

ASSEMBLY BILL NO. 229—COMMITTEE ON JUDICIARY

(ON BEHALF OF ATTORNEY GENERAL)

FEBRUARY 15, 1999

Referred to Committee on Judiciary

SUMMARY—Authorizes assignment of certain juvenile offenders to program of cognitive training and human development. (BDR 5-304)

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

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

AN ACT relating to children; authorizing the assignment of certain juvenile offenders to a program of cognitive training and human development; establishing requirements for such a program; and providing other matters properly relating thereto.

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

Section 1. Chapter 62 of NRS is hereby amended by adding thereto a new section to read as follows:

1. In addition to any other action authorized pursuant to the provisions of this chapter, the court may order a child who is found to be within the purview of this chapter to complete a program of cognitive training and human development pursuant to this section if:

(a) The child has never been found to be within the purview of this chapter; and

(b) The unlawful act for which the child is found to be within the purview of this chapter did not involve the use or threatened use of force or violence against a victim.

2. If the court orders a child to complete a program of cognitive training and human development, the court may order any or all of the following, in the following order of priority if practicable:

(a) The child or the parent or guardian of the child, to the extent of his financial ability, to pay the costs associated with the participation of the child in the program, including, without limitation, a reasonable sum

1 of money to pay for the cost of policies of insurance against liability for
2 personal injury and damage to property during those periods in which
3 the child participates in the program;

4 (b) The child to work on projects or perform public service pursuant
5 to paragraph (i) of subsection 1 of NRS 62.211 for a period that reflects
6 the costs associated with the participation of the child in the program; or

7 (c) The county in which the petition alleging the child to be delinquent
8 or in need of supervision is filed to pay the costs associated with the
9 participation of the child in the program.

10 3. A program of cognitive training and human development must
11 include, without limitation, education, instruction or guidance in one or
12 more of the following subjects, as deemed appropriate by the court:

13 (a) Motivation.

14 (b) Habits, attitudes and conditioning.

15 (c) Self-conditioning processes.

16 (d) Developing a successful way of life.

17 (e) The process of solving problems.

18 (f) Emotions and emotional blocks.

19 (g) Assurances and demonstrative maturity.

20 (h) Family success.

21 (i) Family relationships.

22 (j) Interfamilial understanding and communications.

23 (k) Financial stability.

24 (l) Effective communications.

25 (m) Obtaining and retaining employment.

26 4. A director of juvenile services may:

27 (a) Apply for and accept grants or gifts to finance a program of
28 cognitive training and human development; and

29 (b) Contract with persons and public or private entities that are
30 qualified to operate or to participate in a program of cognitive training
31 and human development.

32 5. As used in this section, "director of juvenile services" means:

33 (a) In a judicial district that does not include a county whose
34 population is 100,000 or more, the chief probation officer who is
35 designated pursuant to NRS 62.110;

36 (b) In a judicial district that includes a county whose population is
37 100,000 or more but less than 400,000, the director of juvenile services
38 who is appointed pursuant to NRS 62.1225;

39 (c) In a judicial district that includes a county whose population is
40 400,000 or more:

41 (1) The director of juvenile services who is appointed pursuant to
42 NRS 62.123; or

Sec. 2. NRS 62.129 is hereby amended to read as follows:

if:

1 ***(1) The child has never been found to be within the purview of this***
2 ***chapter; and***

3 ***(2) The unlawful act for which the child is found to be within the***
4 ***purview of this chapter did not involve the use or threatened use of force***
5 ***or violence against a victim; or***

6 ***(d) Engage in any combination of the activities set forth in***
7 ***paragraphs (a), (b) and (c).***

8 4. If an agreement for informal supervision requires a child to
9 participate in a program of restitution through work ~~for~~ ***as set forth in***
10 ***paragraph (b) of subsection 3 or complete a program of cognitive***
11 ***training and human development as set forth in paragraph (c) of***
12 ***subsection 3***, the agreement may also require any or all of the following, in
13 the following order of priority if practicable:

14 (a) The child or the parent or guardian of the child, to the extent of his
15 financial ability, to pay the costs associated with the participation of the
16 child in the program, including, without limitation, a reasonable sum of
17 money to pay for the cost of policies of insurance against liability for
18 personal injury and damage to property ~~for for industrial insurance, or~~
19 ~~both,~~ during those periods in which the child participates in the program
20 or performs work, ~~unless,~~ ***and*** in the case of ***a program of restitution***
21 ***through work, for*** industrial insurance, ~~it~~ ***unless the industrial insurance***
22 ***is provided by the employer for which the child performs the work; or***

23 (b) The child to work on projects or perform public service pursuant to
24 paragraph (i) of subsection 1 of NRS 62.211 for a period that reflects the
25 costs associated with the participation of the child in the program.

26 5. If a child is placed under informal supervision, a petition based
27 upon the events out of which the original complaint arose may be filed
28 only within 180 days after entry into the agreement for informal
29 supervision. If a petition is filed within that period, the child may withdraw
30 the admission he made pursuant to subsection 1. The child's compliance
31 with all proper and reasonable terms of the agreement constitute grounds
32 for the court to dismiss the petition.

33 6. A probation officer shall file annually with the court a report of the
34 number of children placed under informal supervision during the previous
35 year, the conditions imposed in each case and the number of cases that
36 were successfully completed without the filing of a petition.

37 **Sec. 3.** The provisions of subsection 1 of NRS 354.599 do not apply
38 to any additional expenses of a local government that are related to the
39 provisions of this act.

40 **Sec. 4.** The amendatory provisions of this act do not apply to offenses
41 that were committed before October 1, 1999.

42 **Sec. 5.** Section 2 of this act becomes effective at 12:01 a.m. on
43 October 1, 1999.

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