

SENATE BILL NO. 291—COMMITTEE ON HUMAN  
RESOURCES AND FACILITIES

(ON BEHALF OF COMMISSION ON SCHOOL SAFETY  
AND JUVENILE VIOLENCE)

MARCH 7, 2001

Referred to Committee on Human Resources and Facilities

SUMMARY—Makes various changes concerning reporting and investigation of certain violent or sexual offenses committed on school property, on school buses or at school activities. (BDR 34-199)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: 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 schools; requiring school police officers and certain administrators of a school to report certain violent or sexual offenses that are committed on school property, on school buses or at school activities to the appropriate local law enforcement agency; requiring school police officers to seek assistance from the appropriate local law enforcement agency in the investigation of such offenses; authorizing the board of trustees of each school district and the governing body of each charter school and private school to establish procedures for the additional reporting of such offenses by other employees of the school district or school; 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 388 of NRS is hereby amended by adding thereto  
2     the provisions set forth as sections 2 to 8, inclusive, of this act.  
3     **Sec. 2.** *As used in sections 2 to 8, inclusive, of this act, unless the*  
4     *context otherwise requires, the words and terms defined in sections 3 and*  
5     *4 of this act have the meanings ascribed to them in those sections.*  
6     **Sec. 3.** *“Local law enforcement agency” means:*  
7     1. *The sheriff’s office of a county;*  
8     2. *A metropolitan police department; or*  
9     3. *A police department of an incorporated city.*  
10    **Sec. 4.** *“Violent or sexual offense” means any act that, if prosecuted*  
11    *in this state, would constitute any of the following offenses:*



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- 1     1. *Murder or voluntary manslaughter pursuant to NRS 200.010 to*  
2     *200.260, inclusive.*
- 3     2. *Mayhem pursuant to NRS 200.280.*
- 4     3. *Kidnapping pursuant to NRS 200.310 to 200.340, inclusive.*
- 5     4. *Sexual assault pursuant to NRS 200.366.*
- 6     5. *Robbery pursuant to NRS 200.380.*
- 7     6. *Administering poison or another noxious or destructive substance*  
8     *or liquid with intent to cause death pursuant to NRS 200.390.*
- 9     7. *Battery with intent to commit a crime pursuant to NRS 200.400.*
- 10    8. *Administering a drug or controlled substance to another person*  
11    *with the intent to enable or assist the commission of a felony or crime of*  
12    *violence pursuant to NRS 200.405 or 200.408.*
- 13    9. *False imprisonment pursuant to NRS 200.460, if the false*  
14    *imprisonment involves the use or threatened use of force or violence*  
15    *against the victim or the use or threatened use of a firearm or a deadly*  
16    *weapon.*
- 17    10. *Assault with a deadly weapon pursuant to NRS 200.471.*
- 18    11. *Battery which is committed with the use of a deadly weapon or*  
19    *which results in substantial bodily harm pursuant to NRS 200.481.*
- 20    12. *An offense involving pornography and a minor pursuant to NRS*  
21    *200.710 or 200.720.*
- 22    13. *Solicitation of a minor to engage in acts constituting the*  
23    *infamous crime against nature pursuant to NRS 201.195.*
- 24    14. *Intentional transmission of the human immunodeficiency virus*  
25    *pursuant to NRS 201.205.*
- 26    15. *Open or gross lewdness pursuant to NRS 201.210.*
- 27    16. *Lewdness with a child pursuant to NRS 201.230.*
- 28    17. *An offense involving pandering or prostitution in violation of*  
29    *NRS 201.300, 201.320 or 201.340.*
- 30    18. *Coercion pursuant to NRS 207.190, if the coercion involves the*  
31    *use or threatened use of force or violence against the victim or the use or*  
32    *threatened use of a firearm or a deadly weapon.*
- 33    19. *An attempt, conspiracy or solicitation to commit an offense listed*  
34    *in subsections 1 to 18, inclusive.*
- 35    **Sec. 5.** *For the purposes of sections 2 to 8, inclusive, of this act, a*  
36    *person:*
  - 37       1. *Has "reasonable cause to believe" if, in light of all the*  
38       *surrounding facts and circumstances which are known or which*  
39       *reasonably should be known to the person at the time, a reasonable*  
40       *person would believe, under those facts and circumstances, that an act,*  
41       *transaction, event, situation or condition exists, is occurring or has*  
42       *occurred.*
  - 43       2. *Acts "as soon as reasonably practicable" if, in light of all the*  
44       *surrounding facts and circumstances which are known or which*  
45       *reasonably should be known to the person at the time, a reasonable*  
46       *person would act within approximately the same period under those facts*  
47       *and circumstances.*
  - 48       3. *May make a report required by section 6 of this act by telephone*  
49       *or, in light of all the surrounding facts and circumstances which are*



1 known or which reasonably should be known to the person at the time,  
2 by any other means of oral, written or electronic communication that a  
3 reasonable person would believe, under those facts and circumstances, is  
4 a reliable and swift means of communicating information to the person  
5 who receives the information.

6 **Sec. 6. 1.** A school police officer of a public school who knows or  
7 has reasonable cause to believe that a violent or sexual offense has been  
8 committed on the property of the public school, at an activity sponsored  
9 by the public school or on a school bus while the bus was being used for  
10 an activity related to the school shall:

11 (a) Report the commission of the violent or sexual offense to the  
12 appropriate local law enforcement agency and to the administrator of the  
13 public school who is designated pursuant to subsection 3 as soon as  
14 reasonably practicable but not later than 24 hours after the school police  
15 officer knows or has reasonable cause to believe that a person has  
16 committed the violent or sexual offense; and

17 (b) Seek assistance from the appropriate local law enforcement  
18 agency in the investigation of the violent or sexual offense.

19 2. If a public school does not have a school police officer, the  
20 administrator of the public school who is designated pursuant to  
21 subsection 3 and who knows or has reasonable cause to believe that a  
22 violent or sexual offense has been committed on the property of the  
23 public school, at an activity sponsored by the public school or on a school  
24 bus while the bus was being used for an activity related to the school  
25 shall report the commission of the violent or sexual offense to the  
26 appropriate local law enforcement agency as soon as reasonably  
27 practicable but not later than 24 hours after the administrator of the  
28 public school knows or has reasonable cause to believe that a person has  
29 committed the violent or sexual offense.

30 3. The board of trustees of each school district and the governing  
31 body of each charter school:

32 (a) Shall, for each public school that has a school police officer,  
33 designate the administrator of the public school to whom a school police  
34 officer is required to report a violent or sexual offense pursuant to  
35 subsection 1;

36 (b) Shall, for each public school that does not have a school police  
37 officer, designate the administrator of the public school who is required  
38 to report a violent or sexual offense pursuant to subsection 2; and

39 (c) May establish procedures for the additional reporting by other  
40 employees of the school district or the charter school of a violent or  
41 sexual offense committed on the property of the public school, at an  
42 activity sponsored by the public school or on a school bus while the bus  
43 was being used for an activity related to the school.

44 4. A report made pursuant to this section must include, without  
45 limitation:

46 (a) If known, the name of the victim of the violent or sexual offense  
47 and the name of the person who committed the violent or sexual offense;

48 (b) The location where the violent or sexual offense was committed;  
49 and



1     (c) *The facts and circumstances that support the person's belief that*  
2 *the violent or sexual offense was committed.*

3     **Sec. 7.** 1. *If a person who is required to make a report of a violent*  
4 *or sexual offense pursuant to section 6 of this act makes such a report in*  
5 *good faith and in accordance with that section, the person is immune*  
6 *from civil or criminal liability for any act or omission related to that*  
7 *report, but the person is not immune from civil or criminal liability for*  
8 *any other act or omission committed by the person as part of, in*  
9 *connection with or as a principal, accessory or conspirator to the violent*  
10 *or sexual offense, regardless of the nature of the other act or omission.*

11     2. *If a person is not required to make a report pursuant to section 6*  
12 *of this act and the person makes such a report to an administrator of a*  
13 *public school or a local law enforcement agency in good faith, the person*  
14 *is immune from civil or criminal liability for any act or omission related*  
15 *to that report, but the person is not immune from civil or criminal*  
16 *liability for any other act or omission committed by the person as part of,*  
17 *in connection with or as a principal, accessory or conspirator to the*  
18 *violent or sexual offense, regardless of the nature of the other act or*  
19 *omission.*

20     3. *For the purposes of this section, if a person reports to an*  
21 *administrator of a public school or a local law enforcement agency that*  
22 *another person has committed a violent or sexual offense, whether or not*  
23 *the person is required to make such a report pursuant to section 6 of this*  
24 *act, the person is presumed to have made the report in good faith unless*  
25 *the person is being prosecuted for a criminal violation, including,*  
26 *without limitation, a violation of the provisions of NRS 207.280.*

27     **Sec. 8.** 1. *If a person reports to a local law enforcement agency*  
28 *that another person has committed a violent or sexual offense against a*  
29 *person 60 years of age or older, whether or not the person is required to*  
30 *make such a report pursuant to section 6 of this act, and the violent or*  
31 *sexual offense against the person 60 years of age or older would*  
32 *constitute abuse, exploitation, isolation or neglect of a person 60 years of*  
33 *age or older, as defined in NRS 200.5092, the report made by the person*  
34 *shall be deemed to be a report of the abuse, exploitation, isolation or*  
35 *neglect of the person 60 years of age or older that has been made*  
36 *pursuant to NRS 200.5093 and:*

37     (a) *The appropriate agencies shall act upon the report pursuant to*  
38 *NRS 200.5091 to 200.50995, inclusive; and*

39     (b) *The report may be used in the same manner as other reports that*  
40 *are made pursuant to NRS 200.5093.*

41     2. *If a person reports to a local law enforcement agency that another*  
42 *person has committed a violent or sexual offense against a child who is*  
43 *12 years of age or younger, whether or not the person is required to make*  
44 *such a report pursuant to section 6 of this act, and the violent or sexual*  
45 *offense against the child would constitute a violent or sexual offense, as*  
46 *defined in NRS 202.876, against a child who is 12 years of age or*  
47 *younger, the report made by the person shall be deemed to be a report of*  
48 *the commission of a violent or sexual offense against the child who is 12*  
49 *years of age or younger that has been made pursuant to NRS 202.882.*



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1     3. *If a person reports to a local law enforcement agency that another*  
2 *person has committed a violent or sexual offense against a child who is*  
3 *under the age of 18 years, whether or not the person is required to make*  
4 *such a report pursuant to section 6 of this act, and the violent or sexual*  
5 *offense against the child would constitute abuse or neglect of a child who*  
6 *is under the age of 18 years, as defined in NRS 432B.020, the report*  
7 *made by the person shall be deemed to be a report of the abuse or neglect*  
8 *of a child who is under the age of 18 years that has been made pursuant*  
9 *to NRS 432B.220 and:*

10     (a) *The appropriate agencies shall act upon the report pursuant to*  
11 *chapter 432B of NRS; and*

12     (b) *The report may be used in the same manner as other reports that*  
13 *are made pursuant to NRS 432B.220.*

14     Sec. 9. Chapter 394 of NRS is hereby amended by adding thereto the  
15 provisions set forth as sections 10 to 16, inclusive, of this act.

16     Sec. 10. *As used in sections 10 to 16, inclusive, of this act, unless the*  
17 *context otherwise requires, the words and terms defined in sections 11*  
18 *and 12 of this act have the meanings ascribed to them in those sections.*

19     Sec. 11. *"Local law enforcement agency" means:*

- 20         1. *The sheriff's office of a county;*
- 21         2. *A metropolitan police department; or*
- 22         3. *A police department of an incorporated city.*

23     Sec. 12. *"Violent or sexual offense" means any act that, if*  
24 *prosecuted in this state, would constitute any of the following offenses:*

- 25         1. *Murder or voluntary manslaughter pursuant to NRS 200.010 to*  
26 *200.260, inclusive.*
- 27         2. *Mayhem pursuant to NRS 200.280.*
- 28         3. *Kidnapping pursuant to NRS 200.310 to 200.340, inclusive.*
- 29         4. *Sexual assault pursuant to NRS 200.366.*
- 30         5. *Robbery pursuant to NRS 200.380.*
- 31         6. *Administering poison or another noxious or destructive substance*  
32 *or liquid with intent to cause death pursuant to NRS 200.390.*
- 33         7. *Battery with intent to commit a crime pursuant to NRS 200.400.*
- 34         8. *Administering a drug or controlled substance to another person*  
35 *with the intent to enable or assist the commission of a felony or crime of*  
36 *violence pursuant to NRS 200.405 or 200.408.*
- 37         9. *False imprisonment pursuant to NRS 200.460, if the false*  
38 *imprisonment involves the use or threatened use of force or violence*  
39 *against the victim or the use or threatened use of a firearm or a deadly*  
40 *weapon.*
- 41         10. *Assault with a deadly weapon pursuant to NRS 200.471.*
- 42         11. *Battery which is committed with the use of a deadly weapon or*  
43 *which results in substantial bodily harm pursuant to NRS 200.481.*
- 44         12. *An offense involving pornography and a minor pursuant to NRS*  
45 *200.710 or 200.720.*
- 46         13. *Solicitation of a minor to engage in acts constituting the*  
47 *infamous crime against nature pursuant to NRS 201.195.*

48         14. *Intentional transmission of the human immunodeficiency virus*  
49 *pursuant to NRS 201.205.*



1     15.   *Open or gross lewdness pursuant to NRS 201.210.*

2     16.   *Lewdness with a child pursuant to NRS 201.230.*

3     17.   *An offense involving pandering or prostitution in violation of*  
4     *NRS 201.300, 201.320 or 201.340.*

5     18.   *Coercion pursuant to NRS 207.190, if the coercion involves the*  
6     *use or threatened use of force or violence against the victim or the use or*  
7     *threatened use of a firearm or a deadly weapon.*

8     19.   *An attempt, conspiracy or solicitation to commit an offense listed*  
9     *in subsections 1 to 18, inclusive.*

10    **Sec. 13.**   *For the purposes of sections 10 to 16, inclusive, of this act,*  
11    *a person:*

12     1.   *Has “reasonable cause to believe” if, in light of all the*  
13     *surrounding facts and circumstances which are known or which*  
14     *reasonably should be known to the person at the time, a reasonable*  
15     *person would believe, under those facts and circumstances, that an act,*  
16     *transaction, event, situation or condition exists, is occurring or has*  
17     *occurred.*

18     2.   *Acts “as soon as reasonably practicable” if, in light of all the*  
19     *surrounding facts and circumstances which are known or which*  
20     *reasonably should be known to the person at the time, a reasonable*  
21     *person would act within approximately the same period under those facts*  
22     *and circumstances.*

23     3.   *May make a report required by section 14 of this act by telephone*  
24     *or, in light of all the surrounding facts and circumstances which are*  
25     *known or which reasonably should be known to the person at the time,*  
26     *by any other means of oral, written or electronic communication that a*  
27     *reasonable person would believe, under those facts and circumstances, is*  
28     *a reliable and swift means of communicating information to the person*  
29     *who receives the information.*

30    **Sec. 14.**   1.   *An administrator of a private school who is designated*  
31    *pursuant to subsection 2 and who knows or has reasonable cause to*  
32    *believe that a violent or sexual offense has been committed on the*  
33    *property of the private school, at an activity sponsored by the private*  
34    *school or on a school bus while the bus was being used for an activity*  
35    *related to the school shall report the commission of the violent or sexual*  
36    *offense to the appropriate local law enforcement agency as soon as*  
37    *reasonably practicable but not later than 24 hours after the administrator*  
38    *of the private school knows or has reasonable cause to believe that a*  
39    *person has committed the violent or sexual offense.*

40     2.   *The governing body of each private school:*

41     (a) *Shall designate the administrator of the private school who is*  
42     *required to report a violent or sexual offense pursuant to subsection 1;*  
43     *and*

44     (b) *May establish procedures for the additional reporting by other*  
45     *employees of the private school of a violent or sexual offense committed*  
46     *on the property of the private school, at an activity sponsored by the*  
47     *private school or on a school bus while the bus was being used for an*  
48     *activity related to the school.*



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1     3. A report made pursuant to this section must include, without  
2 limitation:

3     (a) If known, the name of the victim of the violent or sexual offense  
4 and the name of the person who committed the violent or sexual offense;

5     (b) The location where the violent or sexual offense was committed;  
6 and

7     (c) The facts and circumstances that support the person's belief that  
8 the violent or sexual offense was committed.

9     **Sec. 15.** 1. If a person who is required to make a report of a violent  
10 or sexual offense pursuant to section 14 of this act makes such a report  
11 in good faith and in accordance with that section, the person is immune  
12 from civil or criminal liability for any act or omission related to that  
13 report, but the person is not immune from civil or criminal liability for  
14 any other act or omission committed by the person as part of, in  
15 connection with or as a principal, accessory or conspirator to the violent  
16 or sexual offense, regardless of the nature of the other act or omission.

17     2. If a person is not required to make a report pursuant to section 14  
18 of this act and the person makes such a report to an administrator of a  
19 private school or a local law enforcement agency in good faith, the  
20 person is immune from civil or criminal liability for any act or omission  
21 related to that report, but the person is not immune from civil or criminal  
22 liability for any other act or omission committed by the person as part of,  
23 in connection with or as a principal, accessory or conspirator to the  
24 violent or sexual offense, regardless of the nature of the other act or  
25 omission.

26     3. For the purposes of this section, if a person reports to an  
27 administrator of a private school or a local law enforcement agency that  
28 another person has committed a violent or sexual offense, whether or not  
29 the person is required to make such a report pursuant to section 14 of  
30 this act, the person is presumed to have made the report in good faith  
31 unless the person is being prosecuted for a criminal violation, including,  
32 without limitation, a violation of the provisions of NRS 207.280.

33     **Sec. 16.** 1. If a person reports to a local law enforcement agency  
34 that another person has committed a violent or sexual offense against a  
35 person 60 years of age or older, whether or not the person is required to  
36 make such a report pursuant to section 14 of this act, and the violent or  
37 sexual offense against the person 60 years of age or older would  
38 constitute abuse, exploitation, isolation or neglect of a person 60 years of  
39 age or older, as defined in NRS 200.5092, the report made by the person  
40 shall be deemed to be a report of the abuse, exploitation, isolation or  
41 neglect of the person 60 years of age or older that has been made  
42 pursuant to NRS 200.5093 and:

43     (a) The appropriate agencies shall act upon the report pursuant to  
44 NRS 200.5091 to 200.50995, inclusive; and

45     (b) The report may be used in the same manner as other reports that  
46 are made pursuant to NRS 200.5093.

47     2. If a person reports to a local law enforcement agency that another  
48 person has committed a violent or sexual offense against a child who is  
49 12 years of age or younger, whether or not the person is required to make





1 *such a report pursuant to section 14 of this act, and the violent or sexual*  
2 *offense against the child would constitute a violent or sexual offense, as*  
3 *defined in NRS 202.876, against a child who is 12 years of age or*  
4 *younger, the report made by the person shall be deemed to be a report of*  
5 *the commission of a violent or sexual offense against the child who is 12*  
6 *years of age or younger that has been made pursuant to NRS 202.882.*  
7 *3. If a person reports to a local law enforcement agency that another*  
8 *person has committed a violent or sexual offense against a child who is*  
9 *under the age of 18 years, whether or not the person is required to make*  
10 *such a report pursuant to section 14 of this act, and the violent or sexual*  
11 *offense against the child would constitute abuse or neglect of a child who*  
12 *is under the age of 18 years, as defined in NRS 432B.020, the report*  
13 *made by the person shall be deemed to be a report of the abuse or neglect*  
14 *of a child who is under the age of 18 years that has been made pursuant*  
15 *to NRS 432B.220 and:*  
16 *(a) The appropriate agencies shall act upon the report pursuant to*  
17 *chapter 432B of NRS; and*  
18 *(b) The report may be used in the same manner as other reports that*  
19 *are made pursuant to NRS 432B.220.*  
20 **Sec. 17.** This act becomes effective on July 1, 2001.

