

BURGLARY AND RELATED CRIMES

NRS 205.060 Burglary: Definition; penalties; venue; exception.

1. Except as otherwise provided in subsection 5, a person who, by day or night, enters any house, room, apartment, tenement, shop, warehouse, store, mill, barn, stable, outhouse or other building, tent, vessel, vehicle, vehicle trailer, semitrailer or house trailer, airplane, glider, boat or railroad car, with the intent to commit grand or petit larceny, assault or battery on any person or any felony, or to obtain money or property by false pretenses, is guilty of burglary.

2. Except as otherwise provided in this section, a person convicted of burglary is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000. A person who is convicted of burglary and who has previously been convicted of burglary or another crime involving the forcible entry or invasion of a dwelling must not be released on probation or granted a suspension of sentence.

3. Whenever a burglary is committed on a vessel, vehicle, vehicle trailer, semitrailer, house trailer, airplane, glider, boat or railroad car, in motion or in rest, in this State, and it cannot with reasonable certainty be ascertained in what county the crime was committed, the offender may be arrested and tried in any county through which the vessel, vehicle, vehicle trailer, semitrailer, house trailer, airplane, glider, boat or railroad car traveled during the time the burglary was committed.

4. A person convicted of burglary who has in his or her possession or gains possession of any firearm or deadly weapon at any time during the commission of the crime, at any time before leaving the structure or upon leaving the structure, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, and may be further punished by a fine of not more than \$10,000.

5. The crime of burglary does not include the act of entering a commercial establishment during business hours with the intent to commit petit larceny unless the person has previously been convicted:

- (a) Two or more times for committing petit larceny within the immediately preceding 7 years; or
- (b) Of a felony.

[1911 C&P § 369; A [1953, 31](#)] — (NRS A [1967, 494](#); [1968, 45](#); [1971, 1161](#); [1979, 1440](#); [1981, 551](#); [1983, 717](#); [1989, 1207](#); [1995, 1215](#); [2005, 416](#); [2013, 2987](#))

NRS 205.067 Invasion of the home: Definition; penalties; venue.

1. A person who, by day or night, forcibly enters an inhabited dwelling without permission of the owner, resident or lawful occupant, whether or not a person is present at the time of the entry, is guilty of invasion of the home.

2. A person convicted of invasion of the home is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000. A person who is convicted of invasion of the home and who has previously been convicted of burglary or invasion of the home must not be released on probation or granted a suspension of sentence.

3. Whenever an invasion of the home is committed on a vessel, vehicle, vehicle trailer, semitrailer, house trailer, airplane, glider, boat or railroad car, in motion or in rest, in this State, and it cannot with reasonable certainty be ascertained in what county the crime was committed, the offender may be arrested and tried in any county through which the conveyance, vessel, boat, vehicle, house trailer, travel trailer, motor home or railroad car traveled during the time the invasion was committed.

4. A person convicted of invasion of the home who has in his or her possession or gains possession of any firearm or deadly weapon at any time during the commission of the crime, at any time before leaving the structure or upon leaving the structure, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, and may be further punished by a fine of not more than \$10,000.

5. As used in this section:

(a) "Forcibly enters" means the entry of an inhabited dwelling involving any act of physical force resulting in damage to the structure.

(b) "Inhabited dwelling" means any structure, building, house, room, apartment, tenement, tent, conveyance, vessel, boat, vehicle, house trailer, travel trailer, motor home or railroad car in which the owner or other lawful occupant resides.

(Added to NRS by [1989, 1452](#); A [1995, 1215](#))

THEFT AND RELATED CRIMES

NRS 193.167 Additional penalty: Certain crimes committed against person 60 years of age or older or against vulnerable person.

1. Except as otherwise provided in [NRS 193.169](#), any person who commits the crime of:

- (a) Murder;
- (b) Attempted murder;
- (c) Assault;
- (d) Battery;
- (e) Kidnapping;
- (f) Robbery;
- (g) Sexual assault;
- (h) Embezzlement of, or attempting or conspiring to embezzle, money or property of a value of \$650 or more;

(i) Obtaining, or attempting or conspiring to obtain, money or property of a value of \$650 or more by false pretenses; or

(j) Taking money or property from the person of another,
Ê against any person who is 60 years of age or older or against a vulnerable person shall, in addition to the term of imprisonment prescribed by statute for the crime, be punished, if the crime is a misdemeanor or gross misdemeanor, by imprisonment in the county jail for a term equal to the term of imprisonment prescribed by statute for the crime, and, if the crime is a felony, by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years.

2. Except as otherwise provided in [NRS 193.169](#), any person who commits a criminal violation of the provisions of [chapter 90](#) or [91](#) of NRS against any person who is 60 years of age or older or against a vulnerable person shall, in addition to the term of imprisonment prescribed by statute for the criminal violation, be punished, if the criminal violation is a misdemeanor or gross misdemeanor, by imprisonment in the county jail for a term equal to the term of imprisonment prescribed by statute for the criminal violation, and, if the criminal violation is a felony, by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years.

3. In determining the length of the additional penalty imposed pursuant to this section, the court shall consider the following information:

- (a) The facts and circumstances of the crime or criminal violation;
- (b) The criminal history of the person;
- (c) The impact of the crime or criminal violation on any victim;
- (d) Any mitigating factors presented by the person; and
- (e) Any other relevant information.

Ê The court shall state on the record that it has considered the information described in paragraphs (a) to (e), inclusive, in determining the length of the additional penalty imposed.

4. The sentence prescribed by this section:

- (a) Must not exceed the sentence imposed for the crime or criminal violation; and
- (b) Must run consecutively with the sentence prescribed by statute for the crime or criminal violation.

5. This section does not create any separate offense but provides an additional penalty for the primary offense, whose imposition is contingent upon the finding of the prescribed fact.

6. As used in this section, "vulnerable person" has the meaning ascribed to it in [NRS 200.5092](#).

(Added to NRS by [1979, 831](#); A [1989, 1850](#); [1991, 1059](#); [1993, 1](#); [1999, 42](#); [2003, 2566](#); [2005, 1106](#); [2007, 3190](#); [2011, 157](#); [2013, 390](#); [2015, 803](#); [2017, 2527](#), [2833](#))

NRS 197.150 Falsely auditing or paying claim. A public officer, or person holding or discharging the duties of any public office or place of trust under the State or in any county, town or city, a part of whose duty it is to audit, allow or pay, or take part in auditing, allowing or paying claims or demands upon the

State or a county, town or city, who knowingly audits, allows or pays, or directly or indirectly consents to or in any way connives in the audit, allowance or payment of any claim or demand against the State, county, town or city, which is false or fraudulent or contains any charge, item or claim which is false or fraudulent, shall be punished:

1. Where the amount of the false or fraudulent charge, claim, item or demand is \$650 or more, for a category D felony as provided in [NRS 193.130](#). In addition to any other penalty, the court shall order the person to pay restitution.

2. Where the amount of the fraudulent charge, claim, item or demand is less than \$650, for a misdemeanor.

[1911 C&P § 111; RL § 6376; NCL § 10060] — (NRS A [1967, 461](#); [1979, 1418](#); [1989, 1430](#); [1995, 1172](#); [2011, 158](#))

NRS 197.210 Fraudulent appropriation of property. An officer who fraudulently appropriates to his or her own use or to the use of another person, or secretes with the intent to appropriate to such a use, any money, evidence of debt or other property entrusted to the officer by virtue of his or her office, shall be punished:

1. Where the amount of the money or the actual value of the property fraudulently appropriated or secreted with the intent to appropriate is \$650 or more, for a category D felony as provided in [NRS 193.130](#). In addition to any other penalty, the court shall order the person to pay restitution.

2. Where the amount of the money or the actual value of the property fraudulently appropriated or secreted with the intent to appropriate is less than \$650, for a misdemeanor.

[Part 1911 C&P § 80; RL § 6345; NCL § 10029] — (NRS A [1967, 462](#); [1979, 1419](#); [1989, 1431](#); [1995, 1173](#); [2011, 158](#))

NRS 200.5099 Penalties.

1. Except as otherwise provided in subsection 6, any person who abuses an older person or a vulnerable person is guilty:

(a) For the first offense, of either of the following, as determined by the court:

(1) A category C felony and shall be punished as provided in [NRS 193.130](#); or

(2) A gross misdemeanor and shall be punished by imprisonment in the county jail for not more than 364 days, or by a fine of not more than \$2,000, or by both fine and imprisonment; or

(b) For the second and all subsequent offenses or if the person has been previously convicted of violating a law of any other jurisdiction that prohibits the same or similar conduct, of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 6 years,

Ê unless a more severe penalty is prescribed by law for the act or omission which brings about the abuse.

2. Except as otherwise provided in subsection 7, any person who has assumed responsibility, legally, voluntarily or pursuant to a contract, to care for an older person or a vulnerable person and who neglects the older person or vulnerable person, causing the older person or vulnerable person to suffer physical pain or mental suffering, permits or allows the older person or vulnerable person to suffer unjustifiable physical pain or mental suffering or permits or allows the older person or vulnerable person to be placed in a situation where the older person or vulnerable person may suffer physical pain or mental suffering as the result of abuse or neglect is guilty:

(a) For the first offense, of either of the following, as determined by the court:

(1) A category C felony and shall be punished as provided in [NRS 193.130](#); or

(2) A gross misdemeanor and shall be punished by imprisonment in the county jail for not more than 364 days, or by a fine of not more than \$2,000, or by both fine and imprisonment; or

(b) For the second and all subsequent offenses, of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 6 years,
Ê unless a more severe penalty is prescribed by law for the act or omission which brings about the abuse or neglect.

3. Except as otherwise provided in subsection 4, any person who exploits an older person or a vulnerable person shall be punished:

(a) For the first offense, if the value of any money, assets and property obtained or used:

(1) Is less than \$650, of either of the following, as determined by the court:

(I) A category C felony as provided in [NRS 193.130](#); or

(II) A gross misdemeanor by imprisonment in the county jail for not more than 364 days, or by a fine of not more than \$2,000, or by both fine and imprisonment;

(2) Is at least \$650, but less than \$5,000, for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 10 years, or by a fine of not more than \$10,000, or by both fine and imprisonment; or

(3) Is \$5,000 or more, for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years, or by a fine of not more than \$25,000, or by both fine and imprisonment; or

(b) For the second and all subsequent offenses, regardless of the value of any money, assets and property obtained or used, for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years, or by a fine of not more than \$25,000, or by both fine and imprisonment,

Ê unless a more severe penalty is prescribed by law for the act which brought about the exploitation. The monetary value of all of the money, assets and property of the older person or vulnerable person which have been obtained or used, or both, may be combined for the purpose of imposing punishment for an offense charged pursuant to this subsection.

4. If a person exploits an older person or a vulnerable person and the monetary value of any money, assets and property obtained cannot be determined, the person shall be punished:

(a) For the first offense, of either of the following, as determined by the court:

(1) A category C felony as provided in [NRS 193.130](#); or

(2) A gross misdemeanor by imprisonment in the county jail for not more than 364 days, or by a fine of not more than \$2,000, or by both fine and imprisonment; or

(b) For the second and all subsequent offenses, for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years, or by a fine of not more than \$25,000, or by both fine and imprisonment,

Ê unless a more severe penalty is prescribed by law for the act which brought about the exploitation.

5. Any person who isolates or abandons an older person or a vulnerable person is guilty:

(a) For the first offense, of either of the following, as determined by the court:

(1) A category C felony and shall be punished as provided in [NRS 193.130](#); or

(2) A gross misdemeanor and shall be punished by imprisonment in the county jail for not more than 364 days, or by a fine of not more than \$2,000, or by both fine and imprisonment; or

(b) For the second and all subsequent offenses, of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$5,000,

Ê unless a more severe penalty is prescribed by law for the act or omission which brings about the isolation or abandonment.

6. A person who violates any provision of subsection 1, if substantial bodily or mental harm or death results to the older person or vulnerable person, is guilty of a category B felony and shall be punished by

imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years, unless a more severe penalty is prescribed by law for the act or omission which brings about the abuse.

7. A person who violates any provision of subsection 2, if substantial bodily or mental harm or death results to the older person or vulnerable person, shall be punished for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years, unless a more severe penalty is prescribed by law for the act or omission which brings about the abuse or neglect.

8. In addition to any other penalty imposed against a person for a violation of any provision of [NRS 200.5091](#) to [200.50995](#), inclusive, the court shall order the person to pay restitution.

9. As used in this section:

(a) "Allow" means to take no action to prevent or stop the abuse or neglect of an older person or a vulnerable person if the person knows or has reason to know that the older person or vulnerable person is being abused or neglected.

(b) "Permit" means permission that a reasonable person would not grant and which amounts to a neglect of responsibility attending the care and custody of an older person or a vulnerable person.

(c) "Substantial mental harm" means an injury to the intellectual or psychological capacity or the emotional condition of an older person or a vulnerable person as evidenced by an observable and substantial impairment of the ability of the older person or vulnerable person to function within his or her normal range of performance or behavior.

(Added to NRS by [1981, 1336](#); A [1983, 1652](#), [1655](#); [1985, 249](#); [1995, 1194](#), [2253](#); [1997, 110](#), [1354](#); [2003, 2567](#); [2005, 1113](#); [2011, 159](#); [2013, 978](#); [2017, 2529](#), [2835](#))

NRS 204.010 Unlawful use of public money: Amount less than \$650. Every public officer or other person who has in his or her possession, control or custody any public money belonging to this state, or to any county, town, city, district or municipal corporation within this state, or to whom any such public money is entrusted for safekeeping, or for transmission to any treasurer, other officer or person entitled to receive it, who uses any of the public money for his or her own private purposes, or for any purpose other than one authorized by law, shall, if the amount so unlawfully used is less than \$650, be punished for a misdemeanor.

[1911 C&P § 391; RL § 6656; NCL § 10343] — (NRS A [1959, 24](#); [1967, 491](#); [1989, 1431](#); [2011, 160](#))

NRS 204.020 Unlawful use of public money: Amount of \$650 or more. A public officer or other person who has in his or her possession, control or custody any public money belonging to this state, or to any county, town, city, district or municipal corporation within this state, or to whom any such public money is entrusted for safekeeping or for transmission to any treasurer or other officer, or other person entitled to receive it, who uses any of the public money for his or her own private purposes, or for any purpose other than one authorized by law, if the amount unlawfully used is \$650 or more, is guilty of a category D felony and shall be punished as provided in [NRS 193.130](#). In addition to any other penalty, the court shall order the person to pay restitution.

[1911 C&P § 392; A [1951, 29](#)] — (NRS A [1967, 492](#); [1979, 1438](#); [1989, 1431](#); [1995, 1212](#); [2011, 160](#))

NRS 204.030 Misappropriation and falsification of accounts by public officer.

1. It is unlawful for any public officer, and any other person receiving money on behalf of, or for or on account of, this State or of any department of the State Government or of any bureau or fund created by law in which the State is directly or indirectly interested, or for or on account of any county, city, town, municipal corporation or any school or district:

(a) Knowingly to keep any false account, or make any false entry or erasure in any account, of or relating to any money so received;

(b) Fraudulently to alter, falsify, conceal, destroy or obliterate any such account; or
(c) Willfully to omit or refuse to pay over to the State, its officer or agent authorized by law to receive the money, or to the county, city, town or the school, municipal corporation, or district or to the proper officer or authority empowered to demand and receive it, any money received by him or her as such an officer when it is a legal duty to pay over and account for the money.

2. A person who violates any of the provisions of subsection 1 shall be punished:

(a) Where the amount involved is \$650 or more, for a category D felony as provided in [NRS 193.130](#).

(b) Where the amount involved is less than \$650, for a misdemeanor.

[1911 C&P § 393; RL § 6658; NCL § 10345] — (NRS A [1967, 492](#); [1969, 105](#); [1979, 1438](#); [1989, 1431](#); [1995, 1212](#); [2011, 161](#))

NRS 204.050 Misappropriation by treasurer. A state, county, city or town treasurer who willfully misappropriates any money, funds or securities received by or deposited with the treasurer, or who is guilty of any other malfeasance or willful neglect of duty in office, shall be punished:

1. Where the amount misappropriated is \$650 or more, for a category D felony as provided in [NRS 193.130](#). In addition to any other penalty, the court shall order the person to pay restitution.

2. Where the amount misappropriated is less than \$650, for a misdemeanor.

[1911 C&P § 395; RL § 6660; NCL § 10347] — (NRS A [1967, 492](#); [1979, 1439](#); [1989, 1432](#); [1995, 1213](#); [2011, 161](#))

NRS 205.08345 Participation in organized retail theft; penalties; determination of amount involved in thefts committed by organized retail theft; venue.

1. A person who participates in organized retail theft is guilty of a category B felony and shall be punished by imprisonment in the state prison for:

(a) If the aggregated value of the property or services involved in all thefts committed in the organized retail theft in this State during a period of 90 days is at least \$3,500 but less than \$10,000, a minimum term of not less than 1 year and a maximum term of not more than 10 years, and by a fine of not more than \$10,000.

(b) If the aggregated value of the property or services involved in all thefts committed in the organized retail theft in this State during a period of 90 days is \$10,000 or more, a minimum term of not less than 2 years and a maximum term of not more than 15 years, and by a fine of not more than \$20,000.

2. In addition to any other penalty, the court shall order a person who violates this section to pay restitution.

3. For the purposes of this section, in determining the aggregated value of the property or services involved in all thefts committed in the organized retail theft in this State during a period of 90 days:

(a) The amount involved in a single theft shall be deemed to be the highest value, by any reasonable standard, of the property or services which are obtained; and

(b) The amounts involved in all thefts committed by all participants in the organized retail theft must be aggregated.

4. In any prosecution for a violation of this section, the violation shall be deemed to have been committed and may be prosecuted in any jurisdiction in this State in which any theft committed by any participant in the organized retail theft was committed, regardless of whether the defendant was ever physically present in that jurisdiction.

5. As used in this section:

(a) “Merchant” has the meaning ascribed to it in [NRS 597.850](#).

(b) “Organized retail theft” means committing, either alone or with any other person or persons, a series of thefts of retail merchandise against one or more merchants in this State with the intent to:

(1) Return the merchandise to the merchant for value; or

(2) Resell, trade or barter the merchandise for value.
(Added to NRS by [2007, 682](#); A [2011, 161](#); [2013, 425](#))

NRS 205.0835 Penalties.

1. Unless a greater penalty is imposed by a specific statute and unless the provisions of [NRS 205.08345](#) apply under the circumstances, a person who commits theft in violation of any provision of [NRS 205.0821](#) to [205.0835](#), inclusive, shall be punished pursuant to the provisions of this section.

2. If the value of the property or services involved in the theft is less than \$650, the person who committed the theft is guilty of a misdemeanor.

3. If the value of the property or services involved in the theft is \$650 or more but less than \$3,500, the person who committed the theft is guilty of a category C felony and shall be punished as provided in [NRS 193.130](#).

4. If the value of the property or services involved in the theft is \$3,500 or more, the person who committed the theft is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and by a fine of not more than \$10,000.

5. In addition to any other penalty, the court shall order the person who committed the theft to pay restitution.

(Added to NRS by [1989, 1205](#); A [1995, 1216](#); [1997, 340](#); [2007, 683](#); [2011, 162](#))

NRS 205.130 Issuance of check or draft without sufficient money or credit: Penalties.

1. Except as otherwise provided in this subsection and subsections 2 and 3, a person who willfully, with an intent to defraud, draws or passes a check or draft to obtain:

- (a) Money;
- (b) Delivery of other valuable property;
- (c) Services;
- (d) The use of property; or
- (e) Credit extended by any licensed gaming establishment,

È drawn upon any real or fictitious person, bank, firm, partnership, corporation or depository, when the person has insufficient money, property or credit with the drawee of the instrument to pay it in full upon its presentation, is guilty of a misdemeanor. If that instrument, or a series of instruments passed in the State during a period of 90 days, is in the amount of \$650 or more, the person is guilty of a category D felony and shall be punished as provided in [NRS 193.130](#). In addition to any other penalty, the court shall order the person to pay restitution.

2. A person who was previously convicted three times of a misdemeanor under the provisions of this section, or of an offense of a similar nature, in this State or any other state, or in a federal jurisdiction, who violates this section is guilty of a category D felony and shall be punished as provided in [NRS 193.130](#). In addition to any other penalty, the court shall order the person to pay restitution.

3. A person who willfully issues any check or draft for the payment of wages in excess of \$650, when the person knows he or she has insufficient money or credit with the drawee of the instrument to pay the instrument in full upon presentation is guilty of a gross misdemeanor.

4. For the purposes of this section, "credit" means an arrangement or understanding with a person, firm, corporation, bank or depository for the payment of a check or other instrument.

[1911 C&P § 407; A 1917, 10; 1925, 346; 1927, 233; 1929, 93; 1941, 308; [1955, 151](#)] — (NRS A [1960, 380](#); [1961, 58](#), [309](#); [1963, 495](#); [1967, 495](#); [1969, 1518](#); [1971, 1336](#); [1973, 1453](#); [1975, 755](#); [1979, 1011](#); [1983, 856](#); [1989, 1432](#); [1995, 1217](#); [2011, 162](#))

NRS 205.134 Issuance of check or draft without sufficient money or credit: Posting notices.

1. A notice in boldface type which is clearly legible and is in substantially the following form must be posted in a conspicuous place in every principal and branch office of every bank and in every place of business in which retail selling is conducted:

The issuance of a check or draft without sufficient money or with intent to defraud is punishable by imprisonment in the county jail for not more than 6 months, or by a fine of not more than \$1,000, or by both fine and imprisonment, and the issuance of such a check or draft in an amount of \$650 or more or by a person who previously has been convicted three times of this or a similar offense is punishable as a category D felony as provided in [NRS 193.130](#).

2. Failure of the owner, operator or manager of a bank or other place of business to post the sign required by this section is not a defense to charge of a violation of [NRS 205.130](#).

(Added to NRS by [1979, 1010](#); A [1985, 250, 456](#); [1989, 1433](#); [1993, 1518](#); [1995, 1218](#); [1997, 9](#); [2005, 1081](#); [2007, 97](#); [2011, 163](#))

NRS 205.220 Grand larceny: Definition. Except as otherwise provided in [NRS 205.226](#) and [205.228](#), a person commits grand larceny if the person:

1. Intentionally steals, takes and carries away, leads away or drives away:
 - (a) Personal goods or property, with a value of \$650 or more, owned by another person;
 - (b) Bedding, furniture or other property, with a value of \$650 or more, which the person, as a lodger, is to use in or with his or her lodging and which is owned by another person; or
 - (c) Real property, with a value of \$650 or more, that the person has converted into personal property by severing it from real property owned by another person.
2. Uses a card or other device for automatically withdrawing or transferring money in a financial institution to obtain intentionally money to which the person knows he or she is not entitled.
3. Intentionally steals, takes and carries away, leads away, drives away or entices away:
 - (a) One or more head of livestock owned by another person; or
 - (b) One or more domesticated animals or domesticated birds, with an aggregate value of \$650 or more, owned by another person.
4. With the intent to defraud, steal, appropriate or prevent identification:
 - (a) Marks or brands, causes to be marked or branded, alters or defaces a mark or brand, or causes to be altered or defaced a mark or brand upon one or more head of livestock owned by another person;
 - (b) Sells or purchases the hide or carcass of one or more head of livestock owned by another person that has had a mark or brand cut out or obliterated;
 - (c) Kills one or more head of livestock owned by another person but running at large, whether or not the livestock is marked or branded; or
 - (d) Kills one or more domesticated animals or domesticated birds, with an aggregate value of \$650 or more, owned by another person but running at large, whether or not the animals or birds are marked or branded.

[1911 C&P § 373; A 1915, 119; [1947, 85](#); [1949, 127](#); 1943 NCL § 10323] — (NRS A [1965, 1007](#); [1967, 499](#); [1969, 531](#); [1979, 155, 1444](#); [1983, 546](#); [1989, 71, 1433](#); [1995, 13, 1221, 1323](#); [1997, 341](#); [2011, 163](#))

NRS 205.222 Grand larceny: Penalties.

1. Unless a greater penalty is imposed by a specific statute, a person who commits grand larceny in violation of [NRS 205.220](#) shall be punished pursuant to the provisions of this section.

2. If the value of the property involved in the grand larceny is less than \$3,500, the person who committed the grand larceny is guilty of a category C felony and shall be punished as provided in [NRS 193.130](#).

3. If the value of the property involved in the grand larceny is \$3,500 or more, the person who committed the grand larceny is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and by a fine of not more than \$10,000.

4. In addition to any other penalty, the court shall order the person who committed the grand larceny to pay restitution.

5. If the grand larceny involved a sale in violation of subsection 3 or 4 of [NRS 205.220](#), all proceeds from the sale are subject to forfeiture.

(Added to NRS by [1997, 339](#); A [2011, 164](#))

NRS 205.226 Grand larceny of firearm; penalty.

1. A person who intentionally steals, takes and carries away a firearm owned by another person commits grand larceny of a firearm.

2. A person who commits grand larceny of a firearm is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and by a fine of not more than \$10,000.

3. In addition to any other penalty, the court shall order the person who committed the grand larceny of the firearm to pay restitution.

(Added to NRS by [1997, 340](#))

NRS 205.228 Grand larceny of motor vehicle; penalty.

1. A person who intentionally steals, takes and carries away, drives away or otherwise removes a motor vehicle owned by another person commits grand larceny of a motor vehicle.

2. Except as otherwise provided in subsection 3, a person who commits grand larceny of a motor vehicle is guilty of a category C felony and shall be punished as provided in [NRS 193.130](#).

3. If the prosecuting attorney proves that the value of the motor vehicle involved in the grand larceny is \$3,500 or more, the person who committed the grand larceny of the motor vehicle is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and by a fine of not more than \$10,000.

4. In addition to any other penalty, the court shall order the person who committed the grand larceny of the motor vehicle to pay restitution.

(Added to NRS by [1997, 340](#); A [2011, 164](#))

NRS 205.240 Petit larceny; penalty.

1. Except as otherwise provided in [NRS 205.220](#), [205.226](#), [205.228](#), [475.105](#) and [501.3765](#), a person commits petit larceny if the person:

(a) Intentionally steals, takes and carries away, leads away or drives away:

(1) Personal goods or property, with a value of less than \$650, owned by another person;

(2) Bedding, furniture or other property, with a value of less than \$650, which the person, as a lodger, is to use in or with his or her lodging and which is owned by another person; or

(3) Real property, with a value of less than \$650, that the person has converted into personal property by severing it from real property owned by another person.

(b) Intentionally steals, takes and carries away, leads away, drives away or entices away one or more domesticated animals or domesticated birds, with an aggregate value of less than \$650, owned by another person.

2. Unless a greater penalty is provided pursuant to [NRS 205.267](#), a person who commits petit larceny is guilty of a misdemeanor. In addition to any other penalty, the court shall order the person to pay restitution.

[1911 C&P § 374; A [1947, 85](#); [1949, 127](#); 1943 NCL § 10324] — (NRS A [1965, 300](#), [1007](#); [1967, 500](#); [1969, 531](#); [1983, 547](#); [1985, 751](#); [1989, 1434](#); [1995, 13](#); [1997, 342](#), [1114](#); [1999, 3109](#); [2009, 1243](#); [2011, 165](#); [2013, 1003](#))

NRS 205.251 Determination of value of property involved in larceny offense. For the purposes of [NRS 205.2175](#) to [205.2707](#), inclusive:

1. The value of property involved in a larceny offense shall be deemed to be the highest value attributable to the property by any reasonable standard.

2. The value of property involved in larceny offenses committed by one or more persons pursuant to a scheme or continuing course of conduct may be aggregated in determining the grade of the larceny offenses.

(Added to NRS by [1997, 340](#); A [2009, 1243](#))

NRS 205.267 Penalty for theft of scrap metal or utility property.

1. A person who intentionally steals, takes and carries away scrap metal or utility property with a value of less than \$650 within a period of 90 days is guilty of a misdemeanor.

2. A person who intentionally steals, takes and carries away scrap metal or utility property with a value of \$650 or more within a period of 90 days is guilty of:

(a) If the value of the scrap metal or utility property taken is less than \$3,500, a category C felony and shall be punished as provided in [NRS 193.130](#); or

(b) If the value of the scrap metal or utility property taken is \$3,500 or more, a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and by a fine of not more than \$10,000.

3. In addition to any other penalty, the court shall order a person who violates the provisions of subsection 1 or 2 to pay restitution and:

(a) For a first offense, to perform 100 hours of community service.

(b) For a second offense, to perform 200 hours of community service.

(c) For a third or subsequent offense, to perform up to 300 hours of community service for up to 1 year, as determined by the court.

4. In determining the value of the scrap metal or utility property taken, the cost of repairing and, if necessary, replacing any property damaged by the theft of the scrap metal or utility property must be added to the value of the property.

5. As used in this section:

(a) "Scrap metal" has the meaning ascribed to it in [NRS 647.017](#).

(b) "Utility property" has the meaning ascribed to it in [NRS 202.582](#).

(Added to NRS by [2009, 1242](#); A [2011, 165](#); [2013, 319](#))

NRS 205.270 Penalty for taking property from person of another under circumstances not amounting to robbery; limitation on granting of probation or suspension of sentence.

1. A person who, under circumstances not amounting to robbery, with the intent to steal or appropriate to his or her own use, takes property from the person of another, without the other person's consent, is guilty of:

(a) If the value of the property taken is less than \$3,500, a category C felony and shall be punished as provided in [NRS 193.130](#); or

(b) If the value of the property taken is \$3,500 or more, a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and by a fine of not more than \$10,000.

2. In addition to any other penalty, the court shall order the person to pay restitution.

3. The court shall not grant probation to or suspend the sentence of any person convicted of violating subsection 1 if the person from whom the property was taken has any infirmity caused by age or other physical condition.

[1911 C&P § 557; RL § 6822; NCL § 10502] — (NRS A [1967, 500](#); [1979, 1445](#); [1985, 1868](#); [1995, 1222](#); [1997, 343](#); [2011, 165](#))

NRS 205.2707 Penalty for theft of money or property of value of \$650 or more from vending machines; determination of value of property taken includes cost to repair any damage to vending machine.

1. A person who intentionally steals, takes and carries away property of the value of \$650 or more from vending machines within a period of 1 week is guilty of:

(a) If the value of the property taken is less than \$3,500, a category C felony and shall be punished as provided in [NRS 193.130](#); or

(b) If the value of the property taken is \$3,500 or more, a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and by a fine of not more than \$10,000.

2. In addition to any other penalty, the court shall order the person to pay restitution.

3. In determining the value of the property taken, the cost of repairing damaged vending machines and replacing any machine, if necessary, must be added to the value of the property.

(Added to NRS by [1985, 710](#); A [1989, 1434](#); [1995, 1222](#); [1997, 343](#); [2011, 166](#))

NRS 205.273 Offense involving stolen vehicle: Definition; penalty; restitution; determination of value of vehicle.

1. A person commits an offense involving a stolen vehicle if the person:

(a) With the intent to procure or pass title to a motor vehicle which the person knows or has reason to believe has been stolen, receives or transfers possession of the vehicle from or to another person; or

(b) Has in his or her possession a motor vehicle which the person knows or has reason to believe has been stolen.

2. The provisions of subsection 1 do not apply to an officer of the law if the officer is engaged in the performance of his or her duty as an officer at the time of the receipt, transfer or possession of the stolen vehicle.

3. Except as otherwise provided in subsection 4, a person who violates the provisions of subsection 1 is guilty of a category C felony and shall be punished as provided in [NRS 193.130](#).

4. If the prosecuting attorney proves that the value of the vehicle involved is \$3,500 or more, the person who violated the provisions of subsection 1 is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and by a fine of not more than \$10,000.

5. In addition to any other penalty, the court shall order the person to pay restitution.

6. For the purposes of this section, the value of a vehicle shall be deemed to be the highest value attributable to the vehicle by any reasonable standard.

(Added to NRS by [1961, 269](#); A [1967, 501](#); [1979, 1445](#); [1995, 1222](#); [1997, 344](#); [2011, 166](#))

NRS 205.275 Offense involving stolen property: Definition; penalty; restitution; prima facie evidence; determination of value of property.

1. Except as otherwise provided in [NRS 501.3765](#), a person commits an offense involving stolen property if the person, for his or her own gain or to prevent the owner from again possessing the owner's property, buys, receives, possesses or withholds property:

(a) Knowing that it is stolen property; or
(b) Under such circumstances as should have caused a reasonable person to know that it is stolen property.

2. A person who commits an offense involving stolen property in violation of subsection 1:

(a) If the value of the property is less than \$650, is guilty of a misdemeanor;
(b) If the value of the property is \$650 or more but less than \$3,500, is guilty of a category C felony and shall be punished as provided in [NRS 193.130](#); or

(c) If the value of the property is \$3,500 or more or if the property is a firearm, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and by a fine of not more than \$10,000.

3. In addition to any other penalty, the court shall order the person to pay restitution.

4. A person may be prosecuted and convicted pursuant to this section whether or not the principal is or has been prosecuted or convicted.

5. Possession by any person of three or more items of the same or a similar class or type of personal property on which a permanently affixed manufacturer's serial number or manufacturer's identification number has been removed, altered or defaced, is prima facie evidence that the person has violated this section.

6. For the purposes of this section, the value of the property involved shall be deemed to be the highest value attributable to the property by any reasonable standard.

7. As used in this section, "stolen property" means property that has been taken from its owner by larceny, robbery, burglary, embezzlement, theft or any other offense that is a crime against property, whether or not the person who committed the taking is or has been prosecuted or convicted for the offense.

[1911 C&P § 383; A [1951, 29](#)] — (NRS A [1967, 502](#); [1971, 925](#); [1979, 561](#), [1445](#); [1989, 1434](#); [1995, 13, 1223, 1323](#); [1997, 344](#); [1999, 402](#); [2011, 166](#); [2013, 1003](#))

NRS 205.365 Fraudulently selling real estate twice. A person, after once selling, bartering or disposing of any tract of land, town lot, or executing any bond or agreement for the sale of any land or town lot, who again, knowingly and fraudulently, sells, barter or disposes of the same tract of land or lot, or any part thereof, or knowingly and fraudulently executes any bond or agreement to sell, barter or dispose of the same land or lot, or any part thereof, to any other person, for a valuable consideration, shall be punished:

1. Where the value of the property involved is \$650 or more, for a category C felony as provided in [NRS 193.130](#). In addition to any other penalty, the court shall order the person to pay restitution.

2. Where the value of the property is less than \$650, for a misdemeanor.

[1911 C&P § 462; RL § 6727; NCL § 10415] — (NRS A [1967, 503](#); [1979, 1446](#); [1989, 1435](#); [1995, 1224](#); [2011, 167](#))

NRS 205.370 Swindling; credit by false representations. A person who, by false representations of his or her own wealth, or mercantile correspondence and connections, obtains a credit thereby and defrauds any person of money, goods, chattels or any valuable thing, or if a person causes or procures another to report falsely of his or her wealth or mercantile character, and by thus imposing upon any person obtains credit and thereby fraudulently gets into the possession of goods, wares or merchandise,

or other valuable thing, is a swindler, and must be sentenced to return the property fraudulently obtained, if it can be done, or to pay restitution and shall be punished:

1. Where the amount of money or the value of the chattels, goods, wares or merchandise, or other valuable thing so obtained is \$650 or more, for a category C felony as provided in [NRS 193.130](#).

2. Otherwise, for a misdemeanor.

[1911 C&P § 431; RL § 6696; NCL § 103.83] — (NRS A [1967, 503](#); [1979, 1446](#); [1989, 1435](#); [1995, 1224](#); [2011, 167](#))

NRS 205.377 Multiple transactions involving fraud or deceit in course of enterprise or occupation; penalty.

1. A person shall not, in the course of an enterprise or occupation, knowingly and with the intent to defraud, engage in an act, practice or course of business or employ a device, scheme or artifice which operates or would operate as a fraud or deceit upon a person by means of a false representation or omission of a material fact that:

(a) The person knows to be false or omitted;

(b) The person intends another to rely on; and

(c) Results in a loss to any person who relied on the false representation or omission,

È in at least two transactions that have the same or similar pattern, intents, results, accomplices, victims or methods of commission, or are otherwise interrelated by distinguishing characteristics and are not isolated incidents within 4 years and in which the aggregate loss or intended loss is more than \$650.

2. Each act which violates subsection 1 constitutes a separate offense.

3. A person who violates subsection 1 is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years, and may be further punished by a fine of not more than \$10,000.

4. In addition to any other penalty, the court shall order a person who violates subsection 1 to pay restitution.

5. A violation of this section constitutes a deceptive trade practice for the purposes of [NRS 598.0903](#) to [598.0999](#), inclusive.

6. As used in this section, “enterprise” has the meaning ascribed to it in [NRS 207.380](#).

(Added to NRS by [2009, 143](#); A [2011, 168](#))

NRS 205.380 Obtaining money, property, rent or labor by false pretenses.

1. A person who knowingly and designedly by any false pretense obtains from any other person any chose in action, money, goods, wares, chattels, effects or other valuable thing, including rent or the labor of another person not his or her employee, with the intent to cheat or defraud the other person, is a cheat, and, unless otherwise prescribed by law, shall be punished:

(a) If the value of the thing or labor fraudulently obtained was \$650 or more, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$10,000, or by both fine and imprisonment. In addition to any other penalty, the court shall order the person to pay restitution.

(b) If the value of the thing or labor fraudulently obtained was less than \$650, for a misdemeanor, and must be sentenced to restore the property fraudulently obtained, if it can be done, or tender payment for rent or labor.

2. For the purposes of this section, it is prima facie evidence of an intent to defraud if the drawer of a check or other instrument given in payment for:

(a) Property which can be returned in the same condition in which it was originally received;

(b) Rent; or

(c) Labor performed in a workmanlike manner whenever a written estimate was furnished before the labor was performed and the actual cost of the labor does not exceed the estimate, the drawer stops payment on that instrument and fails to return or offer to return the property in that condition, or to specify in what way the labor was deficient within 5 days after receiving notice from the payee that the instrument has not been paid by the drawee.

3. The notice must be sent to the drawer by certified mail, return receipt requested, at the address shown on the instrument. The notice must include a statement of the penalties set forth in this section. Return of the notice because of nondelivery to the drawer raises a rebuttable presumption of the intent to defraud.

4. A notice in boldface type clearly legible and in substantially the following form must be posted in a conspicuous place in every principal and branch office of every bank and in every place of business in which retail selling is conducted or labor is performed for the public and must be furnished in written form by a landlord to a tenant:

The stopping of payment on a check or other instrument given in payment for property which can be returned in the same condition in which it was originally received, rent or labor which was completed in a workmanlike manner, and the failure to return or offer to return the property in that condition or to specify in what way the labor was deficient within 5 days after receiving notice of nonpayment is punishable:

1. If the value of the property, rent or labor fraudulently obtained was \$650 or more, as a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$10,000, or by both fine and imprisonment.

2. If the value of the property, rent or labor so fraudulently obtained was less than \$650, as a misdemeanor by imprisonment in the county jail for not more than 6 months, or by a fine of not more than \$1,000, or by both fine and imprisonment.

[1911 C&P § 439; A [1951, 29](#)] — (NRS A [1967, 504](#); [1977, 1416](#); [1979, 1072, 1446, 1713](#); [1981, 2017](#); [1985, 251, 456](#); [1989, 1436](#); [1993, 1518](#); [1995, 1224](#); [1997, 9](#); [1999, 397](#); [2005, 1082](#); [2011, 168](#))

NRS 205.415 Collecting for benefit without authority. A person who sells one or more tickets to any ball, benefit or entertainment, or asks or receives any subscription or promise thereof, for the benefit or pretended benefit of any person, association or order, without being authorized thereto by the person, association or order for whose benefit or pretended benefit it is done, shall be punished:

1. Where the amount received from such sales, subscriptions or promises totals \$650 or more, for a category C felony as provided in [NRS 193.130](#). In addition to any other penalty, the court shall order the person to pay restitution.

2. Otherwise, for a misdemeanor.

[1911 C&P § 453; RL § 6718; NCL § 10406] — (NRS A [1967, 505](#); [1979, 1447](#); [1989, 1437](#); [1995, 1226](#); [2011, 169](#))

NRS 205.445 Defrauding proprietor of hotel, inn, restaurant, motel or similar establishment.

1. It is unlawful for a person:

(a) To obtain food, foodstuffs, lodging, merchandise or other accommodations at any hotel, inn, trailer park, motor court, boardinghouse, rooming house, lodging house, furnished apartment house, furnished bungalow court, furnished automobile camp, eating house, restaurant, grocery store, market or dairy, without paying therefor, with the intent to defraud the proprietor or manager thereof;

(b) To obtain credit at a hotel, inn, trailer park, motor court, boardinghouse, rooming house, lodging house, furnished apartment house, furnished bungalow court, furnished automobile camp, eating house, restaurant, grocery store, market or dairy by the use of any false pretense; or

(c) After obtaining credit, food, lodging, merchandise or other accommodations at a hotel, inn, trailer park, motor court, boardinghouse, rooming house, lodging house, furnished apartment house, furnished bungalow court, furnished automobile camp, eating house, restaurant, grocery store, market or dairy, to abscond or surreptitiously, or by force, menace or threats, to remove any part of his or her baggage therefrom, without paying for the food or accommodations.

2. A person who violates any of the provisions of subsection 1 shall be punished:

(a) Where the total value of the credit, food, foodstuffs, lodging, merchandise or other accommodations received from any one establishment is \$650 or more, for a category D felony as provided in [NRS 193.130](#). In addition to any other penalty, the court shall order the person to pay restitution.

(b) Otherwise, for a misdemeanor.

3. Proof that lodging, food, foodstuffs, merchandise or other accommodations were obtained by false pretense, or by false or fictitious show or pretense of any baggage or other property, or that the person refused or willfully neglected to pay for the food, foodstuffs, lodging, merchandise or other accommodations, or that the person gave in payment for the food, foodstuffs, lodging, merchandise or other accommodations negotiable paper on which payment was refused, or that the person absconded without paying or offering to pay for the food, foodstuffs, lodging, merchandise or other accommodations, or that the person surreptitiously removed or attempted to remove his or her baggage, is prima facie evidence of the fraudulent intent mentioned in this section.

4. This section does not apply where there has been an agreement in writing for delay in payment for a period to exceed 10 days.

[1:132:1939; 1931 NCL § 3333.01] + [1911 C&P § 461; A 1917, 35; 1931, 391; [1949, 109](#); 1943 NCL § 10414] — (NRS A [1967, 505](#); [1979, 1448](#); [1989, 1437](#); [1995, 1226](#); [2011, 169](#))

NRS 205.520 Issue of document of title for goods not received. A bailee, or any officer, agent or servant of a bailee, who issues or aids in issuing a document of title, knowing that the goods covered by the document of title have not been received by him or her, or are not under his or her control at the time the document is issued, shall be punished:

1. Where the value of the goods purported to be covered by the document of title is \$650 or more, for a category D felony as provided in [NRS 193.130](#). In addition to any other penalty, the court shall order the person to pay restitution.

2. Where the value is less than \$650, for a misdemeanor.

(Added to NRS by [1965, 927](#); A [1967, 510](#); [1979, 1450](#); [1989, 1439](#); [1995, 1230](#); [2011, 170](#))

NRS 205.540 Issuance of duplicate or additional negotiable document of title not so marked. Except as otherwise provided in [chapter 104](#) of NRS, a bailee, or any officer, agent or servant of a bailee, who issues or aids in issuing a duplicate or additional negotiable document of title, knowing that a former negotiable document for the same goods or any part of them is outstanding and uncanceled, shall be punished:

1. Where the value of the goods purported to be covered by the document of title is \$650 or more, for a category D felony as provided in [NRS 193.130](#). In addition to any other penalty, the court shall order the person to pay restitution.

2. Where the value is less than \$650, for a misdemeanor.

(Added to NRS by [1965, 927](#); A [1967, 510](#); [1979, 1450](#); [1989, 1439](#); [1995, 1230](#); [2011, 170](#))

NRS 205.570 Obtaining or negotiating document of title for goods with intent to defraud. A person who, with the intent to defraud, obtains a negotiable document of title for goods to which the person does not have title, or which are subject to a security interest, and negotiates the document for value, without disclosing the want of title or the existence of the security interest, shall be punished:

1. Where the value of the goods purported to be covered by the document of title is \$650 or more, for a category D felony as provided in [NRS 193.130](#). In addition to any other penalty, the court shall order the person to pay restitution.

2. Where the value is less than \$650, for a misdemeanor.

(Added to NRS by [1965, 927](#); A [1967, 511](#); [1979, 1450](#); [1989, 1439](#); [1995, 1230](#); [2011, 171](#))

NRS 205.580 Inducing bailee to issue negotiable document of title when goods have not been received. A person who, with the intent to defraud, secures the issue by a bailee of a negotiable document of title, knowing at the time of issue that any or all of the goods are not in possession of the bailee, by inducing the bailee to believe that the goods are in the bailee's possession, shall be punished:

1. Where the value of the goods purported to be covered by the document of title is \$650 or more, for a category D felony as provided in [NRS 193.130](#). In addition to any other penalty, the court shall order the person to pay restitution.

2. Where the value is less than \$650, for a misdemeanor.

(Added to NRS by [1965, 927](#); A [1967, 511](#); [1979, 1450](#); [1989, 1440](#); [1995, 1230](#); [2011, 171](#))

NRS 205.590 Negotiation of document of title when goods are not in bailee's possession. A person who, with the intent to defraud, negotiates or transfers for value a document of title, which by the terms thereof represents that goods are in possession of the bailee who issued the document, knowing that the bailee is not in possession of the goods or any part thereof, without disclosing this fact, shall be punished:

1. Where the value of the goods purported to be covered by the document of title is \$650 or more, for a category D felony as provided in [NRS 193.130](#). In addition to any other penalty, the court shall order the person to pay restitution.

2. Where the value is less than \$650, for a misdemeanor.

(Added to NRS by [1965, 928](#); A [1967, 511](#); [1979, 1450](#); [1989, 1440](#); [1995, 1231](#); [2011, 171](#))

NRS 205.950 Unlawful receipt of fee, salary, deposit or money to obtain loan for another; penalties.

1. It is unlawful for a person to receive an advance fee, salary, deposit or money to obtain a loan for another unless the person places the advance fee, salary, deposit or money in escrow pending completion of the loan or a commitment for the loan.

2. Advance payments to cover reasonably estimated costs paid to third persons are excluded from the provisions of subsection 1 if the person making them first signs a written agreement which specifies the estimated costs by item and the estimated aggregate cost, and which recites that money advanced for costs will not be refunded. If an itemized service is not performed and the estimated cost thereof is not refunded, the recipient of the advance payment is subject to the penalties provided in subsection 3.

3. A person who violates the provisions of this section:

(a) Is guilty of a misdemeanor if the amount is less than \$650;

(b) Is guilty of a gross misdemeanor if the amount is \$650 or more but less than \$1,000; or

(c) Is guilty of a category D felony if the amount is \$1,000 or more and shall be punished as provided in [NRS 193.130](#).

(Added to NRS by [1977, 618](#); A [1979, 1396](#); [1989, 1439](#); [1991, 179](#); [1995, 1236](#); [1997, 519](#); [2011, 171](#))

NRS 207.340 Acts concerning federal food stamps; prosecution by district attorney or Attorney General.

1. As used in this section, unless the context otherwise requires:

(a) "Access device" means any card, plate, account number or other means of access that can be used, alone or in conjunction with another access device, to obtain payments, allotments, benefits, money, goods or other things of value, or that can be used to initiate a transfer of funds pursuant to the Act.

(b) "Act" means the Food Stamp Act of 1977, as amended (7 U.S.C. §§ 2011 et seq.) and regulations adopted thereunder.

(c) "Authorization to purchase" means a document issued by the United States Department of Agriculture or by a state agency which permits the holder to purchase coupons or otherwise receive benefits under the Act.

(d) "Coupon" means a food stamp, coupon, certificate or access device issued by the United States Department of Agriculture as provided in the Act.

2. A person who knowingly uses, transfers, sells, purchases, acquires, alters or possesses coupons and who is not authorized by the Act to do so, or who knowingly presents or causes to be presented coupons which are received, transferred or used in a manner not authorized by the Act, shall be punished:

(a) If the value of the coupons is less than \$650, for a misdemeanor, and be sentenced to restore the amount of the value so obtained.

(b) If the value of the coupons is \$650 or more, for a category E felony as provided in [NRS 193.130](#). In addition to any other penalty, the court shall order the person to pay restitution.

3. A district attorney or the Attorney General may commence proceedings to enforce the provisions of this section in any court of competent jurisdiction.

4. If a person is convicted of violating any of the provisions of this section, the prosecuting attorney shall report the sentence imposed by the court for that person to the Division of Welfare and Supportive Services of the Department of Health and Human Services within 60 days after the imposition of the sentence.

5. The value of all coupons misappropriated in separate acts of fraud involving coupons must be combined for the purposes of imposing punishment for the offense charged if:

(a) The separate acts were committed within 6 months before the offense;

(b) None of the individual acts is punishable as a felony; and

(c) The cumulative value of all the coupons misappropriated is sufficient to make the offense punishable as a felony.

6. At the time of sentencing, a court may accept as a partial mitigation of the offense satisfactory evidence that a person convicted of violating any of the provisions of this section sold or transferred the coupons for cash to buy necessities which may not be lawfully obtained with coupons.

(Added to NRS by [1977, 608](#); A [1981, 1028](#); [1989, 1440](#); [1995, 1241](#), [2692](#); [2011, 172](#))

NRS 207.360 "Crime related to racketeering" defined. "Crime related to racketeering" means the commission of, attempt to commit or conspiracy to commit any of the following crimes:

1. Murder;
2. Manslaughter, except vehicular manslaughter as described in [NRS 484B.657](#);
3. Mayhem;
4. Battery which is punished as a felony;
5. Kidnapping;
6. Sexual assault;
7. Arson;
8. Robbery;
9. Taking property from another under circumstances not amounting to robbery;
10. Extortion;
11. Statutory sexual seduction;
12. Extortionate collection of debt in violation of [NRS 205.322](#);

13. Forgery, including, without limitation, forgery of a credit card or debit card in violation of [NRS 205.740](#);
 14. Obtaining and using personal identifying information of another person in violation of [NRS 205.463](#);
 15. Establishing or possessing a financial forgery laboratory in violation of [NRS 205.46513](#);
 16. Any violation of [NRS 199.280](#) which is punished as a felony;
 17. Burglary;
 18. Grand larceny;
 19. Bribery or asking for or receiving a bribe in violation of [chapter 197](#) or [199](#) of NRS which is punished as a felony;
 20. Battery with intent to commit a crime in violation of [NRS 200.400](#);
 21. Assault with a deadly weapon;
 22. Any violation of [NRS 453.232](#), [453.316](#) to [453.3395](#), inclusive, except a violation of [NRS 453.3393](#), or [NRS 453.375](#) to [453.401](#), inclusive;
 23. Receiving or transferring a stolen vehicle;
 24. Any violation of [NRS 202.260](#), [202.275](#) or [202.350](#) which is punished as a felony;
 25. Any violation of subsection 2 or 3 of [NRS 463.360](#) or [chapter 465](#) of NRS;
 26. Receiving, possessing or withholding stolen goods valued at \$650 or more;
 27. Embezzlement of money or property valued at \$650 or more;
 28. Obtaining possession of money or property valued at \$650 or more, or obtaining a signature by means of false pretenses;
 29. Perjury or subornation of perjury;
 30. Offering false evidence;
 31. Any violation of [NRS 201.300](#), [201.320](#) or [201.360](#);
 32. Any violation of [NRS 90.570](#), [91.230](#) or [686A.290](#), or insurance fraud pursuant to [NRS 686A.291](#);
 33. Any violation of [NRS 205.506](#), [205.920](#) or [205.930](#);
 34. Any violation of [NRS 202.445](#) or [202.446](#);
 35. Any violation of [NRS 205.377](#);
 36. Involuntary servitude in violation of any provision of [NRS 200.463](#) or [200.464](#) or a violation of any provision of [NRS 200.465](#); or
 37. Trafficking in persons in violation of any provision of [NRS 200.467](#) or [200.468](#).
- (Added to NRS by [1983, 1495](#); A [1989, 18, 160](#); [1991, 124, 161](#); [1997, 493](#); [1999, 2642](#); [2001, 1100](#); [2003, 2951](#); [2005, 79](#); [2009, 144](#); [2011, 173](#); [2013, 2434, 3697](#); [2017, 511](#))

NRS 281.230 Unlawful commissions, personal profit and compensation of public officers and employees; penalties; payment of commission, profit or compensation to public employer.

1. Except as otherwise provided in this section and [NRS 218A.970](#), [281A.430](#) and [332.800](#), the following persons shall not, in any manner, directly or indirectly, receive any commission, personal profit or compensation of any kind resulting from any contract or other significant transaction in which the employing state, county, municipality, township, district or quasi-municipal corporation is in any way directly interested or affected:

- (a) State, county, municipal, district and township officers of the State of Nevada;
- (b) Deputies and employees of state, county, municipal, district and township officers; and
- (c) Officers and employees of quasi-municipal corporations.

2. A member of any board, commission or similar body who is engaged in the profession, occupation or business regulated by the board, commission or body may, in the ordinary course of his or her business, bid on or enter into a contract with any governmental agency, except the board, commission or body of

which he or she is a member, if the member has not taken part in developing the contract plans or specifications and the member will not be personally involved in opening, considering or accepting offers.

3. A full- or part-time faculty member or employee of the Nevada System of Higher Education may bid on or enter into a contract with a governmental agency, or may benefit financially or otherwise from a contract between a governmental agency and a private entity, if the contract complies with the policies established by the Board of Regents of the University of Nevada pursuant to [NRS 396.255](#).

4. A public officer or employee, other than an officer or employee described in subsection 2 or 3, may bid on or enter into a contract with a governmental agency if the contracting process is controlled by rules of open competitive bidding, the sources of supply are limited, the public officer or employee has not taken part in developing the contract plans or specifications and the public officer or employee will not be personally involved in opening, considering or accepting offers. If a public officer who is authorized to bid on or enter into a contract with a governmental agency pursuant to this subsection is a member of the governing body of the agency, the public officer, pursuant to the requirements of [NRS 281A.420](#), shall disclose his or her interest in the contract and shall not vote on or advocate the approval of the contract.

5. A person who violates any of the provisions of this section shall be punished as provided in [NRS 197.230](#) and:

(a) Where the commission, personal profit or compensation is \$650 or more, for a category D felony as provided in [NRS 193.130](#).

(b) Where the commission, personal profit or compensation is less than \$650, for a misdemeanor.

6. A person who violates the provisions of this section shall pay any commission, personal profit or compensation resulting from the contract or transaction to the employing state, county, municipality, township, district or quasi-municipal corporation as restitution.

[1:107:1927; NCL § 4855] + [2:107:1927; NCL § 4856] + [3:107:1927; NCL § 4857] — (NRS A [1957, 363; 1963, 477; 1965, 410; 1967, 550; 1975, 932; 1977, 1110; 1979, 1464; 1987, 1460; 1989, 1441; 1991, 1593; 1993, 2242; 1995, 689, 1264; 2001, 1628, 2287; 2003, 160, 892; 2011, 173; 2013, 3762](#))

NRS 422.540 Offenses regarding false claims, statements or representations; penalties.

1. A person, with the intent to defraud, commits an offense if with respect to the Plan the person:

(a) Makes a claim or causes it to be made, knowing the claim to be false, in whole or in part, by commission or omission;

(b) Makes or causes to be made a statement or representation for use in obtaining or seeking to obtain authorization to provide specific goods or services, knowing the statement or representation to be false, in whole or in part, by commission or omission;

(c) Makes or causes to be made a statement or representation for use by another in obtaining goods or services pursuant to the Plan, knowing the statement or representation to be false, in whole or in part, by commission or omission; or

(d) Makes or causes to be made a statement or representation for use in qualifying as a provider, knowing the statement or representation to be false, in whole or in part, by commission or omission.

2. A person who commits an offense described in subsection 1 shall be punished for a:

(a) Category D felony, as provided in [NRS 193.130](#), if the amount of the claim or the value of the goods or services obtained or sought to be obtained was greater than or equal to \$650.

(b) Misdemeanor if the amount of the claim or the value of the goods or services obtained or sought to be obtained was less than \$650.

Ê Amounts involved in separate violations of this section committed pursuant to a scheme or continuing course of conduct may be aggregated in determining the punishment.

3. In addition to any other penalty for a violation of the commission of an offense described in subsection 1, the court shall order the person to pay restitution.

(Added to NRS by [1991, 1049](#); A [1997, 457](#); [2011, 174](#))

NRS 422.560 Offenses regarding sale, purchase or lease of goods, services, materials or supplies; penalty.

1. Except as otherwise provided in subsection 2, a person shall not:
 - (a) While acting on behalf of a provider, purchase or lease goods, services, materials or supplies for which payment may be made, in whole or in part, pursuant to the Plan, and solicit or accept anything of additional value in return for or in connection with the purchase or lease;
 - (b) Sell or lease to or for the use of a provider goods, services, materials or supplies for which payment may be made, in whole or in part, pursuant to the Plan, and offer, transfer or pay anything of additional value in connection with or in return for the sale or lease; or
 - (c) Refer a person to a provider for goods or services for which payment may be made, in whole or in part, pursuant to the Plan, and solicit or accept anything of value in connection with the referral.
2. Paragraphs (a) and (b) of subsection 1 do not apply if the additional value transferred is:
 - (a) A refund or discount made in the ordinary course of business;
 - (b) Reflected by the books and records of the person transferring or receiving it; and
 - (c) Reflected in the billings submitted to the Plan.
3. A person shall not, while acting on behalf of a provider providing goods or services to a recipient pursuant to the Plan, charge, solicit, accept or receive anything of additional value in addition to the amount legally payable pursuant to the Plan in connection with the provision of the goods or services.
4. A person who violates this section, if the value of the thing or any combination of things unlawfully solicited, accepted, offered, transferred, paid, charged or received:
 - (a) Is less than \$650, is guilty of a gross misdemeanor.
 - (b) Is \$650 or more, is guilty of a category D felony and shall be punished as provided in [NRS 193.130](#).
(Added to NRS by [1991, 1049](#); A [1995, 1275](#); [2011, 175](#))

NRS 475.105 Theft of device to prevent, control, extinguish or give warning of fire; penalties. A person who steals a device intended for use in preventing, controlling, extinguishing or giving warning of a fire:

1. If the device has a value of less than \$650, is guilty of a gross misdemeanor.
2. If the device has a value of \$650 or more, is guilty of grand larceny and shall be punished as provided in [NRS 205.222](#).
(Added to NRS by [1985, 751](#); A [1989, 1441](#); [1995, 1296](#); [1997, 347](#); [2011, 176](#))

NRS 482.547 Unlawful sale, offer of sale or display for sale of motor vehicle; penalty.

1. It is unlawful for a person to sell, offer to sell or display for sale any vehicle unless the person is:
 - (a) The lienholder, owner or registered owner of the vehicle;
 - (b) A reposessor of the vehicle, or holder of a statutory lien on the vehicle, selling the vehicle on a bid basis; or
 - (c) A manufacturer, distributor, rebuilder, lessor or dealer licensed under the provisions of this chapter.
2. The provisions of this section do not apply to any executor, administrator, sheriff or other person who sells a vehicle pursuant to powers or duties granted or imposed by law.
3. A person who violates any of the provisions of this section shall be punished:
 - (a) If the value of the vehicle sold, offered or displayed is \$650 or more, for a category D felony as provided in [NRS 193.130](#). In addition to any other penalty, the court shall order the person to pay restitution.
 - (b) If the value of the vehicle is less than \$650, for a misdemeanor.
(Added to NRS by [1971, 1302](#); A [1975, 1074](#); [1983, 1007](#); [1987, 160](#); [1989, 1441](#); [1995, 1297](#); [2011, 176](#))

NRS 487.840 Title: Removal or concealment of indicia of salvage vehicle or rebuilt vehicle prohibited; criminal penalties if violation committed with intent to defraud; restitution.

1. A person shall not remove, cause to be removed or conceal a marking on:
 - (a) A salvage title or other title which indicates that the vehicle is a salvage vehicle; or
 - (b) A certificate of title or other title for a rebuilt vehicle which indicates that the vehicle is a rebuilt vehicle.
 2. A person who knowingly violates subsection 1 with the intent to defraud:
 - (a) If the fair market value of the vehicle involved is \$650 or more, is guilty of a category D felony and shall be punished as provided in [NRS 193.130](#).
 - (b) If the fair market value of the vehicle involved is less than \$650, is guilty of a misdemeanor.
- Ê In addition to any other penalty, the court shall order the person to pay restitution to the victim.
(Added to NRS by [2003, 1910](#); A [2005, 1245](#); [2011, 176](#))

NRS 487.870 Removal of total loss salvage vehicle from State; penalty.

1. A person shall not remove a total loss salvage vehicle from this State to sell that vehicle unless the title has been forwarded to the state agency pursuant to subsection 1 of [NRS 487.800](#).
 2. A person who violates the provisions of this section:
 - (a) If the value of the vehicle removed from this State is less than \$650, is guilty of a misdemeanor.
 - (b) If the value of the vehicle removed from this State is \$650 or more, is guilty of a gross misdemeanor.
- (Added to NRS by [1995, 1573](#); A [2003, 473, 1917](#); [2011, 176](#)) — (Substituted in revision for NRS 487.185)

NRS 501.3765 Unlawful activities concerning traps, snares or similar devices owned by another person; criminal penalties.

1. Any person who intentionally steals, takes and carries away one or more traps, snares or similar devices owned by another person with an aggregate value of less than \$650 is guilty of a gross misdemeanor.
 2. Any person who buys, receives, possesses or withholds one or more traps, snares or similar devices owned by another person with an aggregate value of less than \$650:
 - (a) Knowing that the traps, snares or similar devices are stolen property; or
 - (b) Under such circumstances as should have caused a reasonable person to know that the traps, snares or similar devices are stolen property,
- Ê is guilty of a gross misdemeanor.
(Added to NRS by [2013, 1001](#))

NRS 612.445 Repayment of benefits received as result of false statement or failure to disclose material fact; penalty for unemployment insurance fraud; disqualification.

1. A person shall not make a false statement or representation, knowing it to be false, or knowingly fail to disclose a material fact in order to obtain or increase any benefit or other payment under this chapter, including, without limitation, by:
 - (a) Failing to properly report earnings;
 - (b) Filing a claim for benefits using the social security number, name or other personal identifying information of another person; or
 - (c) Filing a claim for or receiving benefits and failing to disclose, at the time he or she files the claim or receives the benefits, any compensation for a temporary total disability or a temporary partial disability or money for rehabilitative services pursuant to [chapters 616A to 616D](#), inclusive, or [617](#) of NRS received by the person or for which a claim has been submitted pursuant to those chapters.
- Ê A person who violates the provisions of this subsection commits unemployment insurance fraud.

2. When the Administrator finds that a person has committed unemployment insurance fraud pursuant to subsection 1, the person shall repay to the Administrator for deposit in the Fund a sum equal to all of the benefits received by or paid to the person for each week with respect to which the false statement or representation was made or to which the person failed to disclose a material fact in addition to any interest, penalties and costs related to that sum. Except as otherwise provided in subsection 3 of [NRS 612.480](#), the Administrator may make an initial determination finding that a person has committed unemployment insurance fraud pursuant to subsection 1 at any time within 4 years after the first day of the benefit year in which the person committed the unemployment insurance fraud.

3. Except as otherwise provided in this subsection and subsection 8, the person is disqualified from receiving unemployment compensation benefits under this chapter:

(a) For a period beginning with the week in which the Administrator issues a finding that the person has committed unemployment insurance fraud pursuant to subsection 1 and ending not more than 52 consecutive weeks after the week in which it is determined that a claim was filed in violation of subsection 1; or

(b) Until the sum described in subsection 2, in addition to any interest, penalties or costs related to that sum, is repaid to the Administrator,
Ê whichever is longer. The Administrator shall fix the period of disqualification according to the circumstances in each case.

4. It is a violation of subsection 1 for a person to file a claim, or to cause or allow a claim to be filed on his or her behalf, if:

(a) The person is incarcerated in the state prison or any county or city jail or detention facility or other correctional facility in this State; and

(b) The claim does not expressly disclose his or her incarceration.

5. A person who obtains benefits of \$650 or more in violation of subsection 1 shall be punished in the same manner as theft pursuant to subsection 3 or 4 of [NRS 205.0835](#).

6. In addition to the repayment of benefits required pursuant to subsection 2, the Administrator:

(a) Shall impose a penalty equal to 15 percent of the total amount of benefits received by the person in violation of subsection 1. Money recovered by the Administrator pursuant to this paragraph must be deposited in the Unemployment Trust Fund in accordance with the provisions of [NRS 612.590](#).

(b) May impose a penalty equal to not more than:

(1) If the amount of such benefits is greater than \$25 but not greater than \$1,000, 5 percent;

(2) If the amount of such benefits is greater than \$1,000 but not greater than \$2,500, 10 percent;

or

(3) If the amount of such benefits is greater than \$2,500, 35 percent,

Ê of the total amount of benefits received by the person in violation of subsection 1 or any other provision of this chapter. Money recovered by the Administrator pursuant to this paragraph must be deposited in the Employment Security Fund in accordance with the provisions of [NRS 612.615](#).

7. Except as otherwise provided in subsection 8, a person may not pay benefits as required pursuant to subsection 2 by using benefits which would otherwise be due and payable to the person if he or she was not disqualified.

8. The Administrator may waive the period of disqualification prescribed in subsection 3 for good cause shown or if the person adheres to a repayment schedule authorized by the Administrator that is designed to fully repay benefits received from an improper claim, in addition to any related interest, penalties and costs, within 18 months. If the Administrator waives the period of disqualification pursuant to this subsection, the person may repay benefits as required pursuant to subsection 2 by using any benefits which are due and payable to the person, except that benefits which are due and payable to the person may not be used to repay any related interest, penalties and costs.

9. The Administrator may recover any money required to be paid pursuant to this section in accordance with the provisions of [NRS 612.365](#) and may collect interest on any such money in accordance with the provisions of [NRS 612.620](#).

[Part 5:129:1937; A 1939, 115; 1941, 412; 1943, 239; [1947, 413](#); [1949, 277](#); [1951, 339](#); [1955, 698](#)] — (NRS A [1971, 1391](#); [1993, 1825](#); [2009, 2494](#); [2011, 177](#); [2013, 1966](#); [2015, 2709](#))

NRS 616D.370 False charges, representations and statements; penalty.

1. A person shall not, by any act or omission:
 - (a) Make a charge or cause it to be made knowing the charge to be false, in whole or in part;
 - (b) Make or cause to be made a statement or representation for use in obtaining or seeking to obtain authorization to provide specific accident benefits pursuant to [chapters 616A to 616D](#), inclusive, or chapter [617](#) of NRS, knowing the statement or representation to be false, in whole or in part; or
 - (c) Make or cause to be made a statement or representation for use by another person to obtain accident benefits pursuant to [chapters 616A to 616D](#), inclusive, or chapter [617](#) of NRS, knowing the statement or representation to be false, in whole or in part.
 2. A person who violates any of the provisions of this section shall be punished:
 - (a) If the amount of the charge or the value of the accident benefits obtained or sought to be obtained was \$650 or more, for a category D felony as provided in [NRS 193.130](#). In addition to any other penalty, the court shall order the person to pay restitution.
 - (b) If the amount of the charge or the value of the accident benefits obtained or sought to be obtained was less than \$650, for a misdemeanor, and must be sentenced to restore any accident benefits so obtained, if it can be done, or tender payment for rent or labor.
- (Added to NRS by [1993, 681](#); A [1995, 1308](#); [2011, 178](#))

NRS 616D.390 Certain acts relating to offer, payment, transfer, acceptance or solicitation of additional value prohibited; improper use of referral fees; exceptions; penalty.

1. Except as otherwise provided in subsection 2, a person shall not:
 - (a) While acting on behalf of a provider of health care, purchase or lease goods, services, materials or supplies for which payment may be made, in whole or in part, pursuant to [chapters 616A to 616D](#), inclusive, or chapter [617](#) of NRS, and solicit or accept anything of additional value in return for or in connection with the purchase or lease;
 - (b) Sell or lease to or for the use of a provider of health care goods, services, materials or supplies for which payment may be made, in whole or in part, pursuant to [chapters 616A to 616D](#), inclusive, or chapter [617](#) of NRS, and offer, transfer or pay anything of additional value in connection with or in return for the sale or lease; or
 - (c) Refer a person to a provider of health care for accident benefits for which payment may be made, in whole or in part, pursuant to [chapters 616A to 616D](#), inclusive, or chapter [617](#) of NRS, and solicit or accept anything of value in connection with the referral.
2. Paragraphs (a) and (b) of subsection 1 do not apply if the additional value transferred is:
 - (a) A refund or discount made in the ordinary course of business;
 - (b) Reflected by the books and records of the person transferring or receiving it; and
 - (c) Reflected in the charges submitted to the insurer.
3. A provider of health care shall not offer, transfer or pay anything of value in connection with or in return for the referral to the provider of a patient for whom payment of accident benefits may be made, in whole or in part, pursuant to [chapters 616A to 616D](#), inclusive, or chapter [617](#) of NRS.
4. A person shall not, while acting on behalf of a provider of health care pursuant to [chapters 616A to 616D](#), inclusive, or chapter [617](#) of NRS, charge, solicit, accept or receive anything of value in addition

to the amount legally payable pursuant to any of those chapters in connection with the provision of the accident benefits.

5. A person who violates any provision of this section, if the value of the thing or any combination of things unlawfully solicited, accepted, offered, transferred, paid, charged or received:

(a) Is less than \$650, is guilty of a gross misdemeanor.

(b) Is \$650 or more, is guilty of a category D felony and shall be punished as provided in [NRS 193.130](#).

(Added to NRS by [1993, 682](#); A [1995, 1308](#); [1997, 3223](#); [2011, 178](#))

NRS 645B.960 Penalties for violations relating to escrow or trust accounts.

1. A person, or any general partner, director, officer, agent or employee of a person, who violates any provision of [NRS 645B.165](#) to [645B.180](#), inclusive, is guilty of:

(a) A misdemeanor if the amount involved is less than \$650;

(b) A gross misdemeanor if the amount involved is \$650 or more but less than \$1,000; or

(c) A category D felony if the amount involved is \$1,000 or more, and shall be punished as provided in [NRS 193.130](#).

2. In addition to any other penalty, if a person is convicted of or enters a plea of nolo contendere to a violation described in subsection 1, the court shall order the person to pay:

(a) Court costs; and

(b) Reasonable costs of the investigation and prosecution of the violation.

(Added to NRS by [1981, 1785](#); A [1985, 2191](#); [1989, 1442](#); [1995, 1313](#); [1999, 3801](#); [2011, 179](#))

NRS 645E.960 Penalties for violations relating to escrow or trust accounts. [Effective through December 31, 2019.] A person, or any general partner, director, officer, agent or employee of a person, who violates any provision of [NRS 645E.420](#), [645E.430](#) or [645E.440](#) is guilty of:

1. A misdemeanor if the amount involved is less than \$650;

2. A gross misdemeanor if the amount involved is \$650 or more but less than \$1,000; or

3. A category D felony if the amount involved is \$1,000 or more, and shall be punished as provided in [NRS 193.130](#).

(Added to NRS by [1999, 3759](#); A [2011, 179](#); R [2017, 3106](#), effective January 1, 2020)

NRS 668.055 Embezzlement; willful misapplication of money; penalties. A president, director, manager, cashier, teller, clerk, officer or agent of any bank who embezzles, abstracts or willfully misapplies any money, funds, securities or credits of any bank, or who issues or puts forth any certificate of deposit, draws any draft, bill of exchange or mortgage, or who makes use of any bank in any manner, with the intent to injure or defraud any bank or person, or to deceive any bank, or officer of any bank, and any natural person who, with like intent, aids or abets any officer, clerk or agent in any violation of this section, shall be punished:

1. Where the amount involved is \$650 or more, for a category C felony as provided in [NRS 193.130](#). In addition to any other penalty, the court shall order the person to pay restitution.

2. Where the amount involved is less than \$650, for a misdemeanor.

(Added to NRS by [1971, 1007](#); A [1979, 1491](#); [1987, 1314](#); [1989, 1443](#); [1995, 496](#), [1316](#); [2011, 179](#))

NRS 688C.450 Felonious acts. It is a category D felony, and the offender shall be punished as provided in [NRS 193.130](#), for any person, knowingly or with intent to defraud, to do any of the following acts in order to deprive another of property or for the person's own pecuniary gain:

1. Present, cause to be presented or prepare with knowledge or belief that it will be presented, false information to or by an investment agent or a provider or broker of viatical settlements, a financing agent, an insurer, a provider of insurance or any other person, or to conceal information, as part of, in support of or concerning a fact material to:

- (a) An application for the issuance of a policy or viatical settlement;
- (b) The underwriting of a policy or viatical settlement;
- (c) A claim for payment or other benefit under a policy, viatical settlement or agreement to purchase a viatical settlement;
- (d) A premium paid on a policy or as a result of an agreement to purchase a viatical settlement;
- (e) A payment or change of beneficiary or ownership pursuant to a policy or viatical settlement;
- (f) The reinstatement or conversion of a policy;
- (g) The solicitation, offer or effectuation of a policy, viatical settlement or agreement to purchase a viatical settlement; or
- (h) The issuance of written evidence of a policy, viatical settlement or agreement to purchase a viatical settlement.

2. In furtherance of a fraud or to prevent detection of a fraud:

- (a) Remove, conceal, alter, destroy or sequester from the Commissioner assets or records of a licensee under this chapter or other person engaged in the business of viatical settlements;

- (b) Misrepresent or conceal the financial condition of a licensee, a financing agent, an insurer or other person;

- (c) Transact the business of viatical settlements in violation of this chapter; or

- (d) File with the Commissioner or analogous officer of another jurisdiction a document containing false information or otherwise conceal information about a material fact from the Commissioner or other officer.

3. Present, cause to be presented or prepare with knowledge or belief that it will be presented to or by a provider or broker of viatical settlements, an investment agent, a financing agent, an insurer, a provider of insurance or any other person, in connection with a viatical settlement or transaction of insurance, a policy fraudulently by the insured or owner or an agent of either.

4. Embezzle, steal, misappropriate or convert money, premiums, credits or other property in an amount or having a value of less than \$650 of a provider of viatical settlements, a viator, an insurer, an insured, an owner of a policy or other person engaged in the business of viatical settlements or insurance.

5. Attempt to commit, assist, aid, abet or conspire to commit an act or omission described in subsections 1 to 4, inclusive.

6. Under no circumstances is a violation of this section considered or intended to be a lesser included offense of a violation of the provisions of [NRS 90.570](#).

(Added to NRS by [2001, 2176](#); A [2009, 1804](#); [2011, 180](#))

POSSESSION OF A CONTROLLED SUBSTANCE

NRS 453.336 Unlawful possession not for purpose of sale: Prohibition; penalties; exception.

1. Except as otherwise provided in subsection 5, a person shall not knowingly or intentionally possess a controlled substance, unless the substance was obtained directly from, or pursuant to, a prescription or order of a physician, physician assistant licensed pursuant to [chapter 630](#) or [633](#) of NRS, dentist, podiatric physician, optometrist, advanced practice registered nurse or veterinarian while acting in the course of his or her professional practice, or except as otherwise authorized by the provisions of [NRS 453.005](#) to [453.552](#), inclusive.

2. Except as otherwise provided in subsections 3 and 4 and in [NRS 453.3363](#), and unless a greater penalty is provided in [NRS 212.160](#), [453.3385](#), [453.339](#) or [453.3395](#), a person who violates this section shall be punished:

(a) For the first or second offense, if the controlled substance is listed in schedule I, II, III or IV, for a category E felony as provided in [NRS 193.130](#).

(b) For a third or subsequent offense, if the controlled substance is listed in schedule I, II, III or IV, or if the offender has previously been convicted two or more times in the aggregate of any violation of the law of the United States or of any state, territory or district relating to a controlled substance, for a category D felony as provided in [NRS 193.130](#), and may be further punished by a fine of not more than \$20,000.

(c) For the first offense, if the controlled substance is listed in schedule V, for a category E felony as provided in [NRS 193.130](#).

(d) For a second or subsequent offense, if the controlled substance is listed in schedule V, for a category D felony as provided in [NRS 193.130](#).

3. Unless a greater penalty is provided in [NRS 212.160](#), [453.337](#) or [453.3385](#), a person who is convicted of the possession of flunitrazepam or gamma-hydroxybutyrate, or any substance for which flunitrazepam or gamma-hydroxybutyrate is an immediate precursor, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years.

4. Unless a greater penalty is provided pursuant to [NRS 212.160](#), a person who is convicted of the possession of 1 ounce or less of marijuana:

(a) For the first offense, is guilty of a misdemeanor and shall be:

(1) Punished by a fine of not more than \$600; or

(2) Examined by a treatment provider approved by the court to determine whether the person is a drug addict and is likely to be rehabilitated through treatment and, if the examination reveals that the person is a drug addict and is likely to be rehabilitated through treatment, assigned to a program of treatment and rehabilitation pursuant to [NRS 453.580](#). As used in this subparagraph, "treatment provider" has the meaning ascribed to it in [NRS 458.010](#).

(b) For the second offense, is guilty of a misdemeanor and shall be:

(1) Punished by a fine of not more than \$1,000; or

(2) Assigned to a program of treatment and rehabilitation pursuant to [NRS 453.580](#).

(c) For the third offense, is guilty of a gross misdemeanor and shall be punished as provided in [NRS 193.140](#).

(d) For a fourth or subsequent offense, is guilty of a category E felony and shall be punished as provided in [NRS 193.130](#).

5. It is not a violation of this section if a person possesses a trace amount of a controlled substance and that trace amount is in or on a hypodermic device obtained from a sterile hypodermic device program pursuant to [NRS 439.985](#) to [439.994](#), inclusive.

6. As used in this section:

(a) "Controlled substance" includes flunitrazepam, gamma-hydroxybutyrate and each substance for which flunitrazepam or gamma-hydroxybutyrate is an immediate precursor.

(b) "Marijuana" does not include concentrated cannabis.

(c) "Sterile hypodermic device program" has the meaning ascribed to it in [NRS 439.986](#).

(Added to NRS by [1971, 2019](#); A [1973, 1214](#); [1977, 1413](#); [1979, 1473](#); [1981, 740](#), [1210](#), [1962](#); [1983, 289](#); [1987, 759](#); [1991, 1660](#); [1993, 2234](#); [1995, 1285](#), [1719](#); [1997, 521](#), [525](#), [903](#); [1999, 1917](#); [2001, 410, 785](#), [797](#), [3067](#); [2007, 1864](#); [2013, 2084](#), [3173](#); [2015, 743](#), [3087](#))

TRAFFICKING OF A CONTROLLED SUBSTANCE

NRS 453.3385 Trafficking in controlled substances: Flunitrazepam, gamma-hydroxybutyrate and schedule I substances, except marijuana.

1. Except as otherwise authorized by the provisions of [NRS 453.011](#) to [453.552](#), inclusive, a person who knowingly or intentionally sells, manufactures, delivers or brings into this State or who is knowingly or intentionally in actual or constructive possession of flunitrazepam, gamma-hydroxybutyrate, any substance for which flunitrazepam or gamma-hydroxybutyrate is an immediate precursor or any controlled substance which is listed in schedule I, except marijuana, or any mixture which contains any such controlled substance, shall be punished, unless a greater penalty is provided pursuant to [NRS 453.322](#), if the quantity involved:

(a) Is 4 grams or more, but less than 14 grams, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years and by a fine of not more than \$50,000.

(b) Is 14 grams or more, but less than 28 grams, for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years and by a fine of not more than \$100,000.

(c) Is 28 grams or more, for a category A felony by imprisonment in the state prison:

(1) For life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served; or

(2) For a definite term of 25 years, with eligibility for parole beginning when a minimum of 10 years has been served,
and by a fine of not more than \$500,000.

2. As used in this section, "marijuana" does not include concentrated cannabis.

(Added to NRS by [1983, 287](#); A [1995, 1288](#); [1997, 905](#); [1999, 2639](#); [2015, 3088](#))

HABITUAL CRIMINALS

NRS 207.010 Habitual criminals: Definition; punishment.

1. Unless the person is prosecuted pursuant to [NRS 207.012](#) or [207.014](#), a person convicted in this State of:

(a) Any felony, who has previously been two times convicted, whether in this State or elsewhere, of any crime which under the laws of the situs of the crime or of this State would amount to a felony is a habitual criminal and shall be punished for a category B felony by imprisonment in the state prison for a minimum term of not less than 5 years and a maximum term of not more than 20 years.

(b) Any felony, who has previously been three times convicted, whether in this State or elsewhere, of any crime which under the laws of the situs of the crime or of this State would amount to a felony is a habitual criminal and shall be punished for a category A felony by imprisonment in the state prison:

(1) For life without the possibility of parole;

(2) For life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served; or

(3) For a definite term of 25 years, with eligibility for parole beginning when a minimum of 10 years has been served.

2. It is within the discretion of the prosecuting attorney whether to include a count under this section in any information or file a notice of habitual criminality if an indictment is found. The trial judge may, at his or her discretion, dismiss a count under this section which is included in any indictment or information.

[1911 C&P § 27; RL § 6292; NCL § 9976] — (NRS A [1961, 446](#); [1965, 250](#); [1967, 217](#), [516](#); [1971, 173](#); [1977, 360](#); [1981, 1647](#); [1985, 1026](#), [1643](#); [1995, 856](#), [1238](#), [1358](#), [2392](#); [1997, 1184](#); [2009, 567](#))

NRS 207.012 Habitual felons: Definition; punishment.

1. A person who:

(a) Has been convicted in this State of a felony listed in subsection 2; and

(b) Before the commission of that felony, was twice convicted of any crime which under the laws of the situs of the crime or of this State would be a felony listed in subsection 2, whether the prior convictions occurred in this State or elsewhere,

È is a habitual felon and shall be punished for a category A felony by imprisonment in the state prison:

(1) For life without the possibility of parole;

(2) For life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served; or

(3) For a definite term of 25 years, with eligibility for parole beginning when a minimum of 10 years has been served.

2. The district attorney shall include a count under this section in any information or shall file a notice of habitual felon if an indictment is found, if each prior conviction and the alleged offense committed by the accused constitutes a violation of subparagraph (1) of paragraph (a) of subsection 1 of [NRS 193.330](#), [NRS 199.160](#), [199.500](#), [200.030](#), [200.310](#), [200.340](#), [200.366](#), [200.380](#), [200.390](#), subsection 3 or 4 of [NRS 200.400](#), [NRS 200.410](#), subsection 3 of [NRS 200.450](#), subsection 5 of [NRS 200.460](#), [NRS 200.463](#), [200.4631](#), [200.464](#), [200.465](#), [200.467](#), [200.468](#), subsection 1, paragraph (a) of subsection 2 or subparagraph (2) of paragraph (b) of subsection 2 of [NRS 200.508](#), [NRS 200.710](#), [200.720](#), [201.230](#), [201.450](#), [202.170](#), subsection 2 of [NRS 202.780](#), paragraph (b) of subsection 2 of [NRS 202.820](#), paragraph (b) of subsection 1 or subsection 2 of [NRS 202.830](#), [NRS 205.010](#), subsection 4 of [NRS 205.060](#), subsection 4 of [NRS 205.067](#), [NRS 205.075](#), [207.400](#), paragraph (a) of subsection 1 of [NRS 212.090](#), [NRS 453.3325](#), [453.333](#), [484C.130](#), [484C.430](#) or [484E.010](#).

3. The trial judge may not dismiss a count under this section that is included in an indictment or information.

(Added to NRS by [1995, 1237](#); A [1997, 1185](#); [2001, 1140](#); [2003, 388](#); [2005, 88](#), [165](#), [1059](#); [2007, 1268](#); [2009, 22](#); [2013, 1855](#))

NRS 207.014 Habitually fraudulent felons: Definition; punishment.

1. A person who:
 - (a) Has been convicted in this State of any felony committed on or after July 1, 1995, of which fraud or intent to defraud is an element; and
 - (b) Has previously been two times convicted, whether in this State or elsewhere, of any felony of which fraud or intent to defraud is an element before the commission of the felony under paragraph (a),
is a habitually fraudulent felon and shall be punished for a category B felony by imprisonment in the state prison for a minimum term of not less than 5 years and a maximum term of not more than 20 years, if the victim of each offense was an older person, a person with a mental disability or a vulnerable person.
2. The prosecuting attorney shall include a count under this section in any information or shall file a notice of habitually fraudulent felon if an indictment is found, if the prior convictions and the alleged offense committed by the accused are felonies of which fraud or intent to defraud is an element and the victim of each offense was:
 - (a) An older person;
 - (b) A person with a mental disability; or
 - (c) A vulnerable person.
3. The trial judge may not dismiss a count under this section that is included in an indictment or information.
4. As used in this section:
 - (a) "Older person" means a person who is:
 - (1) Sixty-five years of age or older if the crime was committed before October 1, 2003.
 - (2) Sixty years of age or older if the crime was committed on or after October 1, 2003.
 - (b) "Person with a mental disability" means a person who has a mental impairment which is medically documented and substantially limits one or more of the person's major life activities. The term includes, but is not limited to, a person who:
 - (1) Suffers from an intellectual disability;
 - (2) Suffers from a severe mental or emotional illness;
 - (3) Has a severe learning disability; or
 - (4) Is experiencing a serious emotional crisis in his or her life as a result of the fact that the person or a member of his or her immediate family has a catastrophic illness.
 - (c) "Vulnerable person" has the meaning ascribed to it in [NRS 200.5092](#).

(Added to NRS by [1995, 855](#); A [1995, 1338](#); [1997, 1185](#); [2003, 2568](#); [2005, 1114](#); [2013, 690](#); [2015, 813](#))

NRS 207.016 Procedure; trial of primary offense; prior convictions.

1. A conviction pursuant to [NRS 207.010](#), [207.012](#) or [207.014](#) operates only to increase, not to reduce, the sentence otherwise provided by law for the principal crime.
2. If a count pursuant to [NRS 207.010](#), [207.012](#) or [207.014](#) is included in an information charging the primary offense, each previous conviction must be alleged in the accusatory pleading, but no such conviction may be alluded to on trial of the primary offense, nor may any allegation of the conviction be read in the presence of a jury trying the offense or a grand jury considering an indictment for the offense. A count pursuant to [NRS 207.010](#), [207.012](#) or [207.014](#) may be filed separately from the indictment or information charging the primary offense, but if it is so filed, the count pursuant to [NRS 207.010](#), [207.012](#) or [207.014](#) must be filed not less than 2 days before the start of the trial on the primary offense, unless an agreement of the parties provides otherwise or the court for good cause shown makes an order extending the time. For good cause shown, the prosecution may supplement or amend a count pursuant to [NRS 207.010](#), [207.012](#) or [207.014](#) at any time before the sentence is imposed, but if such a supplement or amendment is filed, the sentence must not be imposed, or the hearing required by subsection 3 held, until 15 days after the separate filing.

3. If a defendant charged pursuant to [NRS 207.010](#), [207.012](#) or [207.014](#) pleads guilty or guilty but mentally ill to, or is found guilty or guilty but mentally ill of, the primary offense but denies any previous conviction charged, the court shall determine the issue of the previous conviction after hearing all relevant evidence presented on the issue by the prosecution and the defendant. At such a hearing, the defendant may not challenge the validity of a previous conviction. The court shall impose sentence:

(a) Pursuant to [NRS 207.010](#) upon finding that the defendant has suffered previous convictions sufficient to support an adjudication of habitual criminality;

(b) Pursuant to [NRS 207.012](#) upon finding that the defendant has suffered previous convictions sufficient to support an adjudication of habitual felon; or

(c) Pursuant to [NRS 207.014](#) upon finding that the defendant has suffered previous convictions sufficient to support an adjudication of habitually fraudulent felon.

4. Nothing in the provisions of this section, [NRS 207.010](#), [207.012](#) or [207.014](#) limits the prosecution in introducing evidence of prior convictions for purposes of impeachment.

5. For the purposes of [NRS 207.010](#), [207.012](#) and [207.014](#), a certified copy of a felony conviction is prima facie evidence of conviction of a prior felony.

6. Nothing in the provisions of this section, [NRS 207.010](#), [207.012](#) or [207.014](#) prohibits a court from imposing an adjudication of habitual criminality, adjudication of habitual felon or adjudication of habitually fraudulent felon based upon an agreement of the parties.

(Added to NRS by [1995, 1238](#); A [1997, 519](#), [524](#), [1186](#); [2003, 1483](#); [2007, 1441](#); [2013, 1373](#))

POSSESSION OF A FIREARM

NRS 202.360 Ownership or possession of firearm by certain persons prohibited; penalties.

1. A person shall not own or have in his or her possession or under his or her custody or control any firearm if the person:

(a) Has been convicted in this State or any other state of a misdemeanor crime of domestic violence as defined in 18 U.S.C. § 921(a)(33);

(b) Has been convicted of a felony in this State or any other state, or in any political subdivision thereof, or of a felony in violation of the laws of the United States of America, unless the person has received a pardon and the pardon does not restrict his or her right to bear arms;

(c) Has been convicted of a violation of [NRS 200.575](#) or a law of any other state that prohibits the same or substantially similar conduct and the court entered a finding in the judgment of conviction or admonishment of rights pursuant to subsection 5 of [NRS 200.575](#);

(d) Except as otherwise provided in [NRS 33.031](#), is currently subject to:

(1) An extended order for protection against domestic violence pursuant to [NRS 33.017](#) to [33.100](#), inclusive, which includes a statement that the adverse party is prohibited from possessing or having under his or her custody or control any firearm while the order is in effect; or

(2) An equivalent order in any other state;

(e) Is a fugitive from justice;

(f) Is an unlawful user of, or addicted to, any controlled substance; or

(g) Is otherwise prohibited by federal law from having a firearm in his or her possession or under his or her custody or control.

Ê A person who violates the provisions of this subsection is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000.

2. A person shall not own or have in his or her possession or under his or her custody or control any firearm if the person:

(a) Has been adjudicated as mentally ill or has been committed to any mental health facility by a court of this State, any other state or the United States;

(b) Has entered a plea of guilty but mentally ill in a court of this State, any other state or the United States;

(c) Has been found guilty but mentally ill in a court of this State, any other state or the United States;

(d) Has been acquitted by reason of insanity in a court of this State, any other state or the United States; or

(e) Is illegally or unlawfully in the United States.

Ê A person who violates the provisions of this subsection is guilty of a category D felony and shall be punished as provided in [NRS 193.130](#).

3. As used in this section:

(a) "Controlled substance" has the meaning ascribed to it in 21 U.S.C. § 802(6).

(b) "Firearm" includes any firearm that is loaded or unloaded and operable or inoperable.

[2:47:1925; A [1955, 185](#)] + [3:47:1925; NCL § 2304] — (NRS A [1959, 548; 1967, 487; 1979, 1435; 1983, 926; 1985, 453, 594; 1991, 72; 1995, 1208; 1997, 828; 2003, 1352; 2015, 1782, 1806; 2017, 3127](#))

SENTENCE CREDITS

NRS 209.4465 Credits for offender sentenced for crime committed on or after July 17, 1997.

1. An offender who is sentenced to prison for a crime committed on or after July 17, 1997, who has no serious infraction of the regulations of the Department, the terms and conditions of his or her residential confinement or the laws of the State recorded against the offender, and who performs in a faithful, orderly and peaceable manner the duties assigned to the offender, must be allowed:

- (a) For the period the offender is actually incarcerated pursuant to his or her sentence;
- (b) For the period the offender is in residential confinement; and
- (c) For the period the offender is in the custody of the Division of Parole and Probation of the Department of Public Safety pursuant to [NRS 209.4886](#) or [209.4888](#),

Ê a deduction of 20 days from his or her sentence for each month the offender serves.

2. In addition to the credits allowed pursuant to subsection 1, the Director may allow not more than 10 days of credit each month for an offender whose diligence in labor and study merits such credits. In addition to the credits allowed pursuant to this subsection, an offender is entitled to the following credits for educational achievement:

- (a) For earning a general educational development certificate or an equivalent document, 60 days.
- (b) For earning a high school diploma, 90 days.
- (c) For earning his or her first associate degree, 120 days.

3. The Director may, in his or her discretion, authorize an offender to receive a maximum of 90 days of credit for each additional degree of higher education earned by the offender.

4. The Director may allow not more than 10 days of credit each month for an offender who participates in a diligent and responsible manner in a center for the purpose of making restitution, program for reentry of offenders and parolees into the community, conservation camp, program of work release or another program conducted outside of the prison. An offender who earns credit pursuant to this subsection is eligible to earn the entire 30 days of credit each month that is allowed pursuant to subsections 1 and 2.

5. The Director may allow not more than 90 days of credit each year for an offender who engages in exceptional meritorious service.

6. The Board shall adopt regulations governing the award, forfeiture and restoration of credits pursuant to this section.

7. Except as otherwise provided in subsections 8 and 9, credits earned pursuant to this section:

- (a) Must be deducted from the maximum term or the maximum aggregate term imposed by the sentence, as applicable; and
- (b) Apply to eligibility for parole unless the offender was sentenced pursuant to a statute which specifies a minimum sentence that must be served before a person becomes eligible for parole.

8. Credits earned pursuant to this section by an offender who has not been convicted of:

- (a) Any crime that is punishable as a felony involving the use or threatened use of force or violence against the victim;
- (b) A sexual offense that is punishable as a felony;
- (c) A violation of [NRS 484C.110](#), [484C.120](#), [484C.130](#) or [484C.430](#) that is punishable as a felony; or
- (d) A category A or B felony,

Ê apply to eligibility for parole and, except as otherwise provided in subsection 9, must be deducted from the minimum term or the minimum aggregate term imposed by the sentence, as applicable, until the offender becomes eligible for parole and must be deducted from the maximum term or the maximum aggregate term imposed by the sentence, as applicable.

9. Credits deducted pursuant to subsection 8 may reduce the minimum term or the minimum aggregate term imposed by the sentence, as applicable, by not more than 58 percent for an offender who:

- (a) Is serving a sentence for an offense committed on or after July 1, 2014; or

(b) On or after July 1, 2014, makes an irrevocable election to have his or her consecutive sentences aggregated pursuant to [NRS 213.1212](#).

10. In addition to the credits allowed pursuant to this section, if the Governor determines, by executive order, that it is necessary, the Governor may authorize the deduction of not more than 5 days from a sentence for each month an offender serves. This subsection must be uniformly applied to all offenders under a sentence at the time the Governor makes such a determination.

(Added to NRS by [1997, 3175](#); A [1999, 2881](#); [2001, 1164](#), [1937](#); [2001 Special Session, 157](#); [2003, 26, 28, 1367, 2577](#); [2007, 3176](#); [2009, 1887](#); [2013, 225, 3289](#); [2017, 3313](#))

SPECIALTY COURTS

NRS 176.0613 Additional administrative assessment for misdemeanor: Authorization; collection; distribution; limitations on use. [Effective through June 30, 2019.]

1. The justices or judges of the justice or municipal courts shall impose, in addition to an administrative assessment imposed pursuant to [NRS 176.059](#), [176.0611](#) and [176.0623](#), an administrative assessment for the provision of specialty court programs.

2. Except as otherwise provided in subsection 3, when a defendant pleads guilty or guilty but mentally ill or is found guilty or guilty but mentally ill of a misdemeanor, including the violation of any municipal ordinance, the justice or judge shall include in the sentence the sum of \$7 as an administrative assessment for the provision of specialty court programs and render a judgment against the defendant for the assessment. If a defendant is sentenced to perform community service in lieu of a fine, the sentence must include the administrative assessment required pursuant to this subsection.

3. The provisions of subsection 2 do not apply to:

- (a) An ordinance regulating metered parking; or
- (b) An ordinance which is specifically designated as imposing a civil penalty or liability pursuant to [NRS 244.3575](#) or [268.019](#).

4. The money collected for an administrative assessment for the provision of specialty court programs must not be deducted from the fine imposed by the justice or judge but must be taxed against the defendant in addition to the fine. The money collected for such an administrative assessment must be stated separately on the court's docket and must be included in the amount posted for bail. If bail is forfeited, the administrative assessment included in the bail pursuant to this subsection must be disbursed pursuant to subsection 6 or 7. If the defendant is found not guilty or the charges are dismissed, the money deposited with the court must be returned to the defendant. If the justice or judge cancels a fine because the fine has been determined to be uncollectible, any balance of the fine and the administrative assessment remaining unpaid shall be deemed to be uncollectible and the defendant is not required to pay it. If a fine is determined to be uncollectible, the defendant is not entitled to a refund of the fine or administrative assessment the defendant has paid and the justice or judge shall not recalculate the administrative assessment.

5. If the justice or judge permits the fine and administrative assessment for the provision of specialty court programs to be paid in installments, the payments must be applied in the following order:

- (a) To pay the unpaid balance of an administrative assessment imposed pursuant to [NRS 176.059](#);
- (b) To pay the unpaid balance of an administrative assessment for the provision of court facilities pursuant to [NRS 176.0611](#);
- (c) To pay the unpaid balance of an administrative assessment for the provision of specialty court programs;
- (d) To pay the unpaid balance of an administrative assessment for obtaining a biological specimen and conducting a genetic marker analysis pursuant to [NRS 176.0623](#);
- (e) To pay the unpaid balance of the specialty courts fee pursuant to [NRS 484C.515](#); and
- (f) To pay the fine.

6. The money collected for an administrative assessment for the provision of specialty court programs in municipal court must be paid by the clerk of the court to the city treasurer on or before the fifth day of each month for the preceding month. On or before the 15th day of that month, the city treasurer shall deposit the money received for each administrative assessment with the State Controller for credit to a special account in the State General Fund administered by the Office of Court Administrator.

7. The money collected for an administrative assessment for the provision of specialty court programs in justice courts must be paid by the clerk of the court to the county treasurer on or before the fifth day of each month for the preceding month. On or before the 15th day of that month, the county treasurer shall deposit the money received for each administrative assessment with the State Controller for credit to a special account in the State General Fund administered by the Office of Court Administrator.

8. The Office of Court Administrator shall allocate the money credited to the State General Fund pursuant to subsections 6 and 7 to courts to assist with the funding or establishment of specialty court programs.

9. Money that is apportioned to a court from administrative assessments for the provision of specialty court programs must be used by the court to:

- (a) Pay for the treatment and testing of persons who participate in the program; and
- (b) Improve the operations of the specialty court program by any combination of:
 - (1) Acquiring necessary capital goods;
 - (2) Providing for personnel to staff and oversee the specialty court program;
 - (3) Providing training and education to personnel;
 - (4) Studying the management and operation of the program;
 - (5) Conducting audits of the program;
 - (6) Supplementing the funds used to pay for judges to oversee a specialty court program; or
 - (7) Acquiring or using appropriate technology.

10. As used in this section:

(a) "Office of Court Administrator" means the Office of Court Administrator created pursuant to [NRS 1.320](#); and

(b) "Specialty court program" means a program established by a court to facilitate testing, treatment and oversight of certain persons over whom the court has jurisdiction and who the court has determined suffer from a mental illness or abuses alcohol or drugs. Such a program includes, without limitation, a program established pursuant to [NRS 176A.250](#), [176A.280](#) or [453.580](#).

(Added to NRS by [2003, 2096](#); A [2007, 1418](#); [2009, 101](#); [2013, 1990](#), [3686](#); [2015, 2955](#); [2017, 2905](#))

NRS 176A.250 Establishment of program for treatment of mental illness or intellectual disabilities; assignment of defendant to program; progress reports. A court may establish an appropriate program for the treatment of mental illness or intellectual disabilities to which it may assign a defendant pursuant to [NRS 174.032](#) or [176A.260](#). The assignment must include the terms and conditions for successful completion of the program and provide for progress reports at intervals set by the court to ensure that the defendant is making satisfactory progress towards completion of the program.

(Added to NRS by [2001 Special Session, 259](#); A [2003, 1946](#); [2013, 686](#); [2017, 3014](#))

NRS 176A.280 Establishment of program for treatment of veterans and members of military; qualifications; assignment of defendant to program; progress reports.

1. A district court, justice court or municipal court may establish an appropriate program for the treatment of veterans and members of the military to which it may assign a defendant pursuant to [NRS 174.032](#) or [176A.290](#) if the defendant is a veteran or member of the military and:

(a) Appears to suffer from:

(1) Mental illness, alcohol or drug abuse, posttraumatic stress disorder or a traumatic brain injury, any of which appear to be related to military service, including, without limitation, any readjustment to civilian life which is necessary after combat service; or

(2) Military sexual trauma;

(b) Would benefit from assignment to the program; and

(c) Is not ineligible for assignment to the program pursuant to [NRS 176A.287](#) or any other provision of law.

2. The assignment of a defendant to a program pursuant to this section must:

(a) Include the terms and conditions for successful completion of the program;

(b) Provide for progress reports at intervals set by the court to ensure that the defendant is making satisfactory progress towards completion of the program; and

(c) Be for a period of not less than 12 months.

3. As used in this section:

(a) "Military sexual trauma" means psychological trauma that is the result of sexual harassment or an act of sexual assault that occurred while the veteran or member of the military was serving on active duty, active duty for training or inactive duty training.

(b) "Sexual harassment" means repeated, unsolicited verbal or physical contact of a sexual nature that is threatening in character.

(Added to NRS by [2009, 103](#); A [2017, 3015, 3020](#))

NRS 453.580 Program for treatment of certain offenders: Requirements; payment of costs; completion in another jurisdiction.

1. A court may establish an appropriate treatment program to which it may assign a person pursuant to subsection 4 of [NRS 453.336](#), [NRS 174.032](#), [453.3363](#) or [458.300](#), or it may assign such a person to an appropriate treatment provider. The assignment must include the terms and conditions for successful completion of the program and provide for progress reports at intervals set by the court to ensure that the person is making satisfactory progress toward completion of the program.

2. A program to which a court assigns a person pursuant to subsection 1 must include:

(a) Information and encouragement for the participant to cease abusing alcohol or using controlled substances through educational, counseling and support sessions developed with the cooperation of various community, health, substance abuse, religious, social service and youth organizations;

(b) The opportunity for the participant to understand the medical, psychological and social implications of substance abuse; and

(c) Alternate courses within the program based on the different substances abused and the addictions of participants.

3. If the offense with which the person was charged involved the use or possession of a controlled substance, in addition to the program or as a part of the program, the court must also require random testing or screening to determine that the person is not using a controlled substance.

4. Before the court assigns a person to a program pursuant to this section, the person must agree to pay the cost of the program to which the person is assigned and the cost of any additional supervision required pursuant to subsection 3, to the extent of the financial resources of the person. If the person does not have the financial resources to pay all of the related costs, the court shall, to the extent practicable, arrange for the person to be assigned to a program with a treatment provider that receives a sufficient amount of federal or state funding to offset the remainder of the costs.

5. If a court places a person under the supervision of a treatment provider to receive treatment for the abuse of alcohol or use of controlled substances pursuant to this section, the court may authorize the person to complete any period of treatment remaining under the supervision of a treatment provider in another jurisdiction if the court determines that:

(a) The person is eligible to receive treatment under a program of treatment in the other jurisdiction; and

(b) The program of treatment in the other jurisdiction is substantially similar to the program of treatment to which the person is assigned in this State.

6. As used in this section:

(a) "Treatment provider" has the meaning ascribed to it in [NRS 458.010](#).

(b) "Treatment provider in another jurisdiction" means a person or a public or private agency, residential treatment center, facility for the treatment of abuse of alcohol or drugs, or voluntary organization which holds a license, certificate or other credential issued by a regulatory agency in another jurisdiction.

(Added to NRS by [1993, 1233](#); A [1995, 557](#); [1999, 1872](#); [2001, 418, 3070](#); [2013, 3062](#); [2015, 744](#); [2017, 3016](#))