
ASSEMBLY BILL NO. 205—ASSEMBLYMAN MANENDO

MARCH 14, 2005

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing compensation for victims of crime. (BDR 16-1114)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to crimes; authorizing a compensation officer to obtain investigative and police reports concerning a minor who committed a crime in certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Fund for the Compensation of Victims of Crime to provide money to certain victims of violent crimes and their dependents in this State. (NRS 217.070, 217.260) To receive compensation from the Fund, a victim must submit an application to a compensation officer appointed by the State Board of Examiners who conducts an investigation, determines eligibility and renders a decision about the payment of compensation to the victim. (NRS 217.090, 217.100, 217.180) During an investigation, a compensation officer may order certain reports including police and investigative reports. (NRS 217.110) Because such reports about juveniles are not open to public inspection, a compensation officer must obtain a court order to obtain police and investigative reports about a juvenile. (NRS 62H.030)

This bill authorizes a compensation officer during an investigation to obtain investigative and police records relating to a juvenile from a court or law enforcement agency without a court order. Any such reports obtained by a compensation officer concerning a juvenile are confidential and must not be disclosed unless ordered by a court.



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

1 **Section 1.** NRS 217.110 is hereby amended to read as follows:

2 217.110 1. Upon receipt of an application for compensation,
3 the compensation officer shall review the application to determine
4 whether the applicant qualifies for compensation. The compensation
5 officer shall deny the claim within 5 days after receipt of the
6 application if the applicant's ineligibility is apparent from the facts
7 stated in the application. The applicant may appeal the denial to a
8 hearing officer within 15 days after the decision. If the hearing
9 officer determines that the applicant may be entitled to
10 compensation, the hearing officer shall order the compensation
11 officer to complete an investigation and render a decision pursuant
12 to subsection 2. If the hearing officer denies the appeal, the
13 applicant may appeal to an appeals officer pursuant to
14 NRS 217.117.

15 2. If the compensation officer does not deny the application
16 pursuant to subsection 1, or if he is ordered to proceed by the
17 hearing officer, he shall conduct an investigation and, except as
18 otherwise provided in subsection ~~{3,}~~ 4, render a decision within 60
19 days after his receipt of the application or order. If in conducting his
20 investigation the compensation officer believes that:

21 (a) Reports on the previous medical history of the victim;

22 (b) An examination of the victim and a report of that
23 examination;

24 (c) A report on the cause of death of the victim by an impartial
25 medical expert; or

26 (d) Investigative or police reports,

27 ↳ would aid him in making his decision, the compensation officer
28 may order the reports.

29 3. *Upon the request of a compensation officer pursuant to*
30 *subsection 2 for investigative or police reports which concern a*
31 *minor who committed a crime against the victim, a juvenile court*
32 *or a law enforcement agency shall provide the compensation*
33 *officer with a copy of the requested investigative or police reports.*
34 *Any reports obtained by a compensation officer pursuant to this*
35 *subsection are confidential and must not be disclosed except upon*
36 *the lawful order of a court of competent jurisdiction.*

37 4. When additional reports are requested pursuant to subsection
38 2, the compensation officer shall render a decision in the case,
39 including an order directing the payment of compensation, if
40 compensation is due, within 15 days after receipt of the reports.



1 **Sec. 2.** NRS 62H.030 is hereby amended to read as follows:

2 62H.030 1. The juvenile court shall make and keep records
3 of all cases brought before the juvenile court.

4 2. Except as otherwise provided in this section ~~§~~ **and NRS**
5 **217.110**, records of any case brought before the juvenile court may
6 be opened to inspection only by court order to persons who have a
7 legitimate interest in the records.

8 3. The following records and information may be opened to
9 inspection without a court order:

10 (a) Records of traffic violations which are being forwarded to
11 the Department of Motor Vehicles;

12 (b) Records which have not been sealed and which are required
13 by the Division of Parole and Probation for preparation of
14 presentence investigations and reports pursuant to NRS 176.135 or
15 general investigations and reports pursuant to NRS 176.151;

16 (c) Records which have not been sealed and which are to be
17 used, pursuant to chapter 179D of NRS, by:

18 (1) The Central Repository;

19 (2) The Division of Parole and Probation; or

20 (3) A person who is conducting an assessment of the risk of
21 recidivism of an adult or juvenile sex offender;

22 (d) Information maintained in the standardized system
23 established pursuant to NRS 62H.200; and

24 (e) Information that must be collected by the Division of Child
25 and Family Services pursuant to NRS 62H.220.

26 4. The clerk of the court shall prepare and cause to be printed
27 forms for social and legal records and other papers as may be
28 required.

29 **Sec. 3.** This act becomes effective upon passage and approval.



