



**POTENTIAL CATEGORY B FELONIES FOR ADDITIONAL STUDY BY THE ADVISORY COMMISSION ON THE ADMINISTRATION OF JUSTICE**

REV. SEPTEMBER 2016

<b>CATEGORY B FELONIES</b>			
<p>A category B felony is a crime for which the minimum term of imprisonment in the State prison that may be imposed is not less than 1 year and the maximum term of imprisonment that may be imposed is not more than 20 years. Fines are optional unless otherwise noted. Mandatory restitution is included for those sentences noted by an asterisk (*). (NRS 193.130)</p>			
<b>CRIME (NRS CITATION)</b>	<b>PENALTY</b>		<b>Number of Responses for Additional Study</b>
	<b>Prison Term</b>	<b>Fine</b>	
Burglary (NRS 205.060) ++	1 to 10 years; no probation or suspended sentence if previously convicted of burglary or invasion of the home	Not more than \$10,000	8
Obtaining money, property, rent, or labor by false pretenses, value \$650 or more (NRS 205.380)	1 to 6 years*	Not more than \$10,000	8
Knowingly selling a motor vehicle whose odometer has been fraudulently altered (NRS 484D.335)	1 to 6 years	Not more than \$10,000	7
Theft, value of \$3,500 or more (NRS 205.0835)	1 to 10 years*	Mandatory fine, not more than \$10,000	6
Grand larceny, value of \$3,500 or more (NRS 205.222)	1 to 10 years*	Mandatory fine, not more than \$10,000	6
Grand larceny of motor vehicle, value proven to be \$3,500 or more (NRS 205.228)	1 to 10 years*	Mandatory fine, not more than \$10,000	6
Maintaining drug house, first offense (NRS 453.316)	1 to 6 years	Not more than \$10,000	6
Taking property not amounting to robbery, value \$3,500 or more (NRS 205.270)	1 to 10 years*; no probation or suspended sentence if victim was elderly or handicapped	Mandatory fine, not more than \$10,000	Added at 8/3 mtg
Receiving or possessing stolen goods, value \$3,500 or more (NRS 205.275)	1 to 10 years*	Mandatory fine, not more than \$10,000	Added at 8/3 mtg
Import, sell, et cetera, schedule I or II drugs, first offense (NRS 453.321)	1 to 6 years	Not more than \$20,000	6
Failure to obey signal by officer and causes property damage or operates a vehicle in dangerous manner (NRS 484B.550)	1 to 6 years	Not more than \$5,000	6

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	<b>Prison Term</b>	<b>Fine</b>	
Attempted category B felony with maximum penalty of more than 10 years (NRS 193.330)	1 to 10 years	No fine	5
Battery upon an officer, school employee, health care provider, taxicab driver, transit officer, or sports official performing his duty, substantial bodily harm or strangulation (NRS 200.481)	2 to 10 years	Not more than \$10,000	5
Child abuse/neglect: Causing a child to suffer unjustifiable physical pain or mental suffering, no substantial bodily or mental harm (NRS 200.508)	1 to 6 years	No fine	5
Possession, manufacture, or disposition of explosive or incendiary device (NRS 202.260)	1 to 6 years	Not more than \$5,000	5
Possession of components of explosive or incendiary device (NRS 202.261)	1 to 6 years	Not more than \$5,000	5
Unlawful use of stun gun (NRS 202.357)	1 to 6 years	Not more than \$5,000	5
Criminal anarchy (NRS 203.115)	1 to 6 years	Not more than \$10,000	5
Criminal syndicalism (NRS 203.117)	1 to 6 years	Not more than \$5,000	5
Arson, aiding and abetting, with the intent to defraud (NRS 205.030)	1 to 6 years*	Not more than \$5,000	5
Grand larceny of firearm (NRS 205.226)	1 to 10 years*	Mandatory fine, not more than \$10,000	5
Theft from vending machine, value of \$3,500 or more (NRS 205.2707)	1 to 10 years*	Mandatory fine, not more than \$10,000	5
Major violation of lifetime supervision of sex offender (NRS 213.1243)	1 to 6 years	Not more than \$5,000	5
Gaming crimes, first offense (includes certain track and sports wagering and attempts at or conspiracy to commit crimes) (NRS 465.088)	1 to 6 years	Not more than \$10,000	5
Conspiracy to commit robbery; sexual assault; kidnapping in first or second degrees; arson in the first or second degrees; involuntary servitude; assuming rights of ownership of another person; trafficking in persons; sex trafficking; or using personal identifying information unlawfully (NRS 199.480)	1 to 6 years	Not more than \$5,000	4
Challenges to fight or acting for another in challenge to fight; use of deadly weapon (NRS 200.450)	1 to 6 years	Not more than \$5,000	4
False imprisonment either by prisoner without deadly weapon or by other person with deadly weapon (NRS 200.460)	1 to 6 years	No fine	4
Assault with deadly weapon (NRS 200.471)	1 to 6 years	Not more than \$5,000	4

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CRIME (NRS CITATION)	PENALTY		Number of Responses for Additional Study
	Prison Term	Fine	
Assault with a deadly weapon upon an officer, school employee, health care provider, taxicab driver, transit officer, or sports official (NRS 200.471)	1 to 6 years	Not more than \$5,000	4
Assault with a deadly weapon upon an officer, school employee, health care provider, taxicab driver, transit officer, or sports official by a probationer, prisoner, or parolee (NRS 200.471)	1 to 6 years	Not more than \$5,000	4
Possession of firearm by ex-felon, fugitive from justice, user of controlled substance, person convicted of misdemeanor domestic violence, or who is otherwise prohibited by federal law from possessing a firearm (NRS 202.360)	1 to 6 years	Not more than \$5,000	4
Ex-felon, possession of tear gas (NRS 202.380)	1 to 6 years	Not more than \$5,000	4
Receiving or transporting stolen vehicle, value proven to be \$3,500 or more (NRS 205.273)	1 to 10 years*	Mandatory fine, not more than \$10,000	4
Coercion, force or threat of force (NRS 207.190)	1 to 6 years	Not more than \$5,000	4
Trafficking, schedule I drugs (NRS except marijuana), flunitrazepam, or GHB, 4 to 14 grams (NRS 453.3385)	1 to 6 years; no probation or suspended sentence	Mandatory fine, not more than \$50,000	4
Unlawful dissemination of certain wire information (NRS 465.090)	1 to 6 years	Not more than \$5,000	4
Theft of fire prevention device, value of \$650 or more (NRS 475.105—Punished as grand larceny. See NRS 205.222.)	1 to 10 years*	Mandatory fine, not more than \$10,000	4
Failure to obey roadblock, resulting in death, substantial bodily harm, or property damage over \$1,000 (NRS 484B.580)	1 to 6 years	Not more than \$5,000	4
DUI, third offense in 7 years (NRS 484C.400)	1 to 6 years; no probation or suspended sentence except in certain circumstances	Mandatory fine, \$2,000 to \$5,000	4
Unlawful use of scanning device or re-encoder with intent to defraud (NRS 205.605)	1 to 20 years*	Not more than \$100,000	Added at 8/3 mtg

**YELLOW** = CRIMES IDENTIFIED BY CONSENSUS TO BE RE-CATEGORIZED AT THE 8/3 MEETING

**++BURGLARY** = THE COMMISSION REACHED CONSENSUS TO DELETE THE EXCEPTIONS CONTAINED IN PARAGRAPHS (A) AND (B) OF SUBSECTION 5 OF NRS 205.060 (THEREBY REMOVING THE ACT OF ENTERING A COMMERCIAL ESTABLISHMENT DURING BUSINESS HOURS WITH THE INTENT TO COMMIT PETIT LARCENY FROM THE CRIME OF BURGLARY)