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FIRST REPRINT

EXEMPT

A.B. 330

ASSEMBLY BILL NO. 330—ASSEMBLYMAN NOLAN

MARCH 13, 2001

Referred to Committee on Judiciary

SUMMARY—Makes various changes concerning prisons. (BDR 16-662)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Contains Appropriation not included in Executive Budget.

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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; making various changes concerning criminal acts committed in a prison; providing a penalty; making an appropriation; 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 212.160 is hereby amended to read as follows:
2 212.160 1. A ***prisoner or other*** person, who is not authorized by law,
3 ~~who knowingly furnishes, attempts~~ ***shall not knowingly:***
4 ***(a) Furnish, attempt*** to furnish, or ~~aids or assists~~ ***aid or assist*** in
5 furnishing or attempting to furnish to a prisoner confined in an institution
6 of the department of prisons, or any other place where prisoners are
7 authorized to be or are assigned by the director of the department, any
8 deadly weapon, explosive, a facsimile of a firearm or an explosive, any
9 controlled substance or intoxicating liquor ~~or~~ ;
10 ***(b) Bring or send into or assist in bringing or sending into a prison***
11 ***any deadly weapon, explosive, a facsimile of a firearm or an explosive,***
12 ***any controlled substance or intoxicating liquor; or***
13 ***(c) Possess in a prison any deadly weapon, explosive, a facsimile of a***
14 ***firearm or an explosive, any controlled substance or intoxicating liquor.***
15 2. ***A person who violates the provisions of subsection 1*** shall be
16 punished:
17 (a) Where a deadly weapon, controlled substance, explosive or a
18 facsimile of a firearm or explosive is involved, for a category B felony by
19 imprisonment in the state prison for a minimum term of not less than 1 year
20 and a maximum term of not more than 6 years, and may be further
21 punished by a fine of not more than \$5,000.
22 (b) Where an intoxicant is involved, for a gross misdemeanor.



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1 ~~12.1~~ 3. Knowingly leaving or causing to be left any deadly weapon,
2 explosive, facsimile of a firearm or explosive, controlled substance or
3 intoxicating liquor where it may be obtained by any prisoner constitutes,
4 within the meaning of this section, the furnishing of the article to the
5 prisoner.
6 ~~13. A prisoner confined in an institution of the department of prisons,
7 or any other place where prisoners are authorized to be or are assigned by
8 the director of the department, who possesses a controlled substance
9 without lawful authorization is guilty of a category D felony and shall be
10 punished as provided in NRS 193.130.~~
11 **Sec. 2.** 1. There is hereby appropriated from the state general fund
12 to the department of prisons the sum of \$150,000 for purchasing one
13 portable ion scanner for each institution and one ion scanner for use at the
14 entrance for visitors at each institution.
15 2. Any remaining balance of the appropriation made by subsection 1
16 must not be committed for expenditure after June 30, 2002, and reverts to
17 the state general fund as soon as all payments of money committed have
18 been made.
19 **Sec. 3.** The amendatory provisions of this act do not apply to offenses
20 committed before July 1, 2001.
21 **Sec. 4.** This act becomes effective on July 1, 2001.

