

During the 2019 Regular Session, the Nevada Legislature passed landmark criminal justice reform. Several bills addressed subjects ranging from enacting sentencing reform and expanding specialty courts to restoring voter rights, compensating those wrongly accused, and proving factual innocence.

2019 LEGISLATIVE OUTCOMES

Criminal Justice Reform

[Assembly Bill 236](#) makes various changes to criminal law and criminal procedure. It also establishes the Nevada Sentencing Commission as the oversight body for implementation of the bill's reforms, including continued data collection to monitor progress. The bill revises provisions related to:

- Crimes involving burglary, theft, and controlled substances;
- Habitual criminals;
- Penalties for certain crimes;
- Probation and parole;
- Specialty court programs; and
- Contents required in the report of presentence investigations.

For more details about AB 236, see the Research Division's publication [Criminal Justice Reform in Nevada: The Justice Reinvestment Initiative and Resulting Policy Developments](#).

Wrongfully Convicted Individuals

[Assembly Bill 267](#) allows a person who is wrongfully convicted in Nevada to bring a civil action in district court seeking compensation. In order to receive compensation under the bill, certain conditions must first be met. For example, a person cannot currently be incarcerated for any offense, must not have committed the acts that were the basis of the conviction, and must not have been an accomplice or an accessory to the person who committed the offense. If a person prevails in such an action, the court must enter a certificate of innocence, seal all records relating to the underlying wrongful conviction, and award damages or certain other relief.

[Assembly Bill 356](#) allows a person to establish his or her postconviction factual innocence based on newly discovered evidence. If the newly discovered evidence presented by the petitioner clearly establishes such factual innocence, the court must vacate the conviction, issue an order of factual innocence and exoneration, and order the sealing of all records of criminal proceedings relating to the case.

Restoration of Voting Rights

[Assembly Bill 431](#) maintains the right to vote of a person who has been convicted of a crime but who is not in prison, and immediately restores voting rights to a person who has been released from prison. The measure also restores voting rights to certain Nevada residents whose right to vote has not been restored; who were not serving a sentence of imprisonment on July 1, 2019; and who, before that date, were discharged from probation or parole or released from prison after serving their sentence.