

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 establish and  
2 administer a pilot program to provide communication services free of charge  
3 between offenders in the custody of the Department and the children of such  
4 offenders. **Section 1** also: (1) authorizes the Director of the Department to apply for  
5 and accept any gift, donation, bequest, grant or other source of money to carry out  
6 the pilot program; and (2) requires any money received by the Director to be  
7 accounted for separately and used only to carry out the pilot program. If there is an  
8 insufficient amount of money from gifts, donations, bequests, grants or other  
9 sources of money received by the Director to carry out the pilot program, **section 1**:  
10 (1) requires the Director to authorize the State Controller to transfer money from  
11 the Offenders’ Store Fund to pay the cost of the pilot program; and (2) requires the  
12 State Controller to make the transfer. Finally, **section 1** requires the Department to  
13 prepare and submit to the Director of the Legislative Counsel Bureau for transmittal  
14 to the 83rd Session of the Legislature a report concerning the pilot program.  
15        **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 establish  
2 and administer a pilot program to provide communication services



1 between offenders in the custody of the Department and the children  
2 of such offenders. The program must:

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

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

9 2. The Director of the Department may apply for and accept  
10 any gift, donation, bequest, grant or other source of money to carry  
11 out the pilot program. Any money so received must be accounted  
12 for separately and may only be used by the Department to carry out  
13 the pilot program. If there is an insufficient amount of money from  
14 gifts, donations, bequests, grants or other sources of money to carry  
15 out the pilot program, the Director shall authorize the State  
16 Controller to transfer sufficient money from the Offenders' Store  
17 Fund to pay the cost of the pilot program, and the State Controller  
18 shall make the transfer if so authorized.

19 3. The Department may adopt regulations to administer the  
20 provisions of this section.

21 4. Nothing in this section shall be construed to authorize an  
22 offender to communicate with his or her child if the offender is  
23 otherwise prohibited by law or court order from communicating  
24 with the child.

25 5. On or before January 1, 2025, the Department shall submit  
26 to the Director of the Legislative Counsel Bureau for transmittal to  
27 the 83rd Session of the Legislature a report with its findings and any  
28 recommendations. The report must include, without limitation:

29 (a) The number of children to whom communication services  
30 were provided as part of the pilot program, if known;

31 (b) A statistical comparison of the conduct of offenders who  
32 participated in the pilot program and offenders who did not  
33 participate in the pilot program, if practicable;

34 (c) A list of all grants applied for by the Director pursuant to  
35 subsection 2 and all such grants that were received; and

36 (d) Any recommendations:

37 (1) Relating to the pilot program; or

38 (2) For expanding opportunities for communication between  
39 offenders in the custody of the Department and the children of such  
40 offenders.

41 6. As used in this section:

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

43 (b) "Communication services" includes, without limitation, any  
44 service which enables real-time, two-way voice or audio-video



1 communication, including, without limitation, Voice over Internet  
2 Protocol service.

3 (c) "Voice over Internet Protocol service" means any service  
4 that:

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

8 (2) Uses a broadband connection from the user's location;  
9 and

10 (3) Permits a user to receive a call that originates on the  
11 public switched telephone network and to terminate a call to the  
12 public switched telephone network.

13 **Sec. 2.** 1. This section becomes effective upon passage and  
14 approval.

15 2. Section 1 of this act becomes effective upon passage and  
16 approval for the purpose of adopting any regulations and performing  
17 any other preparatory administrative tasks that are necessary to carry  
18 out the provisions of this act, and on July 1, 2023, for all other  
19 purposes, and expires by limitation on June 30, 2025.

