
ASSEMBLY BILL NO. 22—ASSEMBLYWOMAN CEGAVSKE

PREFILED JANUARY 8, 1999

Referred to Committee on Judiciary

SUMMARY—Revises provisions concerning certain lawsuits brought by prisoners. (BDR 14-509)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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

AN ACT relating to prisoners; requiring a court to make certain deductions from a monetary judgment awarded to a prisoner in a civil action brought against the State of Nevada; requiring a prisoner who has filed an action for small claims to pay the estimated costs of his transportation to the department of prisons in advance; and providing other matters properly relating thereto.

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

- 1 **Section 1.** Chapter 176 of NRS is hereby amended by adding thereto a
2 new section to read as follows:
3 ***1. If a defendant who is or was imprisoned in the state prison is***
4 ***awarded a judgment for money against the State of Nevada, a***
5 ***department, commission, board or other agency of the State of Nevada or***
6 ***a current or former officer, employee or contractor of the State of Nevada***
7 ***arising from a civil action that accrued while the defendant was***
8 ***imprisoned in the state prison, the court shall make the following***
9 ***deductions and send the money to the appropriate person, governmental***
10 ***agency or political subdivision of a governmental agency, in the following***
11 ***order, from the money received from the judgment:***
12 ***(a) An amount owed by the defendant for restitution;***
13 ***(b) An amount owed by the defendant for an administrative***
14 ***assessment;***
15 ***(c) An amount owed by the defendant for a fine; and***
16 ***(d) An amount owed by the defendant to repay the expenses of his***
17 ***defense.***

1 2. *If any money remains after the court makes the deductions*
2 *pursuant to subsection 1, the court shall forward the remaining money to*
3 *the defendant.*

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

6 1. *Except as otherwise provided in subsection 3, if an offender has*
7 *filed an action for small claims pursuant to chapter 73 of NRS and the*
8 *offender requests to appear as a witness in the action, he shall pay the*
9 *department in advance for the costs the department estimates will be*
10 *incurred in providing transportation for the offender to appear in court.*

11 2. *Within 30 days after providing transportation for an offender to*
12 *appear in court pursuant to subsection 1, the department shall:*

13 (a) *Reimburse the offender for any amount paid by him that exceeds*
14 *the actual cost incurred by the department in providing transportation for*
15 *the offender; or*

16 (b) *Charge the offender for any cost incurred by the department in*
17 *providing transportation for the offender that exceeds the amount paid by*
18 *the defendant pursuant to subsection 1.*

19 3. *The provisions of this section do not apply to indigent offenders.*