

CHAPTER.....

AN ACT relating to criminal procedure; authorizing a court in certain circumstances to reduce any mandatory minimum period of incarceration which is required to be served by a person who is convicted as an adult for an offense committed when he or she was less than 18 years of age; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law provides that if a person is convicted as an adult for an offense that the person committed when he or she was less than 18 years of age, the court is required to consider, before imposing a sentence upon the person, the differences between juvenile and adult offenders, including, without limitation, the diminished culpability of juveniles as compared to that of adults and the typical characteristics of youth. (NRS 176.017) **Section 1** of this bill authorizes the court, after considering all required factors, to reduce any mandatory minimum period of incarceration that the person is required to serve by not more than 35 percent if the court determines that such a departure or reduction is warranted given the age of the person and his or her prospects for rehabilitation.

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

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 176.017 is hereby amended to read as follows:
176.017 **1.** If a person is convicted as an adult for an offense that the person committed when he or she was less than 18 years of age, in addition to any other factor that the court is required to consider before imposing a sentence upon such a person, the court shall consider the differences between juvenile and adult offenders, including, without limitation, the diminished culpability of juveniles as compared to that of adults and the typical characteristics of youth.

2. *Notwithstanding any other provision of law, after considering the factors set forth in subsection 1, the court may, in its discretion, reduce any mandatory minimum period of incarceration that the person is required to serve by not more than 35 percent if the court determines that such a reduction is warranted given the age of the person and his or her prospects for rehabilitation.*

Sec. 2. (Deleted by amendment.)

Sec. 3. The amendatory provisions of section 1 of this act apply to:

1. An offense committed on or after October 1, 2017; and



2. An offense committed before October 1, 2017, if the person is convicted on or after October 1, 2017.

