

(REPRINTED WITH ADOPTED AMENDMENTS)**SECOND REPRINT****S.B. 197**

SENATE BILL NO. 197—SENATORS WIENER, RAWSON, TITUS, MATHEWS,
CARE, AMODEI, COFFIN, MCGINNESS, NEAL, O'CONNELL,
PORTER, SCHNEIDER, SHAFFER AND WASHINGTON

FEBRUARY 19, 2001

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing date on which offender is eligible to be assigned to participate in therapeutic community. (BDR 16-23)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

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:

- 1 **Section 1.** NRS 209.4237 is hereby amended to read as follows:
- 2 209.4237 1. The director shall, in conjunction with the health
- 3 division and with the approval of the board, establish a program to evaluate
- 4 an offender in the custody of the department to determine whether the
- 5 offender is a substance abuser and whether the offender may benefit from
- 6 participation in a therapeutic community.
- 7 2. An evaluation of an offender must be conducted pursuant to
- 8 subsection 1 if the offender is eligible to be assigned to a therapeutic
- 9 community.
- 10 3. After an evaluation is conducted pursuant to subsection 1, the
- 11 director or a person designated by the director shall determine whether the
- 12 offender is a substance abuser and whether the offender may benefit from
- 13 participation in a therapeutic community.
- 14 4. If a determination is made that the offender is a substance abuser
- 15 and that the offender may benefit from participation in a therapeutic
- 16 community, the director or a person designated by the director shall
- 17 determine whether to assign the offender to participate in a therapeutic
- 18 community. In determining whether to assign an offender to participate in a
- 19 therapeutic community, the director or a person designated by the director
- 20 shall:



* S B 1 9 7 R 2 *

- 1 (a) Consider the severity of the problem of substance abuse by the
2 offender and the availability of space in each therapeutic community; and
3 (b) Give preference, to the extent practicable, to those offenders who
4 appear to be most capable of successfully participating in and completing
5 treatment in a therapeutic community.
- 6 5. ~~If an offender is~~ *To be eligible to be* assigned to participate in a
7 therapeutic community, ~~the offender must be assigned to participate in the~~
8 ~~therapeutic community for the year immediately preceding~~ *an offender*
9 *must be within 2 years of* the date on which ~~he~~ *the offender* is reasonably
10 expected to be released, as determined by the director.
- 11 **Sec. 2.** This act becomes effective on July 1, 2001.

