

Amendment No. 205

Senate Amendment to Senate Bill No. 316	(BDR 14-132)
Proposed by: Senate Committee on Judiciary	
Amendment Box: Replaces Amendment No. 171.	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION		Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/>	Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/>	Lost <input type="checkbox"/> _____
Concurred In <input type="checkbox"/>	Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/>	Not <input type="checkbox"/> _____
Receded <input type="checkbox"/>	Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/>	Not <input type="checkbox"/> _____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.



SENATE BILL NO. 316—SENATORS SCHEIBLE, SPEARMAN;
D. HARRIS, NGUYEN AND OHRENSCHALL

MARCH 20, 2023

Referred to Committee on Judiciary

SUMMARY—Makes various changes relating to criminal law. (BDR 14-132)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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

AN ACT relating to criminal law; revising ~~the required contents of~~ **provisions relating to** certain annual reports concerning criminal cases; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires the district attorney for each county to prepare and submit to the
2 Attorney General an annual report concerning certain cases filed during the previous calendar
3 year which included a charge for murder or voluntary manslaughter. Among other
4 requirements, existing law requires the annual report to include, for each case filed: (1) the
5 age, gender and race of the defendant; and (2) the name of each court in which the case was
6 prosecuted. (NRS 178.750) This bill ~~additionally requires~~ **revises requirements relating to**
7 **the annual report by: (1) transferring the responsibilities of the Attorney General**
8 **concerning the report to the Department of Sentencing Policy; and (2) requiring** the
9 report to include ~~the~~ **the** name of the defendant ~~and~~ **and** the case number.

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

1 **Section 1.** NRS 178.750 is hereby amended to read as follows:
2 178.750 1. The district attorney for each county shall prepare and submit a
3 report, on a form approved by the ~~Attorney General,~~ **Department of Sentencing**
4 **Policy created by NRS 176.01323,** to the ~~Attorney General~~ **Department of**
5 **Sentencing Policy** not later than February 1 of each year concerning each case filed
6 during the previous calendar year that included a charge for murder or voluntary
7 manslaughter. The district attorney shall exclude from the report any charge for
8 manslaughter that resulted from a death in a crash involving a motor vehicle.
9 2. The report required pursuant to subsection 1 must include, without
10 limitation:
11 (a) The **name**, age, gender and race of the defendant;
12 (b) The age, gender and race of any codefendant or other person charged or
13 suspected of having participated in the homicide and in any alleged related offense;

1 (c) The age, gender and race of the victim of the homicide and any alleged
2 related offense;

3 (d) The date of the homicide and of any alleged related offense;

4 (e) The date of filing of the information or indictment;

5 (f) The ~~{name of each}~~ *case number and* court in which the case was
6 prosecuted;

7 (g) Whether or not the prosecutor filed a notice of intent to seek the death
8 penalty and, if so, when the prosecutor filed the notice;

9 (h) The final disposition of the case and whether or not the case was tried
10 before a jury;

11 (i) The race, ethnicity and gender of each member of the jury, if the case was
12 tried by a jury; and

13 (j) The identity of:

14 (1) Each prosecuting attorney who participated in the decision to file the
15 initial charges against the defendant;

16 (2) Each prosecuting attorney who participated in the decision to offer or
17 accept a plea, if applicable;

18 (3) Each prosecuting attorney who participated in the decision to seek the
19 death penalty, if applicable; and

20 (4) Each person outside the office of the district attorney who was
21 consulted in determining whether to seek the death penalty or to accept or reject a
22 plea, if any.

23 3. If all the information required pursuant to subsection 1 cannot be provided
24 because the case is still in progress, an additional report must be filed with the
25 ~~{Attorney General}~~ *Department of Sentencing Policy* each time a subsequent report
26 is filed until all the information, to the extent available, has been provided.

27 **Sec. 2.** This act becomes effective on July 1, 2023.