

SENATE BILL NO. 157—COMMITTEE ON FINANCE
(ON BEHALF OF ADVISORY COMMISSION ON SENTENCING)

FEBRUARY 10, 1999

Referred to Committee on Judiciary

SUMMARY—Requires courts to report disposition of charges and appeals in criminal cases to central repository for Nevada records of criminal history. (BDR 1-232)

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 ~~for omitted material~~ is material to be omitted.

AN ACT relating to records of criminal history; requiring courts, to the extent of legislative appropriation, to report the disposition of charges and appeals in criminal cases to the central repository for Nevada records of criminal history; requiring the director of the department of motor vehicles and public safety to consult with the court administrator and adopt regulations prescribing the manner, form and time in which courts must report such information; 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 3 of NRS is hereby amended by adding thereto a
2 new section to read as follows:
3 ***1. To the extent of legislative appropriations, the clerk of each***
4 ***district court shall, in the manner, form and time prescribed in the***
5 ***regulations adopted pursuant to section 4 of this act, report to the central***
6 ***repository for Nevada records of criminal history the information that***
7 ***must be reported under the regulations adopted pursuant to section 4 of***
8 ***this act regarding the disposition by the court of:***
9 ***(a) Charges in a criminal case; and***
10 ***(b) An appeal from an order of a justice's court or municipal court in***
11 ***a criminal case.***

1 2. For the purposes of this section, the term "criminal case" does not
2 include a case involving any violation or alleged violation of any state or
3 local law, ordinance or resolution governing the operation of a motor
4 vehicle upon any street, alley or highway within this state, except:

5 (a) Any violation or alleged violation of chapter 484 or 706 of NRS
6 that causes the death of a person;

7 (b) Driving a motor vehicle while under the influence of intoxicating
8 liquor, a controlled substance or a drug in violation of NRS 484.379; or

9 (c) A traffic offense declared to be a felony.

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

12 1. To the extent of legislative appropriations, a justice of the peace
13 shall, in the manner, form and time prescribed in the regulations adopted
14 pursuant to section 4 of this act, report to the central repository for
15 Nevada records of criminal history the information that must be reported
16 under the regulations adopted pursuant to section 4 of this act regarding
17 the disposition by the court of charges in a criminal case.

18 2. For the purposes of this section, the term "criminal case" does not
19 include a case involving any violation or alleged violation of any state or
20 local law, ordinance or resolution governing the operation of a motor
21 vehicle upon any street, alley or highway within this state, except:

22 (a) Any violation or alleged violation of chapter 484 or 706 of NRS
23 that causes the death of a person;

24 (b) Driving a motor vehicle while under the influence of intoxicating
25 liquor, a controlled substance or a drug in violation of NRS 484.379; or

26 (c) A traffic offense declared to be a felony.

27 **Sec. 3.** Chapter 5 of NRS is hereby amended by adding thereto a new
28 section to read as follows:

29 1. To the extent of legislative appropriations, the clerk of each
30 municipal court shall, in the manner, form and time prescribed in the
31 regulations adopted pursuant to section 4 of this act, report to the central
32 repository for Nevada records of criminal history the information that
33 must be reported under the regulations adopted pursuant to section 4 of
34 this act regarding the disposition by the court of charges in a criminal
35 case.

36 2. For the purposes of this section, the term "criminal case" does not
37 include a case involving any violation or alleged violation of any state or
38 local law, ordinance or resolution governing the operation of a motor
39 vehicle upon any street, alley or highway within this state, except driving
40 a motor vehicle while under the influence of intoxicating liquor, a
41 controlled substance or a drug in violation of NRS 484.379.

1 **Sec. 4.** Chapter 179A of NRS is hereby amended by adding thereto a
2 new section to read as follows:

3 1. *After consulting with the court administrator, the director shall*
4 *adopt regulations prescribing:*

5 (a) *The information regarding dispositions of charges and appeals in*
6 *criminal cases that must be reported to the central repository by the*
7 *courts in this state pursuant to sections 1, 2 and 3 of this act; and*

8 (b) *The manner, form and time in which dispositions of charges and*
9 *appeals in criminal cases must be reported to the central repository by*
10 *the courts in this state pursuant to sections 1, 2 and 3 of this act.*

11 2. *As used in this section, "court administrator" means the office of*
12 *court administrator created pursuant to NRS 1.320.*

13 3. *For the purposes of this section, the term "criminal case" does not*
14 *include a case involving any violation or alleged violation of any state or*
15 *local law, ordinance or resolution governing the operation of a motor*
16 *vehicle upon any street, alley or highway within this state, except:*

17 (a) *Any violation or alleged violation of chapter 484 or 706 of NRS*
18 *that causes the death of a person;*

19 (b) *Driving a motor vehicle while under the influence of intoxicating*
20 *liquor, a controlled substance or a drug in violation of NRS 484.379; or*

21 (c) *A traffic offense declared to be a felony.*

22 **Sec. 5.** The provisions of subsection 1 of NRS 354.599 do not apply to
23 any additional expenses of a local government that are related to the
24 provisions of this act.

25 **Sec. 6.** This act becomes effective on July 1, 1999.