

Senate Bill No. 197—Senators Wiener, Rawson, Titus, Mathews, Care, Amodei, Coffin, McGinness, Neal, O’Connell, Porter, Schneider, Shaffer and Washington

CHAPTER.....

AN ACT relating to therapeutic communities; revising the provisions governing the date on which an offender is eligible to be assigned to participate in a therapeutic community; 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.** NRS 209.4237 is hereby amended to read as follows:

209.4237 1. The director shall, in conjunction with the health division and with the approval of the board, establish a program to evaluate an offender in the custody of the department to determine whether the offender is a substance abuser and whether the offender may benefit from participation in a therapeutic community.

2. An evaluation of an offender must be conducted pursuant to subsection 1 if the offender is eligible to be assigned to a therapeutic community.

3. After an evaluation is conducted pursuant to subsection 1, the director or a person designated by the director shall determine whether the offender is a substance abuser and whether the offender may benefit from participation in a therapeutic community.

4. If a determination is made that the offender is a substance abuser and that the offender may benefit from participation in a therapeutic community, the director or a person designated by the director shall determine whether to assign the offender to participate in a therapeutic community. In determining whether to assign an offender to participate in a therapeutic community, the director or a person designated by the director shall:

(a) Consider the severity of the problem of substance abuse by the offender and the availability of space in each therapeutic community; and

(b) Give preference, to the extent practicable, to those offenders who appear to be most capable of successfully participating in and completing treatment in a therapeutic community.

5. ~~If an offender is~~ *To be eligible to be* assigned to participate in a therapeutic community, ~~the offender must be assigned to participate in the therapeutic community for the year immediately preceding~~ *an offender must be within 2 years of* the date on which ~~he~~ *the offender* is reasonably expected to be released, as determined by the director.

**Sec. 2.** This act becomes effective on July 1, 2001.