

(REPRINTED WITH ADOPTED AMENDMENTS)  
FIRST REPRINT S.B. 550

---

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.

~

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; 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;

17             (b) A psychologist licensed to practice in this state;



\* S B 5 5 0 R 1 \*

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

