

SENATE BILL NO. 551—COMMITTEE ON JUDICIARY
(ON BEHALF OF OFFICE OF THE ATTORNEY GENERAL)

MARCH 26, 2001

Referred to Committee on Judiciary

SUMMARY—Makes various changes concerning computers and Internet. (BDR 15-442)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State: Yes.

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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 technology; requiring Internet service providers to maintain certain information; authorizing certain persons to issue subpoenas to obtain such information; establishing a penalty for committing the crime of stalking with the use of the Internet or electronic mail; prohibiting the use of a computer, network or system to lure children and providing that such an offense constitutes a sexual offense for the purpose of certain statutes pertaining to sex offenders; making various changes concerning the sale of tobacco products or alcoholic beverages to minors through the use of the Internet; requiring that certain conditions of probation and parole be imposed upon certain offenders who are convicted of a crime involving a computer, network or system; requiring each public library and the department of education to adopt a policy to limit access of children to obscene material on the Internet; providing a penalty; 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 193 of NRS is hereby amended by adding thereto a
2 new section to read as follows:
3 1. *The attorney general shall adopt regulations setting forth the*
4 *information that a provider of Internet service is required to maintain*
5 *and the manner in which such information must be maintained to assist*
6 *in the investigation and prosecution of criminal activity that involves the*
7 *use of a computer, system or network.*
8 2. *A provider of Internet service who violates a regulation adopted*
9 *pursuant to this section is guilty of a misdemeanor and shall be punished*
10 *by a fine of not less than \$50 or more than \$500 for each violation.*
11 3. *In investigating criminal activity that involves or may involve the*
12 *use of a computer, the attorney general, a district attorney, the sheriff of*



1 *any county in this state, the head of any organized police department of*
2 *any municipality in this state, the head of any department of this state*
3 *engaged in the enforcement of any criminal law of this state and any*
4 *sheriff or chief of police of a municipality may issue a subpoena to*
5 *compel a provider of Internet service to provide information that the*
6 *provider is required to maintain pursuant to the regulations adopted*
7 *pursuant to this section.*

8 4. *If a person who has been issued a subpoena pursuant to*
9 *subsection 3 refuses to produce any information which the subpoena*
10 *requires, the person who issued the subpoena may apply to the district*
11 *court for the judicial district in which the investigation is being carried*
12 *on for the enforcement of the subpoena in the manner provided by law*
13 *for the enforcement of a subpoena in a civil action.*

14 5. *As used in this section:*

15 (a) *"Computer" has the meaning ascribed to it in NRS 205.4735.*

16 (b) *"Network" has the meaning ascribed to it in NRS 205.4745.*

17 (c) *"Provider of Internet service" has the meaning ascribed to it in*
18 *NRS 205.4758.*

19 (d) *"System" has the meaning ascribed to it in NRS 205.476.*

20 **Sec. 2.** NRS 200.571 is hereby amended to read as follows:

21 200.571 1. A person is guilty of harassment if:

22 (a) Without lawful authority, the person knowingly threatens:

23 (1) To cause bodily injury in the future to the person threatened or to
24 any other person;

25 (2) To cause physical damage to the property of another person;

26 (3) To subject the person threatened or any other person to physical
27 confinement or restraint; or

28 (4) To do any act which is intended to substantially harm the person
29 threatened or any other person with respect to his physical or mental health
30 or safety; and

31 (b) The person by words or conduct places the person receiving the
32 threat in reasonable fear that the threat will be carried out.

33 2. Except where the provisions of subsection 2 *or* 3 of NRS 200.575
34 are applicable, a person who is guilty of harassment:

35 (a) For the first offense, is guilty of a misdemeanor.

36 (b) For the second or any subsequent offense, is guilty of a gross
37 misdemeanor.

38 3. The penalties provided in this section do not preclude the victim
39 from seeking any other legal remedy available.

40 **Sec. 3.** NRS 200.575 is hereby amended to read as follows:

41 200.575 1. A person who, without lawful authority, willfully or
42 maliciously engages in a course of conduct that would cause a reasonable
43 person to feel terrorized, frightened, intimidated or harassed, and that
44 actually causes the victim to feel terrorized, frightened, intimidated or
45 harassed, commits the crime of stalking. Except where the provisions of
46 subsection 2 *or* 3 are applicable, a person who commits the crime of
47 stalking:

48 (a) For the first offense, is guilty of a misdemeanor.

49 (b) For any subsequent offense, is guilty of a gross misdemeanor.



* S B 5 5 1 *

1 2. A person who:

2 (a) Commits the crime of stalking and in conjunction therewith
3 threatens the person with the intent to cause him to be placed in reasonable
4 fear of death or substantial bodily harm;

5 (b) Commits the crime of stalking on his spouse while a proceeding for
6 the dissolution of their marriage is pending for which he has actual or legal
7 notice or within 6 months after entry of the final decree of dissolution; or

8 (c) Commits the crime of stalking on a person with whom he has a child
9 in common while a proceeding for the custody of that child is pending for
10 which he has actual or legal notice,
11 commits the crime of aggravated stalking.

12 3. *A person who commits the crime of stalking with the use of an*
13 *Internet or network site or electronic mail or any other similar means of*
14 *communication shall be punished for a category C felony as provided in*
15 *NRS 193.130.*

16 4. A person who commits the crime of aggravated stalking shall be
17 punished:

18 (a) If he commits the crime set forth in paragraph (a) of subsection 2,
19 for a category B felony by imprisonment in the state prison for a minimum
20 term of not less than 2 years and a maximum term of not more than 15
21 years, and may be further punished by a fine of not more than \$5,000.

22 (b) If he commits the crime set forth in paragraph (b) or (c) of
23 subsection 2:

24 (1) For the first offense, for a gross misdemeanor.

25 (2) For the second and any subsequent offense, for a category B
26 felony by imprisonment in the state prison for a minimum term of not less
27 than 2 years and a maximum term of not more than 15 years, and may be
28 further punished by a fine of not more than \$5,000.

29 ~~14-1~~ 5. Except as otherwise provided in subsection 2 of NRS 200.571,
30 a criminal penalty provided for in this section may be imposed in addition
31 to any penalty that may be imposed for any other criminal offense arising
32 from the same conduct or for any contempt of court arising from the same
33 conduct.

34 ~~15-1~~ 6. The penalties provided in this section do not preclude the
35 victim from seeking any other legal remedy available.

36 ~~16-1~~ 7. As used in this section:

37 (a) "Course of conduct" means a pattern of conduct which consists of a
38 series of acts over time that evidences a continuity of purpose directed at a
39 specific person.

40 (b) *"Internet or network site" means any identifiable site on the*
41 *Internet or on a network. The term includes, without limitation:*

42 (1) *A website or other similar site on the World Wide Web;*

43 (2) *A site that is identifiable through a Uniform Resource Location;*

44 (3) *A site on a network that is owned, operated, administered or*
45 *controlled by a provider of Internet service;*

46 (4) *An electronic bulletin board;*

47 (5) *A list server;*

48 (6) *A newsgroup; or*

49 (7) *A chat room.*



* S B 5 5 1 *

1 (c) "Network" has the meaning ascribed to it in NRS 205.4745.

2 (d) "Provider of Internet service" has the meaning ascribed to it in
3 NRS 205.4758.

4 (e) "Without lawful authority" includes acts which are initiated or
5 continued without the victim's consent. The term does not include acts
6 which are otherwise protected or authorized by constitutional or statutory
7 law, regulation or order of a court of competent jurisdiction, including, but
8 not limited to:

9 (1) Picketing which occurs during a strike, work stoppage or any
10 other labor dispute.

11 (2) The activities of a reporter, photographer, cameraman or other
12 person while gathering information for communication to the public if that
13 person is employed or engaged by or has contracted with a newspaper,
14 periodical, press association or radio or television station and is acting
15 solely within that professional capacity.

16 (3) The activities of a person that are carried out in the normal course
17 of his lawful employment.

18 (4) Any activities carried out in the exercise of the constitutionally
19 protected rights of freedom of speech and assembly.

20 Sec. 4. Chapter 201 of NRS is hereby amended by adding thereto a
21 new section to read as follows:

22 1. Except as otherwise provided in subsection 2, a person shall not
23 use a computer, system or network to knowingly contact or communicate
24 with or attempt to contact or communicate with a child less than 18 years
25 of age with the intent to persuade, lure or transport the child away from
26 his home or from any location known to his parent or guardian or other
27 person legally responsible for the child to a place other than where the
28 child is located, for any purpose:

29 (a) Without the express consent of the parent or guardian or other
30 person legally responsible for the child; and

31 (b) With the intent to avoid the consent of the parent or guardian or
32 other person legally responsible for the child.

33 2. The provisions of this section do not apply if the contact or
34 communication is made or attempted with the intent to prevent imminent
35 bodily, emotional or psychological harm to the child.

36 3. A person who violates the provisions of this section:

37 (a) With the intent to engage in sexual conduct with the child or to
38 cause the child to engage in sexual conduct, is guilty of a category B
39 felony and shall be punished by imprisonment in the state prison for a
40 minimum term of not less than 1 year and a maximum term of not more
41 than 10 years and may be further punished by a fine of not more than
42 \$10,000;

43 (b) By providing the child with obscene material or requesting the
44 child to provide the person with obscene material, is guilty of a category
45 C felony and shall be punished as provided in NRS 193.130; or

46 (c) If paragraph (a) or (b) does not apply, is guilty of a gross
47 misdemeanor.

48 4. As used in this section:

49 (a) "Computer" has the meaning ascribed to it in NRS 205.4735.



* S B 5 5 1 *

1 (b) "Material" means anything that is capable of being used or
2 adapted to arouse interest, whether through the medium of reading,
3 observation, sound or in any other manner.

4 (c) "Network" has the meaning ascribed to it in NRS 205.4745.

5 (d) "Obscene" has the meaning ascribed to it in NRS 201.235.

6 (e) "Sexual conduct" has the meaning ascribed to it in NRS 201.520.

7 (f) "System" has the meaning ascribed to it in NRS 205.476.

8 **Sec. 5.** Chapter 202 of NRS is hereby amended by adding thereto a
9 new section to read as follows:

10 1. A person who knowingly sells or distributes cigarettes, cigarette
11 paper, tobacco of any description or products made from tobacco to a
12 child under the age of 18 years through the use of the Internet:

13 (a) For the first offense, is guilty of a misdemeanor; or

14 (b) For the second or subsequent offense, is guilty of a category D
15 felony and shall be punished as provided in NRS 193.130.

16 2. A person who violates the provisions of subsection 1 shall also be
17 punished by a civil penalty of not more than \$500. Any money recovered
18 pursuant to this section as a civil penalty must be deposited in the same
19 manner as money is deposited pursuant to subsection 6 of NRS 202.2493.

20 3. Every person who sells or distributes cigarettes, cigarette paper,
21 tobacco of any description or products made from tobacco through the
22 use of the Internet shall adopt a policy to prevent a child under the age of
23 18 years from obtaining cigarettes, cigarette paper, tobacco of any
24 description or products made from tobacco from the person through the
25 use of the Internet. A person who fails to adopt a policy pursuant to this
26 subsection is guilty of a gross misdemeanor.

27 **Sec. 6.** NRS 202.055 is hereby amended to read as follows:

28 202.055 1. ~~Every~~ Except as otherwise provided in subsection 3,
29 every person who knowingly:

30 (a) Sells, gives or otherwise furnishes an alcoholic beverage to any
31 person under 21 years of age;

32 (b) Leaves or deposits any alcoholic beverage in any place with the
33 intent that it will be procured by any person under 21 years of age; or

34 (c) Furnishes, gives, or causes to be given any money or thing of value
35 to any person under 21 years of age with the knowledge that the money or
36 thing of value is to be used by the person under 21 years of age to purchase
37 or procure any alcoholic beverage,
38 is guilty of a misdemeanor.

39 2. Paragraph (a) of subsection 1 does not apply to a parent, guardian or
40 physician of the person under 21 years of age.

41 3. A person who violates the provisions of subsection 1 through the
42 use of the Internet:

43 (a) For the first offense, is guilty of a gross misdemeanor; or

44 (b) For the second or subsequent offense, is guilty of a category D
45 felony and shall be punished as provided in NRS 193.130.

46 4. Every person who sells, gives or otherwise furnishes alcoholic
47 beverages through the use of the Internet shall adopt a policy to prevent
48 a person under 21 years of age from obtaining an alcoholic beverage



* S B 5 5 1 *

1 *from the person through the use of the Internet. A person who fails to*
2 *adopt a policy pursuant to this subsection is guilty of a misdemeanor.*

3 **Sec. 7.** NRS 202.2485 is hereby amended to read as follows:

4 202.2485 As used in NRS 202.2485 to 202.2497, inclusive ~~H~~ , and
5 *section 5 of this act:*

6 1. "Distribute" includes furnishing, giving away or providing products
7 made from tobacco or samples thereof at no cost to promote the product,
8 whether or not in combination with a sale.

9 2. "Health authority" means the district health officer in a district, or
10 his designee, or, if none, the state health officer, or his designee.

11 **Sec. 8.** NRS 202.249 is hereby amended to read as follows:

12 202.249 1. It is the public policy of the State of Nevada and the
13 purpose of NRS 202.2491, 202.24915 and 202.2492 to place restrictions on
14 the smoking of tobacco in public places to protect human health and safety.

15 2. The quality of air is declared to be affected with the public interest
16 and NRS 202.2491, 202.24915 and 202.2492 are enacted in the exercise of
17 the police power of this state to protect the health, peace, safety and
18 general welfare of its people.

19 3. Health authorities, police officers of cities or towns, sheriffs and
20 their deputies and other peace officers of this state shall, within their
21 respective jurisdictions, enforce the provisions of NRS 202.2491,
22 202.24915 and 202.2492. Police officers of cities or towns, sheriffs and
23 their deputies and other peace officers of this state shall, within their
24 respective jurisdictions, enforce the provisions of NRS 202.2493 and
25 202.2494 ~~H~~ *and section 5 of this act.*

26 4. An agency, board, commission or political subdivision of this state,
27 including any agency, board, commission or governing body of a local
28 government, shall not impose more stringent restrictions on the smoking,
29 use, sale, distribution, marketing, display or promotion of tobacco or
30 products made from tobacco than are provided by NRS 202.2491,
31 202.24915, 202.2492, 202.2493 and 202.2494 ~~H~~ *and section 5 of this act.*

32 **Sec. 9.** NRS 202.2493 is hereby amended to read as follows:

33 202.2493 1. A person shall not sell, distribute or offer to sell
34 cigarettes or smokeless products made from tobacco in any form other than
35 in an unopened package which originated with the manufacturer and bears
36 any health warning required by federal law. A person who violates this
37 subsection shall be punished by a fine of \$100 and a civil penalty of \$100.

38 2. Except as otherwise provided in subsections 3, 4 and 5, it is
39 unlawful for any person to sell, distribute or offer to sell cigarettes,
40 cigarette paper, tobacco of any description or products made from tobacco
41 to any child under the age of 18 years. ~~H~~ *Except as otherwise provided in*
42 *section 5 of this act, a* person who violates this subsection shall be
43 punished by a fine of not more than \$500 and a civil penalty of not more
44 than \$500.

45 3. A person shall be deemed to be in compliance with the provisions of
46 subsection 2 if, before he sells, distributes or offers to sell to another,
47 cigarettes, cigarette paper, tobacco of any description or products made
48 from tobacco, he:



* S B 5 5 1 *

1 (a) Demands that the person present a valid driver's license or other
2 written or documentary evidence which shows that the person is 18 years
3 of age or older;

4 (b) Is presented a valid driver's license or other written or documentary
5 evidence which shows that the person is 18 years of age or older; and

6 (c) Reasonably relies upon the driver's license or written or
7 documentary evidence presented by the person.

8 4. The employer of a child who is under 18 years of age may, for the
9 purpose of allowing the child to handle or transport tobacco or products
10 made from tobacco in the course of the child's lawful employment, provide
11 tobacco or products made from tobacco to the child.

12 5. With respect to any sale made by his employee, the owner of a retail
13 establishment shall be deemed to be in compliance with the provisions of
14 subsection 2 if he:

15 (a) Had no actual knowledge of the sale; and

16 (b) Establishes and carries out a continuing program of training for his
17 employees which is reasonably designed to prevent violations of
18 subsection 2.

19 6. Any money recovered pursuant to this section as a civil penalty
20 must be deposited in a separate account in the state general fund to be used
21 for the enforcement of this section and NRS 202.2494.

22 **Sec. 10.** NRS 176.0931 is hereby amended to read as follows:

23 176.0931 1. If a defendant is convicted of a sexual offense, the court
24 shall include in sentencing, in addition to any other penalties provided by
25 law, a special sentence of lifetime supervision.

26 2. The special sentence of lifetime supervision commences after any
27 period of probation or any term of imprisonment and any period of release
28 on parole.

29 3. A person sentenced to lifetime supervision may petition the district
30 court in whose jurisdiction he resides for release from lifetime supervision.
31 The court shall grant a petition for release from a special sentence of
32 lifetime supervision if:

33 (a) The person has not been convicted of an offense that poses a threat
34 to the safety or well-being of others for an interval of at least 15
35 consecutive years after his last conviction or release from incarceration,
36 whichever occurs later; and

37 (b) The person is not likely to pose a threat to the safety of others if
38 released from lifetime supervision.

39 4. A person who is released from lifetime supervision pursuant to the
40 provisions of subsection 3 remains subject to the provisions for registration
41 as a sex offender and to the provisions for community notification, unless
42 he is otherwise relieved from the operation of those provisions pursuant to
43 the provisions of NRS 179D.350 to 179D.800, inclusive.

44 5. As used in this section:

45 (a) "Offense that poses a threat to the safety or well-being of others" has
46 the meaning ascribed to it in NRS 179D.060.

47 (b) "Sexual offense" means:

48 (1) A violation of NRS 200.366, subsection 4 of NRS 200.400, NRS
49 200.710, 200.720, subsection 2 of NRS 200.730, NRS 201.180, paragraph



* S B 5 5 1 *

1 (a) or subparagraph (2) of paragraph (b) of subsection 1 of NRS 201.195,
2 NRS 201.230 or 201.450 ~~†~~ *or paragraph (a) or (b) of subsection 3 of*
3 *section 4 of this act;*

4 (2) An attempt to commit an offense listed in subparagraph (1); or

5 (3) An act of murder in the first or second degree, kidnapping in the
6 first or second degree, false imprisonment, burglary or invasion of the
7 home if the act is determined to be sexually motivated at a hearing
8 conducted pursuant to NRS 175.547.

9 **Sec. 11.** NRS 176.133 is hereby amended to read as follows:

10 176.133 As used in NRS 176.133 to 176.159, inclusive, unless the
11 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;

18 (c) A social worker holding a master’s degree in social work and
19 licensed in this state as a clinical social worker;

20 (d) A registered nurse holding a master’s degree in the field of
21 psychiatric nursing and licensed to practice professional nursing in this
22 state; or

23 (e) A marriage and family therapist licensed in this state pursuant to
24 chapter 641A of NRS.

25 2. “Psychosexual evaluation” means an evaluation conducted pursuant
26 to NRS 176.139.

27 3. “Sexual offense” means:

28 (a) Sexual assault pursuant to NRS 200.366;

29 (b) Statutory sexual seduction pursuant to NRS 200.368, if punished as
30 a felony;

31 (c) Battery with intent to commit sexual assault pursuant to NRS
32 200.400;

33 (d) Abuse of a child pursuant to NRS 200.508, if the abuse involved
34 sexual abuse or sexual exploitation and is punished as a felony;

35 (e) An offense involving pornography and a minor pursuant to NRS
36 200.710 to 200.730, inclusive;

37 (f) Incest pursuant to NRS 201.180;

38 (g) Solicitation of a minor to engage in acts constituting the infamous
39 crime against nature pursuant to NRS 201.195, if punished as a felony;

40 (h) Open or gross lewdness pursuant to NRS 201.210, if punished as a
41 felony;

42 (i) Indecent or obscene exposure pursuant to NRS 201.220, if punished
43 as a felony;

44 (j) Lewdness with a child pursuant to NRS 201.230;

45 (k) Sexual penetration of a dead human body pursuant to NRS 201.450;

46 (l) *Luring a child using a computer, system or network pursuant to*
47 *section 4 of this act, if punished as a felony;*

48 (m) Annoyance or molestation of a minor pursuant to NRS 207.260, if
49 punished as a felony;



* S B 5 5 1 *

1 ~~[(m)]~~ (n) An attempt to commit an offense listed in paragraphs (a) to
2 ~~[(n)]~~ (m), inclusive, if punished as a felony; or
3 ~~[(o)]~~ (o) An offense that is determined to be sexually motivated
4 pursuant to NRS 175.547 or 207.193.

5 **Sec. 12.** Chapter 176A of NRS is hereby amended by adding thereto a
6 new section to read as follows:

7 *1. Except as otherwise provided in subsection 2, if a defendant is*
8 *convicted of an offense that involved the use of a computer, system or*
9 *network and the court grants probation or suspends the sentence, the*
10 *court shall, in addition to any other condition ordered pursuant to NRS*
11 *176A.400, order as a condition of probation or suspension that the*
12 *defendant not own or use a computer, including, without limitation, use*
13 *electronic mail, a chat room or the Internet.*

14 *2. The court is not required to impose a condition of probation or*
15 *suspension of sentence set forth in subsection 1 if the court finds that*
16 *extraordinary circumstances are present and the court enters those*
17 *extraordinary circumstances in the record.*

18 *3. As used in this section:*

19 *(a) "Computer" has the meaning ascribed to it in NRS 205.4735.*

20 *(b) "Network" has the meaning ascribed to it in NRS 205.4745.*

21 *(c) "System" has the meaning ascribed to it in NRS 205.476.*

22 **Sec. 13.** NRS 176A.110 is hereby amended to read as follows:

23 176A.110 1. The court shall not grant probation to or suspend the
24 sentence of a person convicted of an offense listed in subsection 3 unless a
25 psychologist licensed to practice in this state or a psychiatrist licensed to
26 practice medicine in this state certifies that the person is not a menace to
27 the health, safety or morals of others.

28 2. This section does not create a right in any person to be certified or
29 continue to be certified and no person may bring a cause of action against
30 the state, its political subdivisions, agencies, boards, commissions,
31 departments, officers or employees for not certifying or refusing to
32 consider a person for certification pursuant to this section.

33 3. The provisions of this section apply to a person convicted of any of
34 the following offenses:

35 (a) Attempted sexual assault of a person who is 16 years of age or older
36 pursuant to NRS 200.366.

37 (b) Statutory sexual seduction pursuant to NRS 200.368.

38 (c) Battery with intent to commit sexual assault pursuant to NRS
39 200.400.

40 (d) Abuse or neglect of a child pursuant to NRS 200.508.

41 (e) An offense involving pornography and a minor pursuant to NRS
42 200.710 to 200.730, inclusive.

43 (f) Incest pursuant to NRS 201.180.

44 (g) Solicitation of a minor to engage in acts constituting the infamous
45 crime against nature pursuant to NRS 201.195.

46 (h) Open or gross lewdness pursuant to NRS 201.210.

47 (i) Indecent or obscene exposure pursuant to NRS 201.220.

48 (j) Lewdness with a child pursuant to NRS 201.230.

49 (k) Sexual penetration of a dead human body pursuant to NRS 201.450.



* S B 5 5 1 *

(l) *Luring a child using a computer, system or network pursuant to section 4 of this act, if punished as a felony.*

(m) A violation of NRS 207.180.

~~(m)~~ (n) An attempt to commit an offense listed in paragraphs (b) to ~~(+)~~ (m), inclusive.

~~(+)~~ (o) Coercion or attempted coercion that is determined to be sexually motivated pursuant to NRS 207.193.

Sec. 14. NRS 176A.450 is hereby amended to read as follows:

176A.450 1. Except as otherwise provided in this section, by order duly entered, the court may impose, and may at any time modify, any conditions of probation or suspension of sentence. The court shall cause a copy of any such order to be delivered to the parole and probation officer and the probationer. A copy of the order must also be sent to the director of the department of prisons if the probationer is under the supervision of the director pursuant to NRS 176A.780.

2. If the probationer is participating in a program of probation secured by a surety bond, the court shall not impose or modify the conditions of probation unless the court notifies the surety and:

(a) Causes the original bond to be revoked and requires a new bond to which the original and the new conditions are appended and made part; or

(b) Requires an additional bond to which the new conditions are appended and made part.

3. The court shall not modify a condition of probation or suspension of sentence that was imposed pursuant to NRS 176A.410, *or section 12 of this act*, unless the court finds that extraordinary circumstances are present and the court enters those extraordinary circumstances in the record.

Sec. 15. NRS 178.5698 is hereby amended to read as follows:

178.5698 1. The prosecuting attorney, sheriff or chief of police shall, upon the written request of a victim or witness, inform him:

(a) When the defendant is released from custody at any time before or during the trial;

(b) If the defendant is so released, the amount of bail required, if any; and

(c) Of the final disposition of the criminal case in which he was directly involved.

2. If an offender is convicted of a sexual offense or an offense involving the use or threatened use of force or violence against the victim, the court shall provide:

(a) To each witness, documentation that includes:

(1) A form advising the witness of the right to be notified pursuant to subsection 4;

(2) The form that the witness must use to request notification; and

(3) The form or procedure that the witness must use to provide a change of address after a request for notification has been submitted.

(b) To each person listed in subsection 3, documentation that includes:

(1) A form advising the person of the right to be notified pursuant to subsection 4 or 5 and NRS 176.015, 176A.630, 209.392, 209.3925, 209.521, 213.010, 213.040, 213.095 and 213.130;

(2) The forms that the person must use to request notification; and



* S B 5 5 1 *

- 1 (3) The forms or procedures that the person must use to provide a
2 change of address after a request for notification has been submitted.
- 3 3. The following persons are entitled to receive documentation
4 pursuant to paragraph (b) of subsection 2:
- 5 (a) A person against whom the offense is committed.
- 6 (b) A person who is injured as a direct result of the commission of the
7 offense.
- 8 (c) If a person listed in paragraph (a) or (b) is under the age of 18 years,
9 each parent or guardian who is not the offender.
- 10 (d) Each surviving spouse, parent and child of a person who is killed as
11 a direct result of the commission of the offense.
- 12 (e) A relative of a person listed in paragraphs (a) to (d), inclusive, if the
13 relative requests in writing to be provided with the documentation.
- 14 4. Except as otherwise provided in subsection 5, if the offense was a
15 felony and the offender is imprisoned, the warden of the prison shall, if the
16 victim or witness so requests in writing and provides his current address,
17 notify him at that address when the offender is released from the prison.
- 18 5. If the offender was convicted of a violation of subsection 3 of NRS
19 200.366 or a violation of subsection 2 of NRS 200.508, the warden of the
20 prison shall notify:
- 21 (a) The immediate family of the victim if the immediate family provides
22 their current address;
- 23 (b) Any member of the victim's family related within the third degree of
24 consanguinity, if the member of the victim's family so requests in writing
25 and provides his current address; and
- 26 (c) The victim, if he will be 18 years of age or older at the time of the
27 release and has provided his current address,
28 before the offender is released from prison.
- 29 6. The warden must not be held responsible for any injury proximately
30 caused by his failure to give any notice required pursuant to this section if
31 no address was provided to him or if the address provided is inaccurate or
32 not current.
- 33 7. As used in this section:
- 34 (a) "Immediate family" means any adult relative of the victim living in
35 the victim's household.
- 36 (b) "Sexual offense" means:
- 37 (1) Sexual assault pursuant to NRS 200.366;
- 38 (2) Statutory sexual seduction pursuant to NRS 200.368;
- 39 (3) Battery with intent to commit sexual assault pursuant to NRS
40 200.400;
- 41 (4) An offense involving pornography and a minor pursuant to NRS
42 200.710 to 200.730, inclusive;
- 43 (5) Incest pursuant to NRS 201.180;
- 44 (6) Solicitation of a minor to engage in acts constituting the infamous
45 crime against nature pursuant to NRS 201.195;
- 46 (7) Open or gross lewdness pursuant to NRS 201.210;
- 47 (8) Indecent or obscene exposure pursuant to NRS 201.220;
- 48 (9) Lewdness with a child pursuant to NRS 201.230;



1 (10) Sexual penetration of a dead human body pursuant to NRS
2 201.450;

3 (11) *Luring a child using a computer, system or network pursuant*
4 *to section 4 of this act, if punished as a felony;*

5 (12) Annoyance or molestation of a minor pursuant to NRS 207.260;

6 ~~(12)~~ (13) An offense that, pursuant to a specific statute, is
7 determined to be sexually motivated; or

8 ~~(13)~~ (14) An attempt to commit an offense listed in this paragraph.

9 **Sec. 16.** NRS 179.460 is hereby amended to read as follows:

10 179.460 1. The attorney general or the district attorney of any county
11 may apply to a supreme court justice or to a district judge in the county
12 where the interception is to take place for an order authorizing the
13 interception of wire or oral communications, and the judge may, in
14 accordance with NRS 179.470 to 179.515, inclusive, grant an order
15 authorizing the interception of wire or oral communications by
16 investigative or law enforcement officers having responsibility for the
17 investigation of the offense as to which the application is made, when the
18 interception may provide evidence of the commission of murder,
19 kidnapping, robbery, extortion, bribery, destruction of public property by
20 explosives, a sexual offense against a child or the commission of any
21 offense which is made a felony by the provisions of chapter 453 or 454 of
22 NRS.

23 2. A good faith reliance by a public utility on a court order shall
24 constitute a complete defense to any civil or criminal action brought
25 against the public utility on account of any interception made pursuant to
26 the order.

27 3. As used in this section, "sexual offense against a child" includes any
28 act upon a child constituting:

29 (a) Incest pursuant to NRS 201.180;

30 (b) Lewdness with a child pursuant to NRS 201.230;

31 (c) Annoyance or molestation of a child pursuant to NRS 207.260;

32 (d) Sado-masochistic abuse pursuant to NRS 201.262;

33 (e) Sexual assault pursuant to NRS 200.366;

34 (f) Statutory sexual seduction pursuant to NRS 200.368; ~~to~~

35 (g) Open or gross lewdness pursuant to NRS 201.210 ~~to~~; or

36 (h) *Luring a child using a computer, system or network pursuant to*
37 *section 4 of this act, if punished as a felony.*

38 **Sec. 17.** NRS 179A.073 is hereby amended to read as follows:

39 179A.073 1. "Sexual offense" includes acts upon a child
40 constituting:

41 (a) Sexual assault under NRS 200.366;

42 (b) Statutory sexual seduction under NRS 200.368;

43 (c) Use of a minor in producing pornography under NRS 200.710;

44 (d) Promotion of a sexual performance of a minor under NRS 200.720;

45 (e) Possession of a visual presentation depicting the sexual conduct of a
46 child under NRS 200.730;

47 (f) Incest under NRS 201.180;

48 (g) Solicitation of a minor to engage in the infamous crime against
49 nature under NRS 201.195;



1 (h) Lewdness with a child under NRS 201.230; ~~for~~
2 (i) *Luring a child using a computer, system or network pursuant to*
3 *section 4 of this act, if punished as a felony; or*
4 (j) Annoyance or molestation of a minor under NRS 207.260.
5 2. "Sexual offense" also includes acts committed outside the state that
6 would constitute any of the offenses in subsection 1 if committed in the
7 state, and the aiding, abetting, attempting or conspiring to engage in any of
8 the offenses in subsection 1.
9 **Sec. 18.** NRS 179A.280 is hereby amended to read as follows:
10 179A.280 As used in *this section and* NRS 179A.270 ~~179A.280~~
11 and 179A.290:
12 1. "Juvenile sex offender" means a child adjudicated delinquent for an
13 act that, if committed by an adult, would be a sexual offense.
14 2. "Sexual offense" means:
15 (a) Sexual assault pursuant to NRS 200.366;
16 (b) Statutory sexual seduction pursuant to NRS 200.368;
17 (c) Battery with intent to commit sexual assault pursuant to NRS
18 200.400;
19 (d) An offense involving pornography and a minor pursuant to NRS
20 200.710 to 200.730, inclusive;
21 (e) Incest pursuant to NRS 201.180;
22 (f) Solicitation of a minor to engage in acts constituting the infamous
23 crime against nature pursuant to NRS 201.195;
24 (g) Open or gross lewdness pursuant to NRS 201.210;
25 (h) Indecent or obscene exposure pursuant to NRS 201.220;
26 (i) Lewdness with a child pursuant to NRS 201.230;
27 (j) Sexual penetration of a dead human body pursuant to NRS 201.450;
28 (k) *Luring a child using a computer, system or network pursuant to*
29 *section 4 of this act, if punished as a felony;*
30 (l) Annoyance or molestation of a minor pursuant to NRS 207.260;
31 ~~(k)~~ (m) An attempt to commit an offense listed in paragraphs (a) to
32 ~~(k), inclusive;~~
33 ~~(m)~~ (l), inclusive;
34 (n) An offense that is determined to be sexually motivated pursuant to
35 NRS 175.547; or
36 ~~(n)~~ (o) An offense committed in another jurisdiction that, if
37 committed in this state, would be an offense listed in this subsection.
38 **Sec. 19.** NRS 179D.035 is hereby amended to read as follows:
39 179D.035 "Convicted" includes, but is not limited to, an adjudication
40 of delinquency or a finding of guilt by a court having jurisdiction over
41 juveniles if the adjudication of delinquency or the finding of guilt is for the
42 commission of any of the following offenses:
43 1. A crime against a child that is listed in subsection 6 of NRS
44 179D.210.
45 2. A sexual offense that is listed in subsection ~~19~~ 20 of NRS
46 179D.410.
47 3. A sexual offense that is listed in paragraph (b) of subsection 3 of
48 NRS 62.600.



1 **Sec. 20.** NRS 179D.400 is hereby amended to read as follows:
2 179D.400 1. "Sex offender" means a person who, after July 1, 1956,
3 is or has been:

4 (a) Convicted of a sexual offense listed in NRS 179D.410; or
5 (b) Adjudicated delinquent or found guilty by a court having
6 jurisdiction over juveniles of a sexual offense listed in subsection ~~14-9~~ 20
7 of NRS 179D.410.

8 2. The term includes, but is not limited to:

9 (a) A sexually violent predator.

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

12 **Sec. 21.** NRS 179D.410 is hereby amended to read as follows:

13 179D.410 "Sexual offense" means any of the following offenses:

14 1. Murder of the first degree committed in the perpetration or
15 attempted perpetration of sexual assault or of sexual abuse or sexual
16 molestation of a child less than 14 years of age pursuant to paragraph (b) of
17 subsection 1 of NRS 200.030.

18 2. Sexual assault pursuant to NRS 200.366.

19 3. Statutory sexual seduction pursuant to NRS 200.368.

20 4. Battery with intent to commit sexual assault pursuant to NRS
21 200.400.

22 5. An offense involving the administration of a drug to another person
23 with the intent to enable or assist the commission of a felony pursuant to
24 NRS 200.405, if the felony is an offense listed in this section.

25 6. An offense involving the administration of a controlled substance to
26 another person with the intent to enable or assist the commission of a crime
27 of violence pursuant to NRS 200.408, if the crime of violence is an offense
28 listed in this section.

29 7. Abuse of a child pursuant NRS 200.508, if the abuse involved
30 sexual abuse or sexual exploitation.

31 8. An offense involving pornography and a minor pursuant to NRS
32 200.710 to 200.730, inclusive.

33 9. Incest pursuant to NRS 201.180.

34 10. Solicitation of a minor to engage in acts constituting the infamous
35 crime against nature pursuant to NRS 201.195.

36 11. Open or gross lewdness pursuant to NRS 201.210.

37 12. Indecent or obscene exposure pursuant to NRS 201.220.

38 13. Lewdness with a child pursuant to NRS 201.230.

39 14. Sexual penetration of a dead human body pursuant to NRS
40 201.450.

41 15. *Luring a child using a computer, system or network pursuant to*
42 *section 4 of this act, if punished as a felony.*

43 16. Annoyance or molestation of a minor pursuant to NRS 207.260.

44 ~~14-6~~ 17. An attempt to commit an offense listed in subsections 1 to
45 ~~14-5~~ 16, inclusive.

46 ~~14-7~~ 18. An offense that is determined to be sexually motivated
47 pursuant to NRS 175.547 or 207.193.



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1 ~~118.1~~ 19. An offense committed in another jurisdiction that, if
2 committed in this state, would be an offense listed in this section. This
3 subsection includes, but is not limited to, an offense prosecuted in:

- 4 (a) A tribal court.
5 (b) A court of the United States or the Armed Forces of the United
6 States.

7 ~~119.1~~ 20. An offense of a sexual nature committed in another
8 jurisdiction, whether or not the offense would be an offense listed in this
9 section, if the person who committed the offense resides or has resided or
10 is or has been a student or worker in any jurisdiction in which the person is
11 or has been required by the laws of that jurisdiction to register as a sex
12 offender because of the offense. This subsection includes, but is not limited
13 to, an offense prosecuted in:

- 14 (a) A tribal court.
15 (b) A court of the United States or the Armed Forces of the United
16 States.
17 (c) A court having jurisdiction over juveniles.

18 **Sec. 22.** NRS 179D.610 is hereby amended to read as follows:

19 179D.610 1. "Sex offender" means a person who, after July 1, 1956,
20 is or has been:

- 21 (a) Convicted of a sexual offense listed in NRS 179D.620; or
22 (b) Adjudicated delinquent or found guilty by a court having
23 jurisdiction over juveniles of a sexual offense listed in subsection ~~119.1~~ 20
24 of NRS 179D.620.

25 2. The term includes, but is not limited to:

- 26 (a) A sexually violent predator.
27 (b) A nonresident sex offender who is a student or worker within this
28 state.

29 **Sec. 23.** NRS 179D.620 is hereby amended to read as follows:

30 179D.620 "Sexual offense" means any of the following offenses:

31 1. Murder of the first degree committed in the perpetration or
32 attempted perpetration of sexual assault or of sexual abuse or sexual
33 molestation of a child less than 14 years of age pursuant to paragraph (b) of
34 subsection 1 of NRS 200.030.

35 2. Sexual assault pursuant to NRS 200.366.

36 3. Statutory sexual seduction pursuant to NRS 200.368, if punished as
37 a felony.

38 4. Battery with intent to commit sexual assault pursuant to NRS
39 200.400.

40 5. An offense involving the administration of a drug to another person
41 with the intent to enable or assist the commission of a felony pursuant to
42 NRS 200.405, if the felony is an offense listed in this section.

43 6. An offense involving the administration of a controlled substance to
44 another person with the intent to enable or assist the commission of a crime
45 of violence pursuant to NRS 200.408, if the crime of violence is an offense
46 listed in this section.

47 7. Abuse of a child pursuant to NRS 200.508, if the abuse involved
48 sexual abuse or sexual exploitation and is punished as a felony.



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- 1 8. An offense involving pornography and a minor pursuant to NRS
2 200.710 to 200.730, inclusive.
- 3 9. Incest pursuant to NRS 201.180.
- 4 10. Solicitation of a minor to engage in acts constituting the infamous
5 crime against nature pursuant to NRS 201.195, if punished as a felony.
- 6 11. Open or gross lewdness pursuant to NRS 201.210, if punished as a
7 felony.
- 8 12. Indecent or obscene exposure pursuant to NRS 201.220, if
9 punished as a felony.
- 10 13. Lewdness with a child pursuant to NRS 201.230.
- 11 14. Sexual penetration of a dead human body pursuant to NRS
12 201.450.
- 13 15. *Luring a child using a computer, system or network pursuant to*
14 *section 4 of this act, if punished as a felony.*
- 15 16. Annoyance or molestation of a minor pursuant to NRS 207.260, if
16 punished as a felony.
- 17 ~~16~~ 17. An attempt to commit an offense listed in subsections 1 to
18 ~~15~~ 16, inclusive, if punished as a felony.
- 19 ~~17~~ 18. An offense that is determined to be sexually motivated
20 pursuant to NRS 175.547 or 207.193.
- 21 ~~18~~ 19. An offense committed in another jurisdiction that, if
22 committed in this state, would be an offense listed in this section. This
23 subsection includes, but is not limited to, an offense prosecuted in:
- 24 (a) A tribal court.
- 25 (b) A court of the United States or the Armed Forces of the United
26 States.
- 27 ~~19~~ 20. An offense of a sexual nature committed in another
28 jurisdiction and punished as a felony, whether or not the offense would be
29 an offense listed in this section, if the person who committed the offense
30 resides or has resided or is or has been a student or worker in any
31 jurisdiction in which the person is or has been required by the laws of that
32 jurisdiction to register as a sex offender because of the offense. This
33 subsection includes, but is not limited to, an offense prosecuted in:
- 34 (a) A tribal court.
- 35 (b) A court of the United States or the Armed Forces of the United
36 States.
- 37 (c) A court having jurisdiction over juveniles.
- 38 **Sec. 24.** Chapter 213 of NRS is hereby amended by adding thereto a
39 new section to read as follows:
- 40 1. *Except as otherwise provided in subsection 2, if the board releases*
41 *on parole a prisoner convicted of an offense that involved the use of a*
42 *computer, system or network, the board shall, in addition to any other*
43 *condition of parole, require as a condition of parole that the defendant*
44 *not own or use a computer, including, without limitation, use electronic*
45 *mail, a chat room or the Internet.*
- 46 2. *The board is not required to impose a condition of parole set forth*
47 *in subsection 1 if the board finds that extraordinary circumstances are*
48 *present and the board states those extraordinary circumstances in*
49 *writing.*



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1 **3. As used in this section:**

2 **(a) "Computer" has the meaning ascribed to it in NRS 205.4735.**

3 **(b) "Network" has the meaning ascribed to it in NRS 205.4745.**

4 **(c) "System" has the meaning ascribed to it in NRS 205.476.**

5 **Sec. 25.** NRS 213.107 is hereby amended to read as follows:

6 213.107 As used in NRS 213.107 to 213.157, inclusive, **and section 24**
7 **of this act**, unless the context otherwise requires:

8 1. "Board" means the state board of parole commissioners.

9 2. "Chief" means the chief parole and probation officer.

10 3. "Division" means the division of parole and probation of the
11 department of motor vehicles and public safety.

12 4. "Residential confinement" means the confinement of a person
13 convicted of a crime to his place of residence under the terms and
14 conditions established by the board.

15 5. "Sex offender" means any person who has been or is convicted of a
16 sexual offense.

17 6. "Sexual offense" means:

18 (a) A violation of NRS 200.366, subsection 4 of NRS 200.400, NRS
19 200.710, 200.720, subsection 2 of NRS 200.730, NRS 201.180, paragraph
20 (a) or subparagraph (2) of paragraph (b) of subsection 1 of NRS 201.195,
21 NRS 201.230 or 201.450 ~~or~~ **or paragraph (a) or (b) of subsection 3 of**
22 **section 4 of this act;**

23 (b) An attempt to commit any offense listed in paragraph (a); or

24 (c) An act of murder in the first or second degree, kidnapping in the first
25 or second degree, false imprisonment, burglary or invasion of the home if
26 the act is determined to be sexually motivated at a hearing conducted
27 pursuant to NRS 175.547.

28 7. "Standards" means the objective standards for granting or revoking
29 parole or probation which are adopted by the board or the chief.

30 **Sec. 26.** NRS 213.1214 is hereby amended to read as follows:

31 213.1214 1. The board shall not release on parole a prisoner
32 convicted of an offense listed in subsection 5 unless a panel consisting of:

33 (a) The administrator of the division of mental health and
34 developmental services of the department of human resources or his
35 designee;

36 (b) The director of the department of prisons or his designee; and

37 (c) A psychologist licensed to practice in this state or a psychiatrist
38 licensed to practice medicine in this state,
39 certifies that the prisoner was under observation while confined in an
40 institution of the department of prisons and is not a menace to the health,
41 safety or morals of others.

42 2. A prisoner who has been certified pursuant to subsection 1 and who
43 returns for any reason to the custody of the department of prisons may not
44 be paroled unless a panel recertifies him in the manner set forth in
45 subsection 1.

46 3. The panel may revoke the certification of a prisoner certified
47 pursuant to subsection 1 at any time.

48 4. This section does not create a right in any prisoner to be certified or
49 continue to be certified. No prisoner may bring a cause of action against



1 the state, its political subdivisions, agencies, boards, commissions,
2 departments, officers or employees for not certifying or refusing to place a
3 prisoner before a panel for certification pursuant to this section.

4 5. The provisions of this section apply to a prisoner convicted of any
5 of the following offenses:

- 6 (a) Sexual assault pursuant to NRS 200.366.
- 7 (b) Statutory sexual seduction pursuant to NRS 200.368.
- 8 (c) Battery with intent to commit sexual assault pursuant to NRS
9 200.400.
- 10 (d) Abuse or neglect of a child pursuant to NRS 200.508.
- 11 (e) An offense involving pornography and a minor pursuant to NRS
12 200.710 to 200.730, inclusive.
- 13 (f) Incest pursuant to NRS 201.180.
- 14 (g) Solicitation of a minor to engage in acts constituting the infamous
15 crime against nature pursuant to NRS 201.195.
- 16 (h) Open or gross lewdness pursuant to NRS 201.210.
- 17 (i) Indecent or obscene exposure pursuant to NRS 201.220.
- 18 (j) Lewdness with a child pursuant to NRS 201.230.
- 19 (k) Sexual penetration of a dead human body pursuant to NRS 201.450.
- 20 (l) *Luring a child using a computer, system or network pursuant to*
21 *section 4 of this act, if punished as a felony.*

22 (m) An attempt to commit an offense listed in paragraphs (a) to ~~(l)~~,
23 ~~inclusive~~.

24 ~~—(m)~~ (m), inclusive.

25 (n) Coercion or attempted coercion that is determined to be sexually
26 motivated pursuant to NRS 207.193.

27 **Sec. 27.** NRS 213.1255 is hereby amended to read as follows:

28 213.1255 1. In addition to any conditions of parole required to be
29 imposed pursuant to NRS 213.1245, as a condition of releasing on parole a
30 prisoner who was convicted of committing an offense listed in subsection 2
31 against a child under the age of 14 years, the board shall, when appropriate:

- 32 (a) Require the parolee to participate in psychological counseling;
- 33 (b) Prohibit the parolee from being alone with a child unless another
34 adult who has never been convicted of a sexual offense is present; and
- 35 (c) Prohibit the parolee from being on or near the grounds of any place
36 that is primarily designed for use by or for children, including, without
37 limitation, a public or private school, a center or facility that provides day
38 care services, a video arcade and an amusement park.

39 2. The provisions of subsection 1 apply to a prisoner who was
40 convicted of:

- 41 (a) Sexual assault pursuant to paragraph (c) of subsection 3 of NRS
42 200.366;
- 43 (b) Abuse or neglect of a child pursuant to paragraph (a) of subsection 2
44 of NRS 200.508;
- 45 (c) An offense punishable pursuant to subsection 2 of NRS 200.750;
- 46 (d) Solicitation of a minor to engage in acts constituting the infamous
47 crime against nature pursuant to subparagraph (1) of paragraph (a) of
48 subsection 1 of NRS 201.195;
- 49 (e) Lewdness with a child pursuant to NRS 201.230; ~~for~~



1 (f) *Luring a child using a computer, system or network pursuant to*
2 *section 4 of this act, if punished as a felony; or*

3 (g) Any combination of the crimes listed in paragraphs (a) to ~~(e)~~ (f),
4 inclusive.

5 **Sec. 28.** NRS 239A.070 is hereby amended to read as follows:

6 239A.070 This chapter does not apply to any subpoena issued pursuant
7 to Title 14 or chapters 616A to 617, inclusive, of NRS or prohibit:

8 1. Dissemination of any financial information which is not identified
9 with or identifiable as being derived from the financial records of a
10 particular customer.

11 2. The attorney general, district attorney, department of taxation,
12 public administrator, sheriff or a police department from requesting of a
13 financial institution, and the institution from responding to the request, as
14 to whether a person has an account or accounts with that financial
15 institution and, if so, any identifying numbers of the account or accounts.

16 3. A financial institution, in its discretion, from initiating contact with
17 and thereafter communicating with and disclosing the financial records of a
18 customer to appropriate governmental agencies concerning a suspected
19 violation of any law.

20 4. Disclosure of the financial records of a customer incidental to a
21 transaction in the normal course of business of the financial institution if
22 the director, officer, employee or agent of the financial institution who
23 makes or authorizes the disclosure has no reasonable cause to believe that
24 such records will be used by a governmental agency in connection with an
25 investigation of the customer.

26 5. A financial institution from notifying a customer of the receipt of a
27 subpoena or a search warrant to obtain his financial records, except when
28 ordered by a court to withhold such notification.

29 6. The examination by or disclosure to any governmental regulatory
30 agency of financial records which relate solely to the exercise of its
31 regulatory function if the agency is specifically authorized by law to
32 examine, audit or require reports of financial records of financial
33 institutions.

34 7. The disclosure to any governmental agency of any financial
35 information or records whose disclosure to that particular agency is
36 required by the tax laws of this state.

37 8. The disclosure of any information pursuant to NRS 425.393,
38 425.400 or 425.460.

39 9. A governmental agency from obtaining a credit report or consumer
40 credit report from anyone other than a financial institution.

41 **10. The disclosure of any information pursuant to section 1 of this**
42 **act.**

43 **Sec. 29.** Chapter 379 of NRS is hereby amended by adding thereto a
44 new section to read as follows:

45 **1. Each public library in this state that provides children with public**
46 **access to the Internet shall adopt a policy to limit access of children to**
47 **obscene material on the Internet.**

48 **2. As used in this section:**



1 (a) “Material” means anything that is capable of being used or
2 adapted to arouse interest, whether or not through the medium of
3 reading, observation, sound or in any other manner.

4 (b) “Obscene” has the meaning ascribed to it in NRS 201.235.

5 **Sec. 30.** Chapter 392 of NRS is hereby amended by adding thereto a
6 new section to read as follows:

7 1. The department shall adopt a policy to limit access of children to
8 obscene material on the Internet in public schools.

9 2. As used in this section:

10 (a) “Material” means anything that is capable of being used or
11 adapted to arouse interest, whether or not through the medium of
12 reading, observation, sound or in any other manner.

13 (b) “Obscene” has the meaning ascribed to it in NRS 201.235.

14 **Sec. 31.** The amendatory provisions of this act do not apply to
15 offenses committed before the effective date of this act.

16 **Sec. 32.** This act becomes effective upon passage and approval.

