section 1.** NRS 62B.320 is hereby amended to read as
2 follows:

3 62B.320 1. Except as otherwise provided in this title, the
4 juvenile court has exclusive original jurisdiction in proceedings
5 concerning any child living or found within the county who is
6 alleged or adjudicated to be in need of supervision because the child
7 ~~is~~

8 ~~(a) Is~~ *engages in any of the following acts:*

9 (a) *The child is* subject to compulsory school attendance and is
10 a habitual truant from school. ~~is~~

11 ~~(b) Habitually~~

12 (b) *The child is under the age of 18 years and possesses*
13 *cigarettes, cigarette paper, tobacco of any description or products*
14 *made from tobacco or falsely represents that he is 18 years of age*
15 *or older to purchase or obtain cigarettes, cigarette paper, tobacco*
16 *of any description or products made from tobacco. The provisions*
17 *of this paragraph do not apply to a child assisting in an inspection*
18 *pursuant to NRS 202.2496.*

19 (c) *The child habitually* disobeys the reasonable and lawful
20 demands of the parent or guardian of the child and is unmanageable
21 . ~~is or~~

22 ~~(e) Deserts.~~

23 (d) *The child deserts,* abandons or runs away from the home or
24 usual place of abode of the child and is in need of care or
25 rehabilitation.

26 2. A child who is subject to the jurisdiction of the juvenile
27 court pursuant to this section must not be considered a delinquent
28 child.

