

ASSEMBLY BILL NO. 78—COMMITTEE ON JUDICIARY

(ON BEHALF OF DEPARTMENT OF PRISONS)

FEBRUARY 4, 1999

Referred to Committee on Judiciary

SUMMARY—Eliminates duty of director of department of prisons to return certified copy of judgment of conviction to county clerk upon termination of imprisonment of prisoner. (BDR 14-450)

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 prisons; eliminating the duty of the director of the department of prisons to return a certified copy of a judgment of conviction to the county clerk upon the termination of imprisonment of a prisoner; 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 176.335 is hereby amended to read as follows:
2 176.335 1. If the judgment is for imprisonment in the state prison,
3 the sheriff of the county shall, on receipt of the triplicate certified copies
4 thereof, immediately notify the director of the department of prisons and
5 the director shall, without delay, send some authorized person to the
6 county where the prisoner is held for commitment to receive the prisoner.
7 2. When such an authorized person presents to the sheriff holding the
8 prisoner his order for the delivery of the prisoner, the sheriff shall deliver
9 to the authorized person two of the certified copies of the judgment and a
10 copy of the report of the presentence investigation if required pursuant to
11 NRS 176.159, and take from the person a receipt for the prisoner, and the
12 sheriff shall make return upon his certified copy of the judgment, showing
13 his proceedings thereunder, and both that copy with the return affixed
14 thereto and the receipt from the authorized person must be filed with the
15 county clerk.

1 3. The term of imprisonment designated in the judgment must begin
2 on the date of sentence of the prisoner by the court.

3 ~~[4.—Upon the expiration of the term of imprisonment of the prisoner, or~~
4 ~~the termination thereof for any legal reason, the director of the department~~
5 ~~of prisons shall return one of his certified copies of the judgment to the~~
6 ~~county clerk of the county from whence it was issued, with a brief report~~
7 ~~of his proceedings thereunder endorsed thereon, and the endorsed copy~~
8 ~~must be filed with the county clerk. The return must show the cause of the~~
9 ~~termination of such imprisonment, whether by death, legal discharge or~~
10 ~~otherwise.]~~

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