

## Amendment No. 814

Assembly Amendment to Senate Bill No. 450 First Reprint

(BDR 15-1407)

**Proposed by:** Committee on Judiciary**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"/>	_____
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 1 through 8 as sections 2 through 9 and adding a new section designated section 1, following the enacting clause, to read as follows:

**“Section 1.** NRS 193.166 is hereby amended to read as follows:

193.166 1. Except as otherwise provided in NRS 193.169, a person who commits a crime that is punishable as a felony, other than a crime that is punishable as a felony pursuant to subsection 5 of NRS 200.591, in violation of:

- (a) A temporary or extended order for protection against domestic violence issued pursuant to NRS 33.020;
- (b) An order for protection against harassment in the workplace issued pursuant to NRS 33.270;
- (c) *A temporary or extended order for the protection of a child issued pursuant to NRS 33.400;*

MSN/RBL

Date: 5/23/2005

S.B. No. 450—Makes various changes to provisions governing temporary and extended orders for protection against stalking, aggravated stalking, harassment and domestic violence and for protection of children.



(d) An order for protection against domestic violence issued in an action or proceeding brought pursuant to title 11 of NRS; or

~~{(d)}~~ (e) A temporary or extended order issued pursuant to NRS 200.591,

↪ shall be punished by imprisonment in the state prison, except as otherwise provided in this subsection, for a term equal to and in addition to the term of imprisonment prescribed by statute for that crime. If the crime committed by the person is punishable as a category A felony or category B felony, in addition to the term of imprisonment prescribed by statute for that crime, the person shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 5 years. The sentence prescribed by this section runs concurrently or consecutively with the sentence prescribed by statute for the crime, as ordered by the court.

2. The court shall not grant probation to or suspend the sentence of any person convicted of attempted murder, battery which involves the use of a deadly weapon, or battery which results in substantial bodily harm if an additional term of imprisonment may be imposed for that primary offense pursuant to this section.

3. This section does not create a separate offense but provides an additional penalty for the primary offense, whose imposition is contingent upon the finding of the prescribed fact.”.

Amend sec. 3, page 3, line 24, by deleting “1.”.

Amend sec. 3, pages 3 and 4, by deleting lines 28 through 43 on page 3 and lines 1 through 3 on page 4.

Amend sec. 5, page 6, line 2, by deleting “1.” and inserting “~~{1-}~~”.

Amend sec. 5, page 6, by deleting lines 5 through 26 and inserting:

~~“by law for the act that constitutes the violation of the order. [If the violation is accompanied by a violent physical act by that person against a person protected by the order, the court shall:~~

~~—(a) Impose upon the person who violated the order a fine of \$1,000 or require him to perform a minimum of 200 hours of community service;~~

~~—(b) Sentence the person who violated the order to imprisonment for not fewer than 5 days nor more than 6 months;~~

~~—(c) Order the person who violated the order to reimburse the employer, in an amount determined by the court, for all costs and attorney’s fees incurred by the employer in seeking to enforce the order, and for all medical expenses of the employer and any person protected by the order that were incurred as a result of the violent physical act; and~~

~~—(d) Order the person who violated the order to participate in an complete a program of professional counseling, at his own expense, if such counseling is available.~~

~~—2. The person who violates a temporary or extended order for protection against harassment in the workplace shall comply with the order for reimbursement of the employer or any other person protected by the order before paying a fine imposed pursuant to this section.].”~~