

Amendment No. 692

Senate Amendment to Senate Bill No. 341 First Reprint

(BDR 14-678)

Proposed by: Committee on Finance**Amendment Box:****Resolves Conflicts with:** N/A**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: No

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"/>	_____
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Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend the bill as a whole by adding a new section designated sec. 34.5, following sec. 34, to read as follows:

“**Sec. 34.5.** NRS 213.1214 is hereby amended to read as follows:

213.1214 1. The Board shall not release on parole a prisoner convicted of an offense listed in subsection 5 unless a panel consisting of:

(a) The Administrator of the Division of Mental Health and Developmental Services of the Department of Human Resources or his designee;

(b) The Director of the Department of Corrections or his designee; and

(c) A psychologist licensed to practice in this State or a psychiatrist licensed to practice medicine in this State,

BAW

Date: 5/5/2005

S.B. No. 341—Makes various changes concerning sex offenders and offenders convicted of crimes against children.



↪ certifies that the prisoner was under observation while confined in an institution of the Department of Corrections and does not represent a high risk to reoffend based upon a currently accepted standard of assessment.

2. A prisoner who has been certified pursuant to subsection 1 and who returns for any reason to the custody of the Department of Corrections may not be paroled unless a panel recertifies him in the manner set forth in subsection 1.

3. The panel may revoke the certification of a prisoner certified pursuant to subsection 1 at any time.

4. This section does not create a right in any prisoner to be certified or to continue to be certified. No prisoner may bring a cause of action against the State, its political subdivisions, or the agencies, boards, commissions, departments, officers or employees of the State or its political subdivisions for not certifying a prisoner pursuant to this section or for refusing to place a prisoner before a panel for certification pursuant to this section.

5. The provisions of this section apply to a prisoner convicted of any of the following offenses:

- (a) Sexual assault pursuant to NRS 200.366.
- (b) Statutory sexual seduction pursuant to NRS 200.368.
- (c) Battery with intent to commit sexual assault pursuant to NRS 200.400.
- (d) Abuse or neglect of a child pursuant to NRS 200.508.
- (e) An offense involving pornography and a minor pursuant to NRS 200.710 to 200.730, inclusive.
- (f) Incest pursuant to NRS 201.180.

- (g) Solicitation of a minor to engage in acts constituting the infamous crime against nature pursuant to NRS 201.195.
- (h) Open or gross lewdness pursuant to NRS 201.210.
- (i) Indecent or obscene exposure pursuant to NRS 201.220.
- (j) Lewdness with a child pursuant to NRS 201.230.
- (k) Sexual penetration of a dead human body pursuant to NRS 201.450.
- (l) Luring a child or mentally ill person pursuant to NRS 201.560, if punished as a felony.
- (m) An attempt to commit an offense listed in paragraphs (a) to (l), inclusive.
- (n) *An offense that is determined to be sexually motivated pursuant to NRS 175.547.*
- (o) Coercion or attempted coercion that is determined to be sexually motivated pursuant to NRS 207.193.”.

Amend the bill as a whole by adding a new section designated sec. 44.5, following sec. 44, to read as follows:

“**Sec. 44.5.** The amendatory provisions of section 34.5 of this act apply to any person who is subject to the provisions of NRS 213.1214 on or after July 1, 2005, whether or not the person was convicted before, on or after July 1, 2005.”.

Amend sec. 45, page 38, lines 22 and 23, by deleting:

“4 and 27 to 36, inclusive,” and inserting:

“4, 27 to 36, inclusive, and 44.5”.