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SB 394

APRIL 17, 2003

TO: ASSEMBLYMAN BERNIE ANDERSON, CHAIRMAN OF ASSEMBLY
JUDICIARY AND COMMITTEE MEMBERS

FROM: KRISTIN ERICKSON AND BEN GRAHAM, NDAA

RE: REQUIRING CONVICTED SEX OFFENDERS GUILTY OF CRIMES
ESTABLISHED IN NRS 201.540, 205.550 AND CERTAIN
CONSPIRATORS TO REGISTER AS SEX OFFENDERS UNDER NRS
179D.410

FROM TIME TO TIME THE LEGISLATURE HAS MANDATED THAT ONCE A
PARTY IS CONVICTED OF CERTAIN OFFENSES, THEY MUST REGISTER
AS A SEX OFFENDER UNDER 179D.410. THERE ARE CURRENTLY 20
OFFENSES THAT REQUIRE REGISTRATION ONCE CONVICTED.

OVER THE PAST SEVERAL LEGISLATIVE SESSIONS THE LEGISLATURE
HAS EXAMINED AND TAKEN A DIM VIEW OF TEACHERS AND OTHERS
IN AUTHORITY AND IN CONTACT WITH CERTAIN STUDENTS, HAVING
SEX OR CONSPIRING TO HAVE SEX WITH THEIR STUDENTS.

EVEN THOUGH THE LEGISLATURE HAS FOUND SUCH CONDUCT IS A
SEXUAL OFFENSE, VIOLATIONS WERE NEVER PLACED IN THE STATUTE
REQUIRING REGISTRATION AS A SEX OFFENDER.

IT IS URGED THAT THIS COMMITTEE CORRECT WHAT IS MOST LIKELY
AN OVERSIGHT AND AMEND THE ATTACHED LANGUAGE INTO NRS
179D.410 VIA SB 394.

ASSEMBLY JUDICIARY

DATE: 4/24/03 ROOM 3138 EXHIBIT D

SUBMITTED BY: BEN GRAHAM

1013

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

1. Murder of the first degree committed in the perpetration or attempted perpetration of sexual assault or of sexual abuse or sexual molestation of a child less than 14 years of age pursuant to paragraph (b) of subsection 1 of NRS 200.030.
2. Sexual assault pursuant to NRS 200.366.
3. Statutory sexual seduction pursuant to NRS 200.368.
4. Battery with intent to commit sexual assault pursuant to NRS 200.400.
5. An offense involving the administration of a drug to another person with the intent to enable or assist the commission of a felony pursuant to NRS 200.405, if the felony is an offense listed in this section.
6. An offense involving the administration of a controlled substance to another person with the intent to enable or assist the commission of a crime of violence pursuant to NRS 200.408, if the crime of violence is an offense listed in this section.
7. Abuse of a child pursuant NRS 200.508, if the abuse involved sexual abuse or sexual exploitation.
8. An offense involving pornography and a minor pursuant to NRS 200.710 to 200.730, inclusive.
9. Incest pursuant to NRS 201.180.
10. Solicitation of a minor to engage in acts constituting the infamous crime against nature pursuant to NRS 201.195.
11. Open or gross lewdness pursuant to NRS 201.210.
12. Indecent or obscene exposure pursuant to NRS 201.220.
13. Lewdness with a child pursuant to NRS 201.230.
14. Sexual penetration of a dead human body pursuant to NRS 201.450.
15. Luring a child using a computer, system or network pursuant to NRS 201.560, if punished as a felony.
16. Annoyance or molestation of a minor pursuant to NRS 207.260.
17. *Sexual conduct between certain employees of school or volunteers at school and pupil pursuant to NRS 201.540.*
18. *Sexual conduct between certain employees of college or university and student pursuant to NRS 201.550.*
- ~~17.~~ 19. An attempt or a conspiracy to commit an offense listed in subsections 1 to ~~16~~ 18, inclusive.
- ~~18~~ 20. An offense that is determined to be sexually motivated pursuant to NRS 175.547 or 207.193.
19. 21. An offense committed in another jurisdiction that, if committed in this state, would be an offense listed in this section. This subsection includes, but is not limited to, an offense prosecuted in:
 - (a) A tribal court.
 - (b) A court of the United States or the Armed Forces of the United States.
20. 22. An offense of a sexual nature committed in another jurisdiction, whether or not the offense would be an offense listed in this section, if the person who committed the offense resides or has resided or is or has been a student or worker in any jurisdiction in which the person is or has been required by the laws of that jurisdiction to register as a

sex offender because of the offense. This subsection includes, but is not limited to, an offense prosecuted in:

(a) A tribal court.

(b) A court of the United States or the Armed Forces of the United States.

(c) A court having jurisdiction over juveniles.

(Added to NRS by 1997, 1654; A 1999, 1299; 2001, 2796)