

(REPRINTED WITH ADOPTED AMENDMENTS)
FIRST REPRINT **S.B. 412**

SENATE BILL NO. 412—COMMITTEE ON JUDICIARY

MARCH 19, 2001

Referred to Committee on Judiciary

SUMMARY—Revises various provisions pertaining to certain offenders. (BDR 14-798)

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 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:

- 1 **Section 1.** NRS 176.0926 is hereby amended to read as follows:
2 176.0926 1. If a defendant is convicted of a crime against a child, the
3 court shall, before imposing sentence:
4 (a) Notify the ~~division~~ ***central repository*** of the conviction of the
5 defendant, so the ~~division and the~~ central repository may carry out the
6 provisions for registration of the defendant pursuant to NRS 179D.230.
7 (b) Inform the defendant of the requirements for registration, including,
8 but not limited to:
9 (1) The duty to register in this state during any period in which he is a
10 resident of this state or a nonresident who is a student or worker within this
11 state and the time within which he is required to register pursuant to
12 NRS 179D.240;
13 (2) The duty to register in any other jurisdiction during any period in
14 which he is a resident of the other jurisdiction or a nonresident who is a
15 student or worker within the other jurisdiction;
16 (3) If he moves from this state to another jurisdiction, the duty to
17 register with the appropriate law enforcement agency in the other
18 jurisdiction; and



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

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

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

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

14 176.0927 1. If a defendant is convicted of a sexual offense, the court
15 shall, before imposing sentence:

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

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

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

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

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

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

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

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

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

44 176A.410 1. Except as otherwise provided in subsection 2, if a
45 defendant is convicted of a sexual offense and the court grants probation or
46 suspends the sentence, the court shall, in addition to any other condition
47 ordered pursuant to NRS 176A.400, order as a condition of probation or
48 suspension of sentence that the defendant:



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- 1 (a) Reside at a location only if it has been approved by the parole and
- 2 probation officer assigned to the defendant;
- 3 (b) Accept a position of employment only if it has been approved by the
- 4 parole and probation officer assigned to the defendant;
- 5 (c) Abide by any curfew imposed by the parole and probation officer
- 6 assigned to the defendant;
- 7 (d) Participate in and complete a program of professional counseling
- 8 approved by the division;
- 9 (e) Submit to periodic tests *, as requested by the parole and probation*
- 10 *officer assigned to the defendant*, to determine whether the defendant is
- 11 using a controlled substance ~~and submit~~;
- 12 (f) *Submit* to periodic ~~polygraph~~ *polygraph* examinations, as
- 13 requested by the parole and probation officer assigned to the defendant;
- 14 ~~(g)~~ (g) Abstain from consuming *, possessing or having under his*
- 15 *control any* alcohol;
- 16 ~~(h)~~ (h) Not have contact or communicate with a victim of the sexual
- 17 offense or a witness who testified against the defendant or solicit another
- 18 person to engage in such contact or communication on behalf of the
- 19 defendant ~~;~~
- 20 ~~(h)~~ *, unless approved by the parole and probation officer assigned to*
- 21 *the defendant*;
- 22 (i) Not use aliases or fictitious names;
- 23 ~~(j)~~ (j) Not obtain a post office box unless the defendant receives
- 24 permission from the parole and probation officer assigned to the defendant;
- 25 ~~(k)~~ (k) Not have contact with a person less than 18 years of age in a
- 26 secluded environment unless another adult who has never been convicted
- 27 of a sexual offense is present ~~and~~
- 28 ~~(k)~~ *Not and permission has been obtained from the parole and*
- 29 *probation officer assigned to the defendant in advance of each such*
- 30 *contact*;
- 31 (l) *Unless approved by the parole and probation officer assigned to the*
- 32 *defendant, not* be in or near:
 - 33 (1) A playground, *park*, school or school grounds;
 - 34 (2) A motion picture theater; or
 - 35 (3) A business that primarily has children as customers or conducts
 - 36 events that primarily children attend.
- 37 (m) *Comply with any protocol concerning the use of prescription*
- 38 *medication prescribed by a treating physician, including, without*
- 39 *limitation, any protocol concerning the use of psychotropic medication*;
- 40 (n) *Not possess any sexually explicit material that is deemed*
- 41 *inappropriate by the parole and probation officer assigned to the*
- 42 *defendant*;
- 43 (o) *Not patronize a business which offers a sexually related form of*
- 44 *entertainment and which is deemed inappropriate by the parole and*
- 45 *probation officer assigned to the defendant; and*
- 46 (p) *Not possess any electronic device capable of accessing the Internet*
- 47 *and not access the Internet through any such device or any other means,*
- 48 *unless possession of such a device or such access is approved by the*
- 49 *parole and probation officer assigned to the defendant.*



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

5 3. As used in this section, "sexual offense" has the meaning ascribed to
6 it in NRS 179D.410.

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

8 179D.230 1. If the ~~division~~ *central repository* receives notice from
9 a court pursuant to NRS 176.0926 that an offender has been convicted of a
10 crime against a child, the ~~division~~ *central repository* shall:

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

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

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

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

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

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

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

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

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

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



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1 (2) Require the offender to read and sign a form confirming that the
2 requirements for registration have been explained to him ~~}; and~~
3 ~~—(3)} and to forward the form to the central repository.~~
4 **(b) The central repository shall:**
5 **(1)** Update the record of registration for the offender ~~and forward the~~
6 ~~record of registration to the central repository; and~~
7 ~~—(b) The central repository shall provide} ; and~~
8 **(2) Provide** notification concerning the offender to the appropriate
9 local law enforcement agencies and, if the offender will reside upon release
10 in a jurisdiction which is outside of this state, to the appropriate law
11 enforcement agency in that jurisdiction.
12 4. ~~If requested by the division, the department of prisons or a local~~
13 ~~law enforcement agency in whose facility the offender is incarcerated shall~~
14 ~~provide the offender with the information and the confirmation form~~
15 ~~required by paragraph (a) of subsection 3.~~
16 ~~—5.} The failure to provide an offender with the information or~~
17 ~~confirmation form required by paragraph (a) of subsection 3 does not affect~~
18 ~~the duty of the offender to register and to comply with all other provisions~~
19 ~~for registration.~~
20 ~~16.} 5.~~ If the central repository receives notice from another
21 jurisdiction or the Federal Bureau of Investigation that an offender
22 convicted of a crime against a child is now residing or is a student or
23 worker within this state ~~};~~
24 ~~—(a) The central repository shall immediately} , the central repository~~
25 ~~shall:~~
26 **(a) Immediately** provide notification concerning the offender to ~~the~~
27 ~~division and to} the appropriate local law enforcement agencies; and~~
28 **(b) Establish** a record of registration for
29 the offender ~~and forward the record of registration to the central~~
30 ~~repository.} with the assistance of the local law enforcement agency.~~
31 **Sec. 5.** NRS 179D.240 is hereby amended to read as follows:
32 179D.240 1. In addition to any other registration that is required
33 pursuant to NRS 179D.230, each offender who, after July 1, 1956, is or has
34 been convicted of a crime against a child shall register with a local law
35 enforcement agency ~~and with the division} pursuant to the provisions of~~
36 this section.
37 2. Except as otherwise provided in subsection 3, if the offender resides
38 or is present for 48 hours or more within:
39 (a) A county; or
40 (b) An incorporated city that does not have a city police
41 department,
42 the offender shall be deemed a resident offender and shall register with the
43 sheriff's office of the county or, if the county or the city is within the
44 jurisdiction of a metropolitan police department, the metropolitan police
45 department, not later than 48 hours after arriving or establishing a
46 residence within the county or the city.
47 3. If the offender resides or is present for 48 hours or more within an
48 incorporated city that has a city police department, the offender shall be
49 deemed a resident offender and shall register with the city police



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1 department not later than 48 hours after arriving or establishing a residence
2 within the city.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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1 ~~— (b) The central repository shall provide~~
2 **(b) Provide** notification concerning the offender to the appropriate local
3 law enforcement agencies.

4 **Sec. 6.** NRS 179D.250 is hereby amended to read as follows:
5 179D.250 1. If an offender convicted of a crime against a child
6 changes the address at which he resides, including moving from this state
7 to another jurisdiction, or changes the primary address at which he is a
8 student or worker, not later than 48 hours after changing such an address,
9 the offender shall provide the new address, *in person or* in writing, to the
10 ~~division~~ **local law enforcement agency in whose jurisdiction he now**
11 **resides and to the local law enforcement agency in whose jurisdiction he**
12 **formerly resided** and shall provide all other information that is relevant to
13 updating his record of registration, including, but not limited to, any
14 change in his name, occupation, employment, work, volunteer service or
15 driver's license and any change in the license number or description of a
16 motor vehicle registered to or frequently driven by him.

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

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

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

31 **Sec. 7.** NRS 179D.260 is hereby amended to read as follows:
32 179D.260 1. Except as otherwise provided in subsection 4, each
33 year, on the anniversary of the date that the ~~division~~ **central repository**
34 establishes a record of registration for the offender, the central repository
35 shall mail to the offender, at the address last registered by the offender, a
36 nonforwardable verification form. The offender shall complete and sign the
37 form and mail the form to the central repository not later than 10 days after
38 receipt of the form to verify that he still resides at the address he last
39 registered.

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

48 3. If the central repository does not receive a verification form from an
49 offender and otherwise cannot verify the address or location of the



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1 offender, the central repository shall immediately notify ~~the division and~~
2 the appropriate local law enforcement agencies.

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

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

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

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

11 179D.270 1. An offender convicted of a crime against a child shall
12 comply with the provisions for registration for as long as the offender
13 resides or is present within this state or is a nonresident offender who is a
14 student or worker within this state, unless the duty of the offender to
15 register is terminated pursuant to the provisions of this section.

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

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

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

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

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

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

43 (c) Has been convicted of:

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

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

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

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



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

2 179D.290 An offender convicted of a crime against a child who:

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

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

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

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

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

14 179D.450 1. If the ~~division~~ *central repository* receives notice from
15 a court pursuant to NRS 176.0927 that a sex offender has been convicted of
16 a sexual offense or pursuant to NRS 62.590 that a juvenile sex offender has
17 been deemed to be an adult sex offender, the ~~division~~ *central repository*
18 shall:

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

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

28 2. If the sex offender named in the notice is granted probation or
29 otherwise will not be incarcerated or confined or if the sex offender named
30 in the notice has been deemed to be an adult sex offender pursuant to NRS
31 62.590 and is not otherwise incarcerated or confined:

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

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

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

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

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



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1 (I) The duty to register in this state during any period in which he
2 is a resident of this state or a nonresident who is a student or worker within
3 this state and the time within which he is required to register pursuant to
4 NRS 179D.460;
5 (II) The duty to register in any other jurisdiction during any period
6 in which he is a resident of the other jurisdiction or a nonresident who is a
7 student or worker within the other jurisdiction;
8 (III) If he moves from this state to another jurisdiction, the duty to
9 register with the appropriate law enforcement agency in the other
10 jurisdiction; and
11 (IV) The duty to notify the ~~{division,}~~ *local law enforcement*
12 *agency for the jurisdiction in which he now resides and the jurisdiction*
13 *in which he formerly resided, in person or* in writing, if he changes the
14 address at which he resides, including if he moves from this state to
15 another jurisdiction, or changes the primary address at which he is a
16 student or worker; *and*
17 (2) Require the sex offender to read and sign a form confirming that
18 the requirements for registration have been explained to him ~~};~~
19 ~~—(3)— and to forward the form to the central repository.~~
20 *(b) The central repository shall:*
21 *(1) Update the record of registration for the sex offender {and*
22 *forward the record of registration to the central repository; and*
23 ~~—(4)— ;~~
24 *(2) If the sex offender is subject to community notification, arrange*
25 *for the assessment of the risk of recidivism of the sex offender pursuant to*
26 *the guidelines and procedures for community notification established by*
27 *the attorney general pursuant to NRS 179D.600 to 179D.800, inclusive;*
28 *and*
29 ~~{(b) The central repository shall provide}~~
30 *(3) Provide* notification concerning the sex offender to the
31 appropriate local law enforcement agencies and, if the sex offender will
32 reside upon release in a jurisdiction which is outside of this state, to the
33 appropriate law enforcement agency in that jurisdiction.
34 4. ~~{If requested by the division, the department of prisons or a local~~
35 ~~law enforcement agency in whose facility the sex offender is incarcerated~~
36 ~~shall provide the sex offender with the information and the confirmation~~
37 ~~form required by paragraph (a) of subsection 3.~~
38 ~~—5.—~~ The failure to provide a sex offender with the information or
39 confirmation form required by paragraph (a) of subsection 3 does not affect
40 the duty of the sex offender to register and to comply with all other
41 provisions for registration.
42 ~~{6.—}~~ 5. If the central repository receives notice from another
43 jurisdiction or the Federal Bureau of Investigation that a sex offender is
44 now residing or is a student or worker within this state ~~};~~
45 ~~—(a) The {the~~ central repository shall ~~{immediately}~~ *:*
46 *(a) Immediately* provide notification concerning the sex offender to ~~{the~~
47 ~~division and to}~~ the appropriate local law enforcement agencies;



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

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

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

10 179D.460 1. In addition to any other registration that is required
11 pursuant to NRS 179D.450, each sex offender who, after July 1, 1956, is or
12 has been convicted of a sexual offense shall register with a local law
13 enforcement agency ~~{and with the division}~~ pursuant to the provisions of
14 this section.

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

17 (a) A county; or

18 (b) An incorporated city that does not have a city police
19 department,

20 the sex offender shall be deemed a resident sex offender and shall register
21 with the sheriff's office of the county or, if the county or the city is within
22 the jurisdiction of a metropolitan police department, the metropolitan
23 police department, not later than 48 hours after arriving or establishing a
24 residence within the county or the city.

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

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

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

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

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

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

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

47 (a) Inform the sex offender of the duty to ~~{register and the time within~~
48 ~~which the sex offender is required to register with the division if he has not~~
49 ~~previously done so;}~~ **notify the local law enforcement agency if the sex**



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1 *offender changes the address at which he resides, including if he moves*
2 *from this state to another jurisdiction, or changes the primary address at*
3 *which he is a student or worker; and*

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

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

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

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

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

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

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

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

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

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

29 *(a) Establish* a record of registration for the sex offender ~~[and forward~~
30 ~~the record of registration to the central repository;~~

31 ~~—(b) The central repository shall provide]~~ ;

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

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

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

40 179D.470 1. If a sex offender changes the address at which he
41 resides, including moving from this state to another jurisdiction, or changes
42 the primary address at which he is a student or worker, not later than 48
43 hours after changing such an address, the sex offender shall provide the
44 new address, *in person or* in writing, to the ~~{division}~~ *local law*
45 *enforcement agency in whose jurisdiction he now resides and the local*
46 *law enforcement agency in whose jurisdiction he formerly resided* and
47 shall provide all other information that is relevant to updating his record of
48 registration, including, but not limited to, any change in his name,
49 occupation, employment, work, volunteer service or driver's license and



1 any change in the license number or description of a motor vehicle
2 registered to or frequently driven by him.

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

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

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

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

18 179D.480 1. Except as otherwise provided in subsections 2 and 5,
19 each year, on the anniversary of the date that the ~~division~~ **central**
20 **repository** establishes a record of registration for the sex offender, the
21 central repository shall mail to the sex offender, at the address last
22 registered by the sex offender, a nonforwardable verification form. The sex
23 offender shall complete and sign the form and mail the form to the central
24 repository not later than 10 days after receipt of the form to verify that he
25 still resides at the address he last registered.

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

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

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

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



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

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

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

7 179D.490 1. A sex offender shall comply with the provisions for
8 registration for as long as the sex offender resides or is present within this
9 state or is a nonresident sex offender who is a student or worker within this
10 state, unless the duty of the sex offender to register is terminated pursuant
11 to the provisions of this section.

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

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

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

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

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

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

38 (c) Has been convicted of:

39 (1) One or more sexually violent offenses;

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

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

43 or

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

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

46 179D.550 A sex offender who:

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



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

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

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

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

11 **Sec. 17. 1.** *If a child is adjudicated delinquent for an act that, if*
12 *committed by an adult, would constitute kidnapping in the first or second*
13 *degree, false imprisonment, burglary or invasion of the home, the court*
14 *shall, at the request of the prosecuting attorney, conduct a separate*
15 *hearing to determine whether the act was sexually motivated.*

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

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

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

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

25 **Sec. 19. 1.** *A probation officer assigned to a child who is subject to*
26 *the provisions of this section, NRS 62.405 to 62.485, inclusive, and*
27 *section 18 of this act may submit a petition to the court requesting that*
28 *the court terminate the applicability of the provisions of this section, NRS*
29 *62.405 to 62.485, inclusive, and section 18 of this act with respect to the*
30 *child if:*

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

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

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

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

46 *2. If the court grants a petition requested pursuant to this section, the*
47 *court shall notify the public school or private school which the child is*
48 *attending, in writing, that the court has terminated the applicability of*



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1 *the provisions of this section, NRS 62.405 to 62.485, inclusive, and*
2 *section 18 of this act with respect to the child.*

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

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

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

15 **Sec. 22.** NRS 62.405 is hereby amended to read as follows:
16 62.405 As used in NRS 62.405 to 62.485, inclusive, *and sections 18*
17 *and 19 of this act*, unless the context otherwise requires, the words and
18 terms defined in NRS 62.415 to 62.445, inclusive, *and section 18 of this*
19 *act* have the meanings ascribed to them in those sections.

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

21 62.435 "Sexual offense" means:

- 22 1. Sexual assault pursuant to NRS 200.366;
- 23 2. Battery with intent to commit sexual assault pursuant to
- 24 NRS 200.400;
- 25 3. An offense involving pornography and a minor pursuant to NRS
- 26 200.710 to 200.730, inclusive;
- 27 4. Open or gross lewdness pursuant to NRS 201.210 ~~§~~, *if punishable*
28 *as a felony;*
- 29 5. Indecent or obscene exposure pursuant to NRS 201.220 ~~§~~, *if*
30 *punishable as a felony;*
- 31 6. Lewdness with a child pursuant to NRS 201.230;
- 32 7. Sexual penetration of a dead human body pursuant to NRS 201.450;
- 33 8. Annoyance or molestation of a minor pursuant to NRS 207.260 ~~§~~,
34 *if punishable as a felony;* or
- 35 9. An attempt to commit an offense listed in this section ~~§~~, *if*
36 *punishable as a felony.*

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

38 62.455 1. In addition ~~to the options set forth in NRS 62.211 and~~
39 ~~62.213 and in addition~~ to any other ~~requirements set forth in this chapter,~~
40 *action authorized or required pursuant to this chapter and except as*
41 *otherwise provided in section 19 of this act*, if a child is adjudicated
42 delinquent for an act that, if committed by an adult, would be a sexual
43 offense, *or for a sexually motivated act*, the court shall:

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

47 (b) Except as otherwise provided in NRS 62.475 and 62.485, prohibit
48 the child from attending a public school or private school that a victim of



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1 the sexual offense *or the sexually motivated act* is attending ~~†~~ *for the*
2 *period ordered by the court pursuant to paragraph (a).*

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

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

12 (e) Inform the parents or guardians of the child of the requirements of
13 NRS 62.405 to 62.485, inclusive, *and sections 18 and 19 of this act,*
14 *392.251 to 392.271, inclusive, and sections 34 and 35 of this act,* and
15 *394.162 to 394.167, inclusive †, and sections 42 and 43 of this act.*

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

20 ~~—3. The† or a sexually motivated act.~~

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

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

28 62.465 1. If a child has been adjudicated delinquent for a sexual
29 offense ~~†~~ *or a sexually motivated act*, the probation officer assigned to the
30 child shall provide notification that the child has been adjudicated
31 delinquent for a sexual offense *or a sexually motivated act* to:

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

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

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

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

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

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



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

2 62.475 1. The court may permit a child who has been adjudicated
3 delinquent for a sexual offense *or a sexually motivated act* to attend a
4 public school or private school that a victim of the sexual offense *or the*
5 *sexually motivated act* is attending if, upon the request of the child, the
6 superintendent or the executive head of the private school:

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

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

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

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

15 2. As part of an alternative plan of supervision, the court shall impose
16 reasonable conditions on the child and, if necessary to facilitate the
17 alternative plan, on the parents or guardians of the child. The conditions
18 must be designed to protect the safety and the interests of the victim and to
19 ensure that the child complies with the plan.

20 3. Upon its own motion or upon a request from the prosecuting
21 attorney, the victim, the parents or guardians of the victim or the probation
22 officer assigned to the child, the court may modify or rescind the
23 alternative plan of supervision or a condition of the alternative plan after
24 providing notice and an opportunity to be heard to the child, the parents or
25 guardians of the child, the prosecuting attorney and the parties who
26 consented to the alternative plan. If a proposed modification is reasonably
27 likely to increase contact between the victim and the child, the court may
28 not make the modification without the written consent of the victim and the
29 parents or guardians of the victim. If the court rescinds the alternative plan
30 of supervision, the child is subject to the provisions of NRS 62.405 to
31 62.485, inclusive, *and sections 18 and 19 of this act* as if the alternative
32 plan had not existed.

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

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

39 62.485 1. If the court does not approve an alternative plan of
40 supervision pursuant to NRS 62.475 for a child who has been adjudicated
41 delinquent for a sexual offense ~~H~~ *or a sexually motivated act*, the
42 superintendent or the executive head of the private school may request that
43 the court approve an alternative plan of attendance for the child.

44 2. An alternative plan of attendance:

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

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



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

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

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

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

13 5. Upon receiving a petition to modify or rescind an alternative plan of
14 attendance, the court may modify or rescind the alternative plan after
15 providing notice and an opportunity to be heard to the child, the parents or
16 guardians of the child, the prosecuting attorney, the victim, the parents or
17 guardians of the victim and the superintendent or the executive head of the
18 private school. If the court rescinds the alternative plan of attendance, the
19 child is subject to the provisions of NRS 62.405 to 62.485, inclusive, *and*
20 *sections 18 and 19 of this act* as if the alternative plan had not existed.

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

22 62.500 As used in NRS 62.500 to 62.600, inclusive, *and sections 20*
23 *and 21 of this act*, unless the context otherwise requires, the words and
24 terms defined in NRS 62.510 to 62.550, inclusive, *and section 20 of this*
25 *act* have the meanings ascribed to them in those sections.

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

27 62.570 1. In addition to ~~the options set forth in NRS 62.211 and~~
28 ~~62.213 and in addition to any other requirements set forth in~~ *any other*
29 *action authorized or required pursuant to* this chapter, if a child is
30 adjudicated delinquent for an act that, if committed by an adult, would be a
31 sexual offense ~~or for a sexually motivated act~~, the court shall:

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

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

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

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

48 2. The court may not terminate its jurisdiction concerning the child for
49 the purposes of carrying out the provisions of NRS 62.500 to 62.600,



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1 inclusive, *and sections 20 and 21 of this act*, until the child ~~reaches 21~~
2 ~~years of age or~~ is no longer subject to community notification as a juvenile
3 sex offender pursuant to NRS 62.500 to 62.600, inclusive ~~†~~, *and sections*
4 *20 and 21 of this act*.

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

6 62.580 1. If a child has been adjudicated delinquent for a sexual
7 offense ~~†~~ *or a sexually motivated act*, the probation officer assigned to the
8 child shall notify the local law enforcement agency in whose jurisdiction
9 the child resides that the child:

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

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

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

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

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

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

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

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

25 62.590 Except as otherwise provided in NRS 62.500 to 62.600,
26 inclusive ~~†~~, *and sections 20 and 21 of this act*:

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

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

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

43 4. If a child is deemed to be an adult sex offender pursuant to this
44 section, the court shall notify the ~~†~~ *central repository*, so the
45 ~~†~~ *central repository* may carry out the provisions for
46 registration of the child as an adult sex offender pursuant to
47 NRS 179D.450.



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1 **Sec. 32.** NRS 213.1245 is hereby amended to read as follows:
2 213.1245 1. Except as otherwise provided in subsection 2, if the
3 board releases on parole a prisoner convicted of an offense listed in NRS
4 179D.620, the board shall, in addition to any other condition of parole,
5 require as a condition of parole that the parolee:
6 (a) Reside at a location only if it has been approved by the parole and
7 probation officer assigned to the parolee;
8 (b) Accept a position of employment only if it has been approved by the
9 parole and probation officer assigned to the parolee;
10 (c) Abide by any curfew imposed by the parole and probation officer
11 assigned to the parolee;
12 (d) Participate in and complete a program of professional counseling
13 approved by the division;
14 (e) Submit to periodic tests *, as requested by the parole and probation*
15 *officer assigned to the parolee*, to determine whether the parolee is using a
16 controlled substance ~~and submit~~ ;
17 (f) *Submit* to periodic ~~polygraphic~~ *polygraph* examinations, as
18 requested by the parole and probation officer assigned to the parolee;
19 ~~(g)~~ (g) Abstain from consuming *, possessing or having under his*
20 *control any* alcohol;
21 ~~(h)~~ (h) Not have contact or communicate with a victim of the offense
22 or a witness who testified against the parolee or solicit another person to
23 engage in such contact or communication on behalf of the parolee ~~;~~
24 ~~(h)~~ *, unless approved by the parole and probation officer assigned to*
25 *the parolee;*
26 (i) Not use aliases or fictitious names;
27 ~~(j)~~ (j) Not obtain a post office box unless the parolee receives
28 permission from the parole and probation officer assigned to the parolee;
29 ~~(k)~~ (k) Not have contact with a person less than 18 years of age in a
30 secluded environment unless another adult who has never been convicted
31 of an offense listed in NRS 179D.410 is present ~~and~~
32 ~~(k)~~ *Not and permission has been obtained from the parole and*
33 *probation officer assigned to the parolee in advance of each such*
34 *contact;*
35 (l) *Unless approved by the parole and probation officer assigned to the*
36 *parolee, not* be in or near:
37 (1) A playground, *park*, school or school grounds;
38 (2) A motion picture theater; or
39 (3) A business that primarily has children as customers or conducts
40 events that primarily children attend ~~;~~ ;
41 (m) *Comply with any protocol concerning the use of prescription*
42 *medication prescribed by a treating physician, including, without*
43 *limitation, any protocol concerning the use of psychotropic medication;*
44 (n) *Not possess any sexually explicit material that is deemed*
45 *inappropriate by the parole and probation officer assigned to the parolee;*
46 (o) *Not patronize a business which offers a sexually related form of*
47 *entertainment and which is deemed inappropriate by the parole and*
48 *probation officer assigned to the parolee; and*



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

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

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

10 **Sec. 34.** *“Sexual offense” has the meaning ascribed to it in NRS*
11 *62.435.*

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

14 **Sec. 36.** NRS 392.251 is hereby amended to read as follows:
15 392.251 As used in NRS 392.251 to 392.271, inclusive, *and sections*
16 *34 and 35 of this act*, unless the context otherwise requires, the words and
17 terms defined in NRS 392.254, 392.258 and 392.261 *and sections 34 and*
18 *35 of this act* have the meanings ascribed to them in those sections.

19 **Sec. 37.** NRS 392.254 is hereby amended to read as follows:
20 392.254 “Notification” means a notification which indicates that a
21 child has been adjudicated delinquent for a sexual offense *or a sexually*
22 *motivated act* and which is provided by a probation officer pursuant to
23 NRS 62.465.

24 **Sec. 38.** NRS 392.258 is hereby amended to read as follows:
25 392.258 “Offender” means a child identified in a notification as the
26 child who has been adjudicated delinquent for a sexual offense ~~†~~ *or a*
27 *sexually motivated act.*

28 **Sec. 39.** NRS 392.261 is hereby amended to read as follows:
29 392.261 “Victim” means a child identified in a notification as a victim
30 of a sexual offense *or a sexually motivated act* committed by the offender.

31 **Sec. 40.** NRS 392.264 is hereby amended to read as follows:
32 392.264 1. If a superintendent of a school district receives
33 notification and a victim identified in the notification is a pupil in the
34 school district, the superintendent shall not permit ~~the~~ *an* offender *who is*
35 *subject to the provisions of NRS 62.405 to 62.485, inclusive, and sections*
36 *18 and 19 of this act*, to attend a public school that a victim is attending
37 unless:
38 (a) An alternative plan of supervision is approved by the court pursuant
39 to NRS 62.475; or
40 (b) An alternative plan of attendance is approved by the court pursuant
41 to NRS 62.485.

42 2. If the court does not approve an alternative plan of supervision or an
43 alternative plan of attendance for the offender and the school district in
44 which the offender resides does not have another public school in the
45 district for the offender to attend, the superintendent of the school district
46 shall negotiate an agreement with:
47 (a) The superintendent of an adjoining school district within this state
48 for the offender to attend a public school in that adjoining school district;
49 or



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

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

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

11 (a) Must not contain the name of a victim;

12 (b) Must comply with the provisions of subsections 2 and 3 of NRS
13 392.010; and

14 (c) Must be approved by the superintendent of public instruction.

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

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

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

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

25 **Sec. 44.** NRS 394.162 is hereby amended to read as follows:
26 394.162 As used in NRS 394.162 to 394.167, inclusive, *and sections*
27 *42 and 43 of this act*, unless the context otherwise requires, the words and
28 terms defined in NRS 394.163, 394.164 and 394.165 *and sections 42 and*
29 *43 of this act* have the meanings ascribed to them in those sections.

30 **Sec. 45.** NRS 394.163 is hereby amended to read as follows:
31 394.163 “Notification” means a notification which indicates that a
32 child has been adjudicated delinquent for a sexual offense *or a sexually*
33 *motivated act* and which is provided by a probation officer pursuant to
34 NRS 62.465.

35 **Sec. 46.** NRS 394.164 is hereby amended to read as follows:
36 394.164 “Offender” means a child identified in a notification as the
37 child who has been adjudicated delinquent for a sexual offense ~~†~~ *or a*
38 *sexually motivated act*.

39 **Sec. 47.** NRS 394.165 is hereby amended to read as follows:
40 394.165 “Victim” means a child identified in a notification as a victim
41 of a sexual offense *or a sexually motivated act* committed by the offender.

42 **Sec. 48.** NRS 394.166 is hereby amended to read as follows:
43 394.166 If the executive head of a private school receives notification
44 and a victim identified in the notification is attending a private school
45 under his authority, ~~the~~ *the executive head* shall not permit ~~the~~ *an*
46 offender *who is subject to the provisions of NRS 62.405 to 62.485,*
47 *inclusive, and sections 18 and 19 of this act*, to attend the private school
48 that a victim is attending unless:



- 1 1. An alternative plan of supervision is approved by the court pursuant
- 2 to NRS 62.475; or
- 3 2. An alternative plan of attendance is approved by the court pursuant
- 4 to NRS 62.485.
- 5 **Sec 49.** 1. Except as otherwise provided in this section, the
- 6 amendatory provisions of this act apply to offenses or delinquent acts
- 7 committed before, on or after July 1, 2001.
- 8 2. The amendatory provisions of section 8 of this act do not affect the
- 9 date on which registration is deemed to have begun for an offender
- 10 convicted of a crime against a child pursuant to subsection 2 of
- 11 NRS 179D.270.
- 12 3. The amendatory provisions of section 9 of this act do not apply to
- 13 violations of NRS 179D.290 committed before July 1, 2001.
- 14 4. The amendatory provisions of section 14 of this act do not affect the
- 15 date on which registration is deemed to have begun for a sex offender
- 16 pursuant to subsection 2 of NRS 179D.490.
- 17 5. The amendatory provisions of section 15 of this act do not apply to
- 18 violations of NRS 179D.550 committed before July 1, 2001.
- 19 6. The amendatory provisions of sections 17 and 23 of this act do not
- 20 apply to delinquent acts committed before July 1, 2001.
- 21 **Sec. 50.** This act becomes effective on July 1, 2001.

