



Fact Sheet

PENALTIES FOR CATEGORY E FELONIES UNDER *NEVADA REVISED STATUTES (NRS)*

RESEARCH DIVISION
LEGISLATIVE COUNSEL BUREAU

REVISED MAY 2016

CATEGORY E FELONIES

A category E felony is a felony for which a court shall sentence a convicted person to imprisonment in the state prison for a minimum term of 1 year and a maximum term of 4 years.

The court shall suspend the execution of the sentence and grant probation, unless, at the time of sentencing, the person:

- (1) was serving a term of probation or was on parole for a felony conviction; (2) had previously had his probation or parole revoked for a felony conviction; (3) had previously failed to successfully complete a court-assigned treatment program; or (4) had previously been two times convicted of a felony.

If one of these circumstances exists, the court may, as it deems advisable, decide not to suspend the execution of the sentence imposed and grant probation.

Conditions of probation may include, but are not limited to, confinement in the county jail. In addition to any other penalty, the court may impose a fine of not more than \$5,000, unless a greater penalty is authorized or required by statute.

Mandatory restitution is included for those sentences noted by an asterisk (*).

(NRS 193.130 and 176A.100)

CRIME (NRS CITATION)	PENALTY	
	Prison Term	Fine
Unlawful practice of law, third or subsequent offense in 7 years (NRS 7.285)	1 to 4 years	Not more than \$5,000
Use of information obtained from a community notification website to commit a gross misdemeanor (NRS 179B.285)	1 to 4 years	Not more than \$5,000
Attempted category D felony (NRS 193.330)	1 to 4 years, or punished as gross misdemeanor	Not more than \$2,000
Attempted category E felony (NRS 193.330)	1 to 4 years, or punished as gross misdemeanor	Not more than \$2,000
Misconduct of public official (NRS 197.110)	1 to 4 years	Not more than \$5,000
Capturing an image of the private area of another person, second or subsequent offense (NRS 200.604)	1 to 4 years	Not more than \$5,000
Soliciting a child for prostitution, first offense (NRS 201.354)	1 to 4 years*	Not more than \$5,000
Criminal gang recruitment (NRS 201.570)	1 to 4 years	Not more than \$5,000
Use of laser device to interfere with the operation of aircraft, with injury to person or damage to property (NRS 202.585)	1 to 4 years	Not more than \$5,000
Knowingly manufacturing, purchasing, possessing, selling, or advertising for sale or transport a hoax bomb; resulting in building evacuation (NRS 202.263)	1 to 4 years	Not more than \$5,000
Selling, displaying, or advertising goods with false trademark; second offense or goods consist of either 100 to 1,000 salable units <i>or</i> have retail value of \$1,000 but less than \$10,000 (NRS 205.210)	1 to 4 years	Not more than \$5,000
Unlawful possession of personal identifying information or documents (does not include using false ID card for buying alcohol, cigarettes, etc.) (NRS 205.465)	1 to 4 years	Not more than \$5,000
Graffiti crimes, loss of value \$5,000 or more for single offense, or \$500 aggregated for multiple offenses (NRS 206.330)	1 to 4 years (Optional restitution; condition of probation, at least 10 days in county jail; community service required; offender may be ordered to repair, replace, or keep property free of graffiti; if offender is 18 or over, driver's license may be suspended; if under 18, parent or guardian may be liable)	Not more than \$5,000 (Mandatory fine, not more than \$1,000; varies with first, second, or subsequent offense)

CATEGORY E FELONIES

A category E felony is a felony for which a court shall sentence a convicted person to imprisonment in the state prison for a minimum term of 1 year and a maximum term of 4 years.

The court shall suspend the execution of the sentence and grant probation, unless, at the time of sentencing, the person:

- (1) was serving a term of probation or was on parole for a felony conviction; (2) had previously had his probation or parole revoked for a felony conviction; (3) had previously failed to successfully complete a court-assigned treatment program; or (4) had previously been two times convicted of a felony.
If one of these circumstances exists, the court may, as it deems advisable, decide not to suspend the execution of the sentence imposed and grant probation.

Conditions of probation may include, but are not limited to, confinement in the county jail. In addition to any other penalty, the court may impose a fine of not more than \$5,000, unless a greater penalty is authorized or required by statute.

Mandatory restitution is included for those sentences noted by an asterisk (*).
(NRS 193.130 and 176A.100)

CRIME (NRS CITATION)	PENALTY	
	Prison Term	Fine
Jumping or delivering or retrieving another person to jump from a fixed structure by parachute or other airborne means without proper authority (deemed trespassing) (NRS 207.204)	1 to 4 years	Not more than \$5,000
False emergency telephone call to initiate response by law enforcement, firefighting, emergency medical care, or public safety personnel when no emergency exists and the call results in death or serious bodily injury of another (NRS 207.245)	1 to 4 years	Not more than \$5,000 (Also liable for costs incurred by responding entities)
False or misleading statement that causes activation of the Statewide Alert System for the Safe Return of Abducted Children or the Statewide Alert System for the Safe Return of Missing Endangered Older Persons (NRS 207.285)	1 to 4 years	Not more than \$5,000
Food stamp fraud, value of \$650 or more (NRS 207.340)	1 to 4 years*	Not more than \$5,000
Furnishing a portable telecommunications device to prisoner (NRS 212.165)	1 to 4 years	Not more than \$5,000
Elections: Persons entitled to absentee ballot, fraud, and coercion (NRS 293.313)	1 to 4 years	Not more than \$5,000
Elections: Unlawful return of absentee ballot (NRS 293.330)	1 to 4 years	Not more than \$5,000
Elections: Unlawful return of mailing ballot (NRS 293.353)	1 to 4 years	Not more than \$5,000
Elections: Violations by employee of voter registration agency (NRS 293.5045)	1 to 4 years	Not more than \$5,000
Elections: Unlawful act of field registrars or certain persons assisting a voter (NRS 293.505)	1 to 4 years	Not more than \$5,000
Elections: Registration of voters by mail, willful violation of application procedure (NRS 293.5235)	1 to 4 years	Not more than \$5,000
Elections: Using threats or coercion in connection with election or registration of voters (NRS 293.710)	1 to 4 years	Not more than \$5,000
Elections: Interfering with the conduct of an election (NRS 293.730)	1 to 4 years	Not more than \$5,000
Elections: Violations of laws governing elections, including registration of voters and crimes by public officers (NRS 293.800)	1 to 4 years	Not more than \$5,000
Elections: Intentional failure by field registrar to submit elector's voter application (NRS 293.800)	1 to 4 years	Not more than \$5,000
Elections: Compensation for registration of voters based on number of voters or voters of a particular party registered (NRS 293.805)	1 to 4 years	Not more than \$5,000
City elections: Fraud or coercion in obtaining absentee ballot (NRS 293C.310)	1 to 4 years	Not more than \$5,000
City elections: Unlawful return of absentee ballot (NRS 293C.330)	1 to 4 years	Not more than \$5,000
Violation of campaign contribution limitations (NRS 294A.100)	1 to 4 years	Not more than \$5,000
Violation of legal defense fund limitations (NRS 294A.287)	1 to 4 years	Not more than \$5,000
Welfare fraud (NRS 422.410)	1 to 4 years*	Not more than \$5,000
Fraud related to Children's Health Insurance Program, value of \$100 or more (NRS 422A.700)	1 to 4 years*	Not more than \$5,000
Willfully and maliciously beating a service animal (NRS 426.790)	1 to 4 years	Not more than \$5,000
Make or open a road through cemetery without consent (NRS 452.300)	1 to 4 years	Not more than \$5,000
Depositing material in cemetery without consent (NRS 452.300)	1 to 4 years	Not more than \$5,000
Unlawful destruction or damage to property in cemetery (NRS 452.305)	1 to 4 years*	Not more than \$5,000

CATEGORY E FELONIES

A category E felony is a felony for which a court shall sentence a convicted person to imprisonment in the state prison for a minimum term of 1 year and a maximum term of 4 years.

The court shall suspend the execution of the sentence and grant probation, unless, **at the time of sentencing**, the person:

- (1) was serving a term of probation or was on parole for a felony conviction; (2) had previously had his probation or parole revoked for a felony conviction; (3) had previously failed to successfully complete a court-assigned treatment program; or (4) had previously been two times convicted of a felony.
If one of these circumstances exists, the court may, as it deems advisable, decide not to suspend the execution of the sentence imposed and grant probation.

Conditions of probation may include, but are not limited to, confinement in the county jail. In addition to any other penalty, the court may impose a fine of not more than \$5,000, unless a greater penalty is authorized or required by statute.

Mandatory restitution is included for those sentences noted by an asterisk (*).
(NRS 193.130 and 176A.100)

CRIME (NRS CITATION)	PENALTY	
	Prison Term	Fine
Unlawful removal, possession, sale of tomb, monument, gravestone, or other structures in cemetery (NRS 452.3055)	1 to 4 years*	Not more than \$5,000
Unlawful dispensing of certain substances, prescriptions (NRS 453.256)	1 to 4 years	Not more than \$5,000
Possession not for sale, schedule I through IV drugs, first or second offense (NRS 453.336)	1 to 4 years	Not more than \$5,000
Possession not for sale, schedule V drugs, first offense (NRS 453.336)	1 to 4 years	Not more than \$5,000
Possession of one ounce or less of marijuana, fourth or subsequent offense (NRS 453.336)	1 to 4 years	Not more than \$5,000
Unlawful use of schedule I through IV controlled substance (NRS 453.411)	1 to 4 years	Not more than \$5,000
Manufacture, delivery, sale, or possession of drug paraphernalia (NRS 453.560)	1 to 4 years	Not more than \$5,000
Fraudulent possession of prescription drugs, false or altered prescription (NRS 454.311)	1 to 4 years	Not more than \$5,000
Possession of prescription drugs without prescription, third offense (NRS 454.316)	1 to 4 years	Not more than \$5,000
Misrepresentation: Using telephone to obtain dangerous drugs, subsequent offense (NRS 454.326)	1 to 4 years	Not more than \$5,000
Use of false name, false statement or concealed facts in application for driver's license (NRS 483.530)	1 to 4 years	Not more than \$5,000
Killing or assisting to kill certain big game animals in prohibited manner (NRS 501.376)	1 to 4 years	Not more than \$5,000
Introducing aquatic invasive species to Nevada waters, second and subsequent offenses (NRS 503.597)	1 to 4 years	Not more than \$5,000 (Additional civil penalty \$25,000 to \$250,000)
Acting as master guide or subguide without a license, second or subsequent offense (NRS 504.395)	1 to 4 years	Not more than \$5,000
Keeping place used for baiting or fighting birds or animals, first offense (NRS 574.060)	1 to 4 years	Not more than \$5,000
Staging fights between animals (other than dogs) or birds, second offense (NRS 574.070)	1 to 4 years	Not more than \$5,000 (Mandatory fine of not less than \$10,000 if the violation is by an entity other than a natural person)
Keeping or selling an animal with the intent to use it to fight another animal, first offense (NRS 574.070)	1 to 4 years	Not more than \$5,000 (Mandatory fine of not less than \$10,000 if the violation is by an entity other than a natural person)
Knowingly witnessing fights between animals or birds, second or subsequent offense (NRS 574.070)	1 to 4 years	Not more than \$5,000 (Mandatory fine of not less than \$10,000 if the violation is by an entity other than a natural person)
Violation of laws relating to weight, measure, or hindering inspector; intentional, three convictions in 2-year period, or use of device to facilitate fraud (NRS 581.445)	1 to 4 years	Not more than \$5,000
Violation of law relating to public weighmasters, intentional or three convictions in 2-year period (NRS 582.320)	1 to 4 years	Not more than \$5,000

CATEGORY E FELONIES

A category E felony is a felony for which a court shall sentence a convicted person to imprisonment in the state prison for a minimum term of 1 year and a maximum term of 4 years.

The court shall suspend the execution of the sentence and grant probation, unless, at the time of sentencing, the person:
 (1) was serving a term of probation or was on parole for a felony conviction; (2) had previously had his probation or parole revoked for a felony conviction;
 (3) had previously failed to successfully complete a court-assigned treatment program; or (4) had previously been two times convicted of a felony.
 If one of these circumstances exists, the court may, as it deems advisable, decide not to suspend the execution of the sentence imposed and grant probation.

Conditions of probation may include, but are not limited to, confinement in the county jail. In addition to any other penalty, the court may impose a fine of not more than \$5,000, unless a greater penalty is authorized or required by statute.

Mandatory restitution is included for those sentences noted by an asterisk (*).
 (NRS 193.130 and 176A.100)

CRIME (NRS CITATION)	PENALTY	
	Prison Term	Fine
Contractors: Unlawful use of license, engaging in business or submittal of bids without license, unlawful advertising, unlawful joint ventures; third or subsequent offense (NRS 624.750)	1 to 4 years	Mandatory fine of not less than \$10,000 nor more than \$20,000
Contractors: Unlawful receipt of money (more than \$1,000) to pay for services, labor, materials or equipment (NRS 624.750)	1 to 4 years	Mandatory fine of not less than \$5,000 nor more than \$10,000
Contractor violation of laws governing work concerning residential pool or spa, third or subsequent offense (NRS 624.965)	1 to 4 years	Not less than \$5,000 nor more than \$10,000
Provider of health care acquiring debt based upon services provided to a patient (NRS 629.078)	1 to 4 years	Not more than \$5,000 (May be further fined an amount of not more than \$25,000 per violation)
Obtaining certificate or license regarding structure inspection by misrepresentation (NRS 645D.900)	1 to 4 years	Not more than \$10,000