

(Reprinted with amendments adopted on April 17, 2023)

FIRST REPRINT

S.B. 316

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.

~

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

AN ACT relating to criminal law; revising 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  
2 to the Attorney General an annual report concerning certain cases filed during the  
3 previous calendar year which included a charge for murder or voluntary  
4 manslaughter. Among other requirements, existing law requires the annual report to  
5 include, for each case filed: (1) the age, gender and race of the defendant; and (2)  
6 the name of each court in which the case was prosecuted. (NRS 178.750) This bill  
7 revises requirements relating to the annual report by: (1) transferring the  
8 responsibilities of the Attorney General concerning the report to the Department of  
9 Sentencing Policy; and (2) requiring the report to include the name of the defendant  
10 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  
3 and submit a report, on a form approved by the ~~Attorney General,~~  
4 *Department of Sentencing Policy created by NRS 176.01323,* to  
5 the ~~Attorney General~~ *Department of Sentencing Policy* not later  
6 than February 1 of each year concerning each case filed during the  
7 previous calendar year that included a charge for murder or  
8 voluntary manslaughter. The district attorney shall exclude from the



\* S B 3 1 6 R 1 \*

1 report any charge for manslaughter that resulted from a death in a  
2 crash involving a motor vehicle.

3 2. The report required pursuant to subsection 1 must include,  
4 without limitation:

5 (a) The *name*, age, gender and race of the defendant;

6 (b) The age, gender and race of any codefendant or other person  
7 charged or suspected of having participated in the homicide and in  
8 any alleged related offense;

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

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

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

13 (f) The ~~[name of each]~~ *case number and* court in which the case  
14 was prosecuted;

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

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

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

21 (j) The identity of:

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

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

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

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

31 3. If all the information required pursuant to subsection 1  
32 cannot be provided because the case is still in progress, an  
33 additional report must be filed with the ~~[Attorney General]~~  
34 *Department of Sentencing Policy* each time a subsequent report is  
35 filed until all the information, to the extent available, has been  
36 provided.

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

