**Amendment No. 34**

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| Senate Amendment to Assembly Bill No. 4 Third Reprint | (BDR 15-31) |
| **Proposed by:** Senate Majority Leader | |
| **Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes | |

Adoption of this amendment will MAINTAIN the unfunded mandate not requested by the affected local government to A.B. 4 R3 (§§ 30.5, 46).

| ASSEMBLY ACTION | | | | Initial and Date | SENATE ACTION | | | | Initial and Date |
|---|---|---|---|---|---|---|---|---|---|
| Adopted | ☐ | Lost | ☐ | | Adopted | ☐ | Lost | ☐ | |
| Concurred In | ☐ | Not | ☐ | | Concurred In | ☐ | Not | ☐ | |
| Receded | ☐ | Not | ☐ | | Receded | ☐ | Not | ☐ | |

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.

KNC/BAW Date: 11/19/2025

A.B. No. 4—Revises provisions relating to public safety. (BDR 15-31)



* A AB4 R3 34 *

ASSEMBLY BILL NO. 4–SELECT COMMITTEE
ON PUBLIC SAFETY AND SECURITY

PREFILED NOVEMBER 12, 2025

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Referred to Select Committee on Public Safety and Security

SUMMARY—Revises provisions relating to public safety. (BDR 15-31)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
Effect on the State: Contains Appropriation not included in Executive Budget.

CONTAINS UNFUNDED MANDATE (§§ 30.5, 46)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 public safety; revising provisions relating to assault, battery, stalking, child sexual abuse material, domestic violence and driving under the influence of alcohol or a prohibited substance; establishing certain unlawful acts relating to certain theft offenses involving property damage; revising provisions relating to offenders; establishing provisions relating to the creation of corridors and the adjudication and reporting of certain offenses committed within such corridors; making various changes relating to juvenile justice; prohibiting the construction of certain findings relating to actions for wrongful conviction; revising provisions relating to the sealing of records and specialty court programs; revising provisions relating to pretrial release; requiring certain facilities that hold persons to maintain and provide certain information relating to persons held at the facility; authorizing the Director of the Department of Corrections to establish an alternative correctional program; prohibiting school districts, public schools and their employees from providing certain information and access to school property under certain circumstances; revising provisions relating to opioid use disorder; making appropriations; providing penalties; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law provides that if a person commits an assault upon an officer who is performing his or her duty and the person knew or should have known that the victim was an officer, the person is guilty of: (1) a category B felony if the assault is made with the use of a deadly weapon or the present ability to use a deadly weapon; (2) a category D felony if the person is a probationer, prisoner or parolee; or (3) if neither of those circumstances is present, a gross misdemeanor. (NRS 200.471) Additionally, existing law provides that if a person commits a battery upon an officer and the person knew or should have known that the victim was an officer, the person is guilty of: (1) a category B felony if the battery causes substantial bodily harm or is committed by strangulation; or (2) if those circumstances are not present and no greater penalty is provided by law, a gross misdemeanor. (NRS 200.481) **Sections 1 and 2** of this bill revise the definition of "officer" for the purposes of the enhanced penalties for assault or battery to include an employee of this State or a political subdivision of this State whose normal job responsibilities require the employee to: (1) interact with the public; and (2) perform tasks related to child welfare services or child protective services or tasks that expose the person to comparable danger. Additionally, **sections 1 and 2** apply the enhanced penalties to an assault or battery committed against a hospitality employee.

Existing law prohibits a person from stalking and prescribes various penalties related to the circumstance under which the offense is committed. (NRS 200.575) **Section 3** of this bill expands the unlawful acts which constitute stalking to include certain courses of conduct that would cause the victim to feel terrorized, frightened, intimidated, harassed or fearful for the immediate safety of a person in a dating relationship with the victim. **Section 3** also makes various changes to provide that stalking encompasses both acts committed in person and by electronic means, and provides that such penalties are generally applicable to such acts regardless of medium. **Sections 25 and 45** of this bill make conforming changes related to the commission of stalking by electronic means under **section 3**.

Existing law provides that it is unlawful for a person to knowingly and willfully have in his or her possession: (1) any film, photograph or other visual representation depicting a person under the age of 16 years as the subject of a sexual portrayal or engaging in or simulating, or assisting others to engage in or simulate, sexual conduct; or (2) computer-generated child sexual abuse material. (NRS 200.730) **Section 4** of this bill revises the unit of prosecution for such an offense and prescribes that each person depicted under the age of 16 years in any film, photograph or other visual presentation and each child depicted or represented in any computer-generated child sexual abuse material, respectively, constitutes a separate offense.

Existing law establishes certain crimes making it unlawful to take or obtain property. (NRS 205.0821-205.295) **Section 7** of this bill creates a new crime which provides that if a person intentionally causes property damage to a retail establishment in the commission of a theft offense and the aggregate value of the amount involved in the theft or property damage, or any combination thereof, is $750 or more, the person is guilty of a category C felony.

Existing law sets forth certain unlawful acts that constitute domestic violence when committed against certain persons. (NRS 33.018) **Section 13** of this bill revises the unlawful acts that constitute domestic violence to include kidnapping as well as an attempt or solicitation to commit any unlawful act that constitutes domestic violence.

Existing law establishes provisions concerning actions for wrongful conviction. (NRS 41.900-41.970) **Section 14** of this bill provides that the entry of a certificate of innocence and the award in an action for wrongful conviction is not a finding that: (1) certain persons committed a wrongdoing; or (2) there was not probable cause under certain circumstances.

Existing law provides that if a child who is alleged to be delinquent is taken into custody and detained, the child must be given a detention hearing before the juvenile court. (NRS 62C.040) **Section 15** of this bill requires the juvenile court to order a qualified professional to evaluate the mental health of a child who: (1) is alleged to have committed certain unlawful acts involving a battery against a school employee or a child welfare professional; and (2) has, in the previous year, been taken into custody two or more times for certain battery offenses. **Section 16** of this bill makes a conforming change related to the detention of such children under **section 15**.

Existing law requires a juvenile court to suspend the driver's license of a juvenile under certain circumstances if a child is adjudicated to be in need of supervision because the child: (1) is a habitual truant; (2) committed certain unlawful acts related to tobacco; (3) committed certain unlawful acts related to a controlled substance or alcohol; or (4) placed graffiti on or defaced property. (NRS 62E.430, 62E.440, 62E.630, 62E.690) **Sections 17-20** of this bill make various changes to authorize the juvenile court to order the Department of Motor Vehicles to issue a restricted driver's license to the child if the issuance is in the best interest of the child. **Section 51** of this bill makes a conforming change regarding the circumstances under which the Department of Motor Vehicles may issue a restricted driver's license.

Existing law requires a court to discharge a defendant and dismiss the proceedings or set aside the judgment of conviction upon completion of the terms and conditions related to a program of treatment for alcohol or other substance use disorder, a program for treatment of mental illness or a program of treatment for veterans and members of the military or certain other terms and conditions. Thereafter, existing law requires the sealing of records related to the discharge, dismissal or setting aside a judgment of conviction. (NRS 176.211, 176A.240, 176A.245, 176A.260, 176A.265, 176A.290, 176A.295) **Sections 21-24** of this bill provide that the automatic record sealing provisions do not apply to such persons who were charged with certain offenses related to the abuse or neglect of a child or the abuse of an older or vulnerable person.

Existing law requires a court to release any bail at the time of sentencing, if the court has not already done so, unless the defendant owes fines and costs, in which case, the bail must be applied towards the fines and costs. (NRS 178.522, 178.528) **Section 29** of this bill provides that under these circumstances if the bail has been deposited by a person other than a surety, and upon notice and the agreement of the person, the bail must first be applied towards the payment of any restitution owed by the defendant. **Section 28** of this bill makes a conforming change related to the procedures prescribed by **section 29**.

Existing law authorizes: (1) a district attorney and any attorney employed by a district attorney to prosecute a person in a county other than the county by which the district attorney is employed for the limited purpose of conducting a pretrial release hearing; and (2) such an attorney to receive a stipend for being available on a weekend or holiday to serve as a prosecuting attorney in a pretrial release hearing. (NRS 178.760) **Section 30** of this bill similarly authorizes a city attorney in a county whose population is less than 100,000 (currently all counties except Clark and Washoe Counties) to be deputized to prosecute a person in the county that encompasses the city that employs the city attorney for the limited purpose of serving as a prosecuting attorney in a pretrial release hearing, and authorizes the city attorney to receive the stipend for such services.

**Section 30.5** of this bill requires certain facilities in this State that hold a person in custody under process of law or under lawful arrest to create and maintain a list that includes, without limitation: (1) the name of each person held at the facility; and (2) the name of the facility at which the person is held. **Section 30.5** requires the facility to revise the list in real time. Additionally, **section 30.5** requires the facility to publicly display or make immediately available on the request of any person the information related to the name of the person and the facility at which the person is held.

Existing law authorizes the establishment of correctional programs and judicial programs for the reentry of offenders and parolees into the community. (NRS 209.4871-209.4889) **Section 33** of this bill: (1) authorizes the Director of the Department of Corrections to establish an alternative correctional program; and (2) provides for the qualification and assignment offenders to the alternative correctional program. **Section 33.5** of this bill requires the Director to submit an annual report to the Interim Finance Committee relating to the alternative correctional program. **Section 42** of this bill authorizes an offender participating in an alternative correctional program to waive his or her eligibility for, and release on, parole. **Section 43** of this bill establishes provisions related to the effect of such a waiver. **Section 44** of this bill requires the State Board of Parole Commissioners to consider the removal of an offender from an alternative correctional program in its determination of whether to release an offender on parole. **Sections 32, 35, 36 and 39-41** of this bill establish and revise various provisions concerning the alternative correctional program.

Existing law authorizes the Director of the Department of Corrections and the sheriff, chief of police or town marshal to establish programs for the treatment of prisoners with a substance use disorder using medication-assisted treatment. (NRS 209.4247, 211.400) **Sections 34 and 37** of this bill require persons who establish such programs to collaborate with the Department of Human Services if the program relates to opioid use disorder.

Existing law: (1) authorizes a board of county commissioners, with certain exceptions, to exercise all powers necessary or proper to address matters of local concern for the effective operation of a county government, whether or not the powers are expressly granted to the board; and (2) defines "matter of local concern" for such purposes. (NRS 244.143, 244.146) Existing law also authorizes a board of county commissioners to enact and enforce local police and sanitary ordinances and regulations that are not in conflict with the general laws and regulations of this State. (NRS 244.357) **Section 46** of this bill requires a board of county commissioners in a county whose population is 700,000 or more (currently only Clark County) to adopt an ordinance that designates the geographic boundaries of one or more corridors in which the commission of crime poses a significant risk to public safety and the economic welfare of this State due to the high concentration of tourists, visitors, employees and other persons in such corridors. **Section 46** provides that a person who is charged with, convicted of or the subject of deferred adjudication for any offense punishable as a misdemeanor: (1) for the first offense within the corridor within 2 years, may as a condition of release, sentencing, suspension of sentence or deferred adjudication, as applicable, be prohibited from entering the corridor in which the offense occurred for a period not to exceed 1 year; and (2) for a second or subsequent offense within the corridor within 2 years, must as a condition of release, sentencing, suspension of sentence or deferred adjudication, as applicable, be prohibited from entering the corridor in which the offense occurred for a period of not less than 1 year.

**Section 9** of this bill authorizes a justice court, in a county wherein the board of county commissioners adopts an ordinance designating the geographic boundaries of one or more corridors pursuant to **section 46**, to establish an appropriate program for the adjudication of offenses punishable as a misdemeanor that occurred within the boundaries of such corridors.

**Section 10** of this bill requires a justice court whose jurisdiction includes a corridor established pursuant to **section 46** to prepare and submit: (1) to the Legislature an annual report containing certain information regarding crimes that occur within such corridors; and (2) to the respective board of county commissioners a monthly report containing certain information regarding crimes that occur within such corridors.

**Section 46.5** of this bill prohibits **, except under certain circumstances and for certain purposes,** a school district, public school and any employee of a school district or public school ~~[, except pursuant to a lawful court order, warrant or subpoena, or as required by uncertain other circumstances ,]~~ from providing ~~[a]~~ **certain** law enforcement ~~[officer who is carrying out official duties:]~~ **officers:** (1) permission to access the grounds, buildings or facilities of a school district or public school; or (2) certain educational information about a pupil or the family or household of a pupil. **Section 46.5** provides that a violation of this prohibition subjects the person who violated the provision to disciplinary action by the school district or public school that employs the person.

Existing law requires the Department of Human Services: (1) to conduct a statewide needs assessment to determine the priorities for allocating money from the Fund for a Resilient Nevada; and (2) based on that needs assessment, to develop a statewide plan for allocating the money in the Fund. (NRS 433.732, 433.734) Existing law also prescribes specific requirements concerning the statewide needs assessment. (NRS 433.736) **Section 50** of this bill requires the statewide needs assessment to identify educational resources to be used for the training of law enforcement and other criminal justice agencies related to trauma-informed practices and medication-assisted treatment for persons with opioid use disorder. **Section 49** of this bill makes a conforming change to refer to provisions renumbered by **section 50**.

Existing law establishes provisions related to peer recovery support services. (NRS 433.622-433.641) **Section 47** of this bill requires the Department of Human Services to make available certain information relating to peer recovery support services. **Sections 48 and 56-58** of this bill make conforming changes governing the applicability of **section 47** to certain existing provisions of law related to peer support services.

Existing law sets forth various penalties involving driving or operating a vehicle or vessel under the influence of alcohol, a controlled substance or a prohibited substance under certain circumstances. (Chapter 484C of NRS, NRS 488.400-488.520) **Sections 52 and 54** of this bill provide that the prohibition on a person driving or operating a vehicle or vessel with a specific amount of marijuana or marijuana metabolite in his or her blood applies to certain offenses punishable as a felony. **Sections 53 and 55** of this bill increase the terms of imprisonment for a person who proximately causes the death of another person while driving or operating a vehicle or vessel under the influence of alcohol or a controlled substance. Additionally, **sections 53 and 55** further provide that any such person who proximately causes the death of another person and who has previously been once or twice convicted of certain offenses relating to driving or operating a vehicle or vessel under the influence of alcohol or a controlled substance is subject to an increased penalty.

During the 2021 Legislative Session, the Legislature made an appropriation to the Department of Corrections for the reintegration of the Offender Sentence Management System into the Nevada Offender Tracking Information System. Any remaining balance of that appropriation was required to be reverted to the State General Fund on or before September 15, 2023. (Section 2 of chapter 463, Statutes of Nevada 2021, at page 2875) During the 2023 and 2025 Legislative Sessions, the Legislature extended the reversion date to September 19, 2025, and September 17, 2027, respectively. **Section 58.1** of this bill extends the reversion date to September 21, 2029.

Existing law authorizes an offender to earn certain credits to reduce the sentence of imprisonment of the offender. (NRS 209.432-209.449) During the 2023 Legislative Session, the Legislature established a revised method for awarding credits to reduce the sentence of an offender that applied to an offender sentenced to a crime committed: (1) on or after July 1, 2025; or (2) before July 1, 2025, if the offender elected to be subject to the revised method. (NRS 209.4467) During the 2025 Legislative Session, the Legislature delayed the implementation of the revised method to July 1, 2026. **Sections 58.2-58.7** of this bill further delay the implementation of the revised method to July 1, 2027. Additionally, **section 58.2** requires the Director of the Department of Corrections to calculate the credit of certain offenders who are within 2 years of completion of their minimum term or minimum aggregate term or maximum term or maximum aggregate term, as applicable, of imprisonment on or after July 1, 2027, using the revised method, and authorizes such offenders and the Director to make certain decisions affecting parole eligibility and release.

**Section 59** of this bill makes an appropriation to the Interim Finance Committee for allocation to the Administrative Office of the Courts for the purpose of carrying out the provisions of this bill. **Sections 60 and 60.5** of this bill make appropriations to the Department of Corrections relating to alternative correctional programs. **Section 61** of this bill makes an appropriation to the Department of Corrections for the purpose of carrying out the provisions of this bill.

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

**Section 1.** NRS 200.471 is hereby amended to read as follows:

200.471 1. As used in this section:

(a) "Assault" means:

(1) Unlawfully attempting to use physical force against another person; or

(2) Intentionally placing another person in reasonable apprehension of immediate bodily harm.

(b) ***"Child protective services" has the meaning ascribed to it in NRS 432B.042.***

***(c) "Child welfare services" has the meaning ascribed to it in NRS 432B.044.***

***(d)*** "Fire-fighting agency" has the meaning ascribed to it in NRS 239B.020.

[~~(c)~~] ***(e)*** "Health care facility" means a facility licensed pursuant to chapter 449 of NRS, an entity licensed or certified pursuant to chapter 449B of NRS, an office of a person listed in NRS 629.031, a clinic or any other location, other than a residence, where health care is provided.

[~~(d)~~] ***(f) "Hospitality employee" means a person employed by a resort hotel, resort condominium, arena, stadium or convention center, including, without limitation, a person who is employed in a position of front desk staff, housekeeping, concierge, valet, bell service, gaming floor, food and beverage, retail, security, facility or hotel administration, count room, management or any other position that is responsible for ensuring a positive guest experience, and whose employment duties require the employee to:***

***(1) Wear identification, clothing, a uniform or other insignia that identifies the employee as working for a resort hotel, resort condominium, arena, stadium or convention center; and***

***(2) Be physically present on the property of the resort hotel, resort condominium, arena, stadium or convention center or otherwise traveling within a corridor, as described in section 46 of this act.***

***(g)*** "Indian tribe" has the meaning ascribed to it in 25 U.S.C. § 3602(3).

~~[(e)]~~ ***(h)*** "Judicial personnel" has the meaning ascribed to it in 25 U.S.C. § 3602(4).

~~[(f)]~~ ***(i)*** "Officer" means:

(1) A person who possesses some or all of the powers of a peace officer;

(2) A person employed in a full-time salaried occupation of fire fighting for the benefit or safety of the public;

(3) A member of a volunteer fire department;

(4) A jailer, guard or other correctional officer of a city or county jail;

(5) A prosecuting attorney or public defender of an agency or political subdivision of the United States or of this State;

(6) A justice of the Supreme Court, judge of the Court of Appeals, district judge, justice of the peace, municipal judge, magistrate, court commissioner, master or referee, including a person acting pro tempore in a capacity listed in this subparagraph;

(7) Any judicial personnel of an Indian tribe;

(8) A clerk of a court, court administrator or court executive officer in this State;

(9) An employee of this State or a political subdivision of this State whose official duties require the employee to make home visits;

(10) ***An employee of this State or a political subdivision of this State who as part of his or her normal job responsibilities:***

***(I) Interacts with the public; and***

***(II) Performs tasks related to child welfare services or child protective services or tasks that expose the person to comparable dangers;***

***(11)*** A civilian employee or a volunteer of a law enforcement agency whose official duties require the employee or volunteer to:

(I) Interact with the public;

(II) Perform tasks related to law enforcement; and

(III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for the law enforcement agency;

~~[(11)]~~ ***(12)*** A civilian employee or a volunteer of a fire-fighting agency whose official duties require the employee or volunteer to:

(I) Interact with the public;

(II) Perform tasks related to fire fighting or fire prevention; and

(III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for the fire-fighting agency; or

~~[(12)]~~ ***(13)*** A civilian employee or volunteer of this State or a political subdivision of this State whose official duties require the employee or volunteer to:

(I) Interact with the public;

(II) Perform tasks related to code enforcement; and

(III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for this State or a political subdivision of this State.

~~[(g)]~~ ***(j)*** "Provider of health care" means:

(1) A physician, a medical student, a genetic counselor, a perfusionist, an anesthesiologist assistant or a physician assistant licensed pursuant to chapter 630

of NRS, a practitioner of respiratory care, a homeopathic physician, an advanced practitioner of homeopathy, a homeopathic assistant, an osteopathic physician, a physician assistant or anesthesiologist assistant licensed pursuant to chapter 633 of NRS, a podiatric physician, a podiatry hygienist, a physical therapist, a medical laboratory technician, an optometrist, a chiropractic physician, a chiropractic assistant, a naprapath, a doctor of Oriental medicine, a nurse, a student nurse, a certified nursing assistant, a nursing assistant trainee, a medication aide - certified, a person who provides health care services in the home for compensation, a dentist, a dental student, a dental hygienist, a dental hygienist student, an expanded function dental assistant, an expanded function dental assistant student, a pharmacist, a pharmacy student, an intern pharmacist, an attendant on an ambulance or air ambulance, a psychologist, a behavioral health and wellness practitioner, a social worker, a marriage and family therapist, a marriage and family therapist intern, a clinical professional counselor, a clinical professional counselor intern, a behavior analyst, an assistant behavior analyst, a registered behavior technician, a mental health technician, a licensed dietitian, the holder of a license or a limited license issued under the provisions of chapter 653 of NRS, a public safety officer at a health care facility, an emergency medical responder, an emergency medical technician, an advanced emergency medical technician, a paramedic or a participant in a program of training to provide emergency medical services; or

(2) An employee of or volunteer for a health care facility who:

(I) Interacts with the public;

(II) Performs tasks related to providing health care; and

(III) Wears identification, clothing or a uniform that identifies the person as an employee or volunteer of the health care facility.

[~~(h)~~] ***(k) "Resort hotel" has the meaning ascribed to it in NRS 463.01865.***

***(l)*** "School employee" means a licensed or unlicensed person employed by a board of trustees of a school district pursuant to NRS 391.100 or 391.281.

[~~(i)~~] ***(m)*** "Sporting event" has the meaning ascribed to it in NRS 41.630.

[~~(j)~~] ***(n)*** "Sports official" has the meaning ascribed to it in NRS 41.630.

[~~(k)~~] ***(o)*** "Taxicab" has the meaning ascribed to it in NRS 706.8816.

[~~(l)~~] ***(p)*** "Taxicab driver" means a person who operates a taxicab.

[~~(m)~~] ***(q)*** "Transit operator" means a person who operates a bus or other vehicle as part of a public mass transportation system.

[~~(n)~~] ***(r)*** "Utility worker" means an employee of a public utility as defined in NRS 704.020 whose official duties require the employee to:

(1) Interact with the public;

(2) Perform tasks related to the operation of the public utility; and

(3) Wear identification, clothing or a uniform that identifies the employee as working for the public utility.

2. A person convicted of an assault shall be punished:

(a) If paragraph (c) or (d) does not apply to the circumstances of the crime and the assault is not made with the use of a deadly weapon or the present ability to use a deadly weapon, for a misdemeanor.

(b) If the assault is made with the use of a deadly weapon or the present ability to use a deadly weapon, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than $5,000, or by both fine and imprisonment.

(c) If paragraph (d) does not apply to the circumstances of the crime and if the assault:

(1) Is committed upon:

(I) An officer, ***a hospitality employee,*** a school employee, a taxicab driver, a transit operator or a utility worker who is performing his or her duty;

(II) A provider of health care while the provider of health care is performing his or her duty or is on the premises where he or she performs that duty; or

(III) A sports official based on the performance of his or her duties at a sporting event; and

(2) The person charged knew or should have known that the victim was an officer, ***a hospitality employee,*** a provider of health care, a school employee, a taxicab driver, a transit operator, a utility worker or a sports official,

➥ for a gross misdemeanor, unless the assault is made with the use of a deadly weapon or the present ability to use a deadly weapon, then for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than $5,000, or by both fine and imprisonment.

(d) If the assault:

(1) Is committed by a probationer, a prisoner who is in lawful custody or confinement or a parolee upon:

(I) An officer, ***a hospitality employee,*** a school employee, a taxicab driver, a transit operator or a utility worker who is performing his or her duty;

(II) A provider of health care while the provider of health care is performing his or her duty or is on the premises where he or she performs that duty; or

(III) A sports official based on the performance of his or her duties at a sporting event; and

(2) The probationer, prisoner or parolee charged knew or should have known that the victim was an officer, ***a hospitality employee,*** a provider of health care, a school employee, a taxicab driver, a transit operator, a utility worker or a sports official,

➥ for a category D felony as provided in NRS 193.130, unless the assault is made with the use of a deadly weapon or the present ability to use a deadly weapon, then for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than $5,000, or by both fine and imprisonment.

**Sec. 2.** NRS 200.481 is hereby amended to read as follows:

200.481 1. As used in this section:

(a) "Battery" means any willful and unlawful use of force or violence upon the person of another.

(b) "Child" means a person less than 18 years of age.

(c) ***"Child protective services" has the meaning ascribed to it in NRS 432B.042.***

***(d) "Child welfare services" has the meaning ascribed to it in NRS 432B.044.***

***(e)*** "Fire-fighting agency" has the meaning ascribed to it in NRS 239B.020.

~~[(d)]~~ ***(f) "Hospitality employee" means a person employed by a resort hotel, resort condominium, arena, stadium or convention center, including, without limitation, a person who is employed in a position of front desk staff, housekeeping, concierge, valet, bell service, gaming floor, food and beverage, retail, security, facility or hotel administration, count room, management or any other position that is responsible for ensuring a positive guest experience, and whose employment duties require the employee to:***

***(1) Wear identification, clothing, a uniform or other insignia that identifies the employee as working for a resort hotel, resort condominium, arena, stadium or convention center; and***

***(2) Be physically present on the property of the resort hotel, resort condominium, arena, stadium or convention center or otherwise traveling within a corridor, as described in section 46 of this act.***

***(g)*** "Indian tribe" has the meaning ascribed to it in 25 U.S.C. § 3602(3).

~~[(e)]~~ ***(h)*** "Judicial personnel" has the meaning ascribed to it in 25 U.S.C. § 3602(4).

~~[(f)]~~ ***(i)*** "Officer" means:

(1) A person who possesses some or all of the powers of a peace officer;

(2) A person employed in a full-time salaried occupation of fire fighting for the benefit or safety of the public;

(3) A member of a volunteer fire department;

(4) A jailer, guard, matron or other correctional officer of a city or county jail or detention facility;

(5) A prosecuting attorney or public defender of an agency or political subdivision of the United States or of this State;

(6) A justice of the Supreme Court, judge of the Court of Appeals, district judge, justice of the peace, municipal judge, magistrate, court commissioner, master or referee, including, without limitation, a person acting pro tempore in a capacity listed in this subparagraph;

(7) Any judicial personnel of an Indian tribe;

(8) A clerk of a court, court administrator or court executive officer in this State;

(9) An employee of this State or a political subdivision of this State whose official duties require the employee to make home visits;

(10) ***An employee of this State or a political subdivision of this State who as part of his or her normal job responsibilities:***

***(I) Interacts with the public; and***

***(II) Performs tasks related to child welfare services or child protective services or tasks that expose the person to comparable dangers;***

***(11)*** A civilian employee or a volunteer of a law enforcement agency whose official duties require the employee or volunteer to:

(I) Interact with the public;

(II) Perform tasks related to law enforcement; and

(III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for the law enforcement agency;

~~[(11)]~~ ***(12)*** A civilian employee or a volunteer of a fire-fighting agency whose official duties require the employee or volunteer to:

(I) Interact with the public;

(II) Perform tasks related to fire fighting or fire prevention; and

(III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for the fire-fighting agency; or

~~[(12)]~~ ***(13)*** A civilian employee or volunteer of this State or a political subdivision of this State whose official duties require the employee or volunteer to:

(I) Interact with the public;

(II) Perform tasks related to code enforcement; and

(III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for this State or a political subdivision of this State.

~~[(g)]~~ ***(j)*** "Provider of health care" has the meaning ascribed to it in NRS 200.471.

~~[(h)]~~ ***(k) "Resort hotel" has the meaning ascribed to it in NRS 463.01865.***

***(l)*** "School employee" means a licensed or unlicensed person employed by a board of trustees of a school district pursuant to NRS 391.100 or 391.281.

~~[(i)]~~ ***(m)*** "Sporting event" has the meaning ascribed to it in NRS 41.630.

~~[(j)]~~ ***(n)*** "Sports official" has the meaning ascribed to it in NRS 41.630.

~~[(k)]~~ ***(o)*** "Strangulation" means intentionally applying sufficient pressure to another person to make it difficult or impossible for the person to breathe, including, without limitation, applying pressure to the neck, throat or windpipe that may prevent or hinder breathing or reduce the intake of air, or applying any pressure to the neck on either side of the windpipe, but not the windpipe itself, to stop the flow of blood to the brain via the carotid arteries.

~~[(l)]~~ ***(p)*** "Taxicab" has the meaning ascribed to it in NRS 706.8816.

~~[(m)]~~ ***(q)*** "Taxicab driver" means a person who operates a taxicab.

~~[(n)]~~ ***(r)*** "Transit operator" means a person who operates a bus or other vehicle as part of a public mass transportation system.

~~[(o)]~~ ***(s)*** "Utility worker" means an employee of a public utility as defined in NRS 704.020 whose official duties require the employee to:

(1) Interact with the public;

(2) Perform tasks related to the operation of the public utility; and

(3) Wear identification, clothing or a uniform that identifies the employee as working for the public utility.

2. Except as otherwise provided in NRS 200.485, a person convicted of a battery, other than a battery committed by an adult upon a child which constitutes child abuse, shall be punished:

(a) If the battery is not committed with a deadly weapon, and no substantial bodily harm to the victim results, except under circumstances where a greater penalty is provided in this section or NRS 197.090, for a misdemeanor.

(b) If the battery is not committed with a deadly weapon, and either substantial bodily harm to the victim results or the battery is committed by strangulation, for a category C felony as provided in NRS 193.130.

(c) If:

(1) The battery is committed upon:

(I) An officer, ***hospitality employee,*** school employee, taxicab driver, transit operator or utility worker who was performing his or her duty;

(II) A provider of health care while the provider of health care is performing his or her duty or is on the premises where he or she performs that duty; or

(III) A sports official based on the performance of his or her duties at a sporting event;

(2) The officer, ***hospitality employee,*** provider of health care, school employee, taxicab driver, transit operator, utility worker or sports official suffers substantial bodily harm or the battery is committed by strangulation; and

(3) The person charged knew or should have known that the victim was an officer, ***hospitality employee,*** provider of health care, school employee, taxicab driver, transit operator, utility worker or sports official,

➥ for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 10 years, or by a fine of not more than $10,000, or by both fine and imprisonment.

(d) If the battery:

(1) Is committed upon:

(I) An officer, ***hospitality employee,*** school employee, taxicab driver, transit operator or utility worker who is performing his or her duty;

(II) A provider of health care while the provider of health care is performing his or her duty or is on the premises where he or she performs that duty; or

(III) A sports official based on the performance of his or her duties at a sporting event; and

(2) The person charged knew or should have known that the victim was an officer, ***hospitality employee,*** provider of health care, school employee, taxicab driver, transit operator, utility worker or sports official,

➥ for a gross misdemeanor, except under circumstances where a greater penalty is provided in this section.

(e) If the battery is committed with the use of a deadly weapon, and:

(1) No substantial bodily harm to the victim results, for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 10 years, and may be further punished by a fine of not more than $10,000.

(2) Substantial bodily harm to the victim results or the battery is committed by strangulation, for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, and may be further punished by a fine of not more than $10,000.

(f) If the battery is committed by a probationer, a prisoner who is in lawful custody or confinement or a parolee, without the use of a deadly weapon, whether or not substantial bodily harm results and whether or not the battery is committed by strangulation, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years.

(g) If the battery is committed by a probationer, a prisoner who is in lawful custody or confinement or a parolee, with the use of a deadly weapon, and:

(1) No substantial bodily harm to the victim results, for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 10 years.

(2) Substantial bodily harm to the victim results or the battery is committed by strangulation, for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years.

**Sec. 3.** NRS 200.575 is hereby amended to read as follows:

200.575 1. A person who, without lawful authority, willfully or maliciously engages in a course of conduct directed towards a victim that would cause a reasonable person under similar circumstances to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member ~~[,]~~ ***or a person with whom the victim has had or is having a dating relationship,*** and that actually causes the victim to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member ~~[,]~~ ***or a person with whom the victim has had or is having a dating relationship,*** commits the crime of stalking. Except where the provisions of subsection 2, 3 or 4 are applicable, a person who commits the crime of stalking:

(a) For the first offense, is guilty of a misdemeanor.

(b) For the second offense, is guilty of a gross misdemeanor.

(c) For the third or any subsequent offense, is guilty of a category C felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 5 years, and may be further punished by a fine of not more than $5,000.

2. Except as otherwise provided in subsection 3 or 4 and unless a more severe penalty is prescribed by law, a person who commits the crime of stalking where the victim is under the age of 16 and the person is 5 or more years older than the victim:

(a) For the first offense, is guilty of a gross misdemeanor.

(b) For the second offense, is guilty of a category C felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 5 years, and may be further punished by a fine of not more than $5,000.

(c) For the third or any subsequent offense, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, and may be further punished by a fine of not more than $5,000.

3. A person who commits the crime of stalking and in conjunction therewith threatens the person with the intent to cause the person to be placed in reasonable fear of death or substantial bodily harm commits the crime of aggravated stalking. A person who commits the crime of aggravated stalking shall be punished for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, and may be further punished by a fine of not more than $5,000.

4. A person who commits the crime of stalking ~~[with the use of an Internet or network site, electronic mail, text messaging or any other similar means of communication]~~ ***by electronic means*** to publish, display or distribute information in a manner that substantially increases the risk of harm or violence to the victim shall be punished for a category C felony as provided in NRS 193.130.

5. If any act engaged in by a person was part of the course of conduct that constitutes the crime of stalking and was initiated or had an effect on the victim in this State, the person may be prosecuted in this State.

6. Except as otherwise provided in subsection 2 of NRS 200.571, a criminal penalty provided for in this section may be imposed in addition to any penalty that may be imposed for any other criminal offense arising from the same conduct or for any contempt of court arising from the same conduct.

7. If the court finds that a person convicted of stalking pursuant to this section committed the crime against a person listed in subsection 1 of NRS 33.018 and that the victim has an ongoing, reasonable fear of physical harm, the court shall enter the finding in its judgment of conviction or admonishment of rights.

8. If the court includes such a finding in a judgment of conviction or admonishment of rights issued pursuant to this section, the court shall:

(a) Inform the person convicted that he or she is prohibited from owning, possessing or having under his or her control or custody any firearm pursuant to NRS 202.360; and

(b) Order the person convicted to permanently surrender, sell or transfer any firearm that he or she owns or that is in his or her possession or under his or her custody or control in the manner set forth in NRS 202.361.

9. A person who violates any provision included in a judgment of conviction or admonishment of rights issued pursuant to this section concerning the surrender, sale, transfer, ownership, possession, custody or control of a firearm is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than $5,000. The court must include in the judgment of conviction or admonishment of rights a statement that a violation of such a provision in the judgment or admonishment is a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than $5,000.

10. The penalties provided in this section do not preclude the victim from seeking any other legal remedy available.

11. As used in this section:

***(a) "Act" includes, without limitation, accessing a social media account of a specified person by using the login credentials or personal information of a specified person to gain user access to the social media account of the specified person.***

***(b)*** "Course of conduct" means ~~[a pattern of conduct which consists of]~~ two or more acts ***conducted in person or by electronic means*** over a period of time that evidences a continuity of purpose directed at a specific person.

~~[(b)]~~ ***(c) "Dating relationship" has the meaning ascribed to it in NRS 33.018.***

***(d) "Electronic means" includes, without limitation, through the use of an Internet or network site, a social media communication, electronic mail, text messaging or any other similar means of communication used to electronically publish, display or distribute information.***

***(e)*** "Family or household member" means a spouse, a former spouse, a parent or other person who is related by blood or marriage or is or was actually residing with the person.

~~[(c)]~~ ***(f)*** "Internet or network site" has the meaning ascribed to it in NRS 205.4744.

~~[(d)]~~ ***(g)*** "Network" has the meaning ascribed to it in NRS 205.4745.

~~[(e)]~~ ***(h)*** "Offense" includes, without limitation, a violation of the law of any other jurisdiction that prohibits the same or similar conduct set forth in this section.

~~[(f)]~~ ***(i) "Social media communication" means:***

***(1) A private communication, including, without limitation, a message or image, sent between users of a social media platform; or***

***(2) A communication, including, without limitation, a message or image, which is:***

***(I) Made available or otherwise shared on a social media platform;***

***(II) Visible to other users of the social media platform or the public; and***

***(III) Intended to defame, threaten or incite others to violence toward the victim, a family or household member of the victim or a person with whom the victim has had or his having a dating relationship.***

***(j)*** "Text messaging" means a communication in the form of electronic text or one or more electronic images sent from a telephone or computer to another person's telephone or computer by addressing the communication to the recipient's telephone number.

~~[(g)]~~ ***(k)*** "Without lawful authority" includes acts which are initiated or continued without the victim's consent. The term does not include acts which are otherwise protected or authorized by constitutional or statutory law, regulation or order of a court of competent jurisdiction, including, but not limited to:

(1) Picketing which occurs during a strike, work stoppage or any other labor dispute.

(2) The activities of a reporter, photographer, camera operator or other person while gathering information for communication to the public if that person is employed or engaged by or has contracted with a newspaper, periodical, press association or radio or television station and is acting solely within that professional capacity.

(3) The activities of a person that are carried out in the normal course of his or her lawful employment.

(4) Any activities carried out in the exercise of the constitutionally protected rights of freedom of speech and assembly.

**Sec. 4.** NRS 200.730 is hereby amended to read as follows:

200.730 1. A person shall not knowingly and willfully have in his or her possession for any purpose any:

(a) Film, photograph or other visual presentation depicting a person under the age of 16 years as the subject of a sexual portrayal or engaging in or simulating, or assisting others to engage in or simulate, sexual conduct; or

(b) Computer-generated child sexual abuse material.

2. ~~[A]~~ ***Subject to subsection 3, a*** person who violates the provisions of subsection 1:

(a) For the first offense, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than $5,000.

(b) For any subsequent offense, is guilty of a category A felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of life with the possibility of parole, and may be further punished by a fine of not more than $5,000.

***3. Each person under the age of 16 years depicted in any film, photograph or other visual presentation, as described in paragraph (a) of subsection 1, and each visual depiction or representation of a child in any computer-generated child sexual abuse material, as described in paragraph (b) of subsection 1, respectively, constitutes a separate offense for the purpose of this section.***

**Sec. 5.** (Deleted by amendment.)

**Sec. 6.** (Deleted by amendment.)

**Sec. 7.** Chapter 205 of NRS is hereby amended by adding thereto a new section to read as follows:

***1. If a person intentionally causes property damage to a retail establishment during the commission of a theft offense and the aggregate value of the amount involved in the theft or property damage, or any combination thereof, is $750 or more, the person is guilty of a category C felony and shall be punished as provided in NRS 193.130.***

***2. As used in this section:***

***(a) "Retail establishment" means an establishment that sells goods or merchandise from a fixed location for direct consumption by a purchaser. The term includes, without limitation, an establishment that prepares and sells meals or other edible products, regardless of the place of consumption by the consumer.***

***(b) "Theft offense" means a violation of NRS 205.0832 or 205.240, as applicable.***

**Sec. 8.** Chapter 4 of NRS is hereby amended by adding thereto the provisions set forth as sections 9 and 10 of this act.

**Sec. 9.** ***1. In a county wherein the board of county commissioners adopts an ordinance that designates the geographic boundaries of one or more corridors pursuant to section 46 of this act, a justice court may establish an appropriate program for the adjudication of offenses punishable as a misdemeanor that occurred within such corridors.***

***2. Under a program established pursuant to subsection 1, a justice court may rescind an order prohibiting a person from entering a corridor upon the successful completion by the person of a diversion program for which participation is a condition of release, sentencing, suspended sentence or deferred adjudication.***

**Sec. 10.** ***1. On or before July 1 of each year, a justice court whose jurisdiction includes a corridor established pursuant to section 46 of this act shall prepare and submit an annual report to the Legislature.***

***2. Except as otherwise provided in subsection 5, the report prepared and submitted pursuant to subsection 1 must include, without limitation:***

***(a) The number of persons charged, convicted and sentenced for any offense punishable as a misdemeanor in the corridor during the immediately preceding year;***

***(b) The underlying crime for which such persons were charged, convicted and sentenced in the corridor during the immediately preceding year;***

***(c) The rate of successful completion of the sentence or condition of release, which must be expressed as the percentage of persons who successfully completed the sentence or condition of release imposed by the court out of the total number of persons sentenced by the court;***

***(d) The number of persons subject to an order prohibiting a person from entering the geographic boundaries of a corridor designated by ordinance in the immediately preceding year, including, without limitation, whether the person has been charged or convicted of a repeat offense within a corridor; and***

***(e) The information described in paragraphs (a) to (d), inclusive, pertaining to any person who has been ordered, assigned or sentenced to a diversion program.***

***3. Not later than the last day of each calendar month, a justice court whose jurisdiction includes a corridor established pursuant to section 46 of this act shall prepare and submit a monthly report to the board of county commissioners.***

***4. Except as otherwise provided in subsection 5, the report prepared and submitted pursuant to subsection 3 must include, without limitation:***

***(a) Any information required to be submitted to the Legislature pursuant to subsection 2;***

***(b) The total number of cases involving offenses punishable as a misdemeanor that were committed within a corridor; and***

***(c) For each case reported pursuant to paragraph (b):***

***(1) The name of the presiding justice of the peace;***

***(2) The case number or other case identifier used by the justice court for each case;***

***(3) Whether the person is a repeat offender for an offense committed within the corridor; and***

***(4) If the person is a repeat offender for an offense committed within a corridor:***

***(I) The duration of the time that has passed between the commission of the offenses;***

***(II) The conditions of the sentences for the offenses; and***

***(III) Whether the defendant was incarcerated for the offenses.***

***5. Any report submitted pursuant to this section must not include any identifying information of the:***

***(a) Person who was the subject of an order prohibiting the person from entering a corridor; or***

***(b) Business or location where the underlying offense occurred.***

**Sec. 11.** (Deleted by amendment.)

**Sec. 12.** (Deleted by amendment.)

**Sec. 13.** NRS 33.018 is hereby amended to read as follows:

33.018 1. Domestic violence occurs when a person commits one of the following acts against or upon the person's spouse or former spouse, any other person to whom the person is related by blood or marriage, any other person with whom the person has had or is having a dating relationship, any other person with whom the person has a child in common, the minor child of any of those persons, the person's minor child or any other person who has been appointed the custodian or legal guardian for the person's minor child:

(a) A battery.

(b) An assault.

(c) Coercion pursuant to NRS 207.190.

(d) A sexual assault.

(e) A knowing, purposeful or reckless course of conduct intended to harass the other person. Such conduct may include, but is not limited to:

(1) Stalking.

(2) Arson.

(3) Trespassing.

(4) Larceny.

(5) Destruction of private property.

(6) Carrying a concealed weapon without a permit.

(7) Injuring or killing an animal.

(8) Burglary.

(9) An invasion of the home.

(f) A false imprisonment.

(g) Pandering.

***(h) A kidnapping.***

***(i) An attempt or solicitation to commit an offense described in paragraphs (a) to (h), inclusive.***

2. The provisions of this section do not apply to:

(a) Siblings, except those siblings who are in a custodial or guardianship relationship with each other; or

(b) Cousins, except those cousins who are in a custodial or guardianship relationship with each other.

3. As used in this section, "dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement. The term does not include a casual relationship or an ordinary association between persons in a business or social context.

**Sec. 14.** NRS 41.910 is hereby amended to read as follows:

41.910 1. If a court finds that a person is entitled to a judgment pursuant to NRS 41.900, the court shall enter a certificate of innocence finding that the person was innocent of the felony for which the person was wrongfully convicted.

2. If a court does not find that a person is entitled to a judgment pursuant to NRS 41.900, the action must be dismissed and the court shall not enter a certificate of innocence.

3. Upon an entry of a certificate of innocence pursuant to subsection 1, the court shall order sealed all records of the conviction, except such records maintained by the parties concerning a civil action for wrongful conviction brought pursuant to NRS 41.900, which are in the custody of any agency of criminal justice or any public or private agency, company, official or other custodian of records in the State of Nevada and shall order all such records of the person returned to the file of the court where the underlying criminal action was commenced from, including, without limitation, the Federal Bureau of Investigation and all other agencies of criminal justice which maintain such records and which are reasonably known by either the person or the court to have possession of such records. Such records must be sealed regardless of whether the person has any prior criminal convictions in this State.

4. The records maintained by the parties concerning a civil action for wrongful conviction pursuant to subsection 3 must remain confidential.

***5. The entry of a certificate of innocence pursuant to subsection 1 and the provision of an award pursuant to NRS 41.950 shall not be construed to be a finding that:***

***(a) A person involved in the investigation, prosecution or conviction of the underlying offense committed any wrongdoing; or***

***(b) There was not probable cause to arrest or file a complaint against the person subject to the certificate of innocence.***

**Sec. 15.** Chapter 62C of NRS is hereby amended by adding thereto a new section to read as follows:

***1. A child must not be released before a detention hearing is held pursuant to NRS 62C.040 if the child:***

***(a) Is taken into custody for an unlawful act in violation of NRS 200.481 against a school employee or child welfare professional; and***

***(b) Has, in the previous year, been taken two or more times into custody for an unlawful act in violation of paragraph (d) of subsection 2 of NRS 200.481 for which:***

***(1) The child has been placed on informal supervision pursuant to NRS 62C.200; or***

***(2) A petition has been filed alleging that the child is delinquent.***

***2. At the detention hearing, the juvenile court shall order the mental health of the child to be evaluated by a qualified professional, if the child has not been ordered by the court to be so evaluated in the previous year.***

***3. If an evaluation is required by subsection 2, the court shall:***

***(a) Detain the child at a facility for the detention of children for not more than 14 days or until the completion of the evaluation, whichever is sooner; or***

***(b) Place the child under a program of supervision in the home of the child that may include electronic surveillance of the child.***

***4. If a child is evaluated by a qualified professional pursuant to subsection 2, the statements made by the child to the qualified professional during the evaluation and any evidence directly or indirectly derived from those statements may not be used for any purpose in a proceeding which is conducted to prove that the child committed a delinquent act or criminal offense. The provisions of this subsection do not prohibit the district attorney from proving that the child committed a delinquent act or criminal offense based upon evidence obtained from sources or by means that are independent of the statements made by the child to the qualified professional during the evaluation.***

***5. As used in this section:***

***(a) "Child protective services" has the meaning ascribed to it in NRS 432B.042.***

***(b) "Child welfare professional" means an employee of this State or a political subdivision of this State who as part of his or her job responsibilities:***

***(1) Interacts with the public; and***

***(2) Performs tasks related to child welfare services or child protective services or tasks that expose the person to comparable dangers.***

***(c) "Child welfare services" has the meaning ascribed to it in NRS 432B.044.***

***(d) "School employee" means any licensed or unlicensed person employed by a board of trustees of a school district pursuant to NRS 391.100 or 391.281.***

**Sec. 16.** NRS 62C.100 is hereby amended to read as follows:

62C.100 1. When a complaint is made alleging that a child is delinquent or in need of supervision:

(a) The complaint must be referred to a probation officer of the appropriate county; and

(b) The probation officer shall conduct a preliminary inquiry to determine whether the best interests of the child or of the public:

(1) Require that a petition be filed; or

(2) Would better be served by placing the child under informal supervision pursuant to NRS 62C.200.

2. If, after conducting the preliminary inquiry, the probation officer recommends the filing of a petition, the district attorney shall determine whether to file the petition.

3. If, after conducting the preliminary inquiry, the probation officer does not recommend the filing of a petition or that the child be placed under informal supervision, the probation officer must notify the complainant regarding the complainant's right to seek a review of the complaint by the district attorney.

4. If the complainant seeks a review of the complaint by the district attorney, the district attorney shall:

(a) Review the facts presented by the complainant;

(b) Consult with the probation officer; and

(c) File the petition with the juvenile court if the district attorney believes that the filing of the petition is necessary to protect the interests of the child or of the public.

5. The determination of the district attorney concerning whether to file the petition is final.

6. Except as otherwise provided in NRS 62C.060 ~~[,]~~ ***and section 15 of this act,*** if a child is in detention or shelter care, the child must be released immediately if a petition alleging that the child is delinquent or in need of supervision is not:

(a) Approved by the district attorney; or

(b) Filed within 4 days after the date the complaint was referred to the probation officer, excluding Saturdays, Sundays and holidays, except that the juvenile court may, for good cause shown by the district attorney, allow an additional 4 days for the filing of the petition, excluding Saturdays, Sundays and holidays.

**Sec. 17.** NRS 62E.430 is hereby amended to read as follows:

62E.430 1. ~~[If]~~ ***Except as otherwise provided in this section, if*** a child is adjudicated to be in need of supervision because the child is a habitual truant, the juvenile court shall:

(a) The first time the child is adjudicated to be in need of supervision because the child is a habitual truant:

(1) Order:

(I) The child to pay a fine of not more than $100 or, if the parent or guardian of the child knowingly induced the child to be a habitual truant, order the parent or guardian to pay the fine; or

(II) The child to perform not less than 8 hours but not more than 16 hours of community service; and

(2) If the child is 14 years of age or older, order the suspension of the driver's license of the child for at least 30 days but not more than 6 months. If the child does not possess a driver's license, the juvenile court shall prohibit the child from applying for a driver's license for 30 days:

(I) Immediately following the date of the order if the child is eligible to apply for a driver's license; or

(II) After the date the child becomes eligible to apply for a driver's license if the child is not eligible to apply for a driver's license.

(b) The second or any subsequent time the child is adjudicated to be in need of supervision because the child is a habitual truant:

(1) Order:

(I) The child to pay a fine of not more than $200 or, if the parent or guardian of the child knowingly induced the child to be a habitual truant, order the parent or guardian to pay the fine;

(II) The child to perform not more than 10 hours of community service; or

(III) Compliance with the requirements set forth in both sub-subparagraphs (I) and (II); and

(2) If the child is 14 years of age or older, order the suspension of the driver's license of the child for at least 60 days but not more than 1 year. If the child does not possess a driver's license, the juvenile court shall prohibit the child from applying for a driver's license for 60 days:

(I) Immediately following the date of the order if the child is eligible to apply for a driver's license; or

(II) After the date the child becomes eligible to apply for a driver's license if the child is not eligible to apply for a driver's license.

2. The juvenile court may suspend the payment of a fine ordered pursuant to paragraph (a) of subsection 1 if the child attends school for 60 consecutive school days, or its equivalent in a school district operating under an alternative schedule authorized pursuant to NRS 388.090, after the imposition of the fine, or has a valid excuse acceptable to the child's teacher or the principal for any absence from school within that period.

3. The juvenile court may suspend the payment of a fine ordered pursuant to this section if the parent or guardian of a child is ordered to pay a fine by another court of competent jurisdiction in a case relating to or arising out of the same circumstances that caused the juvenile court to adjudicate the child in need of supervision.

4. The community service ordered pursuant to this section must be performed at the child's school of attendance, if practicable.

***5. If the juvenile court finds that the suspension of the driver's license of a child pursuant to this section is not in the best interest of the child, the juvenile court may order the Department of Motor Vehicles to issue the child a restricted driver's license pursuant to NRS 483.490.***

***6. If the juvenile court issues an order requiring the Department of Motor Vehicles to issue a restricted driver's license to a child pursuant to subsection 5, not later than 5 days after issuing the order, the juvenile court shall forward to the Department of Motor Vehicles a copy of the order.***

**Sec. 18.** NRS 62E.440 is hereby amended to read as follows:

62E.440 1. ~~[If]~~ ***Except as otherwise provided in this section, if*** a child is adjudicated to be in need of supervision because the child has committed an offense related to tobacco, the juvenile court may:

(a) The first time the child is adjudicated to be in need of supervision because the child has committed an offense related to tobacco, order the child to:

(1) Pay a fine of $25; and

(2) Attend and complete a tobacco awareness and cessation program.

(b) The second time the child is adjudicated to be in need of supervision because the child has committed an offense related to tobacco, order the child to:

(1) Pay a fine of $50; and

(2) Attend and complete a tobacco awareness and cessation program.

(c) The third or any subsequent time the child is adjudicated to be in need of supervision because the child has committed an offense related to tobacco, order:

(1) The child to pay a fine of $75;

(2) The child to attend and complete a tobacco awareness and cessation program; and

(3) That the driver's license of the child be suspended for at least 30 days but not more than 90 days or, if the child does not possess a driver's license, prohibit the child from receiving a driver's license for at least 30 days but not more than 90 days:

(I) Immediately following the date of the order, if the child is eligible to receive a driver's license.

(II) After the date the child becomes eligible to apply for a driver's license, if the child is not eligible to receive a license on the date of the order.

2. If the juvenile court orders a child to pay a fine pursuant to this section and the child willfully fails to pay the fine, the juvenile court may order that the driver's license of the child be suspended for at least 30 days but not more than 90 days or, if the child does not possess a driver's license, prohibit the child from receiving a driver's license for at least 30 days but not more than 90 days:

(a) Immediately following the date of the order, if the child is eligible to receive a driver's license.

(b) After the date the child becomes eligible to apply for a driver's license, if the child is not eligible to receive a license on the date of the order.

➥ If the child is already the subject of a court order suspending or delaying the issuance of the driver's license of the child, the juvenile court shall order the additional suspension or delay, as appropriate, to apply consecutively with the previous order.

3. If the juvenile court ~~[suspends]~~ ***finds that the suspension of*** the driver's license of a child pursuant to this section ~~[,]~~ ***is not in the best interest of the child,*** the juvenile court may order the Department of Motor Vehicles to issue ***the child*** a restricted driver's license pursuant to NRS 483.490 **.** ~~[permitting the child to drive a motor vehicle:~~

~~(a) To and from work or in the course of his or her work, or both;~~

~~(b) To and from school; or~~

~~(c) To acquire supplies of medicine or food or receive regularly scheduled medical care for himself, herself or a member of his or her immediate family.]~~

***4. If the juvenile court issues an order requiring the Department of Motor Vehicles to issue a restricted driver's license to a child pursuant to subsection 3, not later than 5 days after issuing the order, the juvenile court shall forward to the Department of Motor Vehicles a copy of the order.***

**Sec. 19.** NRS 62E.630 is hereby amended to read as follows:

62E.630 1. Except as otherwise provided in this section, if a child is adjudicated delinquent for the unlawful act of using, possessing, selling or distributing a controlled substance, or purchasing, consuming or possessing an alcoholic beverage in violation of NRS 202.020, the juvenile court shall:

(a) If the child possesses a driver's license, issue an order suspending the driver's license of the child for at least 90 days but not more than 2 years; or

(b) If the child does not possess a driver's license and the child is or will be eligible to receive a driver's license within the 2 years immediately following the date of the order, issue an order prohibiting the child from receiving a driver's license for a period specified by the juvenile court which must be at least 90 days but not more than 2 years:

(1) Immediately following the date of the order, if the child is eligible to receive a driver's license; or

(2) After the date the child will be eligible to receive a driver's license, if the child is not eligible to receive a driver's license on the date of the order.

2. If the child is already the subject of a court order suspending or delaying the issuance of the driver's license of the child, the juvenile court shall order the

additional suspension or delay, as appropriate, to apply consecutively with the previous order.

3. If the juvenile court finds that ~~[a]~~ ***the*** suspension ~~[or delay in the issuance]~~ of the driver's license of a child pursuant to this section ~~[would cause or is causing a severe or undue hardship to]~~ ***is not in the best interest of*** the child ***,*** ~~[or his or her immediate family and that the child is otherwise eligible to receive a driver's license,]~~ the juvenile court may order the Department of Motor Vehicles to issue ***the child*** a restricted driver's license ~~[to the child]~~ pursuant to NRS 483.490.

4. If the juvenile court issues an order requiring the Department of Motor Vehicles to issue a restricted driver's license to a child pursuant to subsection 3, not later than 5 days after issuing the order, the juvenile court shall forward to the Department of Motor Vehicles a copy of the order.

**Sec. 20.** NRS 62E.690 is hereby amended to read as follows:

62E.690 1. Except as otherwise provided in this section, if a child is adjudicated delinquent for the unlawful act of placing graffiti on or otherwise defacing public or private property owned or possessed by another person in violation of NRS 206.125 or 206.330 or for the unlawful act of carrying a graffiti implement in certain places without valid authorization in violation of NRS 206.335, the juvenile court shall:

(a) If the child possesses a driver's license, issue an order suspending the driver's license of the child for at least 1 year but not more than 2 years; or

(b) If the child does not possess a driver's license and the child is or will be eligible to receive a driver's license within the 2 years immediately following the date of the order, issue an order prohibiting the child from receiving a driver's license for a period specified by the juvenile court which must be at least 1 year but not more than 2 years:

(1) Immediately following the date of the order, if the child is eligible to receive a driver's license; or

(2) After the date the child will be eligible to receive a driver's license, if the child is not eligible to receive a driver's license on the date of the order.

2. If the child is already the subject of a court order suspending or delaying the issuance of the driver's license of the child, the juvenile court shall order the additional suspension or delay, as appropriate, to apply consecutively with the previous order.

***3. If the juvenile court finds that the suspension of the driver's license of a child pursuant to this section is not in the best interest of the child, the juvenile court may order the Department of Motor Vehicles to issue the child a restricted driver's license pursuant to NRS 483.490.***

***4. If the juvenile court issues an order requiring the Department of Motor Vehicles to issue a restricted driver's license to a child pursuant to subsection 3, not later than 5 days after issuing the order, the juvenile court shall forward to the Department of Motor Vehicles a copy of the order.***

**Sec. 21.** NRS 176.211 is hereby amended to read as follows:

176.211 1. Except as otherwise provided in this subsection, upon a plea of guilty, guilty but mentally ill or nolo contendere, but before a judgment of guilt, the court may, without entering a judgment of guilt and with the consent of the defendant, defer judgment on the case to a specified future date and set forth specific terms and conditions for the defendant. The duration of the deferral period must not exceed the applicable period set forth in subsection 1 of NRS 176A.500 or the extension of the period pursuant to subsection 2 of NRS 176A.500. The court may not defer judgment pursuant to this subsection if the defendant has entered into a plea agreement with a prosecuting attorney unless the plea agreement allows the deferral.

2. The terms and conditions set forth for the defendant during the deferral period may include, without limitation, the:

(a) Payment of restitution;

(b) Payment of court costs;

(c) Payment of an assessment in lieu of any fine authorized by law for the offense;

(d) Payment of any other assessment or cost authorized by law;

(e) Completion of a term of community service;

(f) Placement on probation pursuant to NRS 176A.500 and the ordering of any conditions which can be imposed for probation pursuant to NRS 176A.400; or

(g) Completion of a specialty court program.

3. The court:

(a) Upon the consent of the defendant:

(1) Shall defer judgment for any defendant who has entered a plea of guilty, guilty but mentally ill or nolo contendere to a violation of paragraph (a) of subsection 2 of NRS 453.336; or

(2) May defer judgment for any defendant who is placed in a specialty court program. The court may extend any deferral period for not more than 12 months to allow for the completion of a specialty court program.

(b) Shall not defer judgment for any defendant who has been convicted of ~~[a]~~ ***:***

***(1) A*** violent or sexual offense as defined in NRS 202.876 ~~[, a]~~ ***;***

***(2) A*** crime against a child as defined in NRS 179D.0357 ~~[, a]~~ ***;***

***(3) A*** violation of NRS 200.508 ***;*** or ~~[a]~~

***(4) A*** violation of NRS 574.100 that is punishable pursuant to subsection 6 of that section.

4. Upon violation of a term or condition:

(a) Except as otherwise provided in paragraph (b):

(1) The court may enter a judgment of conviction and proceed as provided in the section pursuant to which the defendant was charged.

(2) Notwithstanding the provisions of paragraph (e) of subsection 2 of NRS 193.130, the court may order the defendant to the custody of the Department of Corrections if the offense is punishable by imprisonment in the state prison.

(b) If the defendant has been placed in the program for a first or second violation of paragraph (a) of subsection 2 of NRS 453.336, the court may allow the defendant to continue to participate in the program or terminate the participation of the defendant in the program. If the court terminates the participation of the defendant in the program, the court shall allow the defendant to withdraw his or her plea.

5. Upon completion of the terms and conditions of the deferred judgment, and upon a finding by the court that the terms and conditions have been met, the court shall discharge the defendant and dismiss the proceedings. Discharge and dismissal pursuant to this section is without adjudication of guilt and is not a conviction for purposes of employment, civil rights or any statute or regulation or license or questionnaire or for any other public or private purpose, but is a conviction for the purpose of additional penalties imposed for second or subsequent convictions or the setting of bail. Discharge and dismissal restores the defendant, in the contemplation of the law, to the status occupied before the arrest, indictment or information.

6. ~~[The]~~ ***Except as otherwise provided in subsection 7, the*** court shall order sealed all documents, papers and exhibits in the defendant's record, minute book entries and entries on dockets, and other documents relating to the case in the custody of such other agencies and officers as are named in the court's order if the defendant fulfills the terms and conditions imposed by the court and the Division. The court shall order those records sealed without a hearing unless the Division or

the prosecutor petitions the court, for good cause shown, not to seal the records and requests a hearing thereon.

7. ***The provisions of subsection 6 do not apply to, and the court may not order sealed pursuant to subsection 6, the records of a defendant who is charged with a violation of NRS 200.5099 and who is discharged pursuant to this section.***

***8.*** If the court orders sealed the record of a defendant discharged pursuant to this section, the court shall send a copy of the order to each agency or officer named in the order. Each such agency or officer shall notify the court in writing of its compliance with the order.

~~[8.]~~ ***9.*** As used in this section:

(a) "Court" means a district court of the State of Nevada.

(b) "Specialty court program" has the meaning ascribed to it in NRS 176A.065.

**Sec. 22.** NRS 176A.245 is hereby amended to read as follows:

176A.245 1. Except as otherwise provided in ~~[subsection 2,]~~ ***this section,*** after a defendant is discharged from probation or a case is dismissed pursuant to NRS 176A.240, a justice court, municipal court or district court shall order sealed all documents, papers and exhibits in the defendant's record, minute book entries and entries on dockets, and other documents relating to the case in the custody of such other agencies and officers as are named in the court's order if the defendant fulfills the terms and conditions imposed by the court and the Division. The court shall order those records sealed without a hearing unless the Division petitions the court, for good cause shown, not to seal the records and requests a hearing thereon.

2. If the defendant is charged with a violation of NRS 200.485, 484C.110 or 484C.120 and the charges are conditionally dismissed or the judgment of conviction is set aside as provided in NRS 176A.240, not sooner than 7 years after the charges are conditionally dismissed or the judgment of conviction is set aside and upon the filing of a petition by the defendant, the justice court, municipal court or district court, as applicable, shall order that all documents, papers and exhibits in the defendant's record, minute book entries and entries on dockets, and other documents relating to the case in the custody of such other agencies and officers as are named in the court's order be sealed. The justice court, municipal court or district court, as applicable, shall order those records sealed without a hearing unless the Division petitions the court, for good cause shown, not to seal the records and requests a hearing thereon.

3. ***The provisions of subsection 1 do not apply to, and the court may not order sealed pursuant to this section, the records of a defendant who is charged with a violation of NRS 200.508 or 200.5099 and who is discharged from probation, whose case is dismissed or whose judgment of conviction was set aside pursuant to NRS 176A.240.***

***4.*** If the justice court, municipal court or district court orders sealed the record of a defendant who is discharged from probation, whose case is dismissed, whose charges were conditionally dismissed or whose judgment of conviction was set aside pursuant to NRS 176A.240, the court shall send a copy of the order to each agency or officer named in the order. Each such agency or officer shall notify the court in writing of its compliance with the order.

**Sec. 23.** NRS 176A.265 is hereby amended to read as follows:

176A.265 1. Except as otherwise provided in ~~[subsection 2,]~~ ***this section,*** after a defendant is discharged from probation or a case is dismissed pursuant to NRS 176A.260, the district court, justice court or municipal court, as applicable, shall order sealed all documents, papers and exhibits in the defendant's record, minute book entries and entries on dockets, and other documents relating to the case in the custody of such other agencies and officers as are named in the court's order if the defendant fulfills the terms and conditions imposed by the court and the

Division. The district court, justice court or municipal court, as applicable, shall order those records sealed without a hearing unless the Division petitions the court, for good cause shown, not to seal the records and requests a hearing thereon.

2. If the defendant is charged with a violation of NRS 200.485, 484C.110 or 484C.120 and the charges are conditionally dismissed or the judgment of conviction is set aside as provided in NRS 176A.260, not sooner than 7 years after the charges are conditionally dismissed or the judgment of conviction is set aside and upon the filing of a petition by the defendant, the justice court, municipal court or district court, as applicable, shall order that all documents, papers and exhibits in the defendant's record, minute book entries and entries on dockets, and other documents relating to the case in the custody of such other agencies and officers as are named in the court's order be sealed. The justice court, municipal court or district court, as applicable, shall order those records sealed without a hearing unless the Division petitions the court, for good cause shown, not to seal the records and requests a hearing thereon.

3. ***The provisions of subsection 1 do not apply to, and the court may not order sealed pursuant to this section, the records of a defendant who is charged with a violation of NRS 200.508 or 200.5099 and who is discharged from probation, whose case is dismissed or whose judgment of conviction was set aside pursuant to NRS 176A.260.***

***4.*** If the district court, justice court or municipal court, as applicable, orders sealed the record of a defendant who is discharged from probation, whose case is dismissed, whose charges were conditionally dismissed or whose judgment of conviction was set aside pursuant to NRS 176A.260, the court shall send a copy of the order to each agency or officer named in the order. Each such agency or officer shall notify the district court, justice court or municipal court, as applicable, in writing of its compliance with the order.

**Sec. 24.** NRS 176A.295 is hereby amended to read as follows:

176A.295 1. Except as otherwise provided in ~~[subsection 2,]~~ ***this section,*** after a defendant is discharged from probation or a case is dismissed pursuant to NRS 176A.290, the justice court, municipal court or district court, as applicable, shall order sealed all documents, papers and exhibits in the defendant's record, minute book entries and entries on dockets, and other documents relating to the case in the custody of such other agencies and officers as are named in the court's order if the defendant fulfills the terms and conditions imposed by the court and the Division. The justice court, municipal court or district court, as applicable, shall order those records sealed without a hearing unless the Division petitions the court, for good cause shown, not to seal the records and requests a hearing thereon.

2. If the defendant is charged with a violation of NRS 200.485, 484C.110 or 484C.120 and the charges are conditionally dismissed or the judgment of conviction is set aside as provided in NRS 176A.290, not sooner than 7 years after the charges are conditionally dismissed or the judgment of conviction is set aside and upon the filing of a petition by the defendant, the justice court, municipal court or district court, as applicable, shall order that all documents, papers and exhibits in the defendant's record, minute book entries and entries on dockets, and other documents relating to the case in the custody of such other agencies and officers as are named in the court's order be sealed. The justice court, municipal court or district court, as applicable, shall order those records sealed without a hearing unless the Division petitions the court, for good cause shown, not to seal the records and requests a hearing thereon.

3. ***The provisions of subsection 1 do not apply to, and the court may not order sealed pursuant to this section, the records of a defendant who is charged with a violation of NRS 200.508 or 200.5099 and who is discharged from***

***probation, whose case is dismissed or whose judgment of conviction was set aside pursuant to NRS 176A.290.***

***4.*** If the justice court, municipal court or district court, as applicable, orders sealed the record of a defendant who is discharged from probation, whose case is dismissed, whose charges were conditionally dismissed or whose judgment of conviction was set aside pursuant to NRS 176A.290, the court shall send a copy of the order to each agency or officer named in the order. Each such agency or officer shall notify the justice court, municipal court or district court, as applicable, in writing of its compliance with the order.

**Sec. 25.** NRS 176A.413 is hereby amended to read as follows:

176A.413 1. Except as otherwise provided in subsection 2, if a defendant is convicted of stalking **[**~~with the use of an Internet or network site, electronic mail, text messaging or any other similar means of communication~~**]** ***by electronic means*** pursuant to **[**~~subsection 4 of~~**]** NRS 200.575, an offense involving child sexual abuse material pursuant to NRS 200.710 to 200.730, inclusive, luring a child or a person with mental illness through the use of a computer, system or network pursuant to paragraph (a) or (b) of subsection 4 of NRS 201.560 or a violation of NRS 201.553 which involved the use of an electronic communication device and the court grants probation or suspends the sentence, the court shall, in addition to any other condition ordered pursuant to NRS 176A.400, order as a condition of probation or suspension that the defendant not own or use a computer, including, without limitation, use electronic mail, a chat room or the Internet.

2. The court is not required to impose a condition of probation or suspension of sentence set forth in subsection 1 if the court finds that:

(a) The use of a computer by the defendant will assist a law enforcement agency or officer in a criminal investigation;

(b) The defendant will use the computer to provide technological training concerning technology of which the defendant has a unique knowledge; or

(c) The use of the computer by the defendant will assist companies that require the use of the specific technological knowledge of the defendant that is unique and is otherwise unavailable to the company.

3. Except as otherwise provided in subsection 1, if a defendant is convicted of an offense that involved the use of a computer, system or network and the court grants probation or suspends the sentence, the court may, in addition to any other condition ordered pursuant to NRS 176A.400, order as a condition of probation or suspension that the defendant not own or use a computer, including, without limitation, use electronic mail, a chat room or the Internet.

4. As used in this section:

(a) "Computer" has the meaning ascribed to it in NRS 205.4735 and includes, without limitation, an electronic communication device.

(b) "Electronic communication device" has the meaning ascribed to it in NRS 200.737.

(c) ***"Electronic means" has the meaning ascribed to it in NRS 200.575.***

***(d)*** "Network" has the meaning ascribed to it in NRS 205.4745.

**[**~~(d)~~**]** ***(e)*** "System" has the meaning ascribed to it in NRS 205.476.

**[**~~(e) "Text messaging" has the meaning ascribed to it in NRS 200.575.~~**]**

**Sec. 26.** (Deleted by amendment.)

**Sec. 27.** (Deleted by amendment.)

**Sec. 28.** NRS 178.522 is hereby amended to read as follows:

178.522 1. When the condition of the bond has been satisfied or the forfeiture thereof has been set aside or remitted, the court shall exonerate the obligors and release any bail. The court shall exonerate the obligors and release any bail at the time of sentencing the defendant, **[**~~if the court has not previously done~~

~~so]~~ unless the money deposited ~~[by the defendant]~~ as bail must be applied ~~[to satisfy a judgment]~~ pursuant to NRS 178.528.

2. A surety may be exonerated by a deposit of cash in the amount of the bond or by a timely surrender of the defendant into custody.

**Sec. 29.** NRS 178.528 is hereby amended to read as follows:

178.528 ***1.*** When money has been deposited ~~[,]~~ ***as bail by a person other than a surety,*** if it remains on deposit at the time of ~~[a judgment for the payment of a fine,]~~ ***sentencing,*** the court, or the clerk under the direction of the court, ***upon the provision of notice to and the agreement of the person who deposited the bail,*** shall apply the money in satisfaction ~~[thereof, and]~~ ***of any restitution.***

***2. If a distribution is not made pursuant to subsection 1, or*** after satisfying the ***restitution pursuant to subsection 1 there is a surplus remaining, as applicable, the court, or the clerk under the direction of the court, shall apply the money to any*** fine and costs ***.***

***3. If there is any surplus remaining after the distributions are made pursuant to subsections 1 and 2, as applicable, the court, or the clerk under the direction of the court,*** shall refund the surplus ~~[, if any,]~~ to the person who deposited the bail, unless that person has directed, in writing, that any surplus be refunded to another.

**Sec. 30.** NRS 178.760 is hereby amended to read as follows:

178.760 Notwithstanding any other provision of law:

1. A district attorney, ***an*** assistant district attorney ~~[,]~~ ***or a designated city attorney may:***

***(a) If the attorney is a*** deputy district attorney or other attorney employed by a district attorney ~~[may:~~

~~(a) Be]~~ ***, be*** deputized to prosecute a person in a county other than the county by which the attorney is employed for the limited purpose of serving as the prosecuting attorney in a pretrial release hearing required by NRS 178.4849. An assistant district attorney, deputy district attorney or other attorney employed by a district attorney must receive the approval of the district attorney of the county in which the attorney is employed before serving as the prosecuting attorney in a pretrial release hearing in a county other than the county by which the attorney is employed.

(b) ***If the attorney is a designated city attorney, be deputized to prosecute a person in the county which encompasses the city that employs the city attorney for the limited purpose of serving as the prosecuting attorney in a pretrial release hearing required by NRS 178.4849.***

***(c)*** Receive a stipend for being available on a weekend or holiday to serve as the prosecuting attorney in a pretrial release hearing required by NRS 178.4849 or for serving as the prosecuting attorney in any such pretrial release hearing conducted on a weekend or holiday.

2. A public defender and the State Public Defender may, pursuant to an interlocal agreement, authorize the public defender, State Public Defender or any other attorney employed by the public defender or State Public Defender to provide for the representation of a defendant in a pretrial release hearing required by NRS 178.4849 in any county.

3. A public defender, the State Public Defender or any other attorney employed by the public defender or State Public Defender may receive a stipend for being available on a weekend or holiday to represent a defendant in a pretrial release hearing required by NRS 178.4849 or for representing a defendant in any such pretrial release hearing conducted on a weekend or holiday.

***4. As used in this section, "designated city attorney" means a city attorney in a county in this State whose population is less than 100,000.***

**Sec. 30.5.** Chapter 208 of NRS is hereby amended by adding thereto a new section to read as follows:

***1. Except as otherwise provided in title 5 of NRS, a facility in this State that holds a person in custody under process of law or under lawful arrest shall:***

***(a) Create and maintain a list that includes, without limitation:***

***(1) The name of each person held at the facility; and***

***(2) The name of the facility at which the person is held; and***

***(b) Revise the list in real time to ensure the accuracy of the information.***

***2. The facility shall publicly display or make immediately available on the request of any person the information described in paragraph (a) of subsection 1.***

***3. This section shall not be construed to require a facility to maintain multiple lists which identify persons held at the facility, if the single list complies with the requirements of this section and any other applicable provision of law.***

**Sec. 31.** Chapter 209 of NRS is hereby amended by adding thereto the provisions set forth as sections 32, 33 and 33.5 of this act.

**Sec. 32.** ***"Alternative correctional program" means the program for the reentry of offenders into the community that is established by the Director pursuant to section 33 of this act.***

**Sec. 33.** ***1. The Director may establish an alternative correctional program for the reentry of offenders into the community pursuant to this section.***

***2. If the Director establishes an alternative correctional program pursuant to this section, the Director shall determine whether offenders in the custody of the Department are suitable to participate in the alternative correctional program.***

***3. An offender is suitable to participate in an alternative correctional program if:***

***(a) The Director has requested that the Chair of the State Board of Parole Commissioners assign the offender to the custody of the Division to participate in a correctional program pursuant to subsection 2 of NRS 209.4888; and***

***(b) The Chair does not assign the offender to the custody of the Division to participate in a correctional program pursuant to subsection 2 of NRS 209.4888.***

***4. The Director may assign an offender to an alternative correctional program if:***

***(a) The Director determines that an offender is suitable to participate in an alternative correctional program; and***

***(b) The offender has requested and agreed to participate in the alternative correctional program.***

**Sec. 33.5.** ***The Director shall, not later than 90 days after the end of each fiscal year:***

***1. Prepare a report summarizing the operations of the alternative correctional program, which must include, without limitation, information concerning the implementation of the alternative correctional program and the outcome of offenders assigned to participate in the alternative correctional program.***

***2. Submit the report prepared pursuant to subsection 1 to the Interim Finance Committee.***

**Sec. 34.** NRS 209.4247 is hereby amended to read as follows:

209.4247 1. To the extent that money is available ~~[,]~~ ***and subject to subsection 2,*** the Director shall, with the approval of the Board, establish a program of treatment for offenders with a substance use disorder using medication-assisted treatment.

2. ***If the program established pursuant to subsection 1 relates to opioid use disorder, the Director shall collaborate with the Department of Human Services to establish the program.***

***3.*** The program established pursuant to subsection 1 must:

(a) Provide each eligible offender who participates in the program with appropriate medication-assisted treatment for the period in which the offender is incarcerated; and

(b) Require that all decisions regarding the type, dosage or duration of any medication administered to an eligible offender as part of his or her medication-assisted treatment be made by a treating physician and the eligible offender.

~~[3.]~~ ***4.*** Except as otherwise provided in this section, any offender who the Director has determined has a substance use disorder for which a medication-assisted treatment exists and who meets any reasonable conditions imposed by the Director pursuant to subsection ~~[4]~~ ***5*** is eligible to participate in the program established pursuant to subsection 1 and must be offered the opportunity to participate. If an offender received medication-assisted treatment immediately preceding his or her incarceration, the offender is eligible to continue that medication-assisted treatment as a participant in the program. Participation in the program must be voluntary.

~~[4.]~~ ***5.*** Except as otherwise provided in this subsection, the Director may impose reasonable conditions for an offender to be eligible to participate in the program established pursuant to subsection 1 and to continue his or her participation in the program. The Director shall not deny an offender the ability to participate in the program or terminate the participation of an offender in the program on the basis that:

(a) The results of a screening test administered to the offender upon the commencement of his or her incarceration or upon the commencement of his or her participation in the program indicated the presence of a controlled substance; or

(b) The offender committed an infraction of the rules of the institution or facility before or during the participation of the offender in the program.

~~[5.]~~ ***6.*** An offender who participates in the program established pursuant to subsection 1 is not subject to discipline on the basis that the results of a screening test administered to the offender during his or her participation in the program indicated the presence of a controlled substance.

~~[6.]~~ ***7.*** As used in this section:

(a) "Medication-assisted treatment" means treatment for a substance use disorder using medication approved by the United States Food and Drug Administration for that purpose.

(b) "Substance use disorder" means a cluster of cognitive, behavioral and psychological symptoms indicating that a person continues using a substance despite significant substance-related problems.

**Sec. 35.** NRS 209.4871 is hereby amended to read as follows:

209.4871 As used in NRS 209.4871 to 209.4889, inclusive, ***and sections 32 and 33 of this act,*** unless the context otherwise requires, the words and terms defined in NRS 209.4873 to 209.488, inclusive, ***and section 32 of this act*** have the meanings ascribed to them in those sections.

**Sec. 36.** NRS 209.4889 is hereby amended to read as follows:

209.4889 1. Except as otherwise provided in NRS 208.280, the Director may enter into one or more contracts with one or more public or private entities to provide any of the following services, as necessary and appropriate, to offenders or parolees participating in a correctional ***program, alternative correctional program*** or judicial program:

(a) Transitional housing;

(b) Treatment pertaining to a substance use disorder or mental health;

(c) Training in life skills;

(d) Vocational rehabilitation and job skills training; and

(e) Any other services required by offenders or parolees who are participating in a correctional ***program, alternative correctional program*** or judicial program.

2. The Director may consult with the Division before entering into a contract with a public or private entity pursuant to subsection 1.

3. The Director shall, as necessary and appropriate, provide referrals and information regarding:

(a) Any of the services provided pursuant to subsection 1;

(b) Access and availability of any appropriate self-help groups;

(c) Social services for families and children; and

(d) Permanent housing.

4. The Director may apply for and accept any gift, donation, bequest, grant or other source of money to carry out the provisions of this section. Money received pursuant to this subsection may be deposited with the State Treasurer for credit to the Account for Reentry Programs in the State General Fund created by NRS 480.810.

5. A contract entered into between the Director and a public or private entity pursuant to subsection 1 must require the entity to:

(a) Provide a budget concerning all services the entity will provide during the duration of any grant received.

(b) Provide all services required by any grant received.

(c) Provide to the Department for its approval a curriculum for any program of services the entity will provide.

(d) Provide to the Division, if appropriate, a list of the parolees who have completed or are currently participating in a program of services provided by the entity pursuant to any grant received.

(e) Provide to any offender or parolee who completes a program of services provided by the entity a certificate of completion, and provide a copy of such a certificate to the Division or the Department, as appropriate.

(f) To the extent financially practicable and necessary, assess the risk levels and needs of offenders and parolees by using a validated assessment tool.

(g) Share with the Director information concerning assessments of the risk levels and needs of offenders and parolees so the Director can ensure that adequate assessments are being conducted.

(h) While the entity is providing services pursuant to the contract, meet annually with the Director, a representative of the Division, and other entities that have entered into a contract with the Director pursuant to subsection 1 to discuss, without limitation:

(1) The services provided by the entities, including the growth and success of the services, any problems with the services and any potential solutions to such problems;

(2) Issues relating to the reentry of offenders and parolees into the community and reducing the risk of recidivism; and

(3) Issues relating to offenders and parolees who receive services from an entity and are subsequently convicted of another crime.

6. As used in this section, "training in life skills" includes, without limitation, training in the areas of:

(a) Parenting;

(b) Improving human relationships;

(c) Preventing domestic violence;

(d) Maintaining emotional and physical health;

(e) Preventing alcohol and other substance use disorders;

(f) Preparing for and obtaining employment; and

(g) Budgeting, consumerism and personal finances.

**Sec. 36.5.** (Deleted by amendment.)

**Sec. 37.** NRS 211.400 is hereby amended to read as follows:

211.400 1. To the extent that money is available, a sheriff, chief of police or town marshal who is responsible for a county, city or town jail or detention facility shall establish a program to provide for the treatment of prisoners with a substance use disorder using medication-assisted treatment.

2. ***If the program established pursuant to subsection 1 relates to opioid use disorder, the sheriff, chief of police or town marshal shall collaborate with the Department of Human Services to establish the program.***

***3.*** The program established pursuant to subsection 1 must:

(a) Provide each eligible prisoner who participates in the program with appropriate medication-assisted treatment for the period in which the prisoner is incarcerated; and

(b) Require that all decisions regarding the type, dosage or duration of any medication administered to an eligible prisoner as part of his or her medication-assisted treatment be made by a treating physician and the eligible prisoner.

~~[3.]~~ ***4.*** Except as otherwise provided in this section, any prisoner who the sheriff, chief of police or town marshal has determined has a substance use disorder for which a medication-assisted treatment exists and who meets any reasonable conditions imposed by the sheriff, chief of police or town marshal pursuant to subsection ~~[4]~~ ***5*** is eligible to participate in the program established pursuant to subsection 1 and must be offered the opportunity to participate. If a prisoner received medication-assisted treatment immediately preceding his or her incarceration, the prisoner is eligible to continue that medication-assisted treatment as a participant in the program. Participation in the program must be voluntary.

~~[4.]~~ ***5.*** Except as otherwise provided in this subsection, the sheriff, chief of police or town marshal may impose reasonable conditions for a prisoner to be eligible to participate in the program established pursuant to subsection 1 and to continue his or her participation in the program. The sheriff, chief of police or town marshal shall not deny a prisoner the ability to participate in the program or terminate the participation of a prisoner in the program on the basis that:

(a) The results of a screening test administered to the prisoner upon the commencement of his or her incarceration or upon the commencement of his or her participation in the program indicated the presence of a controlled substance; or

(b) The prisoner committed an infraction of the rules of the county, city or town jail or detention facility before or during the participation of the prisoner in the program.

~~[5.]~~ ***6.*** A prisoner who participates in the program established pursuant to subsection 1 is not subject to discipline on the basis that the results of a screening test administered to the prisoner during his or her participation in the program indicated the presence of a controlled substance.

~~[6.]~~ ***7.*** As used in this section, "medication-assisted treatment" means treatment for a substance use disorder using medication approved by the United States Food and Drug Administration for that purpose.

**Sec. 38.** Chapter 213 of NRS is hereby amended by adding thereto the provisions set forth as sections 39 to 43, inclusive, of this act.

**Sec. 39.** ***As used in sections 39 to 43, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 40 and 41 of this act have the meanings ascribed to them in those sections.***

**Sec. 40.** ***"Alternative correctional program" has the meaning ascribed to it in section 32 of this act.***

**Sec. 41.** ***"Director" means the Director of the Department of Corrections.***

**Sec. 42.** ***1. The Director shall inform a prisoner participating in an alternative correctional program of:***

***(a) The date on which the prisoner qualifies for mandatory release on parole or otherwise becomes eligible to be considered for parole pursuant to NRS 213.107 to 213.157, inclusive; and***

***(b) The authority of the prisoner to execute a waiver of parole eligibility for the purpose of waiving being released on parole or having his or her eligibility for parole considered at any hearing, as applicable, pursuant to NRS 213.107 to 213.157, inclusive, during the participation of the prisoner in the alternative correctional program.***

***2. A waiver of parole eligibility must be executed in the manner prescribed by the Department not later than 30 days after receiving the information described in subsection 1.***

**Sec. 43.** ***1. Except as otherwise provided in subsection 2, a waiver of parole eligibility is effective during the time that the prisoner participates in the alternative correctional program and may not be revoked by the prisoner during such participation.***

***2. If a prisoner violates a term or condition of participation in the alternative correctional program and is removed from placement in the alternative correctional program:***

***(a) Any waiver of parole eligibility that was executed by the prisoner pursuant to section 42 of this act is rescinded; and***

***(b) The eligibility of the prisoner for parole must be determined pursuant to NRS 213.107 to 213.157, inclusive, in the same manner as if the prisoner had never executed the waiver.***

**Sec. 44.** NRS 213.1099 is hereby amended to read as follows:

213.1099 1. Except as otherwise provided in this section and NRS 213.1215, ***and sections 39 to 43, inclusive, of this act,*** the Board may release on parole a prisoner who is otherwise eligible for parole pursuant to NRS 213.107 to 213.157, inclusive.

2. In determining whether to release a prisoner on parole, the Board shall consider:

(a) Whether there is a reasonable probability that the prisoner will live and remain at liberty without violating the laws;

(b) Whether the release is incompatible with the welfare of society;

(c) The seriousness of the offense and the history of criminal conduct of the prisoner;

(d) ***Whether the prisoner has been removed from an alternative correctional program established pursuant to section 33 of this act for violating a term or condition of the alternative correctional program;***

***(e)*** The standards adopted pursuant to NRS 213.10885 and the recommendation, if any, of the Chief; and

~~[(e)]~~ ***(f)*** Any documents or testimony submitted by a victim notified pursuant to NRS 213.131 or 213.10915.

3. When a person is convicted of a felony and is punished by a sentence of imprisonment, the person remains subject to the jurisdiction of the Board from the time the person is released on parole under the provisions of this chapter until the expiration of the maximum term or the maximum aggregate term of imprisonment imposed by the court, as applicable, less any credits earned to reduce his or her sentence pursuant to chapter 209 of NRS.

4. Except as otherwise provided in NRS 213.1215, the Board may not release on parole a prisoner whose sentence to death or to life without possibility of parole has been commuted to a lesser penalty unless the Board finds that the prisoner has served at least 20 consecutive years in the state prison, is not under an order to be detained to answer for a crime or violation of parole or probation in another jurisdiction, and does not have a history of:

(a) Recent misconduct in the institution, and has been recommended for parole by the Director of the Department of Corrections;

(b) Repetitive criminal conduct;

(c) Criminal conduct related to the use of alcohol or drugs;

(d) Repetitive sexual deviance, violence or aggression; or

(e) Failure in parole, probation, work release or similar programs.

5. In determining whether to release a prisoner on parole pursuant to this section, the Board shall not consider whether the prisoner will soon be eligible for release pursuant to NRS 213.1215.

6. The Board shall not release on parole an offender convicted of a sexual offense until the Central Repository for Nevada Records of Criminal History has been provided an opportunity to give the notice required pursuant to NRS 179D.475.

**Sec. 45.** NRS 213.1258 is hereby amended to read as follows:

213.1258 1. Except as otherwise provided in subsection 2, if the Board releases on parole a prisoner convicted of stalking ~~[with the use of an Internet or network site, electronic mail, text messaging or any other similar means of communication]~~ ***by electronic means*** pursuant to ~~[subsection 4 of]~~ NRS 200.575, an offense involving child sexual abuse material pursuant to NRS 200.710 to 200.730, inclusive, luring a child or a person with mental illness through the use of a computer, system or network pursuant to paragraph (a) or (b) of subsection 4 of NRS 201.560 or a violation of NRS 201.553 which involved the use of an electronic communication device, the Board shall, in addition to any other condition of parole, require as a condition of parole that the parolee not own or use a computer, including, without limitation, use electronic mail, a chat room or the Internet.

2. The Board is not required to impose a condition of parole set forth in subsection 1 if the Board finds that:

(a) The use of a computer by the parolee will assist a law enforcement agency or officer in a criminal investigation;

(b) The parolee will use the computer to provide technological training concerning technology of which the defendant has a unique knowledge; or

(c) The use of the computer by the parolee will assist companies that require the use of the specific technological knowledge of the parolee that is unique and is otherwise unavailable to the company.

3. Except as otherwise provided in subsection 1, if the Board releases on parole a prisoner convicted of an offense that involved the use of a computer, system or network, the Board may, in addition to any other condition of parole, require as a condition of parole that the parolee not own or use a computer, including, without limitation, use electronic mail, a chat room or the Internet.

4. As used in this section:

(a) "Computer" has the meaning ascribed to it in NRS 205.4735 and includes, without limitation, an electronic communication device.

(b) "Electronic communication device" has the meaning ascribed to it in NRS 200.737.

(c) ***"Electronic means" has the meaning ascribed to it in NRS 200.575.***

***(d)*** "Network" has the meaning ascribed to it in NRS 205.4745.

~~[(d)]~~ *(e)* "System" has the meaning ascribed to it in NRS 205.476.

~~[(e) "Text messaging" has the meaning ascribed to it in NRS 200.575.]~~

**Sec. 46.** Chapter 244 of NRS is hereby amended by adding thereto a new section to read as follows:

***1. In a county whose population is 700,000 or more, the board of county commissioners shall adopt an ordinance that designates the geographic boundaries of one or more corridors in which the commission of crime poses a significant risk to public safety and the economic welfare of this State due to the high concentration of tourists, visitors, employees and other persons in such corridors.***

***2. The boundaries of a corridor established pursuant to subsection 1:***

***(a) May be contiguous or noncontiguous.***

***(b) Must be displayed on a map in a manner capable of being understood by a person of ordinary intelligence and posted on the Internet website of the county in which the corridor is established.***

***3. In a county that establishes a corridor pursuant to subsection 1:***

***(a) Except as otherwise provided in paragraph (b), a person who is charged with, convicted of or the subject of deferred adjudication for any offense punishable as a misdemeanor:***

***(1) For a first offense within the corridor within 2 years, may, as a condition of release, sentencing, suspension of sentence or deferred adjudication, as applicable, be prohibited from entering the corridor in which the offense occurred for a period of not more than 1 year.***

***(2) For a second or subsequent offense within the corridor within 2 years, shall, as a condition of release, sentencing, suspension of sentence or deferred adjudication, as applicable, be prohibited from entering the corridor in which the offense occurred for a period of not less than 1 year.***

***(b) The board of county commissioners may provide by ordinance for any condition or exemption under which a person who is charged with, convicted of or the subject of adjudication for any offense punishable as a misdemeanor may enter the corridor in which the offense occurred.***

**Sec. 46.5.** Chapter 388 of NRS is hereby amended by adding thereto a new section to read as follows:

***1. A school district or public school, and any employee of a school district or public school, shall not grant a law enforcement officer carrying out official duties permission to access the grounds, buildings or facilities of a school district or public school*** ~~***[without a]***~~ ***unless:***

***(a) A court of competent jurisdiction has issued a lawful order, warrant or subpoena*** ~~***[issued by a court of competent jurisdiction unless]***~~ ***;***

***(b) There are exigent circumstances*** ~~***[exist]***~~ ***that would make it unreasonable for the law enforcement officer to obtain*** ~~***[such]***~~ ***an order or warrant, as determined by the law enforcement officer*** ~~***[.]***~~ ***;***

***(c) The law enforcement officer is engaged in the investigation, prevention or enforcement of a criminal offense under state or local law or ordinance; or***

***(d) The law enforcement officer is providing educational programming for pupils or employees of the school district or public school.***

***2. Except as otherwise provided in NRS 388.281 to 388.296, inclusive, a school district or public school, and any employee of a school district or public school, shall not disclose or provide in writing, verbally or any other manner, educational information to a law enforcement officer carrying out official duties, except pursuant to a lawful order, warrant or subpoena issued by a court of competent jurisdiction, except as necessary during or in the immediate aftermath of a mass casualty event or other emergency on or within the grounds, buildings***

***or facilities of a school district or public school where the delay occasioned by obtaining such an order or warrant would endanger human life.***

***3. Any person who knowingly and willfully violates the provisions of this section is subject to disciplinary action by the school district or public school which employs the person.***

***4. As used in this section:***

***(a) "Educational information" means information concerning a pupil or the family or household of a pupil that is protected under the Family and Educational Rights and Privacy Act, 20 USC § 1232g.***

***(b) "Exigent circumstances" includes, without limitation, a fresh or hot pursuit.***

***(c) "Law enforcement officer" does not include*** ~~[a]~~ ***:***

***(1) A school resource officer, as that term is defined in NRS 388.2358*** ~~[.]~~ ***;***

***(2) A person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive; or***

***(3) A person authorized to make an arrest pursuant to NRS 171.124 to 171.1257, inclusive.***

***(d) "Mass casualty event"*** ~~[means an event resulting in casualties to at least 3 pupils.]~~ ***has the meaning ascribed to it in 34 USC § 10281.***

***(e) "Public school" includes, without limitation, a charter school or university school for profoundly gifted pupils.***

**Sec. 47.** Chapter 433 of NRS is hereby amended by adding thereto a new section to read as follows:

***The Department shall make available on an Internet website maintained by the Department information relating to peer recovery support services.***

**Sec. 48.** NRS 433.622 is hereby amended to read as follows:

433.622 As used in NRS 433.622 to 433.641, inclusive, ***and section 47 of this act,*** unless the context otherwise requires, the words and terms defined in NRS 433.623 to 433.629, inclusive, have the meanings ascribed to them in those sections.

**Sec. 49.** NRS 433.730 is hereby amended to read as follows:

433.730 1. On or before June 30 of each even-numbered year, the Advisory Committee shall submit to the Director of the Department a report of recommendations concerning:

(a) The statewide needs assessment conducted pursuant to paragraph (a) of subsection 1 of NRS 433.734, including, without limitation, the establishment of priorities pursuant to paragraph ~~[(e)]~~ ***(f)*** of subsection 1 of NRS 433.736; and

(b) The statewide plan to allocate money from the Fund developed pursuant to paragraph (b) of subsection 1 of NRS 433.734.

2. When developing recommendations to be included in the report pursuant to subsection 1, the Advisory Committee shall consider:

(a) Health equity and identifying relevant disparities among racial and ethnic populations, geographic regions and special populations in this State; and

(b) The need to prevent overdoses, address disparities in access to health care and prevent substance use among youth.

3. When developing recommendations concerning the establishment of priorities pursuant to paragraph ~~[(e)]~~ ***(f)*** of subsection 1 of NRS 433.736, the Advisory Committee shall use an objective method to define the potential positive and negative impacts of a priority on the health of the affected communities with an emphasis on disproportionate impacts to any population targeted by the priority.

4. Before finalizing a report of recommendations pursuant to subsection 1, the Advisory Committee must hold at least one public meeting to solicit comments

from the public concerning the recommendations and make any revisions to the recommendations determined, as a result of the public comment received, to be necessary.

**Sec. 50.** NRS 433.736 is hereby amended to read as follows:

433.736 1. A statewide needs assessment conducted by the Department, in consultation with the Office, pursuant to paragraph (a) of subsection 1 of NRS 433.734 must:

(a) Be evidence-based and use information from damages reports created by experts as part of the litigation described in subsection 1 of NRS 433.732.

(b) Include an analysis of the impacts of opioid use and opioid use disorder on this State that uses quantitative and qualitative data concerning this State and the regions, counties and Native American tribes in this State to determine the risk factors that contribute to opioid use, the use of substances and the rates of opioid use disorder, other substance use disorders and co-occurring disorders among residents of this State.

(c) Focus on health equity and identifying disparities across all racial and ethnic populations, geographic regions and special populations in this State.

(d) Take into account the resources of state, regional, local and tribal agencies and nonprofit organizations, including, without limitation, any money recovered or anticipated to be recovered by county, local or tribal governmental agencies through judgments or settlements resulting from litigation concerning the manufacture, distribution, sale or marketing of opioids, and the programs currently existing in each geographic region of this State to address opioid use disorder and other substance use disorders.

(e) ***Identify educational resources for governmental agencies involved in law enforcement or criminal justice for training related to trauma-informed practices for persons with opioid use disorder and medication-assisted treatment for persons with opioid use disorder.***

***(f)*** Based on the information and analyses described in paragraphs (a) to ~~[(d),]~~ ***(e),*** inclusive, establish priorities for the use of the funds described in subsection 1 of NRS 433.732. Such priorities must include, without limitation, priorities related to the ***training described in paragraph (e) and*** prevention of overdoses, addressing disparities in access to health care and the prevention of substance use among youth.

2. When conducting a needs assessment, the Department, in consultation with the Office, shall:

(a) Use community-based participatory research methods or similar methods to conduct outreach to groups impacted by the use of opioids, opioid use disorder and other substance use disorders, including, without limitation:

(1) Persons and families impacted by the use of opioids and other substances;

(2) Providers of treatment for opioid use disorder and other substance use disorders;

(3) Substance use disorder prevention coalitions;

(4) Communities of persons in recovery from opioid use disorder and other substance use disorders;

(5) Providers of services to reduce the harms caused by opioid use disorder and other substance use disorders;

(6) Persons involved in the child welfare system;

(7) Providers of social services;

(8) Faith-based organizations;

(9) Providers of health care and entities that provide health care services; and

(10) Members of diverse communities disproportionately impacted by opioid use and opioid use disorder; and

(b) Conduct outreach to governmental agencies who interact with persons or groups impacted by the use of opioids, opioid use disorder and other substance use disorders, including, without limitation:

(1) The Office of the Attorney General, the Department of Public Safety, the Department of Corrections, courts, juvenile justice agencies and other governmental agencies involved in law enforcement or criminal justice;

(2) Agencies which provide child welfare services and other governmental agencies involved in the child welfare system; and

(3) Public health agencies.

***3. As used in this section, "medication-assisted treatment" has the meaning ascribed to it in NRS 639.28079.***

**Sec. 51.** NRS 483.490 is hereby amended to read as follows:

483.490 1. Except as otherwise provided in this section, after a driver's license has been suspended or revoked and one-half of the period during which the driver is not eligible for a license has expired, the Department may, unless the statute authorizing the suspension or revocation prohibits the issuance of a restricted license, issue a restricted driver's license to an applicant permitting the applicant to drive a motor vehicle:

(a) To and from work or in the course of his or her work, or both; or

(b) To acquire supplies of medicine or food or receive regularly scheduled medical care for himself, herself or a member of his or her immediate family.

➥ Before a restricted license may be issued, the applicant must submit sufficient documentary evidence to satisfy the Department that a severe hardship exists because the applicant has no alternative means of transportation and that the severe hardship outweighs the risk to the public if the applicant is issued a restricted license.

2. If the driver's license of a person assigned to a program established pursuant to NRS 484C.392 is suspended or revoked, the Department may issue a restricted driver's license to an applicant that is valid while he or she is participating in and complying with the requirements of the program and that permits the applicant to drive a motor vehicle:

(a) To and from a testing location established by a designated law enforcement agency pursuant to NRS 484C.393;

(b) If applicable, to and from work or in the course of his or her work, or both;

(c) To and from court appearances;

(d) To and from counseling; or

(e) To receive regularly scheduled medical care for himself or herself.

3. Except as otherwise provided in NRS ***62E.430, 62E.440,*** 62E.630 ~~[,]~~ ***and 62E.690,*** after a driver's license has been revoked or suspended pursuant to title 5 of NRS or NRS 392.148, the Department may issue a restricted driver's license to an applicant permitting the applicant to drive a motor vehicle:

(a) If applicable, to and from work or in the course of his or her work, or both; or

(b) If applicable, to and from school.

4. After a driver's license has been suspended pursuant to NRS 483.443, the Department may issue a restricted driver's license to an applicant permitting the applicant to drive a motor vehicle:

(a) If applicable, to and from work or in the course of his or her work, or both;

(b) To receive regularly scheduled medical care for himself, herself or a member of his or her immediate family; or

(c) If applicable, as necessary to exercise a court-ordered right to visit a child.

5. A driver who violates a condition of a restricted license issued pursuant to subsection 1 or 2 is guilty of a misdemeanor and, if the license of the driver was suspended or revoked for:

(a) A violation of NRS 484C.110, 484C.210 or 484C.430;

(b) A homicide resulting from driving or being in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance or resulting from any other conduct prohibited by NRS 484C.110, 484C.130 or 484C.430; or

(c) A violation of a law of any other jurisdiction that prohibits the same or similar conduct as set forth in paragraph (a) or (b),

➥ the driver shall be punished in the manner provided pursuant to subsection 2 of NRS 483.560.

6. The periods of suspensions and revocations required pursuant to this chapter and NRS 484C.210 must run consecutively, except as otherwise provided in NRS 483.465 and 483.475, when the suspensions must run concurrently.

7. Whenever the Department suspends or revokes a license, the period of suspension, or of ineligibility for a license after the revocation, begins upon the effective date of the revocation or suspension as contained in the notice thereof.

8. Any person for whom a court provides an exception relating to the installation of an ignition interlock device pursuant to subsection 4 of NRS 484C.210 or subsection 2 of NRS 484C.460 is eligible for a restricted driver's license under this section while the person is participating in and complying with the requirements of a program established pursuant to NRS 484C.392.

9. If the Department receives a copy of an order requiring a person to install an ignition interlock device in a motor vehicle pursuant to NRS 484C.460, the Department shall issue an ignition interlock privilege to the person after he or she submits proof of compliance with the order. A person who is required to install an ignition interlock device pursuant to NRS 484C.210 or 484C.460 shall install the device not later than 14 days after the date on which the order was issued. A driver who violates any condition of an ignition interlock privilege issued pursuant to this subsection is guilty of a misdemeanor and shall be punished in the same manner provided in subsection 2 of NRS 483.560 for driving a vehicle while a driver's license is cancelled, revoked or suspended.

**Sec. 52.** NRS 484C.110 is hereby amended to read as follows:

484C.110 1. It is unlawful for any person who:

(a) Is under the influence of intoxicating liquor;

(b) Has a concentration of alcohol of 0.08 or more in his or her blood or breath; or

(c) Is found by measurement within 2 hours after driving or being in actual physical control of a vehicle to have a concentration of alcohol of 0.08 or more in his or her blood or breath,

➥ to drive or be in actual physical control of a vehicle on a highway or on premises to which the public has access.

2. It is unlawful for any person who:

(a) Is under the influence of a controlled substance;

(b) Is under the combined influence of intoxicating liquor and a controlled substance; or

(c) Inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any of these, to a degree which renders the person incapable of safely driving or exercising actual physical control of a vehicle,

➥ to drive or be in actual physical control of a vehicle on a highway or on premises to which the public has access. The fact that any person charged with a violation of this subsection is or has been entitled to use that drug under the laws of this State is not a defense against any charge of violating this subsection.

3. It is unlawful for any person to drive or be in actual physical control of a vehicle on a highway or on premises to which the public has access with an amount of any of the following prohibited substances in his or her blood or urine that is equal to or greater than:

| Prohibited substance | Urine Nanograms per milliliter | Blood Nanograms per milliliter |
|---|---|---|
| (a) Amphetamine | 500 | 100 |
| (b) Cocaine | 150 | 50 |
| (c) Cocaine metabolite | 150 | 50 |
| (d) Heroin | 2,000 | 50 |
| (e) Heroin metabolite: | | |
| (1) Morphine | 2,000 | 50 |
| (2) 6-monoacetyl morphine | 10 | 10 |
| (f) Lysergic acid diethylamide | 25 | 10 |
| (g) Methamphetamine | 500 | 100 |
| (h) Phencyclidine | 25 | 10 |

4. For any violation that is punishable pursuant to paragraph (c) of subsection 1 of NRS 484C.400, ***NRS 484C.410, 484C.430 or 484C.440,*** it is unlawful for any person to drive or be in actual physical control of a vehicle on a highway or on premises to which the public has access with an amount of any of the following prohibited substances in his or her blood that is equal to or greater than:

| Prohibited substance | Blood Nanograms per milliliter |
|---|---|
| (a) Marijuana (delta-9-tetrahydrocannabinol) | 2 |
| (b) Marijuana metabolite (11-OH-tetrahydrocannabinol) | 5 |

5. If consumption is proven by a preponderance of the evidence, it is an affirmative defense under paragraph (c) of subsection 1 that the defendant consumed a sufficient quantity of alcohol after driving or being in actual physical control of the vehicle, and before his or her blood or breath was tested, to cause the defendant to have a concentration of alcohol of 0.08 or more in his or her blood or breath. A defendant who intends to offer this defense at a trial or preliminary hearing must, not less than 14 days before the trial or hearing or at such other time as the court may direct, file and serve on the prosecuting attorney a written notice of that intent.

6. A person who violates any provision of this section may be subject to any additional penalty set forth in NRS 484B.130 or 484B.135.

**Sec. 53.** NRS 484C.430 is hereby amended to read as follows:

484C.430 1. ~~[Unless a greater penalty is provided pursuant to NRS 484C.440, a]~~ ***A*** person who:

(a) Is under the influence of intoxicating liquor;

(b) Has a concentration of alcohol of 0.08 or more in his or her blood or breath;

(c) Is found by measurement within 2 hours after driving or being in actual physical control of a vehicle to have a concentration of alcohol of 0.08 or more in his or her blood or breath;

(d) Is under the influence of a controlled substance or is under the combined influence of intoxicating liquor and a controlled substance;

(e) Inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any of these, to a degree which renders the person incapable of safely driving or exercising actual physical control of a vehicle; or

(f) Has a prohibited substance in his or her blood or urine, as applicable, in an amount that is equal to or greater than the amount set forth in subsection 3 or 4 of NRS 484C.110,

➥ and does any act or neglects any duty imposed by law while driving or in actual physical control of any vehicle on or off the highways of this State, if the act or neglect of duty proximately causes the death of, or substantial bodily harm to, another person, ***shall be punished as provided in subsection 2.***

***2. Unless a greater penalty is provided pursuant to NRS 484C.440, a person who violates any provision of subsection 1*** is guilty of ***:***

***(a) If the violation proximately causes the death of another person and the person who committed the violation:***

***(1) Has not previously been convicted of any offense, a category B felony and shall be punished by a term of imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 25 years and must be further punished by a fine of not less than $2,000 nor more than $5,000.***

***(2) Has previously been convicted of one or two offenses, a category B felony and shall be punished by a term of imprisonment in the state prison for a minimum term of not less than 5 years and a maximum term of not more than 25 years and must be further punished by a fine of not less than $2,000 nor more than $5,000.***

***(b) If the violation proximately causes substantial bodily harm to another person,*** a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years and must be further punished by a fine of not less than $2,000 nor more than $5,000.

***3.*** A person ~~[so]~~ imprisoned ***pursuant to subsection 2*** must, insofar as practicable, be segregated from offenders whose crimes were violent and, insofar as practicable, be assigned to an institution or facility of minimum security.

~~[2.]~~ ***4.*** A prosecuting attorney shall not dismiss a charge of violating the provisions of subsection 1 in exchange for a plea of guilty, guilty but mentally ill or nolo contendere to a lesser charge or for any other reason unless the attorney knows or it is obvious that the charge is not supported by probable cause or cannot be proved at the time of trial. A sentence imposed pursuant to subsection ~~[1]~~ ***2*** may not be suspended nor may probation be granted.

~~[3.]~~ ***5.*** Except as otherwise provided in subsection ~~[4,]~~ ***6,*** if consumption is proven by a preponderance of the evidence, it is an affirmative defense under paragraph (c) of subsection 1 that the defendant consumed a sufficient quantity of alcohol after driving or being in actual physical control of the vehicle, and before his or her blood or breath was tested, to cause the defendant to have a concentration of alcohol of 0.08 or more in his or her blood or breath. A defendant who intends to offer this defense at a trial or preliminary hearing must, not less than 14 days before the trial or hearing or at such other time as the court may direct, file and serve on the prosecuting attorney a written notice of that intent.

~~[4.]~~ ***6.*** If the defendant is also charged with violating the provisions of NRS 484E.010, 484E.020 or 484E.030, the defendant may not offer the affirmative defense set forth in subsection ~~[3.]~~ ***5.***

~~[5.]~~ ***7.*** If the defendant was transporting a person who is less than 15 years of age in the motor vehicle at the time of the violation, the court shall consider that fact as an aggravating factor in determining the sentence of the defendant.

***8. As used in this section, "offense" means:***

***(a) A violation of this section;***

***(b) A violation of NRS 484C.110 or 484C.120;***

***(c) A homicide resulting from driving or being in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance or resulting from any other conduct prohibited by this section or NRS 484C.110 or 484C.130; or***

***(d) A violation of a law of any other jurisdiction that prohibits the same or similar conduct as set forth in paragraph (a), (b) or (c).***

**Sec. 54.** NRS 488.410 is hereby amended to read as follows:

488.410 1. It is unlawful for any person who:

(a) Is under the influence of intoxicating liquor;

(b) Has a concentration of alcohol of 0.08 or more in his or her blood or breath; or

(c) Is found by measurement within 2 hours after operating or being in actual physical control of a power-driven vessel or sailing vessel under way to have a concentration of alcohol of 0.08 or more in his or her blood or breath,

➥ to operate or be in actual physical control of a power-driven vessel or sailing vessel under way on the waters of this State.

2. It is unlawful for any person who:

(a) Is under the influence of a controlled substance;

(b) Is under the combined influence of intoxicating liquor and a controlled substance; or

(c) Inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any of these, to a degree which renders the person incapable of safely operating or exercising actual physical control of a power-driven vessel or sailing vessel under way,

➥ to operate or be in actual physical control of a power-driven vessel or sailing vessel under way on the waters of this State.

3. It is unlawful for any person to operate or be in actual physical control of a power-driven vessel or sailing vessel under way on the waters of this State with an amount of any of the following prohibited substances in his or her blood or urine that is equal to or greater than:

| Prohibited substance | Urine Nanograms per milliliter | Blood Nanograms per milliliter |
|---|---|---|
| (a) Amphetamine | 500 | 100 |
| (b) Cocaine | 150 | 50 |
| (c) Cocaine metabolite | 150 | 50 |
| (d) Heroin | 2,000 | 50 |
| (e) Heroin metabolite: | | |
| (1) Morphine | 2,000 | 50 |
| (2) 6-monoacetyl morphine | 10 | 10 |
| (f) Lysergic acid diethylamide | 25 | 10 |
| (g) Methamphetamine | 500 | 100 |
| (h) Phencyclidine | 25 | 10 |

4. For any violation that is punishable pursuant to NRS ***488.420, 488.425 or*** 488.427, it is unlawful for any person to operate or be in actual physical control of a power-driven vessel or sailing vessel under way on the waters of this State with an amount of any of the following prohibited substances in his or her blood that is equal to or greater than:

| Prohibited substance | Blood Nanograms per milliliter |
|---|---|
| (a) Marijuana (delta-9-tetrahydrocannabinol) | 2 |
| (b) Marijuana metabolite (11-OH-tetrahydrocannabinol) | 5 |

5. If consumption is proven by a preponderance of the evidence, it is an affirmative defense under paragraph (c) of subsection 1 that the defendant consumed a sufficient quantity of alcohol after operating or being in actual physical control of the power-driven vessel or sailing vessel, as applicable, under way and before his or her blood was tested, to cause the defendant to have a concentration of 0.08 or more of alcohol in his or her blood or breath. A defendant who intends to offer this defense at a trial or preliminary hearing must, not less than 14 days before the trial or hearing or at such other time as the court may direct, file and serve on the prosecuting attorney a written notice of that intent.

6. Except as otherwise provided in NRS 488.427, a person who violates the provisions of this section is guilty of a misdemeanor.

**Sec. 55.** NRS 488.420 is hereby amended to read as follows:

488.420 1. ~~[Unless a greater penalty is provided pursuant to NRS 488.425, a]~~ ***A*** person who:

(a) Is under the influence of intoxicating liquor;

(b) Has a concentration of alcohol of 0.08 or more in his or her blood or breath;

(c) Is found by measurement within 2 hours after operating or being in actual physical control of a power-driven vessel or sailing vessel under way to have a concentration of alcohol of 0.08 or more in his or her blood or breath;

(d) Is under the influence of a controlled substance or is under the combined influence of intoxicating liquor and a controlled substance;

(e) Inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any of these, to a degree which renders the person incapable of safely operating or being in actual physical control of a power-driven vessel or sailing vessel under way; or

(f) Has a prohibited substance in his or her blood or urine, as applicable, in an amount that is equal to or greater than the amount set forth in subsection 3 or 4 of NRS 488.410,

➥ and does any act or neglects any duty imposed by law while operating or being in actual physical control of any power-driven vessel or sailing vessel under way, if the act or neglect of duty proximately causes the death of, or substantial bodily harm to, another person, ***shall be punished as provided in subsection 2.***

***2. Unless a greater penalty is provided pursuant to NRS 488.425, a person who violates subsection 1*** is guilty of ***:***

***(a) If the violation proximately causes the death of another person and the person who committed the violation:***

***(1) Has not previously been convicted of any offense, a category B felony and shall be punished by a term of imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 25***

***years and shall be further punished by a fine of not less than $2,000 nor more than $5,000.***

***(2) Has previously been convicted of one or two offenses, a category B felony and shall be punished by a term of imprisonment in the state prison for a minimum term of not less than 5 years and a maximum term of not more than 25 years and shall be further punished by a fine of not less than $2,000 nor more than $5,000.***

***(b) If the violation proximately causes substantial bodily harm to another person,*** a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years and shall be further punished by a fine of not less than $2,000 nor more than $5,000.

***3.*** A person ~~[so]~~ imprisoned ***pursuant to subsection 2*** must, insofar as practicable, be segregated from offenders whose crimes were violent and, insofar as practicable, be assigned to an institution or facility of minimum security.

~~[2.]~~ ***4.*** A prosecuting attorney shall not dismiss a charge of violating the provisions of subsection 1 in exchange for a plea of guilty, guilty but mentally ill or nolo contendere to a lesser charge or for any other reason unless the prosecuting attorney knows or it is obvious that the charge is not supported by probable cause or cannot be proved at the time of trial. A sentence imposed pursuant to subsection ~~[1]~~ ***2*** must not be suspended, and probation must not be granted.

~~[3.]~~ ***5.*** If consumption is proven by a preponderance of the evidence, it is an affirmative defense under paragraph (c) of subsection 1 that the defendant consumed a sufficient quantity of alcohol after operating or being in actual physical control of the power-driven vessel or sailing vessel, as applicable, under way and before his or her blood was tested, to cause the defendant to have a concentration of alcohol of 0.08 or more in his or her blood or breath. A defendant who intends to offer this defense at a trial or preliminary hearing must, not less than 14 days before the trial or hearing or at such other time as the court may direct, file and serve on the prosecuting attorney a written notice of that intent.

~~[4.]~~ ***6.*** If a person less than 15 years of age was in the vessel at the time of the defendant's violation, the court shall consider that fact as an aggravating factor in determining the sentence of the defendant.

***7. As used in this section, "offense" means:***

***(a) A violation of this section;***

***(b) A violation of NRS 488.410;***

***(c) A homicide resulting from operating or being in actual physical custody of a power-driven vessel or sailing vessel under way while under the influence of intoxicating liquor or a controlled substance or resulting from any other conduct prohibited by this section or NRS 488.410 or 488.425; or***

***(d) A violation of a law of any other jurisdiction that prohibits the same or similar conduct as set forth in paragraph (a), (b) or (c).***

**Sec. 56.** NRS 641.029 is hereby amended to read as follows:

641.029 The provisions of this chapter do not apply to:

1. A physician who is licensed to practice in this State;

2. A person who is licensed to practice dentistry in this State;

3. A person who is licensed as a marriage and family therapist or marriage and family therapist intern pursuant to chapter 641A of NRS;

4. A person who is licensed as a clinical professional counselor or clinical professional counselor intern pursuant to chapter 641A of NRS;

5. A person who is licensed to engage in social work pursuant to chapter 641B of NRS;

6. A person who is licensed as an occupational therapist or occupational therapy assistant pursuant to chapter 640A of NRS;

7. A person who is licensed as a clinical alcohol and drug counselor, licensed or certified as an alcohol and drug counselor or certified as an alcohol and drug counselor intern, a clinical alcohol and drug counselor intern, a problem gambling counselor or a problem gambling counselor intern, pursuant to chapter 641C of NRS;

8. A person who provides or supervises the provision of peer recovery support services in accordance with the provisions of NRS 433.622 to 433.641, inclusive ~~[;]~~ ***, and section 47 of this act;***

9. A person who is licensed as a behavior analyst or an assistant behavior analyst or registered as a registered behavior technician pursuant to chapter 641D of NRS, while engaged in the practice of applied behavior analysis as defined in NRS 641D.080; or

10. Any member of the clergy,

➥ if such a person does not commit an act described in NRS 641.440 or represent himself or herself as a psychologist or a behavioral health and wellness practitioner.

**Sec. 57.** NRS 641B.040 is hereby amended to read as follows:

641B.040 The provisions of this chapter do not apply to:

1. A physician who is licensed to practice in this State;

2. A nurse who is licensed to practice in this State;

3. A person who is licensed as a psychologist pursuant to chapter 641 of NRS or authorized to practice psychology in this State pursuant to the Psychology Interjurisdictional Compact enacted in NRS 641.227;

4. A person who is licensed as a behavioral health and wellness practitioner pursuant to chapter 641 of NRS;

5. A person who is licensed as a marriage and family therapist or marriage and family therapist intern pursuant to chapter 641A of NRS;

6. A person who is licensed as a clinical professional counselor or clinical professional counselor intern pursuant to chapter 641A of NRS;

7. A person who is licensed as an occupational therapist or occupational therapy assistant pursuant to chapter 640A of NRS;

8. A person who is licensed as a clinical alcohol and drug counselor, licensed or certified as an alcohol and drug counselor or certified as a clinical alcohol and drug counselor intern, an alcohol and drug counselor intern, a problem gambling counselor or a problem gambling counselor intern, pursuant to chapter 641C of NRS;

9. A person who provides or supervises the provision of peer recovery support services in accordance with NRS 433.622 to 433.641, inclusive ~~[;]~~ ***, and section 47 of this act;***

10. Any member of the clergy;

11. A county public assistance director;

12. Any person who may engage in social work or clinical social work in his or her regular governmental employment but does not hold himself or herself out to the public as a social worker; or

13. A student of social work and any other person preparing for the profession of social work under the supervision of a qualified social worker in a training institution or facility recognized by the Board, unless the student or other person has been issued a provisional license pursuant to paragraph (b) of subsection 1 of NRS 641B.275. Such a student must be designated by the title "student of social work" or "trainee in social work," or any other title which clearly indicates the student's training status.

**Sec. 58.** NRS 641C.130 is hereby amended to read as follows:

641C.130 The provisions of this chapter do not apply to:

1. A physician who is licensed pursuant to the provisions of chapter 630 or 633 of NRS;

2. A nurse who is licensed pursuant to the provisions of chapter 632 of NRS and is authorized by the State Board of Nursing to engage in the practice of counseling persons with alcohol and other substance use disorders or the practice of counseling persons with an addictive disorder related to gambling;

3. A psychologist who is licensed pursuant to the provisions of chapter 641 of NRS or authorized to practice psychology in this State pursuant to the Psychology Interjurisdictional Compact enacted in NRS 641.227;

4. A person who is licensed as a behavioral health and wellness practitioner pursuant to chapter 641 of NRS;

5. A clinical professional counselor or clinical professional counselor intern who is licensed pursuant to chapter 641A of NRS;

6. A marriage and family therapist or marriage and family therapist intern who is licensed pursuant to the provisions of chapter 641A of NRS and is authorized by the Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors to engage in the practice of counseling persons with alcohol and other substance use disorders or the practice of counseling persons with an addictive disorder related to gambling;

7. A person who is:

(a) Licensed as:

(1) A clinical social worker pursuant to the provisions of chapter 641B of NRS; or

(2) A master social worker or an independent social worker pursuant to the provisions of chapter 641B of NRS and is engaging in clinical social work as part of an internship program approved by the Board of Examiners for Social Workers; and

(b) Authorized by the Board of Examiners for Social Workers to engage in the practice of counseling persons with alcohol and other substance use disorders or the practice of counseling persons with an addictive disorder related to gambling; or

8. A person who provides or supervises the provision of peer recovery support services in accordance with NRS 433.622 to 433.641, inclusive ~~[.]~~ ***, or section 47 of this act.***

**Sec. 58.1.** Section 2 of chapter 463, Statutes of Nevada 2021, as last amended by chapter 507, Statutes of Nevada 2025, at page 3485, is hereby amended to read as follows:

> Sec. 2. 1. There is hereby appropriated from the State General Fund to the Department of Corrections the sum of $1,436,720 for the reintegration of the Offender Sentence Management System into the Nevada Offender Tracking Information System.
>
> 2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, ~~[2027,]~~ ***2029,*** by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September ~~[17, 2027,]~~ ***21, 2029,*** by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September ~~[17, 2027.]~~ ***21, 2029.***

**Sec. 58.2.** Section 1 of chapter 394, Statutes of Nevada 2023, at page 2310, as amended by chapter 507, Statutes of Nevada 2025, at page 3486, is hereby amended to read as follows:

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

1. An offender must be allowed credit against the minimum term or minimum aggregate term, as applicable, of his or her sentence for good behavior in an amount of days that is equivalent to 35 percent of the minimum term or minimum aggregate term, as applicable, of the sentence of the offender. In addition to this credit, the Director may allow not more than 90 days of credit each year for an offender who engages in exceptional meritorious service. Credit allowed pursuant to this subsection must be allowed only for the period the offender is actually incarcerated pursuant to his or her sentence and applies to eligibility for parole. Any forfeiture of credit pursuant to a specific statute must be applied after the credit allowed in this subsection. This subsection does not apply to an offender who has been convicted of:

(a) Any crime that is punishable as a felony involving the use or threatened use of force or violence against the victim.

(b) A sexual offense that is punishable as a felony.

(c) A violation of NRS 484C.110, 484C.120, 484C.130 or 484C.430 that is punishable as a felony.

(d) A category A or B felony.

2. An offender must be allowed credit against the maximum term or maximum aggregate term, as applicable, of his or her sentence for good behavior in an amount of days that is equivalent to 35 percent of the maximum term or maximum aggregate term, as applicable, of his or her sentence. In addition to this credit, the Director may allow not more than 90 days of credit each year for an offender who engages in exceptional meritorious service. Any forfeiture of credit pursuant to a specific statute must be applied after the credit allowed in this subsection. Credit allowed pursuant to this subsection:

(a) Must be allowed only for any period the offender is:

(1) Actually incarcerated pursuant to his or her sentence;

(2) In residential confinement; or

(3) In the custody of the Division of Parole and Probation of the Department of Public Safety pursuant to NRS 209.4886 or 209.4888.

(b) Is in addition to any credit allowed to reduce the sentence of the offender that is authorized pursuant to a specific statute.

3. ~~[An]~~ ***Except as otherwise provided in subsection 4, an*** offender who is sentenced to prison for a crime committed before July 1, ~~[2026,]~~ ***2027,*** may irrevocably elect to be subject to the provisions of this section. Any such election must apply to both the calculation of credits allowed pursuant to subsection 1 to reduce the minimum term or minimum aggregate term, as applicable, and to the calculation of credits allowed pursuant to subsection 2 to reduce the maximum term or maximum aggregate term, as applicable. Before an offender makes any such election, the Department shall provide the offender with a written projection that compares:

(a) The estimated credit the offender may receive to reduce the term of his or her sentence if the offender elects to be subject to the provisions of this section; and

(b) The estimated credit the offender may receive to reduce the term of his or her sentence if the offender does not make such an election.

4. ***An offender who was sentenced to prison for a crime committed before July 1, 2027, is within the custody of the Department and is within 2 years of completion of the minimum term or minimum aggregate term or maximum term or maximum aggregate term, as applicable, of imprisonment on or after July 1, 2027, is subject to the provisions of this section and may irrevocably elect the method of calculating the reduction of credits as described in subsection 3. If an offender becomes eligible for release on parole before the eligible date of release calculated pursuant to this section, the Director may authorize the offender to be considered early for parole or release the offender consistent with the calculation of credit under the irrevocable waiver, as applicable.***

***5.*** Nothing in this section shall be construed to reduce retroactively the amount of credit allowed to reduce the sentence of the offender under the laws of this State as those laws existed before July 1, ~~[2026,]~~ ***2027,*** if doing so would constitute a violation under the United States Constitution or the Nevada Constitution.

~~[5.]~~ ***6.*** The Director shall:

(a) Provide each offender in the custody of the Department with a list that includes:

(1) The programs identified in the risk and needs assessment administered to the offender pursuant to NRS 209.341, as determined by the Director;

(2) The programs available at the institution or facility to which the offender has been assigned; and

(3) Which of the programs described in subparagraph (1) are available at the institution or facility to which the offender has been assigned; and

(b) At the time the Department compiles and provides to the State Board of Parole Commissioners data that will assist the Board in determining whether parole should be granted to the offender pursuant to NRS 213.131, submit a report to the Board that includes:

(1) The list of programs provided to the offender pursuant to paragraph (a); and

(2) The programs provided to the offender pursuant to paragraph (a) that the offender successfully completed.

~~[6.]~~ ***7.*** The Board shall adopt regulations to carry out the provisions of this section. Such regulations must:

(a) Include, without limitation, provisions governing the award, forfeiture and restoration of credits pursuant to this section; and

(b) Require the forfeiture of credits awarded pursuant to this section if the offender does not comply with the programming and placement identified in the risk and needs assessment administered pursuant to NRS 209.341, as determined by the Director.

**Sec. 58.3.** Section 3 of chapter 394, Statutes of Nevada 2023, at page 2311, as amended by chapter 507, Statutes of Nevada 2025, at page 3488, is hereby amended to read as follows:

Sec. 3. NRS 209.4465 is hereby amended to read as follows:

209.4465 1. ~~[Unless an offender has elected to be subject to the provisions of]~~ ***Except as otherwise provided in*** section 1 of this act, an offender who is sentenced to prison for a crime committed on or after July 17, 1997, but before July 1, ~~[2026,]~~ ***2027,*** who has no serious infraction of the regulations of the Department, the terms and conditions of his or her residential confinement or the laws of the State recorded against the offender, and who performs in a faithful, orderly and peaceable manner the duties assigned to the offender, must be allowed:

(a) For the period the offender is actually incarcerated pursuant to his or her sentence;

(b) For the period the offender is in residential confinement; and

(c) For the period the offender is in the custody of the Division of Parole and Probation of the Department of Public Safety pursuant to NRS 209.4886 or 209.4888,

➥ a deduction of 20 days from his or her sentence for each month the offender serves.

2. In addition to the credits allowed pursuant to subsection 1, the Director may allow not more than 10 days of credit each month for an offender whose diligence in labor and study merits such credits. In addition to the credits allowed pursuant to this subsection, an offender is entitled to the following credits for educational achievement:

(a) For earning a general educational development certificate or an equivalent document, 60 days.

(b) For earning a high school diploma, 90 days.

(c) For earning his or her first associate degree, 120 days.

3. The Director may, in his or her discretion, authorize an offender to receive a maximum of 90 days of credit for each additional degree of higher education earned by the offender.

4. The Director may allow not more than 10 days of credit each month for an offender who participates in a diligent and responsible manner in a center for the purpose of making restitution, program for reentry of offenders and parolees into the community, conservation camp, program of work release or another program conducted outside of the prison. An offender who earns credit pursuant to this subsection is eligible to earn the entire 30 days of credit each month that is allowed pursuant to subsections 1 and 2.

5. The Director may allow not more than 90 days of credit each year for an offender who engages in exceptional meritorious service.

6. The Board shall adopt regulations governing the award, forfeiture and restoration of credits pursuant to this section.

7. Except as otherwise provided in subsections 8 and 9, credits earned pursuant to this section:

(a) Must be deducted from the maximum term or the maximum aggregate term imposed by the sentence, as applicable; and

(b) Apply to eligibility for parole unless the offender was sentenced pursuant to a statute which specifies a minimum sentence that must be served before a person becomes eligible for parole.

8. Credits earned pursuant to this section by an offender who has not been convicted of:

(a) Any crime that is punishable as a felony involving the use or threatened use of force or violence against the victim;

(b) A sexual offense that is punishable as a felony;

(c) A violation of NRS 484C.110, 484C.120, 484C.130 or 484C.430 that is punishable as a felony; or

(d) A category A or B felony,

➥ apply to eligibility for parole and, except as otherwise provided in subsection 9, must be deducted from the minimum term or the minimum aggregate term imposed by the sentence, as applicable, until the offender becomes eligible for parole and must be deducted from the maximum term or the maximum aggregate term imposed by the sentence, as applicable.

9. Credits deducted pursuant to subsection 8 may reduce the minimum term or the minimum aggregate term imposed by the sentence, as applicable, by not more than 58 percent for an offender who:

(a) Is serving a sentence for an offense committed on or after July 1, 2014; or

(b) On or after July 1, 2014, makes an irrevocable election to have his or her consecutive sentences aggregated pursuant to NRS 213.1212.

10. In addition to the credits allowed pursuant to this section, if the Governor determines, by executive order, that it is necessary, the Governor may authorize the deduction of not more than 5 days from a sentence for each month an offender serves. This subsection must be uniformly applied to all offenders under a sentence at the time the Governor makes such a determination.

**Sec. 58.4.** Section 5 of chapter 394, Statutes of Nevada 2023, at page 2314, as amended by chapter 507, Statutes of Nevada 2025, at page 3489, is hereby amended to read as follows:

Sec. 5. NRS 209.4477 is hereby amended to read as follows:

209.4477 1. **[**~~Unless an offender has elected to be subject to the provisions of~~**]** ***Except as otherwise provided in*** section 1 of this act, an offender who is serving a sentence for a crime committed before July 1, **[**~~2026,~~**]** ***2027,*** and who is actually incarcerated in an institution or facility of the Department pursuant to his or her sentence during a period in which a state of emergency due to a communicable or infectious disease has been declared by the Governor and remains in effect must be allowed, in addition to the credits provided pursuant to NRS 209.433, 209.443, 209.446 or 209.4465, a deduction of 5 days from his or her sentence for each month the offender serves during the state of emergency. An offender shall not be allowed more than 60 days of credit pursuant to this section.

2. Credits earned pursuant to this section:

(a) Apply to eligibility for parole and must be deducted from the minimum term or the minimum aggregate term imposed by the sentence, as applicable, until the offender becomes eligible for parole, unless the offender was sentenced pursuant to a statute which specifies a minimum sentence which must be served before a person becomes eligible for parole; and

(b) Must be deducted from the maximum term or the maximum aggregate term imposed by the sentence, as applicable.

3. Not later than 60 days after a state of emergency due to a communicable or infectious disease has been declared by the Governor, the Director shall submit a report containing a list of the offenders who have received credits pursuant to this section to the Chief Justice of the Nevada Supreme Court, the State Public Defender, the Attorney General, the Executive Director of the Department of Sentencing Policy and the Director of the Legislative Counsel Bureau for transmittal to the Legislature or, if the Legislature is not in session, to the Joint Interim Standing Committee on the Judiciary.

4. As used in this section:

(a) "Communicable disease" means an infectious disease that can be transmitted from person to person, animal to person or insect to person.

(b) "Infectious disease" means a disease caused by a living organism or other pathogen, including a fungus, bacillus, parasite, protozoan or virus. An infectious disease may or may not be transmissible from person to person, animal to person or insect to person.

**Sec. 58.5.** Section 6 of chapter 394, Statutes of Nevada 2023, at page 2314, is hereby amended to read as follows:

Sec. 6. NRS 209.448 is hereby amended to read as follows:

209.448 1. An offender who has no serious infraction of the regulations of the Department or the laws of the State recorded against the offender must be allowed, in addition to the credits provided pursuant to NRS 209.433, 209.443, 209.446 or 209.4465, a deduction of not more than 60 days from the maximum term or the maximum aggregate term of the offender's sentence, as applicable, for the successful completion of a program of treatment for an alcohol or other substance use disorder which is conducted jointly by the Department and a person who is licensed as a clinical alcohol and drug counselor, licensed or certified as an alcohol and drug counselor or certified as an alcohol and drug counselor intern or a clinical alcohol and drug counselor intern, pursuant to chapter 641C of NRS.

2. ~~[Unless an offender has elected to be subject to the provisions of]~~ ***Except as otherwise provided in*** section 1 of this act, the provisions of this section apply to any offender who is sentenced on or after October 1, 1991, for a crime committed before July 1, ~~[2025.]~~ ***2027.***

**Sec. 58.6.** Section 7 of chapter 394, Statutes of Nevada 2023, at page 2315, as amended by chapter 507, Statutes of Nevada 2025, at page 3490, is hereby amended to read as follows:

Sec. 7. NRS 209.449 is hereby amended to read as follows:

209.449 1. ~~[Unless an offender has elected to be subject to the provisions of]~~ ***Except as otherwise provided in*** section 1 of this act, an offender who is serving a sentence for a crime committed before July 1, ~~[2026,]~~ ***2027,*** and who has no serious infraction of the regulations of the Department, the terms and conditions of his or her residential confinement or the laws of the State recorded against the offender must be allowed, in addition to the credits provided pursuant to NRS 209.433, 209.443, 209.446 or 209.4465, a deduction of 60 days from the maximum term or the maximum aggregate term of the offender's sentence, as applicable, for the successful completion of:

(a) A program of vocational education and training; or

(b) Any other program approved by the Director.

2. If the offender completes such a program with meritorious or exceptional achievement, the Director may allow not more than 60 days of credit in addition to the 60 days allowed for completion of the program.

**Sec. 58.7.** Section 11 of chapter 394, Statutes of Nevada 2023, at page 2318, as amended by chapter 507, Statutes of Nevada 2025, at page 3490, is hereby amended to read as follows:

Sec. 11. 1. This section and section 10.5 of this act become effective upon passage and approval.

2. Sections 10.1 and 10.3 of this act become effective on July 1, 2023.

3. Sections 1 to 10, inclusive, of this act become effective upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act and on July 1, ~~[2026,]~~ ***2027,*** for all other purposes.

**Sec. 59.** 1. Subject to subsection 2, there is hereby appropriated from the State General Fund to the Interim Finance Committee for allocation to the Administrative Office of the Courts for the purpose of carrying out the provisions of this act the following sums:

For the Fiscal Year 2025-2026 ........................................................ $612,720
For the Fiscal Year 2026-2027 ........................................................ $948,695

2. The sums appropriated by subsection 1 may be allocated by the Interim Finance Committee to the Administrative Office of the Courts based on appropriate documentation justifying the expenses related to carrying out the provisions of this act.

3. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 18, 2026, and September 17, 2027, respectively, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 18, 2026, and September 17, 2027, respectively.

**Sec. 60.** 1. There is hereby appropriated from the State General Fund to the Department of Corrections for personnel costs associated with carrying out the provisions of this act related to alternative correctional programs the following sums:

For the Fiscal Year 2025-2026 ................................................... $1,363,846
For the Fiscal Year 2026-2027 ................................................... $2,368,000

2. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 18, 2026, and September 17, 2027, respectively, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 18, 2026, and September 17, 2027, respectively.

**Sec. 60.5.** 1. There is hereby appropriated from the State General Fund to the Department of Corrections the sum of $566,696 for equipment and furniture costs associated with carrying out the provisions of this act related to the alternative correctional program.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2027, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 17, 2027, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 17, 2027.

**Sec. 61.** 1. There is hereby appropriated from the State General Fund to the Department of Corrections for the purpose of carrying out the provisions of this act the following sums:

For the Fiscal Year 2025-2026 ........................................................ $124,196
For the Fiscal Year 2026-2027 ........................................................ $293,928

2. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 18, 2026, and September 17, 2027, respectively, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 18, 2026, and September 17, 2027, respectively.

**Sec. 62.** The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

**Sec. 63.** Notwithstanding the provisions of NRS 218D.430 and 218D.435, a committee may vote on this act before the expiration of the period prescribed for the return of a fiscal note in NRS 218D.475. This section applies retroactively from November 13, 2025.

**Sec. 64.** The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

**Sec. 65.** This act becomes effective on January 1, 2026.