

Amendment No. 68

Senate Amendment to Senate Bill No. 137

(BDR 14-757)

Proposed by: Senator Amodei**Amendment Box:****Resolves Conflicts with:** N/A**Amends:** Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend the bill as a whole by renumbering sections 2 through 4 as sections 3 through 5 and adding a new section designated sec. 2, following section 1, to read as follows:

“**Sec. 2.** NRS 176A.210 is hereby amended to read as follows:

176A.210 ~~[Before a person may be]~~ *Upon entry of an order of probation by the court, a person:*

1. Shall be deemed accepted for probation ~~[, he must]~~ *for all purposes; and*

2. Shall submit to the Division for filing with the clerk of the court of competent jurisdiction a signed document stating that:

~~[1.]~~ *(a)* He will comply with the conditions which have been imposed by the court and are stated in the document; and

~~[2.]~~ *(b)* If he fails to comply with the conditions imposed by the court and is taken into custody outside of this State, he waives all his rights relating to extradition proceedings.”.

SKO/KEL

Date: 4/12/2005

S.B. No. 137—Revises provisions governing parole and probation officers.

Amend the title of the bill, seventh line, after “Division;” by inserting:

“providing that upon entry of an order of probation a person is deemed accepted for probation and must submit a signed document concerning the conditions of his probation to the Division;”.

Amend the summary of the bill to read as follows:

“SUMMARY—Makes various changes to provisions relating to Division of Parole and Probation of Department of Public Safety. (BDR 14-757)”.

**If this amendment is adopted, the Legislative
Counsel's Digest will be changed to read as follows:**

Legislative Counsel's Digest:

Existing law requires a parole and probation officer to conduct an investigation of a defendant being considered for probation before the defendant is placed on probation. (NRS 176A.200) Under certain circumstances, a person placed on probation may be granted an honorable discharge from probation by order of the court. One such circumstance is when the person placed on probation has demonstrated his fitness for honorable discharge but because of economic hardship, which must be verified by a parole and probation officer, has been unable to make restitution as ordered by the court. (NRS 176A.850)

This bill expands the list of persons who may conduct such investigations and who may verify information relating to the economic hardship of a person placed on probation to include all employees of the Division of Parole and Probation of the Department of Public Safety, not just parole and probation officers.

Existing law requires a person to submit a signed document concerning the conditions of his probation to the Division of Parole and Probation before the person may be accepted for probation. (NRS 176A.210)

This bill provides that upon entry of an order by the court, a person is deemed accepted for probation and must submit a signed document concerning the conditions of his probation to the Division of Parole and Probation.

Existing law provides that all information obtained in the discharge of official duty by a parole and probation officer is privileged and may not be disclosed to anyone other than certain persons entitled to receive such information unless otherwise ordered by the State Board of Parole Commissioners or a judge or unless it is necessary to perform the duties of the Division of Parole and Probation. (NRS 213.1075)

This bill provides that all information obtained in the discharge of official duty by an employee of the Division of Parole and Probation is privileged, not just the information obtained by parole and probation officers.