

SENATE BILL NO. 331—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE ATTORNEY GENERAL)

MARCH 24, 2005

Referred to Committee on Judiciary

SUMMARY—Makes various changes concerning Advisory Commission on Sentencing. (BDR 14-111)

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

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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 the system of criminal justice; making various changes concerning the composition of and the administration of the Advisory Commission on Sentencing; and providing other matters properly relating thereto.

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

1 **Section 1.** NRS 176.0123 is hereby amended to read as
2 follows:

3 176.0123 1. The Advisory Commission on Sentencing is
4 hereby created. The Commission consists of:

5 (a) One member who is a district judge, appointed by the
6 governing body of the Nevada District Judges Association;

7 (b) One member who is a district attorney, appointed by the
8 governing body of the Nevada District Attorneys Association;

9 (c) One member who is an attorney in private practice,
10 experienced in defending criminal actions, appointed by the
11 governing body of the State Bar of Nevada;

12 (d) *One member who is a public defender, appointed by the*
13 *governing body of the State Bar of Nevada;*

14 (e) One member who is a representative of a law enforcement
15 agency, appointed by the Governor;



~~(f)~~ (f) One member who is a representative of the Division of Parole and Probation of the Department of Public Safety, appointed by the Governor;

~~(g)~~ (g) One member who has been a victim of a crime or is a representative of an organization supporting the rights of victims of crime, appointed by the Governor;

~~(h)~~ (h) One member who is a county commissioner, appointed by the governing body of the Nevada Association of Counties;

~~(i)~~ (i) *The Director of the Department of Corrections;*

(j) Two members who are Senators, one of whom is appointed by the Majority Leader of the Senate and one of whom is appointed by the Minority Leader of the Senate; and

~~(k)~~ (k) Two members who are Assemblymen, one of whom is appointed by the Speaker of the Assembly and one of whom is appointed by the Minority Leader of the Assembly.

➤ If any association listed in this subsection ceases to exist, the appointment required by this subsection must be made by the association's successor in interest or, if there is no successor in interest, by the Governor.

2. The ~~{Governor shall designate one member of the Commission to}~~ *Attorney General is an ex officio voting member of the Commission and shall* serve as *the* Chairman ~~{}~~ *of the Commission.*

3. Each *appointed* member serves a term of 2 years. Members may be reappointed for additional terms of 2 years in the same manner as the original appointments. Any vacancy occurring in the membership of the Commission must be filled in the same manner as the original appointment.

4. The Legislators who are members of the Commission are entitled to receive the salary provided for a majority of the members of the Legislature during the first 60 days of the preceding session for each day's attendance at a meeting of the Commission.

5. While engaged in the business of the Commission, *to the extent of legislative appropriation*, each member ~~{and employee}~~ of the Commission is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

6. *To the extent of legislative appropriation, the Attorney General shall provide the Commission with such staff as is necessary to carry out the duties of the Commission.*

