
ASSEMBLY BILL NO. 47—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE INTERIM STUDY COMMITTEE
ON JUVENILE JUSTICE SYSTEM)

FEBRUARY 9, 2005

Referred to Committee on Judiciary

SUMMARY—Requires screening of certain delinquent children for mental health and substance abuse problems. (BDR 5-194)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 1)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 juvenile justice; requiring that certain delinquent children be screened for mental health and substance abuse problems; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law requires the juvenile court to order a delinquent child to undergo
2 an evaluation under certain circumstances. When a delinquent child has committed
3 an unlawful act involving a controlled substance or alcohol, the child must be
4 evaluated to determine whether he is an abuser of alcohol or drugs. The person who
5 conducts the evaluation must report the results of the evaluation and recommend
6 treatment for the child to the juvenile court. (NRS 62E.620)
7 This bill requires the juvenile court to order a delinquent child to undergo
8 screening when the court commits the child to a detention facility or correctional
9 care facility to determine whether the child is in need of mental health services or is
10 an abuser of alcohol or drugs.
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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 62E of NRS is hereby amended by adding thereto a new section to read as follows:

1. If the juvenile court commits a delinquent child to a local facility for the detention of children, regional facility for the detention of children, state facility for the detention of children or any other facility that provides correctional care, the juvenile court shall order the child to undergo screening to determine whether the child is in need of mental health services or is an abuser of alcohol or other drugs. The facility to which such a child has been committed shall cause such screening to be conducted as soon as practicable.

2. The Division of Child and Family Services shall adopt such regulations as are necessary to carry out the provisions of this section, including, without limitation, regulations prescribing:

(a) The forms to be used in the screening conducted pursuant to this section;

(b) The qualifications of a person who conducts the screening;

(c) The requirements for the transmittal of information obtained from the screening; and

(d) The requirements for protecting the confidentiality of information obtained from the screening.

Sec. 2. NRS 62E.500 is hereby amended to read as follows:

62E.500 1. The provisions of NRS 62E.500 to 62E.730, inclusive ~~H~~, *and section 1 of this act:*

(a) Apply to the disposition of a case involving a child who is adjudicated delinquent.

(b) Except as otherwise provided in NRS 62E.700, do not apply to the disposition of a case involving a child who is found to have committed a minor traffic offense.

2. If a child is adjudicated delinquent:

(a) The juvenile court may issue any orders or take any actions set forth in NRS 62E.500 to 62E.730, inclusive, *and section 1 of this act* that the juvenile court deems proper for the disposition of the case; and

(b) If required by a specific statute, the juvenile court shall issue the appropriate orders or take the appropriate actions set forth in the statute.

Sec. 3. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 4. 1. This section becomes effective upon passage and approval.



- 1 2. Section 1 of this act becomes effective upon passage and
2 approval for the purpose of adopting regulations and on October 1,
3 2005, for all other purposes.
- 4 3. Sections 2 and 3 of this act become effective on October 1,
5 2005.



