

ASSEMBLY BILL NO. 308—ASSEMBLYMEN GIBBONS, SEGERBLOM, MORTENSON, BERMAN, TIFFANY, HUMKE, VON TOBEL, ANDERSON, CARPENTER, MANENDO, LESLIE, COLLINS, OHRENSCHALL, PRICE, PARKS, BACHE, KOIVISTO, MCCLAIN, GUSTAVSON, BROWER AND ANGLE

FEBRUARY 23, 1999

Referred to Committee on Judiciary

SUMMARY—Requires department of prisons to establish program to use dogs to detect presence of controlled substances. (BDR 16-959)

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

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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 prisons; requiring the department of prisons to establish a program to use dogs to sniff certain persons on the property or entering the property of an institution and other items that such persons bring onto the property of an institution to detect the presence of a controlled substance; 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 209 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The director shall establish a program that provides for any person who is on the property or entering the property of an institution and any vehicle, property or goods of the person that is on the property of the institution to be sniffed by a trained dog to detect the presence of a controlled substance. The program may provide that the selection of the persons or items to be sniffed may be made on a random basis or based on reasonable suspicion or probable cause to believe that the person possesses a controlled substance.

2. If the person handling the trained dog as part of the program established pursuant to subsection 1 reasonably interprets the action of the dog as an indication that a controlled substance may be present, a

1 *peace officer may conduct an appropriate search of the person, vehicle,*
2 *property or goods to determine whether a controlled substance is present.*
3 *3. The director may apply for any available grants and accept any*
4 *gifts, grants or donations to assist in the acquisition, training and use of*
5 *the dogs for the program established pursuant to subsection 1.*

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