

CHAPTER.....

AN ACT relating to public safety; revising certain provisions governing registration and community notification of sex offenders and offenders convicted of a crime against a child; requiring sex offenders and offenders convicted of a crime against a child who are enrolled in or work at institutions of higher education to register with local law enforcement agencies in whose jurisdiction the institutions of higher education are located; requiring such local law enforcement agencies to notify appropriate campus police departments; providing immunity for certain entities and persons for certain acts or omissions relating to information obtained, maintained or disclosed under certain circumstances; making various other changes concerning conditions of parole and probation for certain sex offenders; and providing other matters properly relating thereto.

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

**Section 1.** NRS 176.0926 is hereby amended to read as follows:

176.0926 1. If a defendant is convicted of a crime against a child, the court shall, before imposing sentence:

(a) Notify the Central Repository of the conviction of the defendant, so the Central Repository may carry out the provisions for registration of the defendant pursuant to NRS 179D.230.

(b) Inform the defendant of the requirements for registration, including, but not limited to:

(1) The duty to register in this state during any period in which he is a resident of this state or a nonresident who is a student or worker within this state and the time within which he is required to register pursuant to NRS 179D.240;

(2) The duty to register in any other jurisdiction during any period in which he is a resident of the other jurisdiction or a nonresident who is a student or worker within the other jurisdiction;

(3) If he moves from this state to another jurisdiction, the duty to register with the appropriate law enforcement agency in the other jurisdiction; ~~and~~

(4) The duty to notify the local law enforcement agency in whose jurisdiction he formerly resided, in person or in writing, if he changes the address at which he resides, including if he moves from this state to another jurisdiction, or changes the primary address at which he is a student or worker ~~and~~; *and*

*(5) The duty to notify immediately the appropriate local law enforcement agency if the defendant is, expects to be or becomes enrolled as a student at an institution of higher education or changes the date of commencement or termination of his enrollment at an institution of higher education or if the defendant is, expects to be or becomes a worker at an institution of higher education or changes the date of commencement or termination of his work at an institution of higher education.*

(c) Require the defendant to read and sign a form confirming that the requirements for registration have been explained to him.

2. The failure to provide the defendant with the information or confirmation form required by paragraphs (b) and (c) of subsection 1 does not affect the duty of the defendant to register and to comply with all other provisions for registration pursuant to NRS 179D.200 to 179D.290, inclusive.

**Sec. 2.** NRS 176.0927 is hereby amended to read as follows:

176.0927 1. If a defendant is convicted of a sexual offense, the court shall, before imposing sentence:

(a) Notify the Central Repository of the conviction of the defendant, so the Central Repository may carry out the provisions for registration of the defendant pursuant to NRS 179D.450.

(b) Inform the defendant of the requirements for registration, including, but not limited to:

(1) The duty to register in this state during any period in which he is a resident of this state or a nonresident who is a student or worker within this state and the time within which he is required to register pursuant to NRS 179D.460;

(2) The duty to register in any other jurisdiction during any period in which he is a resident of the other jurisdiction or a nonresident who is a student or worker within the other jurisdiction;

(3) If he moves from this state to another jurisdiction, the duty to register with the appropriate law enforcement agency in the other jurisdiction; ~~and~~

(4) The duty to notify the local law enforcement agency in whose jurisdiction he formerly resided, in person or in writing, if he changes the address at which he resides, including if he moves from this state to another jurisdiction, or changes the primary address at which he is a student or worker ~~and~~; ~~and~~

*(5) The duty to notify immediately the appropriate local law enforcement agency if the defendant is, expects to be or becomes enrolled as a student at an institution of higher education or changes the date of commencement or termination of his enrollment at an institution of higher education or if the defendant is, expects to be or becomes a worker at an institution of higher education or changes the date of commencement or termination of his work at an institution of higher education.*

(c) Require the defendant to read and sign a form stating that the requirements for registration have been explained to him.

2. The failure to provide the defendant with the information or confirmation form required by paragraphs (b) and (c) of subsection 1 does not affect the duty of the defendant to register and to comply with all other provisions for registration pursuant to NRS 179D.350 to 179D.550, inclusive.

**Sec. 3.** NRS 176A.410 is hereby amended to read as follows:

176A.410 1. Except as otherwise provided in subsection 3, if a defendant is convicted of a sexual offense and the court grants probation or suspends the sentence, the court shall, in addition to any other condition ordered pursuant to NRS 176A.400, order as a condition of probation or suspension of sentence that the defendant:

(a) Reside at a location only if it has been approved by the parole and probation officer assigned to the defendant ~~and~~ *and keep the parole and probation officer informed of his current address;*

(b) Accept a position of employment *or a position as a volunteer* only if it has been approved by the parole and probation officer assigned to the defendant ~~and~~ *and keep the parole and probation officer informed of the location of his position of employment or position as a volunteer;*

(c) Abide by any curfew imposed by the parole and probation officer assigned to the defendant;

(d) Participate in and complete a program of professional counseling approved by the Division;

(e) Submit to periodic tests, as requested by the parole and probation officer assigned to the defendant, to determine whether the defendant is using a controlled substance;

(f) Submit to periodic polygraph examinations, as requested by the parole and probation officer assigned to the defendant;

(g) Abstain from consuming, possessing or having under his control any alcohol;

(h) Not have contact or communicate with a victim of the sexual offense or a witness who testified against the defendant or solicit another person to engage in such contact or communication on behalf of the defendant, unless approved by the parole and probation officer assigned to the defendant, and a written agreement is entered into and signed in the manner set forth in subsection 2;

(i) Not use aliases or fictitious names;

(j) Not obtain a post office box unless the defendant receives permission from the parole and probation officer assigned to the defendant;

(k) Not have contact with a person less than 18 years of age in a secluded environment unless another adult who has never been convicted of a sexual offense is present and permission has been

obtained from the parole and probation officer assigned to the defendant in advance of each such contact;

(l) Unless approved by the parole and probation officer assigned to the defendant and by a psychiatrist, psychologist or counselor treating the defendant, if any, not be in or near:

(1) A playground, park, school or school grounds;

(2) A motion picture theater; or

(3) A business that primarily has children as customers or conducts events that primarily children attend;

(m) Comply with any protocol concerning the use of prescription medication prescribed by a treating physician, including, without limitation, any protocol concerning the use of psychotropic medication;

(n) Not possess any sexually explicit material that is deemed inappropriate by the parole and probation officer assigned to the defendant;

(o) Not patronize a business which offers a sexually related form of entertainment and which is deemed inappropriate by the parole and probation officer assigned to the defendant; ~~and~~

(p) Not possess any electronic device capable of accessing the Internet and not access the Internet through any such device or any other means, unless possession of such a device or such access is approved by the parole and probation officer assigned to the defendant ~~and~~; and

*(q) Inform the parole and probation officer assigned to the defendant if the defendant expects to be or becomes enrolled as a student at an institution of higher education or changes the date of commencement or termination of his enrollment at an institution of higher education. As used in this paragraph, “institution of higher education” has the meaning ascribed to it in section 6 of this act.*

2. A written agreement entered into pursuant to paragraph (h) of subsection 1 must state that the contact or communication is in the best interest of the victim or witness, and specify the type of contact or communication authorized. The written agreement must be signed and agreed to by:

(a) The victim or the witness;

(b) The defendant;

(c) The parole and probation officer assigned to the defendant;

(d) The psychiatrist, psychologist or counselor treating the defendant, victim or witness, if any; and

(e) If the victim or witness is a child under 18 years of age, each parent, guardian or custodian of the child.

3. The court is not required to impose a condition of probation or suspension of sentence listed in subsection 1 if the court finds

that extraordinary circumstances are present and the court enters those extraordinary circumstances in the record.

4. As used in this section, "sexual offense" has the meaning ascribed to it in NRS 179D.410.

**Sec. 4.** Chapter 179D of NRS is hereby amended by adding thereto the provisions set forth as sections 5 and 6 of this act.

**Sec. 5.** *"Campus police department" means any campus police department or campus security department at an institution of higher education.*

**Sec. 6.** *"Institution of higher education" means:*

*1. A university, college or community college which is privately owned or which is part of the University and Community College System of Nevada; and*

*2. A postsecondary educational institution, as defined in NRS 394.099, or any other institution of higher education.*

**Sec. 7.** NRS 179D.010 is hereby amended to read as follows:

179D.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 179D.020 to 179D.120, inclusive, *and sections 5 and 6 of this act* have the meanings ascribed to them in those sections.

**Sec. 8.** NRS 179D.110 is hereby amended to read as follows:

179D.110 "Student" means a person who is enrolled in and attends, on a full-time or part-time basis within this state, any course of academic or vocational instruction conducted by a public or private educational institution or school, including, but not limited to, any of the following institutions or schools:

~~1. [A university, college or community college which is privately owned or which is part of the University and Community College System of Nevada.~~

~~2. A postsecondary educational institution, as defined in NRS 394.099, or any other.]~~ **An** institution of higher education.

~~[3.]~~ **2.** A trade school or vocational school.

~~[4.]~~ **3.** A public school, as defined in NRS 385.007, or a private school, as defined in NRS 394.103.

**Sec. 9.** NRS 179D.150 is hereby amended to read as follows:

179D.150 Except as otherwise provided in NRS 179D.530, a record of registration must include, if the information is available:

1. Information identifying the offender, including, but not limited to:

(a) The name of the offender and all aliases that he has used or under which he has been known;

(b) A complete physical description of the offender, a current photograph of the offender and the fingerprints of the offender;

(c) The date of birth and the social security number of the offender;

(d) The identification number from a driver's license or an identification card issued to the offender by this state or any other jurisdiction; and

(e) Any other information that identifies the offender.

2. Information concerning the residence of the offender, including, but not limited to:

(a) The address at which the offender resides;

(b) The length of time he has resided at that address and the length of time he expects to reside at that address;

(c) The address or location of any other place where he expects to reside in the future and the length of time he expects to reside there; and

(d) The length of time he expects to remain in the county where he resides and in this state.

3. Information concerning the offender's occupations, employment or work or expected occupations, employment or work, including, but not limited to, the name, address and type of business of all current and expected future employers of the offender.

4. Information concerning the offender's volunteer service or expected volunteer service in connection with any activity or organization within this state, including, but not limited to, the name, address and type of each such activity or organization.

5. Information concerning the offender's enrollment or expected enrollment as a student in any public or private educational institution or school within this state, including, but not limited to, the name, address and type of each such educational institution or school.

6. *Information concerning whether:*

(a) *The offender is, expects to be or becomes enrolled as a student at an institution of higher education or changes the date of commencement or termination of his enrollment at an institution of higher education; or*

(b) *The offender is, expects to be or becomes a worker at an institution of higher education or changes the date of commencement or termination of his work at an institution of higher education, including, but not limited to, the name, address and type of each such institution of higher education.*

7. The license number and a description of all motor vehicles registered to or frequently driven by the offender.

~~[7-]~~ 8. The level of community notification assigned to the offender.

~~[8-]~~ 9. The following information for each offense for which the offender has been convicted:

(a) The court in which he was convicted;

(b) The name under which he was convicted;

(c) The name and location of each penal institution, school, hospital, mental facility or other institution to which he was committed;

(d) The specific location where the offense was committed;

(e) The age, the gender, the race and a general physical description of the victim; and

(f) The method of operation that was used to commit the offense, including, but not limited to:

(1) Specific sexual acts committed against the victim;

(2) The method of obtaining access to the victim, such as the use of enticements, threats, forced entry or violence against the victim;

(3) The type of injuries inflicted on the victim;

(4) The types of instruments, weapons or objects used;

(5) The type of property taken; and

(6) Any other distinctive characteristic of the behavior or personality of the offender.

**Sec. 10.** NRS 179D.170 is hereby amended to read as follows:

179D.170 Upon receiving from ~~{the Division,}~~ **a local law enforcement agency**, pursuant to NRS 179D.010 to 179D.550, inclusive:

1. A record of registration;

2. Fingerprints or a photograph of an offender;

3. A new address of an offender; or

4. Any other updated information,

the Central Repository shall immediately provide the record of registration, fingerprints, photograph, new address or updated information to the Federal Bureau of Investigation.

**Sec. 11.** NRS 179D.230 is hereby amended to read as follows:

179D.230 1. If the Central Repository receives notice from a court pursuant to NRS 176.0926 that an offender has been convicted of a crime against a child, the Central Repository shall:

(a) If a record of registration has not previously been established for the offender, notify the local law enforcement agency so that a record of registration may be established; or

(b) If a record of registration has previously been established for the offender, update the record of registration for the offender and notify the appropriate local law enforcement agencies.

2. If the offender named in the notice is granted probation or otherwise will not be incarcerated or confined, the Central Repository shall immediately provide notification concerning the offender to the appropriate local law enforcement agencies and, if the offender resides in a jurisdiction which is outside of this state, to the appropriate law enforcement agency in that jurisdiction.

3. If an offender is incarcerated or confined and has previously been convicted of a crime against a child, before the offender is released:

(a) The Department of Corrections or a local law enforcement agency in whose facility the offender is incarcerated or confined shall:

(1) Inform the offender of the requirements for registration, including, but not limited to:

(I) The duty to register in this state during any period in which he is a resident of this state or a nonresident who is a student or worker within this state and the time within which he is required to register pursuant to NRS 179D.240;

(II) The duty to register in any other jurisdiction during any period in which he is a resident of the other jurisdiction or a nonresident who is a student or worker within the other jurisdiction;

(III) If he moves from this state to another jurisdiction, the duty to register with the appropriate law enforcement agency in the other jurisdiction; ~~and~~

(IV) The duty to notify the local law enforcement agency for the jurisdiction in which he now resides, in person, and the jurisdiction in which he most recently resided, in person or in writing, if he changes the address at which he resides, including if he moves from this state to another jurisdiction, or changes the primary address at which he is a student or worker; and

*(V) The duty to notify immediately the appropriate local law enforcement agency if the offender is, expects to be or becomes enrolled as a student at an institution of higher education or changes the date of commencement or termination of his enrollment at an institution of higher education or if the offender is, expects to be or becomes a worker at an institution of higher education or changes the date of commencement or termination of his work at an institution of higher education; and*

(2) Require the offender to read and sign a form confirming that the requirements for registration have been explained to him and to forward the form to the Central Repository.

(b) The Central Repository shall:

(1) Update the record of registration for the offender; and

(2) Provide notification concerning the offender to the appropriate local law enforcement agencies and, if the offender will reside upon release in a jurisdiction which is outside of this state, to the appropriate law enforcement agency in that jurisdiction.

4. The failure to provide an offender with the information or confirmation form required by paragraph (a) of subsection 3 does not affect the duty of the offender to register and to comply with all other provisions for registration.



5. If the Central Repository receives notice from another jurisdiction or the Federal Bureau of Investigation that an offender convicted of a crime against a child is now residing or is a student or worker within this state, the Central Repository shall:

(a) Immediately provide notification concerning the offender to the appropriate local law enforcement agencies; and

(b) Establish a record of registration for the offender with the assistance of the local law enforcement agency.

**Sec. 12.** NRS 179D.240 is hereby amended to read as follows:

179D.240 1. In addition to any other registration that is required pursuant to NRS 179D.230, each offender who, after July 1, 1956, is or has been convicted of a crime against a child shall register with a local law enforcement agency pursuant to the provisions of this section.

2. Except as otherwise provided in subsection 3, if the offender resides or is present for 48 hours or more within:

(a) A county; or

(b) An incorporated city that does not have a city police department,

the offender shall be deemed a resident offender and shall register with the sheriff's office of the county or, if the county or the city is within the jurisdiction of a metropolitan police department, the metropolitan police department, not later than 48 hours after arriving or establishing a residence within the county or the city.

3. If the offender resides or is present for 48 hours or more within an incorporated city that has a city police department, the offender shall be deemed a resident offender and shall register with the city police department not later than 48 hours after arriving or establishing a residence within the city.

4. If the offender is a nonresident offender who is a student or worker within this state, the offender shall register with the appropriate sheriff's office, metropolitan police department or city police department in whose jurisdiction he is a student or worker not later than 48 hours after becoming a student or worker within this state.

5. *A resident or nonresident offender shall immediately notify the appropriate local law enforcement agency if:*

*(a) The offender is, expects to be or becomes enrolled as a student at an institution of higher education or changes the date of commencement or termination of his enrollment at an institution of higher education; or*

*(b) The offender is, expects to be or becomes a worker at an institution of higher education or changes the date of commencement or termination of his work at an institution of higher education.*

*The offender shall provide the name, address and type of each such institution of higher education.*

6. To register with a local law enforcement agency pursuant to this section, the offender shall:

(a) Appear personally at the office of the appropriate local law enforcement agency;

(b) Provide all information that is requested by the local law enforcement agency, including, but not limited to, fingerprints and a photograph; and

(c) Sign and date the record of registration or some other proof of registration in the presence of an officer of the local law enforcement agency.

~~6-1~~ 7. When an offender registers, the local law enforcement agency shall:

(a) Inform the offender of the duty to notify the local law enforcement agency if the offender changes the address at which he resides or changes the primary address at which he is a student or worker; and

(b) Inform the offender of the duty to register with the local law enforcement agency in whose jurisdiction the offender relocates.

~~7-1~~ 8. After the offender registers with the local law enforcement agency, the local law enforcement agency shall forward to the Central Repository the information collected, including the fingerprints and a photograph of the offender.

~~8-1~~ 9. If the Central Repository has not previously established a record of registration for an offender described in subsection ~~7-1~~ 8, the Central Repository shall:

(a) Establish a record of registration for the offender; and

(b) Provide notification concerning the offender to the appropriate local law enforcement agencies.

*10. When an offender notifies a local law enforcement agency that:*

*(a) The offender is, expects to be or becomes enrolled as a student at an institution of higher education or changes the date of commencement or termination of his enrollment at an institution of higher education; or*

*(b) The offender is, expects to be or becomes a worker at an institution of higher education or changes the date of commencement or termination of his work at an institution of higher education,*

*and provides the name, address and type of each such institution of higher education, the local law enforcement agency shall immediately provide that information to the Central Repository and to the appropriate campus police department.*

**Sec. 13.** NRS 179D.410 is hereby amended to read as follows:  
179D.410 "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. An attempt *or conspiracy* to commit an offense listed in subsections 1 to 16, inclusive.

18. An offense that is determined to be sexually motivated pursuant to NRS 175.547 or 207.193.

19. 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. 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.

**Sec. 14.** NRS 179D.450 is hereby amended to read as follows:

179D.450 1. If the Central Repository receives notice from a court pursuant to NRS 176.0927 that a sex offender has been convicted of a sexual offense or pursuant to NRS 62.590 that a juvenile sex offender has been deemed to be an adult sex offender, the Central Repository shall:

(a) If a record of registration has not previously been established for the sex offender, notify the local law enforcement agency so that a record of registration may be established; or

(b) If a record of registration has previously been established for the sex offender, update the record of registration for the sex offender and notify the appropriate local law enforcement agencies.

2. If the sex offender named in the notice is granted probation or otherwise will not be incarcerated or confined or if the sex offender named in the notice has been deemed to be an adult sex offender pursuant to NRS 62.590 and is not otherwise incarcerated or confined:

(a) The Central Repository shall immediately provide notification concerning the sex offender to the appropriate local law enforcement agencies and, if the sex offender resides in a jurisdiction which is outside of this state, to the appropriate law enforcement agency in that jurisdiction; and

(b) If the sex offender is subject to community notification, the Central Repository shall arrange for the assessment of the risk of recidivism of the sex offender pursuant to the guidelines and procedures for community notification established by the Attorney General pursuant to NRS 179D.600 to 179D.800, inclusive.

3. If a sex offender is incarcerated or confined and has previously been convicted of a sexual offense as described in NRS 179D.410, before the sex offender is released:

(a) The Department of Corrections or a local law enforcement agency in whose facility the sex offender is incarcerated or confined shall:

(1) Inform the sex offender of the requirements for registration, including, but not limited to:

(I) The duty to register in this state during any period in which he is a resident of this state or a nonresident who is a student or worker within this state and the time within which he is required to register pursuant to NRS 179D.460;

(II) The duty to register in any other jurisdiction during any period in which he is a resident of the other jurisdiction or a nonresident who is a student or worker within the other jurisdiction;

(III) If he moves from this state to another jurisdiction, the duty to register with the appropriate law enforcement agency in the other jurisdiction; ~~and~~

(IV) The duty to notify the local law enforcement agency for the jurisdiction in which he now resides, in person, and the jurisdiction in which he formerly resided, in person or in writing, if he changes the address at which he resides, including if he moves from this state to another jurisdiction, or changes the primary address at which he is a student or worker; and

*(V) The duty to notify immediately the appropriate local law enforcement agency if the sex offender is, expects to be or becomes enrolled as a student at an institution of higher education or changes the date of commencement or termination of his enrollment at an institution of higher education or if the sex offender is, expects to be or becomes a worker at an institution of higher education or changes the date of commencement or termination of his work at an institution of higher education; and*

(2) Require the sex offender to read and sign a form confirming that the requirements for registration have been explained to him and to forward the form to the Central Repository.

(b) The Central Repository shall:

(1) Update the record of registration for the sex offender;

(2) If the sex offender is subject to community notification, arrange for the assessment of the risk of recidivism of the sex offender pursuant to the guidelines and procedures for community notification established by the Attorney General pursuant to NRS 179D.600 to 179D.800, inclusive; and

(3) Provide notification concerning the sex offender to the appropriate local law enforcement agencies and, if the sex offender will reside upon release in a jurisdiction which is outside of this state, to the appropriate law enforcement agency in that jurisdiction.

4. The failure to provide a sex offender with the information or confirmation form required by paragraph (a) of subsection 3 does not affect the duty of the sex offender to register and to comply with all other provisions for registration.

5. If the Central Repository receives notice from another jurisdiction or the Federal Bureau of Investigation that a sex offender is now residing or is a student or worker within this state, the Central Repository shall:

(a) Immediately provide notification concerning the sex offender to the appropriate local law enforcement agencies;

(b) Establish a record of registration for the sex offender; and

(c) If the sex offender is subject to community notification, arrange for the assessment of the risk of recidivism of the sex offender pursuant to the guidelines and procedures for community notification established by the Attorney General pursuant to NRS 179D.600 to 179D.800, inclusive.

**Sec. 15.** NRS 179D.460 is hereby amended to read as follows:

179D.460 1. In addition to any other registration that is required pursuant to NRS 179D.450, each sex offender who, after July 1, 1956, is or has been convicted of a sexual offense shall register with a local law enforcement agency pursuant to the provisions of this section.

2. Except as otherwise provided in subsection 3, if the sex offender resides or is present for 48 hours or more within:

(a) A county; or

(b) An incorporated city that does not have a city police department,

the sex offender shall be deemed a resident sex offender and shall register with the sheriff's office of the county or, if the county or the city is within the jurisdiction of a metropolitan police department, the metropolitan police department, not later than 48 hours after arriving or establishing a residence within the county or the city.

3. If the sex offender resides or is present for 48 hours or more within an incorporated city that has a city police department, the sex offender shall be deemed a resident sex offender and shall register with the city police department not later than 48 hours after arriving or establishing a residence within the city.

4. If the sex offender is a nonresident sex offender who is a student or worker within this state, the sex offender shall register with the appropriate sheriff's office, metropolitan police department or city police department in whose jurisdiction he is a student or worker not later than 48 hours after becoming a student or worker within this state.

5. *A resident or nonresident sex offender shall immediately notify the appropriate local law enforcement agency if:*

*(a) The sex offender is, expects to be or becomes enrolled as a student at an institution of higher education or changes the date of commencement or termination of his enrollment at an institution of higher education; or*

*(b) The sex offender is, expects to be or becomes a worker at an institution of higher education or changes the date of commencement or termination of his work at an institution of higher education.*

*The sex offender shall provide the name, address and type of each such institution of higher education.*

6. To register with a local law enforcement agency pursuant to this section, the sex offender shall:

(a) Appear personally at the office of the appropriate local law enforcement agency;

(b) Provide all information that is requested by the local law enforcement agency, including, but not limited to, fingerprints and a photograph; and

(c) Sign and date the record of registration or some other proof of registration of the local law enforcement agency in the presence of an officer of the local law enforcement agency.

~~6.7~~ 7. When a sex offender registers, the local law enforcement agency shall:

(a) Inform the sex offender of the duty to notify the local law enforcement agency if the sex offender changes the address at which he resides, including if he moves from this state to another jurisdiction, or changes the primary address at which he is a student or worker; and ~~7.8~~

(b) Inform the sex offender of the duty to register with the local law enforcement agency in whose jurisdiction the sex offender relocates.

~~7.8~~ 8. After the sex offender registers with the local law enforcement agency, the local law enforcement agency shall forward to the Central Repository the information collected, including the fingerprints and a photograph of the sex offender.

~~8.9~~ 9. If the Central Repository has not previously established a record of registration for a sex offender described in subsection ~~7.8~~ 8, the Central Repository shall:

(a) Establish a record of registration for the sex offender;

(b) Provide notification concerning the sex offender to the appropriate local law enforcement agencies; and

(c) If the sex offender is subject to community notification and has not otherwise been assigned a level of notification, arrange for the assessment of the risk of recidivism of the sex offender pursuant to the guidelines and procedures for community notification established by the Attorney General pursuant to NRS 179D.600 to 179D.800, inclusive.

*10. When a sex offender notifies a local law enforcement agency that:*

*(a) The sex offender is, expects to be or becomes enrolled as a student at an institution of higher education or changes the date of commencement or termination of his enrollment at an institution of higher education; or*

*(b) The sex offender is, expects to be or becomes a worker at an institution of higher education or changes the date of*

*commencement or termination of his work at an institution of higher education, and provides the name, address and type of each such institution of higher education, the local law enforcement agency shall immediately provide that information to the Central Repository and to the appropriate campus police department.*

**Sec. 16.** NRS 179D.620 is hereby amended to read as follows:

179D.620 “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, if punished as a felony.
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 to NRS 200.508, if the abuse involved sexual abuse or sexual exploitation and is punished as a felony.
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, if punished as a felony.
11. Open or gross lewdness pursuant to NRS 201.210, if punished as a felony.
12. Indecent or obscene exposure pursuant to NRS 201.220, if punished as a felony.
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, if punished as a felony.



17. An attempt *or conspiracy* to commit an offense listed in subsections 1 to 16, inclusive, if punished as a felony.

18. An offense that is determined to be sexually motivated pursuant to NRS 175.547 or 207.193.

19. 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. An offense of a sexual nature committed in another jurisdiction and punished as a felony, 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.

**Sec. 17.** NRS 179D.710 is hereby amended to read as follows:

179D.710 1. The Attorney General shall consult with the Advisory Council for Community Notification and shall establish guidelines and procedures for community notification pursuant to NRS 179D.600 to 179D.800, inclusive.

2. The guidelines and procedures established by the Attorney General must be designed to promote, to the extent practicable, the uniform application of the provisions of NRS 179D.600 to 179D.800, inclusive.

3. The provisions of NRS 179D.600 to 179D.800, inclusive, must not be construed to prevent ~~Haw~~:

(a) *Law* enforcement officers from providing the public with notification concerning persons who pose a threat to the safety of the public.

(b) *A campus police department from providing the campus community with notification concerning persons who pose a threat to the safety of the campus community.*

**Sec. 18.** NRS 179D.850 is hereby amended to read as follows:

179D.850 1. Information that is disclosed pursuant to the provisions of this chapter must not reveal the name of an individual victim of an offense.

2. A law enforcement agency and its officers and employees , *the Central Repository and its officers and employees, and a*

*campus police department and its officers and employees* are immune from criminal or civil liability for an act or omission relating to information obtained, maintained or disclosed pursuant to the provisions of this chapter, including, but not limited to, an act or omission relating to:

- (a) The accuracy of information in a record of registration; or
- (b) The disclosure of or the failure to disclose information pursuant to the provisions of this chapter.

**Sec. 19.** NRS 213.1245 is hereby amended to read as follows:

213.1245 1. Except as otherwise provided in subsection 3, if the Board releases on parole a prisoner convicted of an offense listed in NRS 179D.620, the Board shall, in addition to any other condition of parole, require as a condition of parole that the parolee:

(a) Reside at a location only if it has been approved by the parole and probation officer assigned to the parolee ~~§~~ *and keep the parole and probation officer informed of his current address;*

(b) Accept a position of employment *or a position as a volunteer* only if it has been approved by the parole and probation officer assigned to the parolee ~~§~~ *and keep the parole and probation officer informed of the location of his position of employment or position as a volunteer;*

(c) Abide by any curfew imposed by the parole and probation officer assigned to the parolee;

(d) Participate in and complete a program of professional counseling approved by the Division;

(e) Submit to periodic tests, as requested by the parole and probation officer assigned to the parolee, to determine whether the parolee is using a controlled substance;

(f) Submit to periodic polygraph examinations, as requested by the parole and probation officer assigned to the parolee;

(g) Abstain from consuming, possessing or having under his control any alcohol;

(h) Not have contact or communicate with a victim of the offense or a witness who testified against the parolee or solicit another person to engage in such contact or communication on behalf of the parolee, unless approved by the parole and probation officer assigned to the parolee, and a written agreement is entered into and signed in the manner set forth in subsection 2;

(i) Not use aliases or fictitious names;

(j) Not obtain a post office box unless the parolee receives permission from the parole and probation officer assigned to the parolee;

(k) Not have contact with a person less than 18 years of age in a secluded environment unless another adult who has never been convicted of an offense listed in NRS 179D.410 is present and

permission has been obtained from the parole and probation officer assigned to the parolee in advance of each such contact;

(l) Unless approved by the parole and probation officer assigned to the parolee and by a psychiatrist, psychologist or counselor treating the parolee, if any, not be in or near:

(1) A playground, park, school or school grounds;

(2) A motion picture theater; or

(3) A business that primarily has children as customers or conducts events that primarily children attend;

(m) Comply with any protocol concerning the use of prescription medication prescribed by a treating physician, including, without limitation, any protocol concerning the use of psychotropic medication;

(n) Not possess any sexually explicit material that is deemed inappropriate by the parole and probation officer assigned to the parolee;

(o) Not patronize a business which offers a sexually related form of entertainment and which is deemed inappropriate by the parole and probation officer assigned to the parolee; ~~and~~

(p) Not possess any electronic device capable of accessing the Internet and not access the Internet through any such device or any other means, unless possession of such a device or such access is approved by the parole and probation officer assigned to the parolee ~~and~~; and

*(q) Inform the parole and probation officer assigned to the parolee if the parolee expects to be or becomes enrolled as a student at an institution of higher education or changes the date of commencement or termination of his enrollment at an institution of higher education. As used in this paragraph, “institution of higher education” has the meaning ascribed to it in section 6 of this act.*

2. A written agreement entered into pursuant to paragraph (h) of subsection 1 must state that the contact or communication is in the best interest of the victim or witness, and specify the type of contact or communication authorized. The written agreement must be signed and agreed to by:

(a) The victim or the witness;

(b) The parolee;

(c) The parole and probation officer assigned to the parolee;

(d) The psychiatrist, psychologist or counselor treating the parolee, victim or witness, if any; and

(e) If the victim or witness is a child under 18 years of age, each parent, guardian or custodian of the child.

3. The Board is not required to impose a condition of parole listed in subsection 1 if the Board finds that extraordinary

circumstances are present and the Board states those extraordinary circumstances in writing.

**Sec. 20.** This act becomes effective upon passage and approval.