

SENATE BILL NO. 323—SENATORS SCHEIBLE, CRUZ-CRAWFORD;
DOÑATE, NGUYEN AND TAYLOR

MARCH 11, 2025

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to offenders.
(BDR 16-709)

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

~

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 program to provide telephone calls free of charge between certain offenders and the families of such offenders; revising provisions relating to charges for audio and video calls made by or to offenders; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Senate Bill No. 234 of the 2023 Legislative Session (S.B. 234) required the
2 Department of Corrections to establish and administer a pilot program to provide
3 telephone calls between offenders in the custody of the Department who have been
4 assigned to Florence McClure Women’s Correctional Center and the families of
5 such offenders. S.B. 234 required the program to: (1) be designed to facilitate and
6 encourage a continuing relationship between the offenders and the families of such
7 offenders; and (2) provide each offender with a 15-minute telephone call each day
8 to a member of the family of the offender free of charge. S.B. 234 expired by
9 limitation on January 1, 2025. (Chapter 443, Statutes of Nevada 2023, at page
10 2727) **Section 1** of this bill codifies and makes permanent the pilot program
11 established pursuant to S.B. 234.

12 Existing law requires the Director of the Department, with the approval of the
13 Board of State Prison Commissioners, to establish by regulation criteria for a
14 reasonable deduction from money credited to the account of an offender to repay
15 the cost incurred by the Department on behalf of the offender for telephone calls
16 charged to the Department. (NRS 209.246) Existing federal regulations require a
17 provider of Incarcerated People’s Communication Services (IPCS) to make a
18 reasonable effort to refund money deposited into an IPCS Account under certain
19 circumstances. (47 C.F.R. § 64.6130) **Section 2** of this bill: (1) prohibits the
20 Department from charging an offender more than the actual cost to the Department
21 for any audio or video calls made by or to an offender; and (2) requires that if the
22 Department enters into a contract with a provider of communications services to



23 provide communications services to offenders, the contract must include, without
24 limitation, a provision requiring the provider to comply with the provisions of
25 federal regulations relating to the return of money deposited into an IPCS Account,
26 as those regulations existed on January 1, 2025.

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

1 **Section 1.** Chapter 209 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *The Department shall establish and administer a program*
4 *to provide telephone calls between offenders in the custody of the*
5 *Department who have been assigned to Florence McClure*
6 *Women's Correctional Center and the families of such offenders.*
7 *The program must:*

8 (a) *Be designed to facilitate and encourage a continuing*
9 *relationship between the offenders and the families of such*
10 *offenders; and*

11 (b) *Provide each offender with a 15-minute telephone call*
12 *each day to a member of the family of the offender free of charge.*

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

15 3. *Nothing in this section shall be construed to authorize an*
16 *offender to communicate with a person if the offender is otherwise*
17 *prohibited by law or court order from communicating with the*
18 *person.*

19 **Sec. 2.** NRS 209.246 is hereby amended to read as follows:

20 209.246 1. Except as otherwise provided in this section, the
21 Director shall, with the approval of the Board, establish by
22 regulation criteria for a reasonable deduction from money credited
23 to the account of an offender to:

24 (a) Repay the cost of:

25 (1) State property willfully damaged, destroyed or lost by the
26 offender during his or her incarceration.

27 (2) Medical examination, diagnosis or treatment for injuries:

28 (I) Inflicted by the offender upon himself or herself or
29 other offenders; or

30 (II) Which occur during voluntary recreational activities.

31 (3) Searching for and apprehending the offender when he or
32 she escapes or attempts to escape.

33 (4) Quelling any riot or other disturbance in which the
34 offender is unlawfully involved.

35 (5) Providing a funeral for an offender.



1 (6) Providing an offender with clothing, transportation and
2 money upon his or her release from prison pursuant to
3 NRS 209.511.

4 (7) Transportation of an offender pursuant to a court order in
5 cases other than a criminal prosecution, a proceeding for
6 postconviction relief involving the offender or a proceeding in
7 which the offender has challenged the conditions of his or her
8 confinement.

9 (8) Monetary sanctions imposed under the code of penal
10 discipline adopted by the Department.

11 (b) Defray, as determined by the Director, a portion of the costs
12 paid by the Department for medical care for the offender, including,
13 but not limited to:

14 (1) Except as otherwise provided in subparagraph (2) of
15 paragraph (a) and subsection 2, expenses for medical or dental care,
16 prosthetic devices and pharmaceutical items; and

17 (2) Expenses for prescribed medicine and supplies.

18 (c) Repay the costs incurred by the Department on behalf of the
19 offender for:

20 (1) Postage for personal items and items related to litigation .

21 ~~{ }~~

22 (2) Photocopying of personal documents and legal
23 documents, for which the offender must be charged a reasonable fee
24 not to exceed the actual costs incurred by the Department . ~~{ }~~

25 (3) Legal supplies . ~~{ }~~

26 (4) ~~{Telephone}~~ *Except as otherwise provided in section 1 of
27 this act, audio or video* calls charged to the Department . ~~{ }~~ *The
28 Department shall not charge an offender more than the actual
29 cost to the Department for any audio or video calls made by or to
30 an offender. If the Department enters into a contract with a
31 provider of communications services to provide communications
32 services to offenders, the contract must include, without limitation,
33 a provision requiring the provider to comply with the provisions of
34 47 C.F.R. § 64.6130 relating to the return of money deposited into
35 an IPCS Account, as that section existed on January 1, 2025.*

36 (5) Charges relating to checks returned for insufficient funds
37 and checks for which an order to stop payment has been made . ~~{ }~~

38 (6) Items related to the offender's work, including, but not
39 limited to, clothing, shoes, boots, tools, a driver's license or
40 identification card issued by the Department of Motor Vehicles, a
41 work card issued by a law enforcement agency and a health card . ~~{ }~~
42 ~~and}~~

43 (7) The replacement of an identification card or prepaid
44 ticket for bus transportation issued to the offender by the
45 Department.



1 (d) Repay any cost to the State of Nevada or any agency or
2 political subdivision thereof that is incurred in defending the State
3 against an action filed by an offender in federal court alleging a
4 violation of his or her civil rights which is determined by the court
5 to be frivolous.

6 2. The Director shall not adopt any regulations which authorize
7 a deduction from money credited to the account of an offender for
8 the payment of any copayment for any routine or emergency
9 medical care provided to an offender.

10 3. All money collected pursuant to this section must be
11 deposited in the appropriate account in the State General Fund for
12 reimbursement of the related expenditure.

13 **Sec. 3.** This act becomes effective on July 1, 2025.

