

ASSEMBLY BILL NO. 464—ASSEMBLYMEN FREEMAN, PARKS, PARNELL, MORTENSON, VON TOBEL, GIBBONS, MANENDO, OHRENSCHALL, NOLAN, LESLIE, PRICE, KOIVISTO, HUMKE, HETTRICK, CEGAVSKE, BERMAN, MCCLAIN, COLLINS, CARPENTER AND GUSTAVSON

MARCH 10, 1999

Referred to Committee on Judiciary

SUMMARY—Provides additional penalty for committing certain offenses relating to controlled or counterfeit substances on grounds of public park. (BDR 40-1561)

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 controlled substances; providing an additional penalty for committing certain offenses relating to controlled or counterfeit substances on the grounds of a public park; 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.** NRS 453.3345 is hereby amended to read as follows:
2 453.3345 1. Unless a greater penalty is provided in NRS 453.333 or
3 453.334, and except as otherwise provided in NRS 193.169, any person
4 who violates NRS 453.321 or 453.323:
5 (a) On the grounds of a public or private school, a playground, ***public***
6 ***park***, public swimming pool, recreational center for youths or a video
7 arcade;
8 (b) On a campus of the University and Community College System of
9 Nevada;
10 (c) Within 1,000 feet of the perimeter of such a school ground or
11 campus, playground, ***park***, pool, recreational center or arcade; or
12 (d) Within 1,000 feet of a school bus stop from 1 hour before school
13 begins until 1 hour after school ends during scheduled school days,

1 must be punished by imprisonment in the state prison for a term equal to
2 and in addition to the term of imprisonment prescribed by statute for the
3 crime. The sentence prescribed by this section runs consecutively with the
4 sentence prescribed by statute for the crime.

5 2. This section does not create a separate offense but provides an
6 additional penalty for the primary offense, whose imposition is contingent
7 upon the finding of the prescribed fact.

8 3. For the purposes of this section:

9 (a) "Playground" means any outdoor facility, intended for recreation,
10 open to the public and in any portion thereof containing one or more
11 apparatus intended for the recreation of children, such as a sliding board,
12 teeterboard, sandbox or swingset.

13 (b) "Recreational center for youths" means a recreational facility or
14 gymnasium which regularly provides athletic, civic or cultural activities
15 for persons under 18 years of age.

16 (c) "School bus" has the meaning ascribed to it in NRS 483.160.

17 (d) "Video arcade" means a facility legally accessible to persons under
18 18 years of age, intended primarily for the use of pinball and video
19 machines for amusement and which contains a minimum of 10 such
20 machines.

21 **Sec. 2.** The amendatory provisions of this act do not apply to offenses
22 that were committed before October 1, 1999.