

SENATE BILL NO. 234—SENATORS SCHEIBLE,  
D. HARRIS, NGUYEN AND OHRENSCHALL

MARCH 8, 2023

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing communications with offenders. (BDR S-810)

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 offenders; providing for the establishment of a pilot program to provide communication services free of charge between offenders and the children of offenders; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 **Section 1** of this bill requires the Department of Corrections, to the extent  
2 money is available, to establish and administer a pilot program to provide  
3 communication services free of charge between offenders in the custody of the  
4 Department and the children of such offenders. **Section 1** also: (1) authorizes the  
5 Director of the Department to apply for and accept any gift, donation, bequest,  
6 grant or other source of money to carry out the pilot program; and (2) requires any  
7 money received by the Director to be accounted for separately and used only to  
8 carry out the pilot program. Finally, **section 1** requires the Department to prepare  
9 and submit to the Director of the Legislative Counsel Bureau for transmittal to the  
10 83rd Session of the Legislature a report concerning the pilot program.  
11 **Section 2** of this bill expires the provisions of **section 1** on June 30, 2025.

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

1 **Section 1.** 1. The Department of Corrections shall, to the  
2 extent money is available for this purpose, establish and administer  
3 a pilot program to provide communication services between  
4 offenders in the custody of the Department and the children of such  
5 offenders. The program must:



1 (a) Be designed to facilitate and encourage a continuing  
2 relationship between offenders and the children of offenders; and

3 (b) Provide communication services free of charge between an  
4 offender and the child of the offender, regardless of whether the  
5 offender or child initiates or receives any communication provided  
6 through the service.

7 2. The Director of the Department may apply for and accept  
8 any gift, donation, bequest, grant or other source of money to carry  
9 out the pilot program established pursuant to subsection 1. Any  
10 money so received must be accounted for separately and may only  
11 be used by the Department to carry out the pilot program established  
12 pursuant to section 1.

13 3. The Department may adopt regulations to administer the  
14 provisions of this section.

15 4. Nothing in this section shall be construed to authorize an  
16 offender to communicate with his or her child if the offender is  
17 otherwise prohibited by law or court order from communicating  
18 with the child.

19 5. On or before January 1, 2025, the Department shall submit  
20 to the Director of the Legislative Counsel Bureau for transmittal to  
21 the 83rd Session of the Legislature a report with its findings and any  
22 recommendations:

23 (a) Relating to the pilot program; or

24 (b) For expanding opportunities for communication between  
25 offenders in the custody of the Department and the children of such  
26 offenders.

27 6. As used in this section:

28 (a) "Child" means a person who is less than 18 years of age.

29 (b) "Communication services" includes, without limitation, any  
30 service which enables real-time, two-way voice communication,  
31 including, without limitation, Voice over Internet Protocol service.

32 (c) "Voice over Internet Protocol service" means any service  
33 that:

34 (1) Enables real-time, two-way voice communication  
35 originating from or terminating at the user's location in Internet  
36 Protocol or a successor protocol;

37 (2) Uses a broadband connection from the user's location;  
38 and

39 (3) Permits a user to receive a call that originates on the  
40 public switched telephone network and to terminate a call to the  
41 public switched telephone network.

42 **Sec. 2.** 1. This section becomes effective upon passage and  
43 approval.

44 2. Section 1 of this act becomes effective upon passage and  
45 approval for the purpose of adopting any regulations and performing



1 any other preparatory administrative tasks that are necessary to carry  
2 out the provisions of this act, and on July 1, 2023, for all other  
3 purposes, and expires by limitation on June 30, 2025.

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