

SENATE BILL NO. 550—COMMITTEE ON JUDICIARY

(ON BEHALF OF DEPARTMENT OF ADMINISTRATION—BUDGET DIVISION)

MARCH 26, 2001

Referred to Committee on Judiciary

SUMMARY—Allows division of parole and probation of department of motor vehicles and public safety to contract with person to conduct presentence investigation. (BDR 14-1436)

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 presentence investigations; authorizing the division of parole and probation of the department of motor vehicles and public safety to contract with a person to conduct a presentence investigation and to prepare reports and related documents; restricting the disclosure of information obtained by such a person during the performance of his duties; requiring assistant parole and probation officers to supervise any such person with whom the division contracts; 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 176 of NRS is hereby amended by adding thereto a  
2 new section to read as follows:

3 *1. The division may contract with a person to conduct a presentence*  
4 *investigation and to prepare a report of the investigation or other*  
5 *documents related to the presentence investigation.*

6 *2. A person with whom the division contracts pursuant to subsection*  
7 *1 has the same powers and duties as an employee of the division who*  
8 *performs the same functions.*

9 **Sec. 2.** NRS 176.133 is hereby amended to read as follows:

10 176.133 As used in NRS 176.133 to 176.159, inclusive, *and section 1*  
11 *of this act*, unless the context otherwise requires:

12 1. “Person professionally qualified to conduct psychosexual  
13 evaluations” means a person who has received training in conducting  
14 psychosexual evaluations and is:

15 (a) A psychiatrist licensed to practice medicine in this state and certified  
16 by the American Board of Psychiatry and Neurology;



- 1 (b) A psychologist licensed to practice in this state;  
2 (c) A social worker holding a master's degree in social work and  
3 licensed in this state as a clinical social worker;  
4 (d) A registered nurse holding a master's degree in the field of  
5 psychiatric nursing and licensed to practice professional nursing in this  
6 state; or  
7 (e) A marriage and family therapist licensed in this state pursuant to  
8 chapter 641A of NRS.  
9 2. "Psychosexual evaluation" means an evaluation conducted pursuant  
10 to NRS 176.139.  
11 3. "Sexual offense" means:  
12 (a) Sexual assault pursuant to NRS 200.366;  
13 (b) Statutory sexual seduction pursuant to NRS 200.368, if punished as  
14 a felony;  
15 (c) Battery with intent to commit sexual assault pursuant to NRS  
16 200.400;  
17 (d) Abuse of a child pursuant to NRS 200.508, if the abuse involved  
18 sexual abuse or sexual exploitation and is punished as a felony;  
19 (e) An offense involving pornography and a minor pursuant to NRS  
20 200.710 to 200.730, inclusive;  
21 (f) Incest pursuant to NRS 201.180;  
22 (g) Solicitation of a minor to engage in acts constituting the infamous  
23 crime against nature pursuant to NRS 201.195, if punished as a felony;  
24 (h) Open or gross lewdness pursuant to NRS 201.210, if punished as a  
25 felony;  
26 (i) Indecent or obscene exposure pursuant to NRS 201.220, if punished  
27 as a felony;  
28 (j) Lewdness with a child pursuant to NRS 201.230;  
29 (k) Sexual penetration of a dead human body pursuant to NRS 201.450;  
30 (l) Annoyance or molestation of a minor pursuant to NRS 207.260, if  
31 punished as a felony;  
32 (m) An attempt to commit an offense listed in paragraphs (a) to (l),  
33 inclusive, if punished as a felony; or  
34 (n) An offense that is determined to be sexually motivated pursuant to  
35 NRS 175.547 or 207.193.  
36 **Sec. 3.** NRS 213.1075 is hereby amended to read as follows:  
37 213.1075 Except as otherwise provided by specific statute, all  
38 information obtained in the discharge of official duty by a parole and  
39 probation officer , *a person with whom the division contracts pursuant to*  
40 *section 1 of this act* or *an* employee of the board is privileged and may not  
41 be disclosed directly or indirectly to anyone other than the board, the judge,  
42 district attorney or others entitled to receive such information, unless  
43 otherwise ordered by the board or judge or necessary to perform the duties  
44 of the division.  
45 **Sec. 4.** NRS 213.1096 is hereby amended to read as follows:  
46 213.1096 Assistant parole and probation officers shall:  
47 1. Investigate all cases referred to them for investigation by the board  
48 or by the chief parole and probation officer, or by any court in which they  
49 are authorized to serve.



- 1     2. Supervise all persons released on probation by any such court or
- 2     released to them for supervision by the board or by the chief parole and
- 3     probation officer.
- 4     3. Furnish to each person released under their supervision a written
- 5     statement of the conditions of parole or probation and instruct him
- 6     regarding those conditions.
- 7     4. Keep informed concerning the conduct and condition of all persons
- 8     under their supervision and use all suitable methods to aid and encourage
- 9     them and to bring about improvement in their conduct and conditions.
- 10    5. Keep detailed records of their work.
- 11    6. Collect and disburse all money in accordance with the orders of the
- 12    chief parole and probation officer or the court.
- 13    7. Keep accurate and complete accounts of all money received and
- 14    disbursed in accordance with such orders and give receipts therefor.
- 15    8. Make such reports in writing as the court or the chief parole and
- 16    probation officer may require.
- 17    9. Coordinate their work with that of other social agencies.
- 18    10. File identifying information regarding their cases with any social
- 19    service index or exchange operating in the area to which they are assigned.
- 20    *11. Supervise a person with whom the division of parole and*
- 21    *probation of the department of motor vehicles and public safety contracts*
- 22    *pursuant to section 1 of this act.*
- 23    **Sec. 5.** This act becomes effective upon passage and approval.

