

**Proposed Amendment, version 3: AB 303**

**Section 1.** Chapter 208 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. All correctional facilities and institutions that provide housing for those detained in the State of Nevada that are pre-sentenced detainees or incarcerated under a Judgment of Conviction, by either the State or a local government entity shall be under administrative and operational control of the State or local government entity, except those inmates housed in other jurisdictions under the Interstate Compact for Adult Offenders.*

*2. The Nevada Department of Corrections may contract with a private or public facility for the purpose of reducing overcrowded conditions in Nevada correctional facilities and institutions to promote inmate, staff and public safety.*

*2a. This provision shall expire within five (5) years as of the date of this legislation, unless extended through legislative action.*

*2b. Any private correctional facility which houses prisoners incarcerated under a Judgment of Conviction and committed to the Nevada Department of Corrections shall be required to meet the core correctional standards for the housing, custody, medical and mental health treatment and programming of prisoners as established and required by Nevada Revised Statutes and the Nevada Administrative Regulations, as approved by the Board of Prison Commissioners, and these requirements shall be specified in any contract entered into by the State.*

*2c. The Department shall give priority for transfer to such out of state facility to those prisoners that are not permanent residents of the state of Nevada that meet the eligibility for transfer as determined by the Director.*

*2d. The Department shall ensure that video visitation is provided for these prisoners.*

*2e. The Department shall be required to provide a report to the Legislature annually, by December 31, of each year, as to the number of inmates housed out of state to include the inmate identification number; inmate home state of residence; custody level; offense category; veteran status; programs available and completed; and date of release or expected parole date.*

*2f. The Department shall perform an on-site audit not less than bi-annually to ensure compliance with all contracted services.*

*3. All core correctional activities, not related to Section 2, specific to institutional operations for safety, safeguarding, protection and disciplinary of prisons, at each correctional facility or institution operated by the city, county or State shall be performed by employees or contracted employees of the municipality, county or the state of Nevada and all duties shall comply with all State or local government regulations.*

*4. Any condition, stipulation or provision in a contract that conflicts with this section is deemed against the public policy of this State and is void and unenforceable.*