

**PROPOSED REGULATION OF THE
DIVISION OF PAROLE AND PROBATION OF THE
DEPARTMENT OF MOTOR VEHICLES AND PUBLIC SAFETY**

LCB File No. R111-00

July 31, 2000

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1 and 2, NRS 213.1076.

Section 1. NAC 213.230 is hereby amended to read as follows:

213.230 Each parolee or probationer shall, during the term of his parole or probation, pay a monthly fee of ~~[\$20]~~ *\$30* to the division of parole and probation of the department of motor vehicles and public safety to help defray the cost of his supervision unless he receives a waiver as provided in ~~[NAC 213.240.]~~ *subsection 2 of NRS 213.1076.*

Sec. 2. NAC 213.270 is hereby amended to read as follows:

213.270 1. ~~[All checks or money orders to be used for payment of the fees]~~ *A check or money order written to pay the fee set forth in NAC 213.230* must be made payable to the “Division of Parole and Probation.”

2. ~~[The fees are]~~ *A check or money order written to pay for the use of any equipment required by the division of parole and probation of the department of motor vehicles and public safety for the surveillance of a parolee or probationer under supervision by the division must be made payable to the provider of the equipment that is approved by the division.*

3. *A fee required to be paid pursuant to NAC 213.230 or an amount required to be paid pursuant to subsection 2 is* not payable in cash.

~~3.4~~ 4. Upon request by a parolee or probationer, the division will furnish him a statement of his account for payments of fees and any amounts due.

Sec. 3. NAC 213.240 is hereby repealed.

TEXT OF REPEALED SECTION

213.240 Waiver based on economic hardship.

1. To determine whether payment of the fee to defray the costs of supervision creates an economic hardship on the parolee or probationer, the chief parole and probation officer will consider:

- (a) The length of incarceration of the probationer as a condition of his probation.
- (b) The length of participation of the parolee or probationer in a residential treatment program if he is not allowed to work or otherwise earn income.
- (c) A verifiable handicap of the parolee or probationer which limits or prohibits him from earning any income if he has no assets from which to draw payments.
- (d) Whether the income of the parolee or probationer is below the amount corresponding to the number of persons in his household as shown in the following table:

NUMBER OF PERSONS IN HOUSEHOLD	ANNUAL INCOME	MONTHLY INCOME
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1	\$5,500	\$458.33
2	7,400	616.66
3	9,300	775.00
4	11,200	933.33
5	13,100	1,091.66
6	15,000	1,250.00

FLUSH If a parolee or probationer has more than six members in his household, for each additional person there will be added \$1,900 to the annual income and \$163 to the monthly income set forth in the table for six members in the household.

2. If a parolee or probationer seeks a waiver under this section based on his income, he must provide complete documentation of the level of his income and the number of members in his household for the period to be covered by the waiver.