

Senate Bill No. 412—Committee on Judiciary

CHAPTER.....

AN ACT relating to offenders; revising the provisions pertaining to the registration of certain offenders; revising the provisions pertaining to community notification regarding sex offenders; revising the provisions pertaining to the conditions of probation and parole of sex offenders; revising the provisions governing criminal liability for certain offenders who fail to register or fail to notify certain agencies of a change of address; revising various provisions governing community notification of juvenile sex offenders; revising various provisions governing attendance of juvenile sex offenders at the same public school or private school as their victims; 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 176.0926 is hereby amended to read as follows:

176.0926 1. If a defendant is convicted of a crime against a child, the court shall, before imposing sentence:

(a) Notify the ~~{division}~~ *central repository* of the conviction of the defendant, so the ~~{division and the}~~ central repository may carry out the provisions for registration of the defendant pursuant to NRS 179D.230.

(b) Inform the defendant of the requirements for registration, including, but not limited to:

(1) The duty to register in this state during any period in which he is a resident of this state or a nonresident who is a student or worker within this state and the time within which he is required to register pursuant to NRS 179D.240;

(2) The duty to register in any other jurisdiction during any period in which he is a resident of the other jurisdiction or a nonresident who is a student or worker within the other jurisdiction;

(3) If he moves from this state to another jurisdiction, the duty to register with the appropriate law enforcement agency in the other jurisdiction; and

(4) The duty to notify the ~~{division}~~ *local law enforcement agency in whose jurisdiction he formerly resided, in person or* in writing, if he changes the address at which he resides, including if he moves from this state to another jurisdiction, or changes the primary address at which he is a student or worker.

(c) Require the defendant to read and sign a form confirming that the requirements for registration have been explained to him.

2. The failure to provide the defendant with the information or confirmation form required by paragraphs (b) and (c) of subsection 1 does not affect the duty of the defendant to register and to comply with all other provisions for registration pursuant to NRS 179D.200 to 179D.290, inclusive.

**Sec. 2.** NRS 176.0927 is hereby amended to read as follows:

176.0927 1. If a defendant is convicted of a sexual offense, the court shall, before imposing sentence:

(a) Notify the ~~{division}~~ *central repository* of the conviction of the defendant, so the ~~{division and the}~~ central repository may carry out the provisions for registration of the defendant pursuant to NRS 179D.450.

(b) Inform the defendant of the requirements for registration, including, but not limited to:

(1) The duty to register in this state during any period in which he is a resident of this state or a nonresident who is a student or worker within this state and the time within which he is required to register pursuant to NRS 179D.460;

(2) The duty to register in any other jurisdiction during any period in which he is a resident of the other jurisdiction or a nonresident who is a student or worker within the other jurisdiction;

(3) If he moves from this state to another jurisdiction, the duty to register with the appropriate law enforcement agency in the other jurisdiction; and

(4) The duty to notify the ~~division~~ *local law enforcement agency in whose jurisdiction he formerly resided, in person or* in writing, if he changes the address at which he resides, including if he moves from this state to another jurisdiction, or changes the primary address at which he is a student or worker.

(c) Require the defendant to read and sign a form stating that the requirements for registration have been explained to him.

2. The failure to provide the defendant with the information or confirmation form required by paragraphs (b) and (c) of subsection 1 does not affect the duty of the defendant to register and to comply with all other provisions for registration pursuant to NRS 179D.350 to 179D.550, inclusive.

**Sec. 3.** NRS 176A.410 is hereby amended to read as follows:

176A.410 1. Except as otherwise provided in subsection ~~2~~ *3*, if a defendant is convicted of a sexual offense and the court grants probation or suspends the sentence, the court shall, in addition to any other condition ordered pursuant to NRS 176A.400, order as a condition of probation or suspension of sentence that the defendant:

(a) Reside at a location only if it has been approved by the parole and probation officer assigned to the defendant;

(b) Accept a position of employment only if it has been approved by the parole and probation officer assigned to the defendant;

(c) Abide by any curfew imposed by the parole and probation officer assigned to the defendant;

(d) Participate in and complete a program of professional counseling approved by the division;

(e) Submit to periodic tests *, as requested by the parole and probation officer assigned to the defendant*, to determine whether the defendant is using a controlled substance ~~and submit~~;

*(f) Submit* to periodic ~~polygraph~~ *polygraph* examinations, as requested by the parole and probation officer assigned to the defendant;

~~(f)~~ *(g)* Abstain from consuming *, possessing or having under his control any* alcohol;

~~(g)~~ *(h)* Not have contact or communicate with a victim of the sexual offense or a witness who testified against the defendant or solicit another person to engage in such contact or communication on behalf of the defendant ~~;~~

~~(h)~~, unless approved by the parole and probation officer assigned to the defendant, and a written agreement is entered into and signed in the manner set forth in subsection 2;

(i) Not use aliases or fictitious names;

~~(j)~~ (j) Not obtain a post office box unless the defendant receives permission from the parole and probation officer assigned to the defendant;

~~(k)~~ (k) Not have contact with a person less than 18 years of age in a secluded environment unless another adult who has never been convicted of a sexual offense is present ~~and~~

~~(k)~~ Not ~~and~~ permission has been obtained from the parole and probation officer assigned to the defendant in advance of each such contact;

(l) Unless approved by the parole and probation officer assigned to the defendant and by a psychiatrist, psychologist or counselor treating the defendant, if any, not be in or near:

(1) A playground, ~~park~~, school or school grounds;

(2) A motion picture theater; or

(3) A business that primarily has children as customers or conducts events that primarily children attend.

(m) Comply with any protocol concerning the use of prescription medication prescribed by a treating physician, including, without limitation, any protocol concerning the use of psychotropic medication;

(n) Not possess any sexually explicit material that is deemed inappropriate by the parole and probation officer assigned to the defendant;

(o) Not patronize a business which offers a sexually related form of entertainment and which is deemed inappropriate by the parole and probation officer assigned to the defendant; and

(p) Not possess any electronic device capable of accessing the Internet and not access the Internet through any such device or any other means, unless possession of such a device or such access is approved by the parole and probation officer assigned to the defendant.

2. A written agreement entered into pursuant to paragraph (h) of subsection 1 must state that the contact or communication is in the best interest of the victim or witness, and specify the type of contact or communication authorized. The written agreement must be signed and agreed to by:

(a) The victim or the witness;

(b) The defendant;

(c) The parole and probation officer assigned to the defendant;

(d) The psychiatrist, psychologist or counselor treating the defendant, victim or witness, if any; and

(e) If the victim or witness is a child under 18 years of age, each parent, guardian or custodian of the child.

3. The court is not required to impose a condition of probation or suspension of sentence listed in subsection 1 if the court finds that extraordinary circumstances are present and the court enters those extraordinary circumstances in the record.

~~3-1~~ 4. As used in this section, "sexual offense" has the meaning ascribed to it in NRS 179D.410.

**Sec. 4.** NRS 179D.230 is hereby amended to read as follows:

179D.230 1. If the ~~{division}~~ *central repository* receives notice from a court pursuant to NRS 176.0926 that an offender has been convicted of a crime against a child, the ~~{division}~~ *central repository* shall:

(a) If a record of registration has not previously been established for the offender ~~{by the division, establish a record of registration for the offender and forward the record of registration to the central repository;}~~ *, notify the local law enforcement agency so that a record of registration may be established;* or

(b) If a record of registration has previously been established for the offender, ~~{by the division;}~~ update the record of registration for the offender and ~~{forward the record of registration to the central repository;}~~ *notify the appropriate local law enforcement agency.*

2. If the offender named in the notice is granted probation or otherwise will not be incarcerated or confined, the central repository shall immediately provide notification concerning the offender to the appropriate local law enforcement agencies and, if the offender resides in a jurisdiction which is outside of this state, to the appropriate law enforcement agency in that jurisdiction.

3. If ~~{the offender named in the notice}~~ *an offender* is incarcerated or confined ~~{}~~ *and has previously been convicted of a crime against a child,* before the offender is released:

(a) The ~~{division}~~ *department of prisons or a local law enforcement agency in whose facility the offender is incarcerated or confined* shall:

(1) Inform the offender of the requirements for registration, including, but not limited to:

(I) The duty to register in this state during any period in which he is a resident of this state or a nonresident who is a student or worker within this state and the time within which he is required to register pursuant to NRS 179D.240;

(II) The duty to register in any other jurisdiction during any period in which he is a resident of the other jurisdiction or a nonresident who is a student or worker within the other jurisdiction;

(III) If he moves from this state to another jurisdiction, the duty to register with the appropriate law enforcement agency in the other jurisdiction; and

(IV) The duty to notify the ~~{division;}~~ *local law enforcement agency for the jurisdiction in which he now resides, in person, and the jurisdiction in which he most recently resided, in person or* in writing, if he changes the address at which he resides, including if he moves from this state to another jurisdiction, or changes the primary address at which he is a student or worker; *and*

(2) Require the offender to read and sign a form confirming that the requirements for registration have been explained to him ~~{; and~~  
~~—(3)—~~ *and to forward the form to the central repository.*

*(b) The central repository shall:*

*(1) Update the record of registration for the offender* ~~{and forward the record of registration to the central repository; and~~

~~—(b) The central repository shall provide; and~~

(2) *Provide* notification concerning the offender to the appropriate local law enforcement agencies and, if the offender will reside upon release in a jurisdiction which is outside of this state, to the appropriate law enforcement agency in that jurisdiction.

4. ~~If requested by the division, the department of prisons or a local law enforcement agency in whose facility the offender is incarcerated shall provide the offender with the information and the confirmation form required by paragraph (a) of subsection 3.~~

~~5.~~ The failure to provide an offender with the information or confirmation form required by paragraph (a) of subsection 3 does not affect the duty of the offender to register and to comply with all other provisions for registration.

~~6.~~ 5. If the central repository receives notice from another jurisdiction or the Federal Bureau of Investigation that an offender convicted of a crime against a child is now residing or is a student or worker within this state ~~;~~

~~(a) The central repository shall immediately~~ , *the central repository shall:*

(a) *Immediately* provide notification concerning the offender to ~~the division and to~~ the appropriate local law enforcement agencies; and

(b) ~~The division shall establish~~ *Establish* a record of registration for the offender ~~and forward the record of registration to the central repository.~~ *with the assistance of the local law enforcement agency.*

**Sec. 5.** NRS 179D.240 is hereby amended to read as follows:

179D.240 1. In addition to any other registration that is required pursuant to NRS 179D.230, each offender who, after July 1, 1956, is or has been convicted of a crime against a child shall register with a local law enforcement agency ~~and with the division~~ pursuant to the provisions of this section.

2. Except as otherwise provided in subsection 3, if the offender resides or is present for 48 hours or more within:

(a) A county; or

(b) An incorporated city that does not have a city police department, the offender shall be deemed a resident offender and shall register with the sheriff's office of the county or, if the county or the city is within the jurisdiction of a metropolitan police department, the metropolitan police department, not later than 48 hours after arriving or establishing a residence within the county or the city.

3. If the offender resides or is present for 48 hours or more within an incorporated city that has a city police department, the offender shall be deemed a resident offender and shall register with the city police department not later than 48 hours after arriving or establishing a residence within the city.

4. If the offender is a nonresident offender who is a student or worker within this state, the offender shall register with the appropriate sheriff's office, metropolitan police department or city police department in whose jurisdiction he is a student or worker not later than 48 hours after becoming a student or worker within this state.

5. To register with a local law enforcement agency pursuant to this section, the offender shall:

(a) Appear personally at the office of the appropriate local law enforcement agency;

(b) Provide all information that is requested by the local law enforcement agency, including, but not limited to, fingerprints and a photograph; and

(c) Sign and date the record of registration or some other proof of registration in the presence of an officer of the local law enforcement agency.

6. When an offender registers, the local law enforcement agency shall:

(a) Inform the offender of the duty to ~~{register and the time within which the offender is required to register with the division if he has not previously done so;}~~ *notify the local law enforcement agency if the offender changes the address at which he resides or changes the primary address at which he is a student or worker; and*

(b) Inform the offender of the duty to ~~{notify the division if the offender changes the address at which he resides, including if he moves from this state to another jurisdiction, or changes the primary address at which he is a student or worker; and~~

~~—(c) Provide the offender with the appropriate address of the office of the division at which the offender must register and provide notification of each such change of address.}~~ *register with the local law enforcement agency in whose jurisdiction the offender relocates.*

7. After the offender registers with the local law enforcement agency ~~{~~

~~—(a) The local law enforcement agency shall notify the division of the registration.~~

~~—(b) If the offender has not previously registered with the division, the offender shall, not later than 48 hours after registering with the local law enforcement agency:~~

~~—(1) Appear personally at the appropriate office of the division;~~

~~—(2) Provide all information that is requested by the division, including, but not limited to, fingerprints and a photograph; and~~

~~—(3) Sign and date the record of registration in the presence of an officer or employee of the division.}~~ *, the local law enforcement agency shall forward to the central repository the information collected, including the fingerprints and a photograph, of the offender.*

8. If the ~~{division}~~ *central repository* has not previously established a record of registration for an offender described in subsection 7 ~~{~~

~~—(a) The division shall establish}~~ *, the central repository shall:*

*(a) Establish* a record of registration for the offender; and ~~{forward the record of registration to the central repository; and~~

~~—(b) The central repository shall provide}~~

*(b) Provide* notification concerning the offender to the appropriate local law enforcement agencies.

**Sec. 6.** NRS 179D.250 is hereby amended to read as follows:

179D.250 1. If an offender convicted of a crime against a child changes the address at which he resides, including moving from this state to another jurisdiction, or changes the primary address at which he is a student or worker, not later than 48 hours after changing such an address,

the offender shall provide the new address, in ~~writing,~~ *person*, to the ~~division~~ *local law enforcement agency in whose jurisdiction he now resides and, in person or in writing, to the local law enforcement agency in whose jurisdiction he formerly resided* and shall provide all other information that is relevant to updating his record of registration, including, but not limited to, any change in his name, occupation, employment, work, volunteer service or driver's license and any change in the license number or description of a motor vehicle registered to or frequently driven by him.

2. Upon receiving a change of address from an offender, the ~~division~~ *local law enforcement agency* shall immediately forward the new address and any updated information to the central repository and:

(a) If the offender has changed an address within this state, the central repository shall immediately provide notification concerning the offender to the *appropriate* local law enforcement agency in whose jurisdiction the offender is now residing or is a student or worker and shall notify the local law enforcement agency in whose jurisdiction the offender last resided or was a student or worker; or

(b) If the offender has changed an address from this state to another jurisdiction, the central repository shall immediately provide notification concerning the offender to the appropriate law enforcement agency in the other jurisdiction and shall notify the local law enforcement agency in whose jurisdiction the offender last resided or was a student or worker.

**Sec. 7.** NRS 179D.260 is hereby amended to read as follows:

179D.260 1. Except as otherwise provided in subsection 4, each year, on the anniversary of the date that the ~~division~~ *central repository* establishes a record of registration for the offender, the central repository shall mail to the offender, at the address last registered by the offender, a nonforwardable verification form. The offender shall complete and sign the form and mail the form to the central repository not later than 10 days after receipt of the form to verify that he still resides at the address he last registered.

2. An offender shall include with each verification form a current set of fingerprints, a current photograph and all other information that is relevant to updating his record of registration, including, but not limited to, any change in his name, occupation, employment, work, volunteer service or driver's license and any change in the license number or description of a motor vehicle registered to or frequently driven by him. The central repository shall provide all updated information to ~~the division and to~~ the appropriate local law enforcement agencies.

3. If the central repository does not receive a verification form from an offender and otherwise cannot verify the address or location of the offender, the central repository shall immediately notify ~~the division and~~ the appropriate local law enforcement agencies.

4. The central repository is not required to complete the mailing pursuant to subsection 1:

(a) During any period in which an offender is incarcerated or confined or has changed his place of residence from this state to another jurisdiction; or

(b) For a nonresident offender who is a student or worker within this state.

**Sec. 8.** NRS 179D.270 is hereby amended to read as follows:

179D.270 1. An offender convicted of a crime against a child shall comply with the provisions for registration for as long as the offender resides or is present within this state or is a nonresident offender who is a student or worker within this state, unless the duty of the offender to register is terminated pursuant to the provisions of this section.

2. Except as otherwise provided in subsection 5, if an offender complies with the provisions for registration for an interval of at least 15 consecutive years during which he is not convicted of an offense that poses a threat to the safety or well-being of others, the offender may file a petition to terminate his duty to register with the district court in whose jurisdiction he resides or, if he is a nonresident offender, in whose jurisdiction he is a student or worker. For the purposes of this subsection, registration begins on the date that the ~~{division}~~ *central repository* establishes a record of registration for the offender or the date that the offender is released, whichever occurs later.

3. If the offender satisfies the requirements of subsection 2, the court shall hold a hearing on the petition at which the offender and any other interested person may present witnesses and other evidence. If the court determines from the evidence presented at the hearing that the offender is not likely to pose a threat to the safety of others, the court shall terminate the duty of the offender to register.

4. If the court does not terminate the duty of the offender to register after a petition is heard pursuant to subsections 2 and 3, the offender may file another petition after each succeeding interval of 5 consecutive years if the offender is not convicted of an offense that poses a threat to the safety or well-being of others.

5. An offender may not file a petition to terminate his duty to register pursuant to this section if the offender:

(a) Is subject to community notification or to lifetime supervision pursuant to NRS 176.0931 as a sex offender;

(b) Has been declared to be a sexually violent predator, as defined in NRS 179D.430; or

(c) Has been convicted of:

(1) One or more sexually violent offenses, as defined in NRS 179D.420;

(2) Two or more sexual offenses, as defined in NRS 179D.410, against persons less than 18 years of age;

(3) Two or more crimes against a child; or

(4) At least one of each offense listed in subparagraphs (2) and (3).

**Sec. 9.** NRS 179D.290 is hereby amended to read as follows:

179D.290 An offender convicted of a crime against a child who:

1. Fails to register with a local law enforcement agency ; ~~for with the division;~~

2. Fails to notify the ~~{division}~~ *local law enforcement agency* of a change of address;

3. Provides false or misleading information to ~~{the division,}~~ the central repository or a local law enforcement agency; or

4. Otherwise violates the provisions of NRS 179D.200 to 179D.290, inclusive, is guilty of a category D felony and shall be punished as provided in NRS 193.130.

**Sec. 10.** NRS 179D.450 is hereby amended to read as follows:

179D.450 1. If the ~~{division}~~ *central repository* receives notice from a court pursuant to NRS 176.0927 that a sex offender has been convicted of a sexual offense or pursuant to NRS 62.590 that a juvenile sex offender has been deemed to be an adult sex offender, the ~~{division}~~ *central repository* shall:

(a) If a record of registration has not previously been established for the sex offender ~~{by the division, establish a record of registration for the sex offender and forward the record of registration to the central repository;}~~ , *notify the local law enforcement agency so that a record of registration may be established;* or

(b) If a record of registration has previously been established for the sex ~~{offender by the division,}~~ update the record of registration for the sex offender and ~~{forward the record of registration to the central repository.}~~ *notify the appropriate local law enforcement agencies.*

2. If the sex offender named in the notice is granted probation or otherwise will not be incarcerated or confined or if the sex offender named in the notice has been deemed to be an adult sex offender pursuant to NRS 62.590 and is not otherwise incarcerated or confined:

(a) The central repository shall immediately provide notification concerning the sex offender to the appropriate local law enforcement agencies and, if the sex offender resides in a jurisdiction which is outside of this state, to the appropriate law enforcement agency in that jurisdiction; and

(b) If the sex offender is subject to community notification, the ~~{division}~~ *central repository* shall arrange for the assessment of the risk of recidivism of the sex offender pursuant to the guidelines and procedures for community notification established by the attorney general pursuant to NRS 179D.600 to 179D.800, inclusive.

3. If ~~{the}~~ *a* sex offender ~~{named in the notice}~~ is incarcerated or confined ~~{,}~~ *and has previously been convicted of a sexual offense as described in NRS 179D.410,* before the sex offender is released:

(a) The ~~{division}~~ *department of prisons or a local law enforcement agency in whose facility the sex offender is incarcerated or confined* shall:

(1) Inform the sex offender of the requirements for registration, including, but not limited to:

(I) The duty to register in this state during any period in which he is a resident of this state or a nonresident who is a student or worker within this state and the time within which he is required to register pursuant to NRS 179D.460;

(II) The duty to register in any other jurisdiction during any period in which he is a resident of the other jurisdiction or a nonresident who is a student or worker within the other jurisdiction;

(III) If he moves from this state to another jurisdiction, the duty to register with the appropriate law enforcement agency in the other jurisdiction; and

(IV) The duty to notify the ~~{division,}~~ *local law enforcement agency for the jurisdiction in which he now resides, in person, and the jurisdiction in which he formerly resided, in person or* in writing, if he changes the address at which he resides, including if he moves from this state to another jurisdiction, or changes the primary address at which he is a student or worker; *and*

(2) Require the sex offender to read and sign a form confirming that the requirements for registration have been explained to him ~~;~~

~~—(3)—~~ *and to forward the form to the central repository.*

*(b) The central repository shall:*

*(1) Update the record of registration for the sex offender ~~{and forward the record of registration to the central repository; and~~*

~~—(4)—~~ *;*

*(2) If the sex offender is subject to community notification, arrange for the assessment of the risk of recidivism of the sex offender pursuant to the guidelines and procedures for community notification established by the attorney general pursuant to NRS 179D.600 to 179D.800, inclusive; and*

~~{(b) The central repository shall provide}~~

*(3) Provide* notification concerning the sex offender to the appropriate local law enforcement agencies and, if the sex offender will reside upon release in a jurisdiction which is outside of this state, to the appropriate law enforcement agency in that jurisdiction.

4. ~~{If requested by the division, the department of prisons or a local law enforcement agency in whose facility the sex offender is incarcerated shall provide the sex offender with the information and the confirmation form required by paragraph (a) of subsection 3.~~

~~—5.—~~ The failure to provide a sex offender with the information or confirmation form required by paragraph (a) of subsection 3 does not affect the duty of the sex offender to register and to comply with all other provisions for registration.

~~{6.—}~~ 5. If the central repository receives notice from another jurisdiction or the Federal Bureau of Investigation that a sex offender is now residing or is a student or worker within this state ~~;~~

~~—(a) The~~ *the* central repository shall ~~{immediately}~~ *:*

*(a) Immediately* provide notification concerning the sex offender to ~~{the division and to}~~ the appropriate local law enforcement agencies;

(b) ~~{The division shall establish}~~ *Establish* a record of registration for the sex offender *;* ~~{and forward the record of registration to the central repository;}~~ and

(c) If the sex offender is subject to community notification, ~~{the division shall}~~ arrange for the assessment of the risk of recidivism of the sex offender pursuant to the guidelines and procedures for community notification established by the attorney general pursuant to NRS 179D.600 to 179D.800, inclusive.

**Sec. 11.** NRS 179D.460 is hereby amended to read as follows:

179D.460 1. In addition to any other registration that is required pursuant to NRS 179D.450, each sex offender who, after July 1, 1956, is or has been convicted of a sexual offense shall register with a local law enforcement agency ~~and with the division~~ pursuant to the provisions of this section.

2. Except as otherwise provided in subsection 3, if the sex offender resides or is present for 48 hours or more within:

(a) A county; or

(b) An incorporated city that does not have a city police department, the sex offender shall be deemed a resident sex offender and shall register with the sheriff's office of the county or, if the county or the city is within the jurisdiction of a metropolitan police department, the metropolitan police department, not later than 48 hours after arriving or establishing a residence within the county or the city.

3. If the sex offender resides or is present for 48 hours or more within an incorporated city that has a city police department, the sex offender shall be deemed a resident sex offender and shall register with the city police department not later than 48 hours after arriving or establishing a residence within the city.

4. If the sex offender is a nonresident sex offender who is a student or worker within this state, the sex offender shall register with the appropriate sheriff's office, metropolitan police department or city police department in whose jurisdiction he is a student or worker not later than 48 hours after becoming a student or worker within this state.

5. To register with a local law enforcement agency pursuant to this section, the sex offender shall:

(a) Appear personally at the office of the appropriate local law enforcement agency;

(b) Provide all information that is requested by the local law enforcement agency, including, but not limited to, fingerprints and a photograph; and

(c) Sign and date the record of registration or some other proof of registration *of the local law enforcement agency* in the presence of an officer of the local law enforcement agency.

6. When a sex offender registers, the local law enforcement agency shall:

(a) Inform the sex offender of the duty to ~~register and the time within which the sex offender is required to register with the division if he has not previously done so;~~ *notify the local law enforcement agency if the sex offender changes the address at which he resides, including if he moves from this state to another jurisdiction, or changes the primary address at which he is a student or worker; and*

(b) Inform the sex offender of the duty to ~~notify the division if the sex offender changes the address at which he resides, including if he moves from this state to another jurisdiction, or changes the primary address at which he is a student or worker; and~~

~~—(c) Provide the sex offender with the appropriate address of the office of the division at which the sex offender must register and provide~~

~~notification of each such change of address.~~ **register with the local law enforcement agency in whose jurisdiction the sex offender relocates.**

7. After the sex offender registers with the local law enforcement agency ~~;~~

~~—(a) The local law enforcement agency shall notify the division of the registration.~~

~~—(b) If the sex offender has not previously registered with the division, the sex offender shall, not later than 48 hours after registering with the local law enforcement agency:~~

~~—(1) Appear personally at the appropriate office of the division;~~

~~—(2) Provide all information that is requested by the division, including, but not limited to, fingerprints and a photograph; and~~

~~—(3) Sign and date the record of registration in the presence of an officer or employee of the division.~~ **, the local law enforcement agency shall forward to the central repository the information collected, including the fingerprints and a photograph, of the sex offender.**

8. If the ~~{division}~~ **central repository** has not previously established a record of registration for a sex offender described in subsection 7 ~~;~~

~~—(a) The division shall establish~~ **, the central repository shall:**

~~(a) Establish~~ a record of registration for the sex offender ~~{and forward the record of registration to the central repository;~~

~~—(b) The central repository shall provide~~ **;**

**(b) Provide** notification concerning the sex offender to the appropriate local law enforcement agencies; and

(c) If the sex offender is subject to community notification and has not otherwise been assigned a level of notification, ~~{the division shall}~~ arrange for the assessment of the risk of recidivism of the sex offender pursuant to the guidelines and procedures for community notification established by the attorney general pursuant to NRS 179D.600 to 179D.800, inclusive.

**Sec. 12.** NRS 179D.470 is hereby amended to read as follows:

179D.470 1. If a sex offender changes the address at which he resides, including moving from this state to another jurisdiction, or changes the primary address at which he is a student or worker, not later than 48 hours after changing such an address, the sex offender shall provide the new address, in ~~{writing,}~~ **person**, to the ~~{division}~~ **local law enforcement agency in whose jurisdiction he now resides and, in person or in writing, to the local law enforcement agency in whose jurisdiction he formerly resided** and shall provide all other information that is relevant to updating his record of registration, including, but not limited to, any change in his name, occupation, employment, work, volunteer service or driver's license and any change in the license number or description of a motor vehicle registered to or frequently driven by him.

2. Upon receiving a change of address from a sex offender, the ~~{division}~~ **local law enforcement agency** shall immediately forward the new address and any updated information to the central repository and:

(a) If the sex offender has changed an address within this state, the central repository shall immediately provide notification concerning the sex offender to the local law enforcement agency in whose jurisdiction the sex offender is now residing or is a student or worker and shall notify the

local law enforcement agency in whose jurisdiction the sex offender last resided or was a student or worker; or

(b) If the sex offender has changed an address from this state to another jurisdiction, the central repository shall immediately provide notification concerning the sex offender to the appropriate law enforcement agency in the other jurisdiction and shall notify the local law enforcement agency in whose jurisdiction the sex offender last resided or was a student or worker.

**Sec. 13.** NRS 179D.480 is hereby amended to read as follows:

179D.480 1. Except as otherwise provided in subsections 2 and 5, each year, on the anniversary of the date that the ~~{division}~~ **central repository** establishes a record of registration for the sex offender, the central repository shall mail to the sex offender, at the address last registered by the sex offender, a nonforwardable verification form. The sex offender shall complete and sign the form and mail the form to the central repository not later than 10 days after receipt of the form to verify that he still resides at the address he last registered.

2. Except as otherwise provided in subsection 5, if a sex offender has been declared to be a sexually violent predator, every 90 days, beginning on the date that the ~~{division}~~ **central repository** establishes a record of registration for the sex offender, the central repository shall mail to the sex offender, at the address last registered by the sex offender, a nonforwardable verification form. The sex offender shall complete and sign the form and mail the form to the central repository not later than 10 days after receipt of the form to verify that he still resides at the address he last registered.

3. A sex offender shall include with each verification form a current set of fingerprints, a current photograph and all other information that is relevant to updating his record of registration, including, but not limited to, any change in his name, occupation, employment, work, volunteer service or driver's license and any change in the license number or description of a motor vehicle registered to or frequently driven by him. The central repository shall provide all updated information to the ~~{division and to the}~~ appropriate local law enforcement agencies.

4. If the central repository does not receive a verification form from a sex offender and otherwise cannot verify the address or location of the sex offender, the central repository shall immediately notify the ~~{division and the}~~ appropriate local law enforcement agencies.

5. The central repository is not required to complete the mailing pursuant to subsection 1 or 2:

(a) During any period in which a sex offender is incarcerated or confined or has changed his place of residence from this state to another jurisdiction; or

(b) For a nonresident sex offender who is a student or worker within this state.

**Sec. 14.** NRS 179D.490 is hereby amended to read as follows:

179D.490 1. A sex offender shall comply with the provisions for registration for as long as the sex offender resides or is present within this state or is a nonresident sex offender who is a student or worker within this state, unless the duty of the sex offender to register is terminated pursuant to the provisions of this section.

2. Except as otherwise provided in subsection 5, if a sex offender complies with the provisions for registration for an interval of at least 15 consecutive years during which he is not convicted of an offense that poses a threat to the safety or well-being of others, the sex offender may file a petition to terminate his duty to register with the district court in whose jurisdiction he resides or, if he is a nonresident sex offender, in whose jurisdiction he is a student or worker. For the purposes of this subsection, registration begins on the date that the ~~division~~ *central repository* establishes a record of registration for the sex offender or the date that the sex offender is released, whichever occurs later.

3. If the sex offender satisfies the requirements of subsection 2, the court shall hold a hearing on the petition at which the sex offender and any other interested person may present witnesses and other evidence. If the court determines from the evidence presented at the hearing that the sex offender is not likely to pose a threat to the safety of others, the court shall terminate the duty of the sex offender to register.

4. If the court does not terminate the duty of the sex offender to register after a petition is heard pursuant to subsections 2 and 3, the sex offender may file another petition after each succeeding interval of 5 consecutive years if the sex offender is not convicted of an offense that poses a threat to the safety or well-being of others.

5. A sex offender may not file a petition to terminate his duty to register pursuant to this section if the sex offender:

(a) Is subject to community notification or to lifetime supervision pursuant to NRS 176.0931;

(b) Has been declared to be a sexually violent predator; or

(c) Has been convicted of:

(1) One or more sexually violent offenses;

(2) Two or more sexual offenses against persons less than 18 years of age;

(3) Two or more crimes against a child, as defined in NRS 179D.210; or

(4) At least one of each offense listed in subparagraphs (2) and (3).

**Sec. 15.** NRS 179D.550 is hereby amended to read as follows:

179D.550 A sex offender who:

1. Fails to register with a local law enforcement agency ; ~~for with the division;~~

2. Fails to notify the ~~division~~ *local law enforcement agency* of a change of address;

3. Provides false or misleading information to the ~~division, the~~ central repository or a local law enforcement agency; or

4. Otherwise violates the provisions of NRS 179D.350 to 179D.550, inclusive, is guilty of a category D felony and shall be punished as provided in NRS 193.130.

**Sec. 16.** Chapter 62 of NRS is hereby amended by adding thereto the provisions set forth as sections 17 to 21, inclusive, of this act.

**Sec. 17. 1. *If a child is adjudicated delinquent for an act that, if committed by an adult, would constitute kidnapping in the first or second degree, false imprisonment, burglary or invasion of the home, the court***

*shall, at the request of the prosecuting attorney, conduct a separate hearing to determine whether the act was sexually motivated.*

*2. At the hearing, only evidence concerning the question of whether the act was sexually motivated may be presented.*

*3. After hearing the evidence, the court shall determine whether the act was sexually motivated and shall enter its finding in the record.*

*4. For the purposes of this section, an act is "sexually motivated" if one of the purposes for which the child committed the act was his sexual gratification.*

**Sec. 18.** *"Sexually motivated act" means an act that is determined to be sexually motivated pursuant to section 17 of this act.*

**Sec. 19.** *1. A probation officer assigned to a child who is subject to the provisions of this section, NRS 62.405 to 62.485, inclusive, and section 18 of this act may submit a petition to the court requesting that the court terminate the applicability of the provisions of this section, NRS 62.405 to 62.485, inclusive, and section 18 of this act with respect to the child if:*

*(a) At the time the child committed the sexual offense or the sexually motivated act for which the child was adjudicated delinquent, the child and the victim of the sexual offense or sexually motivated act committed by the child were members of the same family or household;*

*(b) The child has complied with the terms and conditions of his probation, including, without limitation, the completion of any counseling in which the child was ordered to participate;*

*(c) The child's counselor recommends, in writing, that the court terminate the applicability of the provisions of this section, NRS 62.405 to 62.485, inclusive, and section 18 of this act with respect to the child to allow the reunification of the family or household; and*

*(d) The victim and the parents or guardians of the victim consent, in writing, to the termination of the applicability of the provisions of this section, NRS 62.405 to 62.485, inclusive, and section 18 of this act with respect to the child to allow the reunification of the family or household.*

*2. If the court grants a petition requested pursuant to this section, the court shall notify the public school or private school which the child is attending, in writing, that the court has terminated the applicability of the provisions of this section, NRS 62.405 to 62.485, inclusive, and section 18 of this act with respect to the child.*

**Sec. 20.** *"Sexually motivated act" means an act that is determined to be sexually motivated pursuant to section 17 of this act.*

**Sec. 21.** *1. If a child who has been adjudicated delinquent for a sexual offense or a sexually motivated act has not previously been relieved of being subject to community notification as a juvenile sex offender, the court may, at any appropriate time, hold a hearing to determine whether the child should be relieved of being subject to community notification as a juvenile sex offender.*

*2. If the court determines at the hearing that the child has been rehabilitated to the satisfaction of the court and that the child is not likely to pose a threat to the safety of others, the court may relieve the child of being subject to community notification as a juvenile sex offender.*

**Sec. 22.** NRS 62.405 is hereby amended to read as follows:

62.405 As used in NRS 62.405 to 62.485, inclusive, *and sections 18 and 19 of this act*, unless the context otherwise requires, the words and terms defined in NRS 62.415 to 62.445, inclusive, *and section 18 of this act* have the meanings ascribed to them in those sections.

**Sec. 23.** NRS 62.435 is hereby amended to read as follows:

62.435 “Sexual offense” means:

1. Sexual assault pursuant to NRS 200.366;
2. Battery with intent to commit sexual assault pursuant to NRS 200.400;
3. An offense involving pornography and a minor pursuant to NRS 200.710 to 200.730, inclusive;
4. Open or gross lewdness pursuant to NRS 201.210 ~~+~~, *if punishable as a felony*;
5. Indecent or obscene exposure pursuant to NRS 201.220 ~~+~~, *if punishable as a felony*;
6. Lewdness with a child pursuant to NRS 201.230;
7. Sexual penetration of a dead human body pursuant to NRS 201.450;
8. Annoyance or molestation of a minor pursuant to NRS 207.260 ~~+~~, *if punishable as a felony*; or
9. An attempt to commit an offense listed in this section ~~+~~, *if punishable as a felony*.

**Sec. 24.** NRS 62.455 is hereby amended to read as follows:

62.455 1. In addition ~~to the options set forth in NRS 62.211 and 62.213 and in addition~~ to any other ~~requirements set forth in this chapter,~~ *action authorized or required pursuant to this chapter and except as otherwise provided in section 19 of this act*, if a child is adjudicated delinquent for an act that, if committed by an adult, would be a sexual offense, *or for a sexually motivated act*, the court shall:

(a) Place the child under the supervision of a probation officer ~~until the child is no longer attending a public school or private school within this state.~~ *for a period of not less than 3 years.*

(b) Except as otherwise provided in NRS 62.475 and 62.485, prohibit the child from attending a public school or private school that a victim of the sexual offense *or the sexually motivated act* is attending ~~+~~ *for the period ordered by the court pursuant to paragraph (a).*

(c) Order the parents or guardians of the child to inform the probation officer assigned to the child each time the child expects to change the public school or private school that ~~he~~ *the child* is attending, not later than 20 days before the expected date of the change.

(d) Order the parents or guardians of the child, to the extent of their financial ability, to reimburse all or part of the additional costs of transporting the child, if such costs are incurred by a county school district pursuant to NRS 392.251 to 392.271, inclusive ~~+~~, *and sections 34 and 35 of this act.*

(e) Inform the parents or guardians of the child of the requirements of NRS 62.405 to 62.485, inclusive, *and sections 18 and 19 of this act*, 392.251 to 392.271, inclusive, *and sections 34 and 35 of this act*, and 394.162 to 394.167, inclusive ~~+~~, *and sections 42 and 43 of this act.*

2. The court may authorize a superintendent or the executive head of a private school who receives notification from a probation officer pursuant to NRS 62.465 to inform other appropriate educational personnel that the child has been adjudicated delinquent for a sexual offense ~~+~~

~~—3. The~~ *or a sexually motivated act.*

3. *Except as otherwise provided in section 19 of this act, the* court may not terminate its jurisdiction concerning the child for the purposes of carrying out the provisions of NRS 62.405 to 62.485, inclusive, ~~until the child is no longer attending a public school or private school within this state.~~ *and sections 18 and 19 of this act, for the period ordered by the court pursuant to paragraph (a) of subsection 1.*

**Sec. 25.** NRS 62.465 is hereby amended to read as follows:

62.465 1. If a child has been adjudicated delinquent for a sexual offense ~~+~~ *or a sexually motivated act*, the probation officer assigned to the child shall provide notification that the child has been adjudicated delinquent for a sexual offense *or a sexually motivated act* to:

(a) The superintendent of the county school district in which the child resides; or

(b) If the child is attending a private school within this state, the executive head of the private school.

2. If the probation officer assigned to the child is informed by the parents or guardians of the child that the child expects to change the public school or private school ~~the~~ *that the child* is attending or if the probation officer otherwise becomes aware of such a change, the probation officer shall provide notification that the child has been adjudicated delinquent for a sexual offense *or a sexually motivated act* to:

(a) The superintendent of the county school district in which the child is or will be residing; or

(b) If the child is or will be attending a private school within this state, the executive head of the private school.

3. Notification provided pursuant to this section must include the name of each victim of a sexual offense *or a sexually motivated act* committed by the child if the victim is attending a public school or private school within this state.

**Sec. 26.** NRS 62.475 is hereby amended to read as follows:

62.475 1. The court may permit a child who has been adjudicated delinquent for a sexual offense *or a sexually motivated act* to attend a public school or private school that a victim of the sexual offense *or the sexually motivated act* is attending if, upon the request of the child, the superintendent or the executive head of the private school:

(a) The court develops and approves an alternative plan of supervision for the child that protects the safety and the interests of the victim;

(b) The victim and the parents or guardians of the victim consent, in writing, to the plan;

(c) The superintendent or the executive head of the private school consents, in writing, to the plan; and

(d) The child and the parents or guardians of the child agree, in writing, to comply with the conditions of the plan.

2. As part of an alternative plan of supervision, the court shall impose reasonable conditions on the child and, if necessary to facilitate the

alternative plan, on the parents or guardians of the child. The conditions must be designed to protect the safety and the interests of the victim and to ensure that the child complies with the plan.

3. Upon its own motion or upon a request from the prosecuting attorney, the victim, the parents or guardians of the victim or the probation officer assigned to the child, the court may modify or rescind the alternative plan of supervision or a condition of the alternative plan after providing notice and an opportunity to be heard to the child, the parents or guardians of the child, the prosecuting attorney and the parties who consented to the alternative plan. If a proposed modification is reasonably likely to increase contact between the victim and the child, the court may not make the modification without the written consent of the victim and the parents or guardians of the victim. If the court rescinds the alternative plan of supervision, the child is subject to the provisions of NRS 62.405 to 62.485, inclusive, *and sections 18 and 19 of this act* as if the alternative plan had not existed.

4. Before the court accepts the written consent of the victim and the parents or guardians of the victim pursuant to this section, the court shall inform them of their right to withhold consent and, except as otherwise provided in NRS 62.485, their right to have the child not attend the public school or private school the victim is attending.

**Sec. 27.** NRS 62.485 is hereby amended to read as follows:

62.485 1. If the court does not approve an alternative plan of supervision pursuant to NRS 62.475 for a child who has been adjudicated delinquent for a sexual offense ~~H~~ *or a sexually motivated act*, the superintendent or the executive head of the private school may request that the court approve an alternative plan of attendance for the child.

2. An alternative plan of attendance:

(a) Must be designed to prevent contact between the victim and the child during school hours and during extracurricular activities conducted on school grounds; and

(b) Must not interfere with or alter the schedule of classes or the extracurricular activities of the victim.

3. Before approving an alternative plan of attendance, the court shall provide notice and an opportunity to be heard to the child, the parents or guardians of the child, the prosecuting attorney, the victim and the parents or guardians of the victim.

4. If the court approves an alternative plan of attendance, the prosecuting attorney, the victim or the parents or guardians of the victim may petition the court to modify or rescind the alternative plan on the basis that:

(a) The alternative plan is not protecting the safety or the interests of the victim; or

(b) The child or the public school or private school is not complying with the alternative plan.

5. Upon receiving a petition to modify or rescind an alternative plan of attendance, the court may modify or rescind the alternative plan after providing notice and an opportunity to be heard to the child, the parents or guardians of the child, the prosecuting attorney, the victim, the parents or guardians of the victim and the superintendent or the executive head of the

private school. If the court rescinds the alternative plan of attendance, the child is subject to the provisions of NRS 62.405 to 62.485, inclusive, *and sections 18 and 19 of this act* as if the alternative plan had not existed.

**Sec. 28.** NRS 62.500 is hereby amended to read as follows:

62.500 As used in NRS 62.500 to 62.600, inclusive, *and sections 20 and 21 of this act*, unless the context otherwise requires, the words and terms defined in NRS 62.510 to 62.550, inclusive, *and section 20 of this act* have the meanings ascribed to them in those sections.

**Sec. 29.** NRS 62.570 is hereby amended to read as follows:

62.570 1. In addition to ~~the options set forth in NRS 62.211 and 62.213 and in addition to any other requirements set forth in~~ *any other action authorized or required pursuant to* this chapter, if a child is adjudicated delinquent for an act that, if committed by an adult, would be a sexual offense ~~or~~ *or for a sexually motivated act*, the court shall:

(a) Notify the attorney general of the adjudication, so the attorney general may arrange for the assessment of the risk of recidivism of the child pursuant to the guidelines and procedures for community notification;

(b) Place the child under the supervision of a probation officer ~~until the child reaches 21 years of age or is no longer subject to community notification as a juvenile sex offender pursuant to NRS 62.500 to 62.600, inclusive~~ *for a period of not less than 3 years*;

(c) Inform the child and the parents or guardians of the child that the child is subject to community notification as a juvenile sex offender and may be subject to registration and community notification as an adult sex offender pursuant to NRS 62.590; and

(d) Order the child, and the parents or guardians of the child during the minority of the child, *while the child is subject to community notification as a juvenile sex offender*, to inform the probation officer assigned to the child of a change of the address at which the child resides not later than 48 hours after the change of address.

2. The court may not terminate its jurisdiction concerning the child for the purposes of carrying out the provisions of NRS 62.500 to 62.600, inclusive, *and sections 20 and 21 of this act*, until the child ~~reaches 21 years of age or~~ is no longer subject to community notification as a juvenile sex offender pursuant to NRS 62.500 to 62.600, inclusive ~~or~~ *, and sections 20 and 21 of this act*.

**Sec. 30.** NRS 62.580 is hereby amended to read as follows:

62.580 1. If a child has been adjudicated delinquent for a sexual offense ~~or~~ *or a sexually motivated act*, the probation officer assigned to the child shall notify the local law enforcement agency in whose jurisdiction the child resides that the child:

(a) Has been adjudicated delinquent for a sexual offense ~~or~~ *or a sexually motivated act*; and

(b) Is subject to community notification as a juvenile sex offender.

2. If the probation officer assigned to the child is informed by the child or the parents or guardians of the child that the child has changed the address at which he resides ~~or~~ *or if the probation officer otherwise becomes aware of such a change*, the probation officer shall notify:

(a) The local law enforcement agency in whose jurisdiction the child last resided that the child has moved; and

(b) The local law enforcement agency in whose jurisdiction the child is now residing that the child:

(1) Has been adjudicated delinquent for a sexual offense ~~††~~ *or a sexually motivated act*; and

(2) Is subject to community notification as a juvenile sex offender.

**Sec. 31.** NRS 62.590 is hereby amended to read as follows:

62.590 Except as otherwise provided in NRS 62.500 to 62.600, inclusive ~~††~~, *and sections 20 and 21 of this act*:

1. If a child *who* has been adjudicated delinquent for a sexual offense ~~††~~ *or a sexually motivated act is not relieved of being subject to community notification as a juvenile sex offender before the child reaches 21 years of age*, the court shall hold a hearing when the child reaches 21 years of age to determine whether the child should be deemed an adult sex offender for the purposes of registration and community notification pursuant to NRS 179D.350 to 179D.800, inclusive.

2. If the court determines at the hearing that the child has been rehabilitated to the satisfaction of the court and that the child is not likely to pose a threat to the safety of others, the court shall relieve the child of being subject to community notification.

3. If the court determines at the hearing that the child has not been rehabilitated to the satisfaction of the court or that the child is likely to pose a threat to the safety of others, the court shall deem the child to be an adult sex offender for the purposes of registration and community notification pursuant to NRS 179D.350 to 179D.800, inclusive.

4. If a child is deemed to be an adult sex offender pursuant to this section, the court shall notify the ~~{division,}~~ *central repository*, so the ~~{division and the}~~ central repository may carry out the provisions for registration of the child as an adult sex offender pursuant to NRS 179D.450.

**Sec. 32.** NRS 213.1245 is hereby amended to read as follows:

213.1245 1. Except as otherwise provided in subsection ~~†2,†~~ *3*, if the board releases on parole a prisoner convicted of an offense listed in NRS 179D.620, the board shall, in addition to any other condition of parole, require as a condition of parole that the parolee:

(a) Reside at a location only if it has been approved by the parole and probation officer assigned to the parolee;

(b) Accept a position of employment only if it has been approved by the parole and probation officer assigned to the parolee;

(c) Abide by any curfew imposed by the parole and probation officer assigned to the parolee;

(d) Participate in and complete a program of professional counseling approved by the division;

(e) Submit to periodic tests *, as requested by the parole and probation officer assigned to the parolee*, to determine whether the parolee is using a controlled substance ~~†and submit†~~;

*(f) Submit* to periodic ~~†polygraphic†~~ *polygraph* examinations, as requested by the parole and probation officer assigned to the parolee;

~~†††~~ *(g) Abstain from consuming , possessing or having under his control any* alcohol;

~~1(e)~~ (h) Not have contact or communicate with a victim of the offense or a witness who testified against the parolee or solicit another person to engage in such contact or communication on behalf of the parolee ~~1~~

~~1(h)~~ , unless approved by the parole and probation officer assigned to the parolee, and a written agreement is entered into and signed in the manner set forth in subsection 2;

(i) Not use aliases or fictitious names;

~~1(i)~~ (j) Not obtain a post office box unless the parolee receives permission from the parole and probation officer assigned to the parolee;

~~1(j)~~ (k) Not have contact with a person less than 18 years of age in a secluded environment unless another adult who has never been convicted of an offense listed in NRS 179D.410 is present ~~1~~ and

~~1(k)~~ Not and permission has been obtained from the parole and probation officer assigned to the parolee in advance of each such contact;

(l) Unless approved by the parole and probation officer assigned to the parolee and by a psychiatrist, psychologist or counselor treating the parolee, if any, not be in or near:

(1) A playground, park, school or school grounds;

(2) A motion picture theater; or

(3) A business that primarily has children as customers or conducts events that primarily children attend ~~1~~ ;

(m) Comply with any protocol concerning the use of prescription medication prescribed by a treating physician, including, without limitation, any protocol concerning the use of psychotropic medication;

(n) Not possess any sexually explicit material that is deemed inappropriate by the parole and probation officer assigned to the parolee;

(o) Not patronize a business which offers a sexually related form of entertainment and which is deemed inappropriate by the parole and probation officer assigned to the parolee; and

(p) Not possess any electronic device capable of accessing the Internet and not access the Internet through any such device or any other means, unless possession of such a device or such access is approved by the parole and probation officer assigned to the parolee.

2. A written agreement entered into pursuant to paragraph (h) of subsection 1 must state that the contact or communication is in the best interest of the victim or witness, and specify the type of contact or communication authorized. The written agreement must be signed and agreed to by:

(a) The victim or the witness;

(b) The parolee;

(c) The parole and probation officer assigned to the parolee;

(d) The psychiatrist, psychologist or counselor treating the parolee, victim or witness, if any; and

(e) If the victim or witness is a child under 18 years of age, each parent, guardian or custodian of the child.

3. The board is not required to impose a condition of parole listed in subsection 1 if the board finds that extraordinary circumstances are present and the board states those extraordinary circumstances in writing.

**Sec. 33.** Chapter 392 of NRS is hereby amended by adding thereto the provisions set forth as sections 34 and 35 of this act.

**Sec. 34.** *“Sexual offense” has the meaning ascribed to it in NRS 62.435.*

**Sec. 35.** *“Sexually motivated act” has the meaning ascribed to it in section 18 of this act.*

**Sec. 36.** NRS 392.251 is hereby amended to read as follows:

392.251 As used in NRS 392.251 to 392.271, inclusive, *and sections 34 and 35 of this act*, unless the context otherwise requires, the words and terms defined in NRS 392.254, 392.258 and 392.261 *and sections 34 and 35 of this act* have the meanings ascribed to them in those sections.

**Sec. 37.** NRS 392.254 is hereby amended to read as follows:

392.254 “Notification” means a notification which indicates that a child has been adjudicated delinquent for a sexual offense *or a sexually motivated act* and which is provided by a probation officer pursuant to NRS 62.465.

**Sec. 38.** NRS 392.258 is hereby amended to read as follows:

392.258 “Offender” means a child identified in a notification as the child who has been adjudicated delinquent for a sexual offense ~~†~~ *or a sexually motivated act*.

**Sec. 39.** NRS 392.261 is hereby amended to read as follows:

392.261 “Victim” means a child identified in a notification as a victim of a sexual offense *or a sexually motivated act* committed by the offender.

**Sec. 40.** NRS 392.264 is hereby amended to read as follows:

392.264 1. If a superintendent of a school district receives notification and a victim identified in the notification is a pupil in the school district, the superintendent shall not permit ~~†~~ *an offender who is subject to the provisions of NRS 62.405 to 62.485, inclusive, and sections 18 and 19 of this act*, to attend a public school that a victim is attending unless:

(a) An alternative plan of supervision is approved by the court pursuant to NRS 62.475; or

(b) An alternative plan of attendance is approved by the court pursuant to NRS 62.485.

2. If the court does not approve an alternative plan of supervision or an alternative plan of attendance for the offender and the school district in which the offender resides does not have another public school in the district for the offender to attend, the superintendent of the school district shall negotiate an agreement with:

(a) The superintendent of an adjoining school district within this state for the offender to attend a public school in that adjoining school district; or

(b) The superintendent, or another appropriate administrator, of an adjoining school district in an adjoining state for the offender to attend a public school in that adjoining school district.

3. The superintendent of the school district in which the offender resides shall inform the person with whom he is negotiating that the offender has been adjudicated delinquent for a sexual offense ~~†~~ *or a sexually motivated act*, but the superintendent shall not disclose the name of a victim.

4. An agreement which is made pursuant to this section and which is presented to a board of trustees for approval:

- (a) Must not contain the name of a victim;
- (b) Must comply with the provisions of subsections 2 and 3 of NRS 392.010; and
- (c) Must be approved by the superintendent of public instruction.

5. A board of trustees may terminate an agreement entered into pursuant to this section if, because of a change in circumstances, the offender is able to attend a public school in the school district in which he resides without violating subsection 1.

**Sec. 41.** Chapter 394 of NRS is hereby amended by adding thereto the provisions set forth as sections 42 and 43 of this act.

**Sec. 42.** *“Sexual offense” has the meaning ascribed to it in NRS 62.435.*

**Sec. 43.** *“Sexually motivated act” has the meaning ascribed to it in section 18 of this act.*

**Sec. 44.** NRS 394.162 is hereby amended to read as follows:

394.162 As used in NRS 394.162 to 394.167, inclusive, *and sections 42 and 43 of this act*, unless the context otherwise requires, the words and terms defined in NRS 394.163, 394.164 and 394.165 *and sections 42 and 43 of this act* have the meanings ascribed to them in those sections.

**Sec. 45.** NRS 394.163 is hereby amended to read as follows:

394.163 “Notification” means a notification which indicates that a child has been adjudicated delinquent for a sexual offense *or a sexually motivated act* and which is provided by a probation officer pursuant to NRS 62.465.

**Sec. 46.** NRS 394.164 is hereby amended to read as follows:

394.164 “Offender” means a child identified in a notification as the child who has been adjudicated delinquent for a sexual offense ~~†~~ *or a sexually motivated act.*

**Sec. 47.** NRS 394.165 is hereby amended to read as follows:

394.165 “Victim” means a child identified in a notification as a victim of a sexual offense *or a sexually motivated act* committed by the offender.

**Sec. 48.** NRS 394.166 is hereby amended to read as follows:

394.166 If the executive head of a private school receives notification and a victim identified in the notification is attending a private school under his authority, ~~the~~ *the executive head* shall not permit ~~the~~ *an offender who is subject to the provisions of NRS 62.405 to 62.485, inclusive, and sections 18 and 19 of this act,* to attend the private school that a victim is attending unless:

1. An alternative plan of supervision is approved by the court pursuant to NRS 62.475; or
2. An alternative plan of attendance is approved by the court pursuant to NRS 62.485.

**Sec 49.** 1. Except as otherwise provided in this section, the amendatory provisions of this act apply to offenses or delinquent acts committed before, on or after July 1, 2001.

2. The amendatory provisions of section 8 of this act do not affect the date on which registration is deemed to have begun for an offender convicted of a crime against a child pursuant to subsection 2 of NRS 179D.270.

3. The amendatory provisions of section 9 of this act do not apply to violations of NRS 179D.290 committed before July 1, 2001.

4. The amendatory provisions of section 14 of this act do not affect the date on which registration is deemed to have begun for a sex offender pursuant to subsection 2 of NRS 179D.490.

5. The amendatory provisions of section 15 of this act do not apply to violations of NRS 179D.550 committed before July 1, 2001.

6. The amendatory provisions of sections 17 and 23 of this act do not apply to delinquent acts committed before July 1, 2001.

**Sec. 50.** This act becomes effective on July 1, 2001.