

SENATE BILL NO. 519—COMMITTEE ON FINANCE

MARCH 26, 2001

Referred to Committee on Finance

SUMMARY—Provides for establishment of programs for re-entry into community of certain prisoners and parolees. (BDR 16-1477)

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; providing that certain prisoners may be assigned to the custody of the division of parole and probation of the department of motor vehicles and public safety to participate in a program for re-entry into the community; providing that certain parolees may be ordered to participate in a program for re-entry into the community; providing for the sealing of records of certain prisoners and parolees who successfully complete the program for re-entry; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Chapter 209 of NRS is hereby amended by adding thereto
2 the provisions set forth as sections 2 to 8, inclusive, of this act.
3 **Sec. 2.** *As used in sections 2 to 8, inclusive, of this act, unless the*
4 *context otherwise requires, the words and terms defined in sections 3, 4*
5 *and 5 of this act have the meanings ascribed to them in those sections.*
6 **Sec. 3.** *“Division” means the division of parole and probation of the*
7 *department of motor vehicles and public safety.*
8 **Sec. 4.** *“Program” means a program for re-entry of prisoners and*
9 *parolees into the community that is established in a judicial district*
10 *pursuant to section 6 of this act.*
11 **Sec. 5.** *“Re-entry court” means the court in a judicial district that*
12 *has established a program.*
13 **Sec. 6.** *1. A judicial district may establish a program for re-entry*
14 *of offenders and parolees into the community pursuant to this section.*
15 *2. If a judicial district establishes a program pursuant to this section,*
16 *the re-entry court shall:*



1 (a) Determine whether offenders who are referred by the director
2 pursuant to section 7 of this act should be assigned to the custody of the
3 division to participate in a program.

4 (b) Determine whether parolees who are referred by the chairman of
5 the state board of parole commissioners pursuant to section 19 of this act
6 should be ordered by the board to participate in a program as a condition
7 of their parole.

8 (c) Supervise offenders and parolees participating in the program
9 during their participation in the program.

10 3. An offender may not be assigned to the custody of the division to
11 participate in a program unless the re-entry court grants prior approval
12 of the assignment pursuant to this section.

13 4. Except as otherwise provided in section 19 of this act, a parolee
14 may not participate in a program as a condition of his parole unless the
15 re-entry court grants prior approval for his participation pursuant to this
16 section.

17 Sec. 7. 1. Except as otherwise provided in this section, if a
18 program has been established in the judicial district in which an offender
19 was sentenced to imprisonment, the director may, after consulting with
20 the division, refer the offender to the re-entry court if:

21 (a) The director believes that the offender would participate
22 successfully in and benefit from the program;

23 (b) The offender has demonstrated a willingness to:

24 (1) Engage in employment or participate in vocational
25 rehabilitation or job skills training; and

26 (2) Meet any existing obligation for restitution to any victim of his
27 crime; and

28 (c) The offender is:

29 (1) Within 2 years of his probable release from prison, as
30 determined by the director; or

31 (2) Imprisoned as a result of having had his parole or probation
32 revoked on or after July 1, 2000, for a reason other than for committing
33 a crime while on parole or probation.

34 2. Except as otherwise provided in this section, if the director is
35 notified by the re-entry court pursuant to section 6 of this act that an
36 offender should be assigned to the custody of the division to participate
37 in the program, the director shall assign the offender to the custody of
38 the division to participate in the program for not longer than the
39 remainder of his sentence.

40 3. The director shall, by regulation, adopt standards setting forth
41 which offenders are eligible to be assigned to the custody of the division
42 to participate in the program pursuant to this section. The standards
43 adopted by the director must be approved by the board and must provide
44 that an offender who:



- 1 (a) *Has recently committed a serious infraction of the rules of an*
- 2 *institution or facility of the department;*
- 3 (b) *Has not performed the duties assigned to him in a faithful and*
- 4 *orderly manner;*
- 5 (c) *Has ever been convicted of:*
- 6 (1) *Any crime involving the use or threatened use of force or*
- 7 *violence against a victim that is punishable as a felony; or*
- 8 (2) *A sexual offense;*
- 9 (d) *Has escaped or attempted to escape from any jail or correctional*
- 10 *institution for adults; or*
- 11 (e) *Has not made an effort in good faith to participate in or to*
- 12 *complete any educational or vocational program or any program of*
- 13 *treatment, as ordered by the director,*
- 14 *is not eligible for assignment to the custody of the division pursuant to*
- 15 *this section to participate in a program.*
- 16 4. *The director shall adopt regulations requiring offenders who are*
- 17 *assigned to the custody of the division pursuant to this section to*
- 18 *reimburse the re-entry court, the division and the department for the cost*
- 19 *of their participation in a program, to the extent of their ability to pay.*
- 20 5. *The re-entry court may return the offender to the custody of the*
- 21 *department at any time for any violation of the terms and conditions*
- 22 *imposed by the re-entry court.*
- 23 6. *If an offender assigned to the custody of the division pursuant to*
- 24 *this section violates any of the terms or conditions imposed by the re-*
- 25 *entry court and is returned to the custody of the department, the offender*
- 26 *forfeits all or part of the credits for good behavior earned by him before*
- 27 *he was returned to the custody of the department, as determined by the*
- 28 *director. The director may provide for a forfeiture of credits pursuant to*
- 29 *this subsection only after proof of the violation and notice is given to the*
- 30 *offender. The director may restore credits so forfeited for such reasons as*
- 31 *he considers proper. The decision of the director regarding such a*
- 32 *forfeiture is final.*
- 33 7. *The assignment of an offender to the custody of the division*
- 34 *pursuant to this section shall be deemed:*
- 35 (a) *A continuation of his imprisonment and not a release on parole;*
- 36 *and*
- 37 (b) *For the purposes of NRS 209.341, an assignment to a facility of*
- 38 *the department,*
- 39 *except that the offender is not entitled to obtain any benefits or to*
- 40 *participate in any programs provided to offenders in the custody of the*
- 41 *department.*
- 42 8. *An offender does not have a right to be assigned to the custody of*
- 43 *the division pursuant to this section, or to remain in that custody after*
- 44 *such an assignment. It is not intended that the establishment or*
- 45 *operation of a program creates any right or interest in liberty or property*



1 *or establishes a basis for any cause of action against the State of Nevada,*
2 *its political subdivisions, agencies, boards, commissions, departments,*
3 *officers or employees.*

4 **Sec. 8. 1.** *The director may, after consulting with the division,*
5 *enter into one or more contracts with one or more public or private*
6 *entities to provide any of the following services, as necessary and*
7 *appropriate, to offenders or parolees participating in a program:*

- 8 (a) *Transitional housing;*
9 (b) *Treatment pertaining to substance abuse or mental health;*
10 (c) *Training in life skills;*
11 (d) *Vocational rehabilitation and job skills training; and*
12 (e) *Any other services required by offenders or parolees who are*
13 *participating in a program.*

14 **2.** *The director shall, as necessary and appropriate, provide referrals*
15 *and information regarding:*

- 16 (a) *Any of the services provided pursuant to subsection 1;*
17 (b) *Access and availability of any appropriate self-help groups;*
18 (c) *Social services for families and children; and*
19 (d) *Permanent housing.*

20 **3.** *The director may apply for and accept any gift, donation, bequest,*
21 *grant or other source of money to carry out the provisions of this section.*

22 **4.** *As used in this section, “training in life skills” includes, without*
23 *limitation, training in the areas of:*

- 24 (a) *Parenting;*
25 (b) *Improving human relationships;*
26 (c) *Preventing domestic violence;*
27 (d) *Maintaining emotional and physical health;*
28 (e) *Preventing abuse of alcohol and drugs;*
29 (f) *Preparing for and obtaining employment; and*
30 (g) *Budgeting, consumerism and personal finances.*

31 **Sec. 9.** NRS 209.432 is hereby amended to read as follows:

32 209.432 As used in NRS 209.432 to 209.451, inclusive, unless the
33 context otherwise requires:

34 1. “Offender” includes ~~that~~ :

35 (a) *A person who is convicted of a felony under the laws of this state*
36 *and sentenced, ordered or otherwise assigned to serve a term of residential*
37 *confinement.*

38 (b) *A person who is convicted of a felony under the laws of this state*
39 *and assigned to the custody of the division pursuant to section 7 of this*
40 *act.*

41 2. “Residential confinement” means the confinement of a person
42 convicted of a felony to his place of residence under the terms and
43 conditions established pursuant to specific statute. The term does not
44 include any confinement ordered pursuant to NRS 176A.530 to 176A.560,
45 inclusive, 176A.660 to 176A.690, inclusive, 213.15105, 213.15193 or
46 213.152 to 213.1528, inclusive.



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1 **Sec. 10.** NRS 209.446 is hereby amended to read as follows:
2 209.446 1. Every offender who is sentenced to prison for a crime
3 committed on or after July 1, 1985, but before July 17, 1997, who has no
4 serious infraction of the regulations of the department, the terms and
5 conditions of his residential confinement, or the laws of the state recorded
6 against him, and who performs in a faithful, orderly and peaceable manner
7 the duties assigned to him, must be allowed:

- 8 (a) For the period he is actually incarcerated under sentence; ~~and~~
9 (b) For the period he is in residential confinement ~~and~~; and
10 (c) *For the period he is in the custody of the division of parole and*
11 *probation of the department of motor vehicles and public safety pursuant*
12 *to section 7 of this act,*
13 a deduction of 10 days from his sentence for each month he serves.

14 2. In addition to the credit provided for in subsection 1, the director
15 may allow not more than 10 days of credit each month for an offender
16 whose diligence in labor and study merits such credits. In addition to the
17 credits allowed pursuant to this subsection, an offender is entitled to the
18 following credits for educational achievement:

- 19 (a) For earning a general equivalency diploma, 30 days.
20 (b) For earning a high school diploma, 60 days.
21 (c) For earning an associate degree, 90 days.

22 3. The director may allow not more than 10 days of credit each month
23 for an offender who participates in a diligent and responsible manner in a
24 center for the purpose of making restitution, conservation camp, program
25 of work release or another program conducted outside of the prison. An
26 offender who earns credit pursuant to this subsection is entitled to the
27 entire 20 days of credit each month which is authorized in subsections 1
28 and 2.

29 4. The director may allow not more than 90 days of credit each year
30 for an offender who engages in exceptional meritorious service.

31 5. The board shall adopt regulations governing the award, forfeiture
32 and restoration of credits pursuant to this section.

33 6. Credits earned pursuant to this section:

- 34 (a) Must be deducted from the maximum term imposed by the sentence;
35 and
36 (b) Apply to eligibility for parole unless the offender was sentenced
37 pursuant to a statute which specifies a minimum sentence which must be
38 served before a person becomes eligible for parole.

39 **Sec. 11.** NRS 209.4465 is hereby amended to read as follows:

40 209.4465 1. An offender who is sentenced to prison for a crime
41 committed on or after July 17, 1997, who has no serious infraction of the
42 regulations of the department, the terms and conditions of his residential
43 confinement or the laws of the state recorded against him, and who
44 performs in a faithful, orderly and peaceable manner the duties assigned to
45 him, must be allowed:

- 46 (a) For the period he is actually incarcerated pursuant to his sentence;
47 ~~and~~
48 (b) For the period he is in residential confinement ~~and~~; and



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1 (c) *For the period he is in the custody of the division of parole and*
2 *probation of the department of motor vehicles and public safety pursuant*
3 *to section 7 of this act,*

4 a deduction of 10 days from his sentence for each month he serves.

5 2. In addition to the credits allowed pursuant to subsection 1, the
6 director may allow not more than 10 days of credit each month for an
7 offender whose diligence in labor and study merits such credits. In addition
8 to the credits allowed pursuant to this subsection, an offender is entitled to
9 the following credits for educational achievement:

10 (a) For earning a general equivalency diploma, 30 days.

11 (b) For earning a high school diploma, 60 days.

12 (c) For earning his first associate degree, 90 days.

13 3. The director may, in his discretion, authorize an offender to receive
14 a maximum of 90 days of credit for each additional degree of higher
15 education earned by the offender.

16 4. The director may allow not more than 10 days of credit each month
17 for an offender who participates in a diligent and responsible manner in a
18 center for the purpose of making restitution, conservation camp, program
19 of work release or another program conducted outside of the prison. An
20 offender who earns credit pursuant to this subsection is eligible to earn the
21 entire 20 days of credit each month that is allowed pursuant to subsections
22 1 and 2.

23 5. The director may allow not more than 90 days of credit each year
24 for an offender who engages in exceptional meritorious service.

25 6. The board shall adopt regulations governing the award, forfeiture
26 and restoration of credits pursuant to this section.

27 7. Credits earned pursuant to this section:

28 (a) Must be deducted from the maximum term imposed by the sentence;
29 and

30 (b) Apply to eligibility for parole unless the offender was sentenced
31 pursuant to a statute which specifies a minimum sentence that must be
32 served before a person becomes eligible for parole.

33 **Sec. 12.** NRS 212.187 is hereby amended to read as follows:

34 212.187 1. A prisoner who is in lawful custody or confinement, other
35 than *in the custody of the division of parole and probation of the*
36 *department of motor vehicles and public safety pursuant to section 7 of*
37 *this act or* residential confinement, and who voluntarily engages in sexual
38 conduct with another person is guilty of a category D felony and shall be
39 punished as provided in NRS 193.130.

40 2. A person who voluntarily engages in sexual conduct with a prisoner
41 who is in lawful custody or confinement, other than *in the custody of the*
42 *division of parole and probation of the department of motor vehicles and*
43 *public safety pursuant to section 7 of this act or* residential confinement,
44 is guilty of a category D felony and shall be punished as provided in NRS
45 193.130.

46 3. As used in this section, "sexual conduct":

47 (a) Includes acts of masturbation, homosexuality, sexual intercourse or
48 physical contact with another person's clothed or unclothed genitals or
49 pubic area to arouse, appeal to or gratify the sexual desires of a person.



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1 (b) Does not include acts of a person who has custody of a prisoner or
2 an employee of the institution in which the prisoner is confined that are
3 performed to carry out the necessary duties of such a person or employee.

4 **Sec. 13.** Chapter 213 of NRS is hereby amended by adding thereto the
5 provisions set forth as sections 14 to 21, inclusive, of this act.

6 **Sec. 14.** *As used in sections 14 to 21, inclusive, of this act, unless the*
7 *context otherwise requires, the words and terms defined in sections 15 to*
8 *18, inclusive, of this act have the meanings ascribed to them in those*
9 *sections.*

10 **Sec. 15.** *"Board" means the state board of parole commissioners.*

11 **Sec. 16.** *"Division" means the division of parole and probation of*
12 *the department of motor vehicles and public safety.*

13 **Sec. 17.** *"Program" means a program for re-entry of prisoners and*
14 *parolees into the community that is established in a judicial district*
15 *pursuant to section 6 of this act.*

16 **Sec. 18.** *"Re-entry court" means the court in a judicial district that*
17 *has established a program.*

18 **Sec. 19.** *1. Except as otherwise provided in this section, if a*
19 *program has been established in the judicial district in which a prisoner*
20 *or parolee may be paroled, the chairman of the board may, after*
21 *consulting with the division, refer a prisoner who is being considered for*
22 *parole or a parolee who has violated a term or condition of his parole to*
23 *the re-entry court if the chairman believes that the person:*

24 *(a) Would participate successfully in and benefit from a program; and*
25 *(b) Has demonstrated a willingness to:*

26 *(1) Engage in employment or participate in vocational*
27 *rehabilitation or job skills training; and*

28 *(2) Meet any existing obligation for restitution to any victim of his*
29 *crime.*

30 *2. Except as otherwise provided in this section, if the chairman is*
31 *notified by the re-entry court pursuant to section 6 of this act that a*
32 *person should be ordered to participate in a program, the board may, in*
33 *accordance with the provisions of this section:*

34 *(a) If the person is a prisoner who is being considered for parole,*
35 *upon the granting of parole to the prisoner, require as a condition of*
36 *parole that the person participate in and complete the program; or*

37 *(b) If the person is a parolee who has violated a term or condition of*
38 *his parole, order him to participate in and complete the program as a*
39 *condition of the continuation of his parole and in lieu of revoking his*
40 *parole and returning him to confinement.*

41 *3. If a prisoner who has been assigned to the custody of the division*
42 *to participate in a program pursuant to section 7 of this act is being*
43 *considered for parole:*



1 (a) The board shall, if the board grants parole to the prisoner, require
2 as a condition of parole that the person continue to participate in and
3 complete the program.

4 (b) The board is not required to refer the prisoner to the re-entry court
5 pursuant to subsection 1 or to obtain prior approval of the re-entry court
6 pursuant to section 6 of this act for the prisoner to continue participating
7 in the program while he is on parole.

8 4. The board shall, by regulation, adopt standards setting forth
9 which persons are eligible to participate in a program. The standards
10 adopted by the board must provide that a person is not eligible for
11 participation in a program if the person:

12 (a) Has recently committed a serious infraction of the rules of an
13 institution or facility of the department of prisons;

14 (b) Has ever been convicted of:

15 (1) Any crime involving the use or threatened use of force or
16 violence against a victim that is punishable as a felony; or

17 (2) A sexual offense; or

18 (c) Has escaped or attempted to escape from any jail or correctional
19 institution for adults.

20 5. In determining whether to order a person to participate in and
21 complete a program pursuant to this section, the board shall consider:

22 (a) The criminal history of the person; and

23 (b) The safety of the public.

24 6. The board shall adopt regulations requiring persons who are
25 ordered to participate in and complete a program pursuant to this section
26 to reimburse the re-entry court and the division for the cost of their
27 participation in a program, to the extent of their ability to pay.

28 7. The board shall not order a person to participate in a program if
29 the time required to complete the program is longer than the unexpired
30 maximum term of the person's original sentence.

31 **Sec. 20.** 1. If the re-entry court determines that a parolee has
32 violated a term or condition of his participation in the program or a term
33 or condition of his parole, the court may:

34 (a) Establish and impose any appropriate sanction for the violation;
35 and

36 (b) If necessary, report the violation to the board.

37 2. If a violation of a term or condition of parole is reported to the
38 board pursuant to this section, the board shall proceed in the manner
39 provided in this chapter for any other violation of a term or condition of
40 parole.

41 **Sec. 21.** The division shall supervise each person who is
42 participating in a program pursuant to section 7 or 19 of this act.



1 **Sec. 22.** Chapter 179 of NRS is hereby amended by adding thereto a
2 new section to read as follows:

3 1. *Except as otherwise provided in subsection 3, 5 years after an*
4 *eligible person completes a program for re-entry, the court may order*
5 *sealed all documents, papers and exhibits in the eligible person's record,*
6 *minute book entries and entries on dockets, and other documents relating*
7 *to the case in the custody of such other agencies and officers as are*
8 *named in the court's order. The court may order those records sealed*
9 *without a hearing unless the division petitions the court, for good cause*
10 *shown, not to seal the records and requests a hearing thereon.*

11 2. *If the court orders sealed the record of an eligible person, the*
12 *court shall send a copy of the order to each agency or officer named in*
13 *the order. Each such agency or officer shall notify the court in writing of*
14 *its compliance with the order.*

15 3. *A professional licensing board is entitled, for the purpose of*
16 *determining suitability for a license or liability to discipline for*
17 *misconduct, to inspect and to copy from a record sealed pursuant to this*
18 *section.*

19 4. *As used in this section:*

20 (a) *"Eligible person" means a person who has:*

21 (1) *Successfully completed a program for re-entry to which he*
22 *participated in pursuant to section 7 or 19 of this act; and*

23 (2) *Been convicted of a single offense which was punishable as a*
24 *felony and which did not involve the use or threatened use of force or*
25 *violence against the victim. For the purposes of this subparagraph,*
26 *multiple convictions for an offense punishable as a felony shall be*
27 *deemed to constitute a single offense if those offenses arose out of the*
28 *same transaction or occurrence.*

29 (b) *"Program for re-entry" means a program for re-entry of prisoners*
30 *and parolees into the community that is established in a judicial district*
31 *pursuant to section 6 of this act.*

32 **Sec. 23.** NRS 179.245 is hereby amended to read as follows:

33 179.245 1. Except as otherwise provided in subsection 5 and NRS
34 453.3365, *and section 22 of this act*, a person who has been convicted of:

35 (a) Any felony may, after 15 years from the date of his conviction or, if
36 he is imprisoned, from the date of his release from actual custody;

37 (b) Any gross misdemeanor may, after 10 years from the date of his
38 conviction or release from custody;

39 (c) A violation of NRS 484.379 other than a felony, or a battery which
40 constitutes domestic violence pursuant to NRS 33.018 other than a felony
41 may, after 7 years from the date of his conviction or release from custody;
42 or

43 (d) Any other misdemeanor may, after 5 years from the date of his
44 conviction or release from custody,
45 petition the court in which the conviction was obtained for the sealing of
46 all records relating to the conviction.



1 2. A petition filed pursuant to subsection 1 must be accompanied by
2 current, verified records of the petitioner's criminal history received from:
3 (a) The central repository for Nevada records of criminal history; and
4 (b) The local law enforcement agency of the city or county in which the
5 conviction was entered.
6 3. Upon receiving a petition pursuant to this section, the court shall
7 notify:
8 (a) The prosecuting attorney for the county; or
9 (b) If the person was convicted in a municipal court, the prosecuting
10 attorney for the city.
11 The prosecuting attorney and any person having relevant evidence may
12 testify and present evidence at the hearing on the petition.
13 4. If, after the hearing, the court finds that, in the period prescribed in
14 subsection 1, the petitioner has not been arrested, except for minor moving
15 or standing traffic violations, the court may order sealed all records of the
16 conviction which are in the custody of the court, of another court in the
17 State of Nevada or of a public or private agency, company or official in the
18 State of Nevada, and may also order all such criminal identification records
19 of the petitioner returned to the file of the court where the proceeding was
20 commenced from, including, but not limited to, the Federal Bureau of
21 Investigation, the California *bureau of* identification and ~~investigation~~
22 ~~bureau,~~ *information*, sheriffs' offices and all other law enforcement
23 agencies reasonably known by either the petitioner or the court to have
24 possession of such records.
25 5. A person may not petition the court to seal records relating to a
26 conviction of a crime against a child or a sexual offense.
27 6. As used in this section:
28 (a) "Crime against a child" has the meaning ascribed to it in NRS
29 179D.210.
30 (b) "Sexual offense" has the meaning ascribed to it in NRS 179D.410.
31 **Sec. 24.** NRS 179.275 is hereby amended to read as follows:
32 179.275 Where the court orders the sealing of a record pursuant to
33 NRS 179.245, 179.255 or 453.3365, *or section 22 of this act*, a copy of the
34 order must be sent to:
35 1. The central repository for Nevada records of criminal history; and
36 2. Each public or private company, agency or official named in the
37 order, and that person shall seal the records in his custody which relate to
38 the matters contained in the order, shall advise the court of his compliance,
39 and shall then seal the order.
40 **Sec. 25.** NRS 179.285 is hereby amended to read as follows:
41 179.285 Except as otherwise provided in NRS 179.301, if the court
42 orders a record sealed pursuant to NRS 179.245, 179.255 or 453.3365, *or*
43 *section 22 of this act*, all proceedings recounted in the record are deemed
44 never to have occurred, and the person to whom it pertains may properly
45 answer accordingly to any inquiry concerning the arrest, conviction or
46 acquittal and the events and proceedings relating to the arrest, conviction or
47 acquittal.



1 **Sec. 26.** NRS 179.295 is hereby amended to read as follows:
2 179.295 1. The person who is the subject of the records that are
3 sealed pursuant to NRS 179.245, 179.255 or 453.3365 *or section 22 of this*
4 *act* may petition the court that ordered the records sealed to permit
5 inspection of the records by a person named in the petition, and the court
6 may order such inspection. Except as otherwise provided in this section
7 and NRS 179.301, the court may not order the inspection of the records
8 under any other circumstances.
9 2. If a person has been arrested, the charges have been dismissed and
10 the records of the arrest have been sealed, the court may order the
11 inspection of the records by a prosecuting attorney upon a showing that as
12 a result of newly discovered evidence, the person has been arrested for the
13 same or similar offense and that there is sufficient evidence reasonably to
14 conclude that he will stand trial for the offense.
15 3. The court may, upon the application of a prosecuting attorney or an
16 attorney representing a defendant in a criminal action, order an inspection
17 of such records for the purpose of obtaining information relating to persons
18 who were involved in the incident recorded.
19 **Sec. 27.** The amendatory provisions of section 12 of this act do not
20 apply to offenses committed before July 1, 2001.
21 **Sec. 28.** This act becomes effective on July 1, 2001.

