

SENATE BILL NO. 341—SENATORS TITUS, RAGGIO,  
NOLAN, WIENER AND MATHEWS

MARCH 24, 2005

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JOINT SPONSORS: ASSEMBLYMEN GANSERT AND PARKS

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Referred to Committee on Judiciary

**SUMMARY**—Makes various changes concerning sex offenders and offenders convicted of crimes against children. (BDR 14-678)

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

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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AN ACT relating to offenders; requiring sex offenders and offenders convicted of a crime against a child to register with each local jurisdiction in which they reside if they reside at multiple residences; revising the provisions pertaining to lifetime supervision of sex offenders; providing that the court must require a sex offender to consent to warrantless searches as a condition of probation or suspension of sentence under certain circumstances; allowing an employer to obtain certain information concerning sex offenders and offenders convicted of a crime against a child from the Central Repository for Nevada Records of Criminal History; requiring the Central Repository to provide certain information to nonprofit organizations without charge; establishing the Attorney General's Offender Information Website to provide certain information to the public concerning sex offenders and offenders convicted of a crime against a child; clarifying the standard for determining whether a juvenile sex offender will be subject to registration and community notification as an adult sex offender; revising and increasing the penalties



for certain sexual offenses; excluding sex offenders and offenders convicted of a crime against a child from participation in a program of sentencing diversion for alcoholics and drug addicts; providing that sex offenders and offenders convicted of a crime against a child may not renew their registration as gaming employees or their drivers' licenses, commercial drivers' licenses or identification cards if they are not in compliance with the requirements concerning offender registration; providing that sex offenders and offenders convicted of a crime against a child must renew their registration as gaming employees and their drivers' licenses, commercial drivers' licenses or identification cards annually; making various other changes pertaining to sex offenders and offenders convicted of a crime against a child; providing penalties; 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 176.0926 is hereby amended to read as  
2 follows:

3     176.0926 1. If a defendant is convicted of a crime against a  
4 child, the court shall, before imposing sentence:

5     (a) Notify the Central Repository of the conviction of the  
6 defendant, so the Central Repository may carry out the provisions  
7 for registration of the defendant pursuant to NRS 179D.230.

8     (b) Inform the defendant of the requirements for registration,  
9 including, but not limited to:

10     (1) The duty to register *in each local jurisdiction* in this  
11 State during any period in which he is a resident of ~~[this State]~~ *that*  
12 *local jurisdiction* or a nonresident who is a student or worker within  
13 ~~[this State]~~ *that local jurisdiction* and the time within which he is  
14 required to register pursuant to NRS 179D.240;

15     (2) The duty to register in any other jurisdiction during any  
16 period in which he is a resident of the other jurisdiction or a  
17 nonresident who is a student or worker within the other jurisdiction;

18     (3) If he moves from this State to another jurisdiction, the  
19 duty to register with the appropriate law enforcement agency in the  
20 other jurisdiction;

21     (4) The duty to notify ~~[the]~~ *each* local law enforcement  
22 agency in whose jurisdiction he formerly resided, in person or in  
23 writing, if he changes ~~[the]~~ *any* address *within that local*  
24 *jurisdiction* at which he resides, including if he moves from this



1 State to another jurisdiction, or changes the primary address at  
2 which he is a student or worker; ~~and~~

3 (5) *The duty to notify each appropriate local law*  
4 *enforcement agency, in person or in writing, if he establishes or*  
5 *eliminates an additional residence in a local jurisdiction in this*  
6 *State or in another jurisdiction; and*

7 (6) The duty to notify immediately the appropriate local law  
8 enforcement agency if the defendant is, expects to be or becomes  
9 enrolled as a student at an institution of higher education or changes  
10 the date of commencement or termination of his enrollment at an  
11 institution of higher education or if the defendant is, expects to be or  
12 becomes a worker at an institution of higher education or changes  
13 the date of commencement or termination of his work at an  
14 institution of higher education.

15 (c) Require the defendant to read and sign a form confirming  
16 that the requirements for registration have been explained to him.

17 2. The failure to provide the defendant with the information or  
18 confirmation form required by paragraphs (b) and (c) of subsection  
19 1 does not affect the duty of the defendant to register and to comply  
20 with all other provisions for registration pursuant to NRS 179D.200  
21 to 179D.290, inclusive.

22 **Sec. 2.** NRS 176.0927 is hereby amended to read as follows:

23 176.0927 1. If a defendant is convicted of a sexual offense,  
24 the court shall, before imposing sentence:

25 (a) Notify the Central Repository of the conviction of the  
26 defendant, so the Central Repository may carry out the provisions  
27 for registration of the defendant pursuant to NRS 179D.450.

28 (b) Inform the defendant of the requirements for registration,  
29 including, but not limited to:

30 (1) The duty to register *in each local jurisdiction* in this  
31 State during any period in which he is a resident of ~~[this State]~~ *that*  
32 *local jurisdiction* or a nonresident who is a student or worker within  
33 ~~[this State]~~ *that local jurisdiction* and the time within which he is  
34 required to register pursuant to NRS 179D.460;

35 (2) The duty to register in any other jurisdiction during any  
36 period in which he is a resident of the other jurisdiction or a  
37 nonresident who is a student or worker within the other jurisdiction;

38 (3) If he moves from this State to another jurisdiction, the  
39 duty to register with the appropriate law enforcement agency in the  
40 other jurisdiction;

41 (4) The duty to notify ~~[the]~~ *each* local law enforcement  
42 agency in whose jurisdiction he formerly resided, in person or in  
43 writing, if he changes ~~[the]~~ *any* address *within that local*  
44 *jurisdiction* at which he resides, including if he moves from this



1 State to another jurisdiction, or changes the primary address at  
2 which he is a student or worker; ~~and~~

3 (5) *The duty to notify each appropriate local law*  
4 *enforcement agency, in person or in writing, if he establishes or*  
5 *eliminates an additional residence in a local jurisdiction in this*  
6 *State or in another jurisdiction; and*

7 (6) The duty to notify immediately the appropriate local law  
8 enforcement agency if the defendant is, expects to be or becomes  
9 enrolled as a student at an institution of higher education or changes  
10 the date of commencement or termination of his enrollment at an  
11 institution of higher education or if the defendant is, expects to be or  
12 becomes a worker at an institution of higher education or changes  
13 the date of commencement or termination of his work at an  
14 institution of higher education.

15 (c) Require the defendant to read and sign a form stating that the  
16 requirements for registration have been explained to him.

17 2. The failure to provide the defendant with the information or  
18 confirmation form required by paragraphs (b) and (c) of subsection  
19 1 does not affect the duty of the defendant to register and to comply  
20 with all other provisions for registration pursuant to NRS 179D.350  
21 to 179D.550, inclusive.

22 **Sec. 3.** NRS 176.0931 is hereby amended to read as follows:

23 176.0931 1. If a defendant is convicted of a sexual offense,  
24 the court shall include in sentencing, in addition to any other  
25 penalties provided by law, a special sentence of lifetime supervision.

26 2. The special sentence of lifetime supervision commences  
27 after any period of probation or any term of imprisonment and any  
28 period of release on parole.

29 3. A person sentenced to lifetime supervision may petition the  
30 ~~[district court in whose jurisdiction he resides]~~ *sentencing court or*  
31 *the State Board of Parole Commissioners* for release from lifetime  
32 supervision. The *sentencing court or the Board* shall grant a  
33 petition for release from a special sentence of lifetime supervision  
34 if:

35 (a) The person has not been convicted of an offense that poses a  
36 threat to the safety or well-being of others for an interval of at least  
37 ~~[5]~~ *10* consecutive years after his last conviction or release from  
38 incarceration, whichever occurs later; and

39 (b) The person is not likely to pose a threat to the safety of  
40 others , *as determined by a person professionally qualified to*  
41 *conduct psychosexual evaluations*, if released from lifetime  
42 supervision.

43 4. A person who is released from lifetime supervision pursuant  
44 to the provisions of subsection 3 remains subject to the provisions  
45 for registration as a sex offender and to the provisions for



1 community notification, unless he is otherwise relieved from the  
2 operation of those provisions pursuant to the provisions of NRS  
3 179D.350 to 179D.800, inclusive.

4 5. As used in this section:

5 (a) "Offense that poses a threat to the safety or well-being of  
6 others" has the meaning ascribed to it in NRS 179D.060.

7 (b) *"Person professionally qualified to conduct psychosexual  
8 evaluations" has the meaning ascribed to it in NRS 176.133.*

9 (c) "Sexual offense" means:

10 (1) A violation of NRS 200.366, subsection 4 of NRS  
11 200.400, NRS 200.710, 200.720, subsection 2 of NRS 200.730,  
12 NRS 201.180, paragraph (a) or subparagraph (2) of paragraph (b) of  
13 subsection 1 of NRS 201.195, NRS 201.230 or 201.450 or  
14 paragraph (a) or (b) of subsection 4 or paragraph (a) or (b) of  
15 subsection 5 of NRS 201.560;

16 (2) An attempt to commit an offense listed in subparagraph  
17 (1); or

18 (3) An act of murder in the first or second degree,  
19 kidnapping in the first or second degree, false imprisonment,  
20 burglary or invasion of the home if the act is determined to be  
21 sexually motivated at a hearing conducted pursuant to NRS 175.547.

22 **Sec. 4.** NRS 176A.410 is hereby amended to read as follows:

23 176A.410 1. Except as otherwise provided in subsection 3, if  
24 a defendant is convicted of a sexual offense and the court grants  
25 probation or suspends the sentence, the court shall, in addition to  
26 any other condition ordered pursuant to NRS 176A.400, order as a  
27 condition of probation or suspension of sentence that the defendant:

28 (a) *Submit to a search and seizure of his person, residence or  
29 vehicle or any property under his control, at any time of the day  
30 or night, without a warrant, by any parole and probation officer or  
31 any peace officer, for the purpose of determining whether the  
32 defendant has violated any condition of probation or suspension  
33 of sentence or committed any crime;*

34 (b) Reside at a location only if it has been approved by the  
35 parole and probation officer assigned to the defendant and keep the  
36 parole and probation officer informed of his current address;

37 ~~((b))~~ (c) Accept a position of employment or a position as a  
38 volunteer only if it has been approved by the parole and probation  
39 officer assigned to the defendant and keep the parole and probation  
40 officer informed of the location of his position of employment or  
41 position as a volunteer;

42 ~~((c))~~ (d) Abide by any curfew imposed by the parole and  
43 probation officer assigned to the defendant;

44 ~~((d))~~ (e) Participate in and complete a program of professional  
45 counseling approved by the Division;



~~[(e)]~~ (f) Submit to periodic tests, as requested by the parole and probation officer assigned to the defendant, to determine whether the defendant is using a controlled substance;

~~[(f)]~~ (g) Submit to periodic polygraph examinations, as requested by the parole and probation officer assigned to the defendant;

~~[(g)]~~ (h) Abstain from consuming, possessing or having under his control any alcohol;

~~[(h)]~~ (i) Not have contact or communicate with a victim of the sexual offense or a witness who testified against the defendant or solicit another person to engage in such contact or communication on behalf of the defendant, unless approved by the parole and probation officer assigned to the defendant, and a written agreement is entered into and signed in the manner set forth in subsection 2;

~~[(i)]~~ (j) Not use aliases or fictitious names;

~~[(j)]~~ (k) Not obtain a post office box unless the defendant receives permission from the parole and probation officer assigned to the defendant;

~~[(k)]~~ (l) Not have contact with a person less than 18 years of age in a secluded environment unless another adult who has never been convicted of a sexual offense is present and permission has been obtained from the parole and probation officer assigned to the defendant in advance of each such contact;

~~[(l)]~~ (m) Unless approved by the parole and probation officer assigned to the defendant and by a psychiatrist, psychologist or counselor treating the defendant, if any, not be in or near:

(1) A playground, park, school or school grounds;

(2) A motion picture theater; or

(3) A business that primarily has children as customers or conducts events that primarily children attend;

~~[(m)]~~ (n) Comply with any protocol concerning the use of prescription medication prescribed by a treating physician, including, without limitation, any protocol concerning the use of psychotropic medication;

~~[(n)]~~ (o) Not possess any sexually explicit material that is deemed inappropriate by the parole and probation officer assigned to the defendant;

~~[(o)]~~ (p) Not patronize a business which offers a sexually related form of entertainment and which is deemed inappropriate by the parole and probation officer assigned to the defendant;

~~[(p)]~~ (q) Not possess any electronic device capable of accessing the Internet and not access the Internet through any such device or any other means, unless possession of such a device or such access is approved by the parole and probation officer assigned to the defendant; and



1 ~~[(q)]~~ (r) Inform the parole and probation officer assigned to the  
2 defendant if the defendant expects to be or becomes enrolled as a  
3 student at an institution of higher education or changes the date of  
4 commencement or termination of his enrollment at an institution of  
5 higher education. As used in this paragraph, "institution of higher  
6 education" has the meaning ascribed to it in NRS 179D.045.

7 2. A written agreement entered into pursuant to paragraph ~~[(4)]~~  
8 (i) of subsection 1 must state that the contact or communication is in  
9 the best interest of the victim or witness, and specify the type of  
10 contact or communication authorized. The written agreement must  
11 be signed and agreed to by:

- 12 (a) The victim or the witness;
- 13 (b) The defendant;
- 14 (c) The parole and probation officer assigned to the defendant;
- 15 (d) The psychiatrist, psychologist or counselor treating the  
16 defendant, victim or witness, if any; and
- 17 (e) If the victim or witness is a child under 18 years of age, each  
18 parent, guardian or custodian of the child.

19 3. The court is not required to impose a condition of probation  
20 or suspension of sentence listed in subsection 1 if the court finds  
21 that extraordinary circumstances are present and the court enters  
22 those extraordinary circumstances in the record.

23 4. As used in this section, "sexual offense" has the meaning  
24 ascribed to it in NRS 179D.410.

25 **Sec. 5.** Chapter 179A of NRS is hereby amended by adding  
26 thereto the provisions set forth as sections 6, 7 and 8 of this act.

27 **Sec. 6.** *"Offender convicted of a crime against a child" has*  
28 *the meaning ascribed to it in NRS 179D.216.*

29 **Sec. 7.** *"Record of registration" has the meaning ascribed to*  
30 *it in NRS 179D.150.*

31 **Sec. 8.** *"Sex offender" has the meaning ascribed to it in*  
32 *NRS 179D.400.*

33 **Sec. 9.** NRS 179A.010 is hereby amended to read as follows:

34 179A.010 As used in this chapter, unless the context otherwise  
35 requires, the words and terms defined in NRS 179A.020 to  
36 179A.073, inclusive, *and sections 6, 7 and 8 of this act* have the  
37 meanings ascribed to them in those sections.

38 **Sec. 10.** NRS 179A.100 is hereby amended to read as follows:

39 179A.100 1. The following records of criminal history may  
40 be disseminated by an agency of criminal justice without any  
41 restriction pursuant to this chapter:

- 42 (a) Any which reflect records of conviction only; and
- 43 (b) Any which pertain to an incident for which a person is  
44 currently within the system of criminal justice, including parole or  
45 probation.



2. Without any restriction pursuant to this chapter, a record of criminal history or the absence of such a record may be:

(a) Disclosed among agencies which maintain a system for the mutual exchange of criminal records.

(b) Furnished by one agency to another to administer the system of criminal justice, including the furnishing of information by a police department to a district attorney.

(c) Reported to the Central Repository.

3. An agency of criminal justice shall disseminate to a prospective employer, upon request, records of criminal history concerning a prospective employee or volunteer which:

(a) Reflect convictions only; or

(b) Pertain to an incident for which the prospective employee or volunteer is currently within the system of criminal justice, including parole or probation.

4. In addition to any other information to which an employer is entitled or authorized to receive, the Central Repository shall disseminate to a prospective or current employer the *information contained in a record of registration concerning an employee, prospective employee, volunteer or prospective volunteer who is a sex offender or an offender convicted of a crime against a child, regardless of whether the employee, prospective employee, volunteer or prospective volunteer gives his written consent to the release of that information. The Central Repository shall disseminate such information in a manner that does not reveal the name of an individual victim of an offense. A request for information pursuant to this subsection must conform to the requirements of the Central Repository and must include:*

*(a) The name and address of the employer, and the name and signature of the person requesting the notice on behalf of the employer;*

*(b) The name and address of the employer's facility in which the employee, prospective employee, volunteer or prospective volunteer is employed or volunteers or is seeking to become employed or volunteer; and*

*(c) The name and other identifying information of the employee, prospective employee, volunteer or prospective volunteer.*

5. *In addition to any other information to which an employer is entitled or authorized to receive, the Central Repository shall disseminate to a prospective or current employer the information described in subsection 4 of NRS 179A.190 concerning an employee, prospective employee, volunteer or prospective volunteer who gives his written consent to the release of that information if the employer submits a request in the manner set forth in NRS*





1 179A.200 for obtaining a notice of information. The Central  
2 Repository shall search for and disseminate such information in the  
3 manner set forth in NRS 179A.210 for the dissemination of a notice  
4 of information.

5 ~~6. Except as otherwise provided in [this subsection,]~~  
6 *subsection 5*, the provisions of NRS 179A.180 to 179A.240,  
7 inclusive, do not apply to an employer who requests information and  
8 to whom information is disseminated pursuant to ~~[this subsection.~~  
9 ~~—5.] subsections 4 and 5.~~

10 *7.* Records of criminal history must be disseminated by an  
11 agency of criminal justice upon request, to the following persons or  
12 governmental entities:

13 (a) The person who is the subject of the record of criminal  
14 history for the purposes of NRS 179A.150.

15 (b) The person who is the subject of the record of criminal  
16 history or his attorney of record when the subject is a party in a  
17 judicial, administrative, licensing, disciplinary or other proceeding  
18 to which the information is relevant.

19 (c) The State Gaming Control Board.

20 (d) The State Board of Nursing.

21 (e) The Private Investigator's Licensing Board to investigate an  
22 applicant for a license.

23 (f) A public administrator to carry out his duties as prescribed in  
24 chapter 253 of NRS.

25 (g) A public guardian to investigate a ward or proposed ward or  
26 persons who may have knowledge of assets belonging to a ward or  
27 proposed ward.

28 (h) Any agency of criminal justice of the United States or of  
29 another state or the District of Columbia.

30 (i) Any public utility subject to the jurisdiction of the Public  
31 Utilities Commission of Nevada when the information is necessary  
32 to conduct a security investigation of an employee or prospective  
33 employee, or to protect the public health, safety or welfare.

34 (j) Persons and agencies authorized by statute, ordinance,  
35 executive order, court rule, court decision or court order as  
36 construed by appropriate state or local officers or agencies.

37 (k) Any person or governmental entity which has entered into a  
38 contract to provide services to an agency of criminal justice relating  
39 to the administration of criminal justice, if authorized by the  
40 contract, and if the contract also specifies that the information will  
41 be used only for stated purposes and that it will be otherwise  
42 confidential in accordance with state and federal law and regulation.

43 (l) Any reporter for the electronic or printed media in his  
44 professional capacity for communication to the public.



(m) Prospective employers if the person who is the subject of the information has given written consent to the release of that information by the agency which maintains it.

(n) For the express purpose of research, evaluative or statistical programs pursuant to an agreement with an agency of criminal justice.

(o) An agency which provides child welfare services, as defined in NRS 432B.030.

(p) The Welfare Division of the Department of Human Resources or its designated representative.

(q) An agency of this or any other state or the Federal Government that is conducting activities pursuant to Part D of Subchapter IV of Chapter 7 of Title 42 of the Social Security Act, 42 U.S.C. §§ 651 et seq.

(r) The State Disaster Identification Team of the Division of Emergency Management of the Department.

(s) The Commissioner of Insurance.

~~[6-]~~ 8. Agencies of criminal justice in this State which receive information from sources outside this State concerning transactions involving criminal justice which occur outside Nevada shall treat the information as confidentially as is required by the provisions of this chapter.

**Sec. 11.** NRS 179A.105 is hereby amended to read as follows:  
179A.105 An employer who fails to request :

1. *The information contained in a record of registration concerning a volunteer or prospective volunteer who is a sex offender or an offender convicted of a crime against a child, as authorized pursuant to subsection 4 of NRS 179A.100; or*

2. *The information described in subsection 4 of NRS 179A.190 concerning ~~[the criminal history of]~~ a volunteer or prospective volunteer , as authorized pursuant to subsection ~~[4]~~ 5 of NRS 179A.100 ,*

↪ is not liable to a child served by the employer for civil damages suffered by the child as a result of an offense listed in subsection 4 of NRS 179A.190 committed against the child by such a volunteer or prospective volunteer.

**Sec. 12.** NRS 179A.140 is hereby amended to read as follows:

179A.140 1. Except as otherwise provided in this ~~[subsection.]~~ *section*, an agency of criminal justice may charge a reasonable fee for information relating to records of criminal history provided to any person or governmental entity.

2. An agency of criminal justice shall not charge a fee for providing such information to another agency of criminal justice if the information is provided for purposes of the administration of criminal justice, or for providing such information to the State



1 Disaster Identification Team of the Division of Emergency  
2 Management of the Department.

3 3. The Central Repository shall not charge such a fee ~~for~~ :

4 (a) *For* information relating to a person regarding whom the  
5 Central Repository provided a similar report within the immediately  
6 preceding 6 months in conjunction with the application by that  
7 person for professional licensure ~~f~~.

8 ~~—2.1~~; or

9 (b) *For information contained in a record of registration*  
10 *concerning an employee, prospective employee, volunteer or*  
11 *prospective volunteer who is a sex offender or an offender*  
12 *convicted of a crime against a child or records of criminal history*  
13 *requested by and provided to a nonprofit organization that is*  
14 *recognized as exempt from taxation pursuant to 26 U.S.C. §*  
15 *501(c)(3).*

16 4. *The Director may request an allocation from the*  
17 *Contingency Fund pursuant to NRS 353.266, 353.268 and 353.269*  
18 *to cover the costs incurred by the Department to carry out the*  
19 *provisions of paragraph (b) of subsection 3.*

20 5. All money received or collected by the Department pursuant  
21 to this section must be used to defray the cost of operating the  
22 Central Repository.

23 Sec. 13. Chapter 179B of NRS is hereby amended by adding  
24 thereto the provisions set forth as sections 14 to 21, inclusive, of this  
25 act.

26 Sec. 14. *“Attorney General’s Offender Information Website”*  
27 *means the website on the Internet established and maintained by*  
28 *the Attorney General pursuant to section 15 of this act.*

29 Sec. 15. 1. *The Attorney General shall establish and*  
30 *maintain a website on the Internet, to be known as the Attorney*  
31 *General’s Offender Information Website, to make available to the*  
32 *public certain information contained in the statewide registry in*  
33 *accordance with the provisions of sections 15 to 21, inclusive, of*  
34 *this act.*

35 2. *The Attorney General’s Offender Information Website*  
36 *must provide to the public the following information concerning*  
37 *an offender:*

38 (a) *The name of the offender and all aliases that the offender*  
39 *has used or under which the offender has been known.*

40 (b) *A complete physical description of the offender.*

41 (c) *A current photograph of the offender.*

42 (d) *The date of birth of the offender.*

43 (e) *The complete address of any residence at which the*  
44 *offender resides.*



(f) *The number of the street block, but not the specific street number, of any location where the offender is currently:*

(1) *A student, as defined in NRS 179D.110; or*

(2) *A worker, as defined in NRS 179D.120.*

(g) *The following information for each offense for which the offender has been convicted:*

(1) *The offense that was committed, including a citation to the specific statute that the offender violated.*

(2) *The court in which the offender was convicted.*

(3) *The name under which the offender was convicted.*

(4) *The name and location of each penal institution, school, hospital, mental facility or other institution to which the offender was committed for the offense.*

(5) *The city, township or county where the offense was committed.*

(6) *A general physical description of the victim of the offense.*

3. *The Central Repository shall assist the Attorney General in obtaining as expeditiously as possible the necessary information from the statewide registry to establish and maintain the Attorney General's Offender Information Website.*

**Sec. 16.** 1. *An offender shall not access or view the Attorney General's Offender Information Website.*

2. *An offender who violates this section is guilty of a gross misdemeanor.*

**Sec. 17.** *A person may not use information obtained through the Attorney General's Offender Information Website as a substitute for information relating to the offenses listed in subsection 4 of NRS 179A.190 that must be provided by the Central Repository pursuant to NRS 179A.180 to 179A.240, inclusive, or any other provision of law.*

**Sec. 18.** *Except as otherwise authorized pursuant to specific statute, a person shall not use information obtained from the Attorney General's Offender Information Website for any purpose related to any of the following:*

1. *Insurance, including health insurance.*

2. *Loans.*

3. *Credit.*

4. *Employment.*

5. *Education, scholarships or fellowships.*

6. *Housing or accommodations.*

7. *Benefits, privileges or services provided by any business establishment.*

**Sec. 19.** *The provisions of sections 15 to 21, inclusive, of this act do not prevent law enforcement officers, the Central*



1 *Repository and its officers and employees, the Office of the*  
2 *Attorney General and its officers and employees, or any other*  
3 *person from:*

4 *1. Accessing information in the statewide registry pursuant to*  
5 *NRS 179B.200;*

6 *2. Carrying out any duty pursuant to chapter 179D of NRS;*  
7 *or*

8 *3. Carrying out any duty pursuant to another provision of*  
9 *law.*

10 **Sec. 20.** *1. Any person who uses information obtained from*  
11 *the Attorney General's Offender Information Website in violation*  
12 *of the provisions of sections 15 to 21, inclusive, of this act is liable:*

13 *(a) In a civil action brought by or on behalf of a person*  
14 *injured by the violation, for damages, attorney's fees and costs*  
15 *incurred as the result of the violation; and*

16 *(b) In a civil action brought in the name of the State of Nevada*  
17 *by the Attorney General, for a civil penalty not to exceed \$25,000*  
18 *and for the costs of the action, including investigative costs and*  
19 *attorney's fees.*

20 *2. In addition to any civil liability provided pursuant to*  
21 *subsection 1, if any person uses information obtained from the*  
22 *Attorney General's Offender Information Website to commit a*  
23 *crime punishable as:*

24 *(a) A misdemeanor, the person is guilty of a gross*  
25 *misdemeanor.*

26 *(b) A gross misdemeanor or felony, the person is guilty of a*  
27 *category C felony and shall be punished as provided in*  
28 *NRS 193.130.*

29 **Sec. 21.** *1. If there is reasonable cause to believe that a*  
30 *person or group of persons has engaged in or is about to engage*  
31 *in any act or practice, or any pattern of acts or practices, which*  
32 *involves the use of information obtained from the Attorney*  
33 *General's Offender Information Website and which violates any*  
34 *provision of sections 15 to 21, inclusive, of this act, the Attorney*  
35 *General may file an action for injunctive relief in the appropriate*  
36 *district court to prevent the occurrence or continuance of that act*  
37 *or practice or pattern of acts or practices.*

38 *2. An injunction pursuant to this section:*

39 *(a) May be issued without proof of actual damage sustained by*  
40 *any person; and*

41 *(b) Does not preclude or affect the availability of any other*  
42 *remedy including, without limitation, the criminal prosecution of a*  
43 *violinator or the filing or maintenance of a civil action for damages*  
44 *or a civil penalty pursuant to section 20 of this act.*



1     **Sec. 22.** NRS 179B.010 is hereby amended to read as follows:

2     179B.010 As used in this chapter, unless the context otherwise  
3 requires, the words and terms defined in NRS 179B.020 to  
4 ~~[179B.140,]~~ **179B.130**, inclusive, *and section 14 of this act* have the  
5 meanings ascribed to them in those sections.

6     **Sec. 23.** NRS 179B.300 is hereby amended to read as follows:

7     179B.300 1. Information in the statewide registry, *including*  
8 *information in the Attorney General's Offender Information*  
9 *Website*, that is accessed or disclosed pursuant to the provisions of  
10 this chapter must not reveal the name of an individual victim of an  
11 offense.

12     2. The Central Repository and its officers and employees are  
13 immune from criminal or civil liability for an act or omission  
14 relating to information obtained, maintained or disclosed pursuant to  
15 the provisions of this chapter, including, but not limited to, an act or  
16 omission relating to:

17         (a) The accuracy of information in the statewide registry; or

18         (b) The disclosure of or the failure to disclose information in the  
19 statewide registry.

20     3. A law enforcement agency and its officers and employees  
21 are immune from criminal or civil liability for an act or omission  
22 relating to information obtained pursuant to the provisions of this  
23 chapter, including, but not limited to, an act or omission relating to:

24         (a) The accuracy of information obtained from the statewide  
25 registry; or

26         (b) The disclosure of or the failure to disclose information  
27 obtained from the statewide registry.

28     **4. *The Office of the Attorney General and its officers and***  
29 *employees are immune from criminal or civil liability for an act or*  
30 *omission relating to information obtained, maintained or disclosed*  
31 *pursuant to the provisions of this chapter, including, but not*  
32 *limited to, an act or omission relating to:*

33         ***(a) The accuracy of information obtained from the statewide***  
34 *registry;*

35         ***(b) The accuracy of information in the Attorney General's***  
36 *Offender Information Website;*

37         ***(c) The disclosure of or the failure to disclose information***  
38 *obtained from the statewide registry; or*

39         ***(d) The disclosure of or the failure to disclose information in***  
40 *the Attorney General's Offender Information Website.*

41     **Sec. 24.** Chapter 179D of NRS is hereby amended by adding  
42 thereto a new section to read as follows:

43     **1. *The Central Repository shall, in accordance with the***  
44 *requirements of this section, submit a report concerning a sex*  
45 *offender or an offender convicted of a crime against a child to:*



1 (a) *The State Gaming Control Board for the purpose of*  
2 *carrying out the provisions of section 49 of this act; and*

3 (b) *The Department of Motor Vehicles for the purpose of*  
4 *carrying out the provisions of section 51 of this act.*

5 2. *A report submitted by the Central Repository pursuant to*  
6 *this section must indicate whether a sex offender or an offender*  
7 *convicted of a crime against a child is in compliance with the*  
8 *provisions of this chapter.*

9 3. *The Central Repository shall submit reports pursuant to*  
10 *this section as expeditiously as possible under the circumstances.*

11 4. *The Central Repository may adopt regulations to carry out*  
12 *the provisions of this section.*

13 5. *As used in this section:*

14 (a) *“Offender convicted of a crime against a child” has the*  
15 *meaning ascribed to it in NRS 179D.216.*

16 (b) *“Sex offender” has the meaning ascribed to it in*  
17 *NRS 179D.400.*

18 **Sec. 25.** NRS 179D.090 is hereby amended to read as follows:

19 NRS 179D.090 “Resides” means the place *or places* where an  
20 offender resides or, if the offender is incarcerated or confined, the  
21 place *or places* where the offender will reside upon release.

22 **Sec. 26.** NRS 179D.150 is hereby amended to read as follows:

23 179D.150 Except as otherwise provided in NRS 179D.530, a  
24 record of registration must include, if the information is available:

25 1. Information identifying the offender, including, but not  
26 limited to:

27 (a) The name of the offender and all aliases that he has used or  
28 under which he has been known;

29 (b) A complete physical description of the offender, a current  
30 photograph of the offender and the fingerprints of the offender;

31 (c) The date of birth and the social security number of the  
32 offender;

33 (d) The identification number from a driver’s license or an  
34 identification card issued to the offender by this State or any other  
35 jurisdiction; and

36 (e) Any other information that identifies the offender.

37 2. Information concerning ~~the residence~~ *all residences* of the  
38 offender, including, but not limited to:

39 (a) ~~The address~~ *All addresses or places* at which the offender  
40 resides;

41 (b) The length of time he has resided at ~~that~~ *each* address *or*  
42 *place* and the length of time he expects to reside at that address ~~;~~  
43 *or place;*





1 (c) The address or location of any other **address or** place where  
2 he expects to reside in the future and the length of time he expects to  
3 reside there; and

4 (d) The length of time he expects to remain in the county where  
5 he resides and in this State.

6 3. Information concerning the offender's occupations,  
7 employment or work or expected occupations, employment or work,  
8 including, but not limited to, the name, address and type of business  
9 of all current and expected future employers of the offender.

10 4. Information concerning the offender's volunteer service or  
11 expected volunteer service in connection with any activity or  
12 organization within this State, including, but not limited to, the  
13 name, address and type of each such activity or organization.

14 5. Information concerning the offender's enrollment or  
15 expected enrollment as a student in any public or private educational  
16 institution or school within this State, including, but not limited to,  
17 the name, address and type of each such educational institution or  
18 school.

19 6. Information concerning whether:

20 (a) The offender is, expects to be or becomes enrolled as a  
21 student at an institution of higher education or changes the date of  
22 commencement or termination of his enrollment at an institution of  
23 higher education; or

24 (b) The offender is, expects to be or becomes a worker at an  
25 institution of higher education or changes the date of  
26 commencement or termination of his work at an institution of higher  
27 education,

28 ➔ including, but not limited to, the name, address and type of each  
29 such institution of higher education.

30 7. The license number and a description of all motor vehicles  
31 registered to or frequently driven by the offender.

32 8. The level of community notification assigned to the  
33 offender.

34 9. The following information for each offense for which the  
35 offender has been convicted:

36 (a) The court in which he was convicted;

37 (b) The name under which he was convicted;

38 (c) The name and location of each penal institution, school,  
39 hospital, mental facility or other institution to which he was  
40 committed;

41 (d) The specific location where the offense was committed;

42 (e) The age, the gender, the race and a general physical  
43 description of the victim; and

44 (f) The method of operation that was used to commit the  
45 offense, including, but not limited to:





- 1 (1) Specific sexual acts committed against the victim;
- 2 (2) The method of obtaining access to the victim, such as the
- 3 use of enticements, threats, forced entry or violence against the
- 4 victim;
- 5 (3) The type of injuries inflicted on the victim;
- 6 (4) The types of instruments, weapons or objects used;
- 7 (5) The type of property taken; and
- 8 (6) Any other distinctive characteristic of the behavior or
- 9 personality of the offender.

10 **Sec. 27.** NRS 179D.230 is hereby amended to read as follows:

11 179D.230 1. If the Central Repository receives notice from a

12 court pursuant to NRS 176.0926 that an offender has been convicted

13 of a crime against a child, the Central Repository shall:

14 (a) If a record of registration has not previously been established

15 for the offender, notify the local law enforcement agency so that a

16 record of registration may be established; or

17 (b) If a record of registration has previously been established for

18 the offender, update the record of registration for the offender and

19 notify the appropriate local law enforcement agencies.

20 2. If the offender named in the notice is granted probation or

21 otherwise will not be incarcerated or confined, the Central

22 Repository shall immediately provide notification concerning the

23 offender to the appropriate local law enforcement agencies and, if

24 the offender resides in a jurisdiction which is outside of this State, to

25 the appropriate law enforcement agency in that jurisdiction.

26 3. If an offender is incarcerated or confined and has previously

27 been convicted of a crime against a child, before the offender is

28 released:

29 (a) The Department of Corrections or a local law enforcement

30 agency in whose facility the offender is incarcerated or confined

31 shall:

32 (1) Inform the offender of the requirements for registration,

33 including, but not limited to:

34 (I) The duty to register in this State during any period in

35 which he is a resident of this State or a nonresident who is a student

36 or worker within this State and the time within which he is required

37 to register pursuant to NRS 179D.240;

38 (II) The duty to register in any other jurisdiction during

39 any period in which he is a resident of the other jurisdiction or a

40 nonresident who is a student or worker within the other jurisdiction;

41 (III) If he moves from this State to another jurisdiction,

42 the duty to register with the appropriate law enforcement agency in

43 the other jurisdiction;

44 (IV) The duty to notify the local law enforcement agency

45 for the jurisdiction in which he now resides, in person, and the



1 jurisdiction in which he most recently resided, in person or in  
2 writing, if he changes ~~the~~ *any* address at which he resides,  
3 including if he moves from this State to another jurisdiction, or  
4 changes the primary address at which he is a student or worker;  
5 ~~and~~

6 (V) *The duty to notify the appropriate local law*  
7 *enforcement agency, in person or in writing, if he establishes or*  
8 *eliminates an additional residence in this State or in another*  
9 *jurisdiction; and*

10 (VI) The duty to notify immediately the appropriate local  
11 law enforcement agency if the offender is, expects to be or becomes  
12 enrolled as a student at an institution of higher education or changes  
13 the date of commencement or termination of his enrollment at an  
14 institution of higher education or if the offender is, expects to be or  
15 becomes a worker at an institution of higher education or changes  
16 the date of commencement or termination of his work at an  
17 institution of higher education; and

18 (2) Require the offender to read and sign a form confirming  
19 that the requirements for registration have been explained to him  
20 and to forward the form to the Central Repository.

21 (b) The Central Repository shall:

22 (1) Update the record of registration for the offender; and

23 (2) Provide notification concerning the offender to the  
24 appropriate local law enforcement agencies and, if the offender will  
25 reside upon release in a jurisdiction which is outside of this State, to  
26 the appropriate law enforcement agency in that jurisdiction.

27 4. The failure to provide an offender with the information or  
28 confirmation form required by paragraph (a) of subsection 3 does  
29 not affect the duty of the offender to register and to comply with all  
30 other provisions for registration.

31 5. If the Central Repository receives notice from another  
32 jurisdiction or the Federal Bureau of Investigation that an offender  
33 convicted of a crime against a child is now residing or is a student or  
34 worker within this State, the Central Repository shall:

35 (a) Immediately provide notification concerning the offender to  
36 the appropriate local law enforcement agencies; and

37 (b) Establish a record of registration for the offender with the  
38 assistance of the local law enforcement agency.

39 **Sec. 28.** NRS 179D.240 is hereby amended to read as follows:

40 179D.240 1. In addition to any other registration that is  
41 required pursuant to NRS 179D.230, each offender who, after  
42 July 1, 1956, is or has been convicted of a crime against a child shall  
43 register with a local law enforcement agency pursuant to the  
44 provisions of this section.



2. Except as otherwise provided in subsection 3, if the offender resides or is present for 48 hours or more within:

(a) A county; or

(b) An incorporated city that does not have a city police department,

↳ the offender shall be deemed a resident offender and shall register with the sheriff's office of the county or, if the county or the city is within the jurisdiction of a metropolitan police department, the metropolitan police department, not later than 48 hours after arriving or establishing a residence within the county or the city.

3. If the offender resides or is present for 48 hours or more within an incorporated city that has a city police department, the offender shall be deemed a resident offender and shall register with the city police department not later than 48 hours after arriving or establishing a residence within the city.

4. If the offender is a nonresident offender who is a student or worker within this State, the offender shall register with the appropriate sheriff's office, metropolitan police department or city police department in whose jurisdiction he is a student or worker not later than 48 hours after becoming a student or worker within this State.

5. A resident or nonresident offender shall immediately notify the appropriate local law enforcement agency if:

(a) The offender is, expects to be or becomes enrolled as a student at an institution of higher education or changes the date of commencement or termination of his enrollment at an institution of higher education; or

(b) The offender is, expects to be or becomes a worker at an institution of higher education or changes the date of commencement or termination of his work at an institution of higher education.

↳ The offender shall provide the name, address and type of each such institution of higher education.

6. To register with a local law enforcement agency pursuant to this section, the offender shall:

(a) Appear personally at the office of the appropriate local law enforcement agency;

(b) Provide all information that is requested by the local law enforcement agency, including, but not limited to, fingerprints and a photograph; and

(c) Sign and date the record of registration or some other proof of registration in the presence of an officer of the local law enforcement agency.

7. When an offender registers, the local law enforcement agency shall:



(a) Inform the offender of the duty to notify the local law enforcement agency if the offender *establishes or eliminates an additional residence within the jurisdiction of the local law enforcement agency*, changes ~~the~~ any address at which he resides or changes the primary address at which he is a student or worker; and

(b) Inform the offender of the duty to register with ~~the~~ each local law enforcement agency in whose jurisdiction the offender relocates.

8. After the offender registers with the local law enforcement agency, the local law enforcement agency shall forward to the Central Repository the information collected, including the fingerprints and a photograph of the offender.

9. If the Central Repository has not previously established a record of registration for an offender described in subsection 8, the Central Repository shall:

(a) Establish a record of registration for the offender; and

(b) Provide notification concerning the offender to the appropriate local law enforcement agencies.

10. When an offender notifies a local law enforcement agency that:

(a) The offender is, expects to be or becomes enrolled as a student at an institution of higher education or changes the date of commencement or termination of his enrollment at an institution of higher education; or

(b) The offender is, expects to be or becomes a worker at an institution of higher education or changes the date of commencement or termination of his work at an institution of higher education,

➤ and provides the name, address and type of each such institution of higher education, the local law enforcement agency shall immediately provide that information to the Central Repository and to the appropriate campus police department.

**Sec. 29.** NRS 179D.250 is hereby amended to read as follows:

179D.250 1. If an offender convicted of a crime against a child *establishes an additional residence, eliminates an additional residence*, changes ~~the~~ any address at which he resides, including moving from this State to another jurisdiction, or changes the primary address at which he is a student or worker, not later than 48 hours after *establishing or eliminating the additional residence or* changing such an address, the offender shall provide the *address of the established or eliminated additional residence or the* new address, in person, to ~~the~~ each local law enforcement agency in whose jurisdiction he now resides and, in person or in writing, to ~~the~~ each local law enforcement agency in whose jurisdiction he



1 formerly resided and shall provide all other information that is  
2 relevant to updating his record of registration, including, but not  
3 limited to, any change in his name, occupation, employment, work,  
4 volunteer service or driver's license and any change in the license  
5 number or description of a motor vehicle registered to or frequently  
6 driven by him.

7 2. Upon receiving *notification of the establishment or*  
8 *elimination of an additional residence or* a change of address from  
9 an offender, the local law enforcement agency shall immediately  
10 forward *notification of the establishment or elimination of the*  
11 *additional residence or of* the new address and any updated  
12 information to the Central Repository and:

13 (a) If the offender has *established or eliminated an additional*  
14 *residence or* changed an address within this State, the Central  
15 Repository shall immediately provide notification concerning the  
16 offender to ~~the~~ *each* appropriate local law enforcement agency in  
17 whose jurisdiction the offender is now residing or is a student or  
18 worker and shall notify ~~the~~ *each* local law enforcement agency in  
19 whose jurisdiction the offender last resided or was a student or  
20 worker; or

21 (b) If the offender has *established or eliminated an additional*  
22 *residence or* changed an address from this State to another  
23 jurisdiction, the Central Repository shall immediately provide  
24 notification concerning the offender to the appropriate law  
25 enforcement agency in the other jurisdiction and shall notify ~~the~~  
26 *each* local law enforcement agency in whose jurisdiction the  
27 offender last resided or was a student or worker.

28 **Sec. 30.** NRS 179D.260 is hereby amended to read as follows:

29 179D.260 1. Except as otherwise provided in subsection 4,  
30 each year, on the anniversary of the date that the Central Repository  
31 establishes a record of registration for the offender, the Central  
32 Repository shall mail to the offender, at ~~the~~ *each* address last  
33 registered by the offender, a nonforwardable verification form. The  
34 offender shall complete and sign the form and mail the form to the  
35 Central Repository not later than 10 days after receipt of the form to  
36 verify that he still resides at ~~the~~ *each* address he last registered.

37 2. An offender shall include with each verification form a  
38 current set of fingerprints, a current photograph and all other  
39 information that is relevant to updating his record of registration,  
40 including, but not limited to, any change in his name, occupation,  
41 employment, work, volunteer service or driver's license and any  
42 change in the license number or description of a motor vehicle  
43 registered to or frequently driven by him. The Central Repository  
44 shall provide all updated information to the appropriate local law  
45 enforcement agencies.



3. If the Central Repository does not receive a verification form from an offender and otherwise cannot verify ~~the~~ *each* address or location of the offender, the Central Repository shall immediately notify the appropriate local law enforcement agencies.

4. The Central Repository is not required to complete the mailing pursuant to subsection 1:

(a) During any period in which an offender is incarcerated or confined or has changed ~~this place of~~ *all places of* residence from this State to another jurisdiction; or

(b) For a nonresident offender who is a student or worker within this State.

**Sec. 31.** NRS 179D.290 is hereby amended to read as follows:

179D.290 An offender convicted of a crime against a child who:

1. Fails to register with a local law enforcement agency;

2. Fails to notify the local law enforcement agency of *the establishment or elimination of an additional residence or* a change of address;

3. Provides false or misleading information to the Central Repository or a local law enforcement agency; or

4. Otherwise violates the provisions of NRS 179D.200 to 179D.290, inclusive,

➔ is guilty of a category ~~B~~ *C* felony and shall be punished as provided in NRS 193.130.

**Sec. 32.** NRS 179D.450 is hereby amended to read as follows:

179D.450 1. If the Central Repository receives notice from a court pursuant to NRS 176.0927 that a sex offender has been convicted of a sexual offense or pursuant to NRS 62F.250 that a juvenile sex offender has been deemed to be an adult sex offender, the Central Repository shall:

(a) If a record of registration has not previously been established for the sex offender, notify the local law enforcement agency so that a record of registration may be established; or

(b) If a record of registration has previously been established for the sex offender, update the record of registration for the sex offender and notify the appropriate local law enforcement agencies.

2. If the sex offender named in the notice is granted probation or otherwise will not be incarcerated or confined or if the sex offender named in the notice has been deemed to be an adult sex offender pursuant to NRS 62F.250 and is not otherwise incarcerated or confined:

(a) The Central Repository shall immediately provide notification concerning the sex offender to the appropriate local law enforcement agencies and, if the sex offender resides in a



1 jurisdiction which is outside of this State, to the appropriate law  
2 enforcement agency in that jurisdiction; and

3 (b) If the sex offender is subject to community notification, the  
4 Central Repository shall arrange for the assessment of the risk of  
5 recidivism of the sex offender pursuant to the guidelines and  
6 procedures for community notification established by the Attorney  
7 General pursuant to NRS 179D.600 to 179D.800, inclusive.

8 3. If a sex offender is incarcerated or confined and has  
9 previously been convicted of a sexual offense as described in NRS  
10 179D.410, before the sex offender is released:

11 (a) The Department of Corrections or a local law enforcement  
12 agency in whose facility the sex offender is incarcerated or confined  
13 shall:

14 (1) Inform the sex offender of the requirements for  
15 registration, including, but not limited to:

16 (I) The duty to register *in each local jurisdiction* in this  
17 State during any period in which he is a resident of ~~{this State}~~ *that*  
18 *local jurisdiction* or a nonresident who is a student or worker within  
19 ~~{this State}~~ *that local jurisdiction* and the time within which he is  
20 required to register pursuant to NRS 179D.460;

21 (II) The duty to register in any other jurisdiction during  
22 any period in which he is a resident of the other jurisdiction or a  
23 nonresident who is a student or worker within the other jurisdiction;

24 (III) If he moves from this State to another jurisdiction,  
25 the duty to register with the appropriate law enforcement agency in  
26 the other jurisdiction;

27 (IV) The duty to notify the local law enforcement agency  
28 for ~~{the}~~ *each* jurisdiction in which he now resides, in person, and  
29 ~~{the}~~ *each* jurisdiction in which he formerly resided, in person or in  
30 writing, if he changes ~~{the}~~ *any* address at which he resides,  
31 including if he moves from this State to another jurisdiction, or  
32 changes the primary address at which he is a student or worker;  
33 ~~{and}~~

34 (V) *The duty to notify each appropriate local law*  
35 *enforcement agency, in person or in writing, if he establishes or*  
36 *eliminates an additional residence in a local jurisdiction in this*  
37 *State or in another jurisdiction; and*

38 (VI) The duty to notify immediately the appropriate local  
39 law enforcement agency if the sex offender is, expects to be or  
40 becomes enrolled as a student at an institution of higher education or  
41 changes the date of commencement or termination of his enrollment  
42 at an institution of higher education or if the sex offender is, expects  
43 to be or becomes a worker at an institution of higher education or  
44 changes the date of commencement or termination of his work at an  
45 institution of higher education; and



(2) Require the sex offender to read and sign a form confirming that the requirements for registration have been explained to him and to forward the form to the Central Repository.

(b) The Central Repository shall:

(1) Update the record of registration for the sex offender;

(2) If the sex offender is subject to community notification, arrange for the assessment of the risk of recidivism of the sex offender pursuant to the guidelines and procedures for community notification established by the Attorney General pursuant to NRS 179D.600 to 179D.800, inclusive; and

(3) Provide notification concerning the sex offender to the appropriate local law enforcement agencies and, if the sex offender will reside upon release in a jurisdiction which is outside of this State, to the appropriate law enforcement agency in that jurisdiction.

4. The failure to provide a sex offender with the information or confirmation form required by paragraph (a) of subsection 3 does not affect the duty of the sex offender to register and to comply with all other provisions for registration.

5. If the Central Repository receives notice from another jurisdiction or the Federal Bureau of Investigation that a sex offender is now residing or is a student or worker within this State, the Central Repository shall:

(a) Immediately provide notification concerning the sex offender to the appropriate local law enforcement agencies;

(b) Establish a record of registration for the sex offender; and

(c) If the sex offender is subject to community notification, arrange for the assessment of the risk of recidivism of the sex offender pursuant to the guidelines and procedures for community notification established by the Attorney General pursuant to NRS 179D.600 to 179D.800, inclusive.

**Sec. 33.** NRS 179D.460 is hereby amended to read as follows:

179D.460 1. In addition to any other registration that is required pursuant to NRS 179D.450, each sex offender who, after July 1, 1956, is or has been convicted of a sexual offense shall register with a local law enforcement agency pursuant to the provisions of this section.

2. Except as otherwise provided in subsection 3, if the sex offender resides or is present for 48 hours or more within:

(a) A county; or

(b) An incorporated city that does not have a city police department,

the sex offender shall be deemed a resident sex offender and shall register with the sheriff's office of the county or, if the county or the city is within the jurisdiction of a metropolitan police department,





1 the metropolitan police department, not later than 48 hours after  
2 arriving or establishing a residence within the county or the city.

3 3. If the sex offender resides or is present for 48 hours or more  
4 within an incorporated city that has a city police department, the sex  
5 offender shall be deemed a resident sex offender and shall register  
6 with the city police department not later than 48 hours after arriving  
7 or establishing a residence within the city.

8 4. If the sex offender is a nonresident sex offender who is a  
9 student or worker within this State, the sex offender shall register  
10 with the appropriate sheriff's office, metropolitan police department  
11 or city police department in whose jurisdiction he is a student or  
12 worker not later than 48 hours after becoming a student or worker  
13 within this State.

14 5. A resident or nonresident sex offender shall immediately  
15 notify the appropriate local law enforcement agency if:

16 (a) The sex offender is, expects to be or becomes enrolled as a  
17 student at an institution of higher education or changes the date of  
18 commencement or termination of his enrollment at an institution of  
19 higher education; or

20 (b) The sex offender is, expects to be or becomes a worker at an  
21 institution of higher education or changes the date of  
22 commencement or termination of his work at an institution of higher  
23 education.

24 ➤ The sex offender shall provide the name, address and type of  
25 each such institution of higher education.

26 6. To register with a local law enforcement agency pursuant to  
27 this section, the sex offender shall:

28 (a) Appear personally at the office of the appropriate local law  
29 enforcement agency;

30 (b) Provide all information that is requested by the local law  
31 enforcement agency, including, but not limited to, fingerprints and a  
32 photograph; and

33 (c) Sign and date the record of registration or some other proof  
34 of registration of the local law enforcement agency in the presence  
35 of an officer of the local law enforcement agency.

36 7. When a sex offender registers, the local law enforcement  
37 agency shall:

38 (a) Inform the sex offender of the duty to notify ~~the~~ *each* local  
39 law enforcement agency if the sex offender *establishes or*  
40 *eliminates an additional residence*, changes ~~the~~ *any* address at  
41 which he resides, including if he moves from this State to another  
42 jurisdiction, or changes the primary address at which he is a student  
43 or worker; and



(b) Inform the sex offender of the duty to register with ~~the~~ *each* local law enforcement agency in whose jurisdiction the sex offender relocates.

8. After the sex offender registers with the local law enforcement agency, the local law enforcement agency shall forward to the Central Repository the information collected, including the fingerprints and a photograph of the sex offender.

9. If the Central Repository has not previously established a record of registration for a sex offender described in subsection 8, the Central Repository shall:

(a) Establish a record of registration for the sex offender;

(b) Provide notification concerning the sex offender to the appropriate local law enforcement agencies; and

(c) If the sex offender is subject to community notification and has not otherwise been assigned a level of notification, arrange for the assessment of the risk of recidivism of the sex offender pursuant to the guidelines and procedures for community notification established by the Attorney General pursuant to NRS 179D.600 to 179D.800, inclusive.

10. When a sex offender notifies a local law enforcement agency that:

(a) The sex offender is, expects to be or becomes enrolled as a student at an institution of higher education or changes the date of commencement or termination of his enrollment at an institution of higher education; or

(b) The sex offender is, expects to be or becomes a worker at an institution of higher education or changes the date of commencement or termination of his work at an institution of higher education,

➤ and provides the name, address and type of each such institution of higher education, the local law enforcement agency shall immediately provide that information to the Central Repository and to the appropriate campus police department.

**Sec. 34.** NRS 179D.470 is hereby amended to read as follows:

179D.470 1. If a sex offender *establishes an additional residence, eliminates an additional residence*, changes ~~the~~ *any* address at which he resides, including moving from this State to another jurisdiction, or changes the primary address at which he is a student or worker, not later than 48 hours after *establishing or eliminating the additional residence*, changing such an address, the sex offender shall provide the new address, in person, to ~~the~~ *each* local law enforcement agency in whose jurisdiction he now resides and, in person or in writing, to ~~the~~ *each* local law enforcement agency in whose jurisdiction he formerly resided and shall provide all other information that is relevant to updating his record of



1 registration, including, but not limited to, any change in his name,  
2 occupation, employment, work, volunteer service or driver's license  
3 and any change in the license number or description of a motor  
4 vehicle registered to or frequently driven by him.

5 2. Upon receiving *notification of the establishment or*  
6 *elimination of an additional residence or* a change of address from  
7 a sex offender, the local law enforcement agency shall immediately  
8 forward *notification of the establishment or elimination of the*  
9 *additional residence or of* the new address and any updated  
10 information to the Central Repository and:

11 (a) If the sex offender has *established or eliminated an*  
12 *additional residence or* changed an address within this State, the  
13 Central Repository shall immediately provide notification  
14 concerning the sex offender to ~~the~~ *each* local law enforcement  
15 agency in whose jurisdiction the sex offender is now residing or is a  
16 student or worker and shall notify ~~the~~ *each* local law enforcement  
17 agency in whose jurisdiction the sex offender last resided or was a  
18 student or worker; or

19 (b) If the sex offender has *established or eliminated an*  
20 *additional residence or* changed an address from this State to  
21 another jurisdiction, the Central Repository shall immediately  
22 provide notification concerning the sex offender to the appropriate  
23 law enforcement agency in the other jurisdiction and shall notify  
24 ~~the~~ *each* local law enforcement agency in whose jurisdiction the  
25 sex offender last resided or was a student or worker.

26 **Sec. 35.** NRS 179D.480 is hereby amended to read as follows:

27 179D.480 1. Except as otherwise provided in subsections 2  
28 and 5, each year, on the anniversary of the date that the Central  
29 Repository establishes a record of registration for the sex offender,  
30 the Central Repository shall mail to the sex offender, at ~~the~~ *each*  
31 address last registered by the sex offender, a nonforwardable  
32 verification form. The sex offender shall complete and sign the form  
33 and mail the form to the Central Repository not later than 10 days  
34 after receipt of the form to verify that he still resides at ~~the~~ *each*  
35 address he last registered.

36 2. Except as otherwise provided in subsection 5, if a sex  
37 offender has been declared to be a sexually violent predator, every  
38 90 days, beginning on the date that the Central Repository  
39 establishes a record of registration for the sex offender, the Central  
40 Repository shall mail to the sex offender, at ~~the~~ *each* address last  
41 registered by the sex offender, a nonforwardable verification form.  
42 The sex offender shall complete and sign the form and mail the form  
43 to the Central Repository not later than 10 days after receipt of the  
44 form to verify that he still resides at ~~the~~ *each* address he last  
45 registered.



3. A sex offender shall include with each verification form a current set of fingerprints, a current photograph and all other information that is relevant to updating his record of registration, including, but not limited to, any change in his name, occupation, employment, work, volunteer service or driver's license and any change in the license number or description of a motor vehicle registered to or frequently driven by him. The Central Repository shall provide all updated information to the appropriate local law enforcement agencies.

4. If the Central Repository does not receive a verification form from a sex offender and otherwise cannot verify ~~the~~ *each* address or location of the sex offender, the Central Repository shall immediately notify the appropriate local law enforcement agencies.

5. The Central Repository is not required to complete the mailing pursuant to subsection 1 or 2:

(a) During any period in which a sex offender is incarcerated or confined or has changed ~~this place~~ *all places* of residence from this State to another jurisdiction; or

(b) For a nonresident sex offender who is a student or worker within this State.

**Sec. 36.** NRS 179D.550 is hereby amended to read as follows:

179D.550 A sex offender who:

1. Fails to register with a local law enforcement agency;

2. Fails to notify the local law enforcement agency of *the establishment or elimination of an additional residence or* a change of address;

3. Provides false or misleading information to the Central Repository or a local law enforcement agency; or

4. Otherwise violates the provisions of NRS 179D.350 to 179D.550, inclusive,

is guilty of a category ~~D~~ *C* felony and shall be punished as provided in NRS 193.130.

**Sec. 37.** NRS 179D.730 is hereby amended to read as follows:

179D.730 1. Except as otherwise provided in this section, the guidelines and procedures for community notification established by the Attorney General must provide for the following levels of notification, depending upon the risk of recidivism of the sex offender:

(a) If the risk of recidivism is low, the sex offender must be assigned a Tier 1 level of notification, and the law enforcement agency in whose jurisdiction the sex offender resides or is a student or worker shall notify other law enforcement agencies that are likely to encounter the sex offender.

(b) If the risk of recidivism is moderate, the sex offender must be assigned a Tier 2 level of notification, and the law enforcement



1 agency in whose jurisdiction the sex offender resides or is a student  
2 or worker shall provide notification pursuant to paragraph (a) and  
3 shall notify schools and religious and youth organizations that are  
4 likely to encounter the sex offender.

5 (c) If the risk of recidivism is high, the sex offender must be  
6 assigned a Tier 3 level of notification, and the law enforcement  
7 agency in whose jurisdiction the sex offender resides or is a student  
8 or worker shall provide notification pursuant to paragraphs (a) and  
9 (b) and shall notify the public through means designed to reach  
10 members of the public who are likely to encounter the sex offender.

11 2. If the sex offender is assigned a Tier 2 or Tier 3 level of  
12 notification and the sex offender has committed a sexual offense  
13 against a person less than 18 years of age, the law enforcement  
14 agency in whose jurisdiction the sex offender resides or is a student  
15 or worker shall provide the appropriate notification for Tier 2 or  
16 Tier 3 and, in addition, shall notify:

17 (a) Motion picture theaters, other than adult motion picture  
18 theaters, which are likely to encounter the sex offender; and

19 (b) Businesses which are likely to encounter the sex offender  
20 and which primarily have children as customers or conduct events  
21 that primarily children attend. Notification pursuant to this  
22 subsection must include a copy of a photograph of the sex offender.  
23 As used in paragraph (a), "adult motion picture theater" has the  
24 meaning ascribed to it in NRS 278.0221.

25 3. ~~If the sex offender has been declared to be a sexually~~  
26 ~~violent predator, the~~ A sex offender must be assigned a Tier 3 level  
27 of notification ~~if the sex offender has been:~~

28 (a) *Declared to be a sexually violent predator;*

29 (b) *Convicted of three or more sexually violent offenses, and at*  
30 *least two of the offenses were brought and tried separately;*

31 (c) *Convicted of two sexually violent offenses and one or more*  
32 *nonsexually violent offenses, and at least two of the offenses were*  
33 *brought and tried separately;*

34 (d) *Convicted of one sexually violent offense and two or more*  
35 *nonsexually violent offenses, and at least two of the offenses were*  
36 *brought and tried separately;*

37 (e) *Convicted of two sexually violent offenses, and both*  
38 *offenses were brought and tried separately, and the sex offender*  
39 *has been arrested on three or more separate occasions for*  
40 *commission of a sexually violent offense, a nonsexually violent*  
41 *offense or an associated offense; or*

42 (f) *Convicted of one sexually violent offense and one*  
43 *nonsexually violent offense, and both offenses were brought and*  
44 *tried separately, and the sex offender has been arrested on three or*



1 *more separate occasions for commission of a sexually violent*  
2 *offense, a nonsexually violent offense or an associated offense.*

3 *4. The existence of the Attorney General's Offender*  
4 *Information Website established pursuant to section 15 of this act*  
5 *must not be construed to affect, in any manner, the responsibility*  
6 *to provide notification pursuant to this section.*

7 *5. As used in this section:*

8 *(a) "Associated offense" includes any of the following*  
9 *offenses:*

10 *(1) Harassment pursuant to NRS 200.571.*

11 *(2) Stalking or aggravated stalking pursuant to*  
12 *NRS 200.575.*

13 *(3) Any offense related to obscenity pursuant to NRS*  
14 *201.235 to 201.254, inclusive.*

15 *(4) Any offense related to obscene, threatening or annoying*  
16 *telephone calls pursuant to NRS 201.255.*

17 *(5) Any offense related to burglary or invasion of the home*  
18 *pursuant to NRS 205.060 to 205.080, inclusive.*

19 *(b) "Nonsexually violent offense" means an offense that:*

20 *(1) Involves the use or threatened use of force or violence*  
21 *against the victim; and*

22 *(2) Is not a sexual offense as defined pursuant to*  
23 *NRS 179D.410.*

24 *(c) "Sexually violent offense" has the meaning ascribed to it in*  
25 *NRS 179D.420.*

26 **Sec. 38.** NRS 62F.250 is hereby amended to read as follows:

27 62F.250 Except as otherwise provided in NRS 62F.200 to  
28 62F.260, inclusive:

29 1. If a child who has been adjudicated delinquent for a sexual  
30 offense or a sexually motivated act is not relieved of being subject  
31 to community notification as a juvenile sex offender before the child  
32 reaches 21 years of age, the juvenile court shall hold a hearing when  
33 the child reaches 21 years of age to determine whether the child  
34 should be deemed an adult sex offender for the purposes of  
35 registration and community notification pursuant to NRS 179D.350  
36 to 179D.800, inclusive.

37 2. If the juvenile court determines at the hearing that the child  
38 has been rehabilitated to the satisfaction of the juvenile court and  
39 that the child is not likely to pose a threat to the safety of others, the  
40 juvenile court shall relieve the child of being subject to *registration*  
41 *and* community notification.

42 3. If the juvenile court determines at the hearing that the child  
43 has not been rehabilitated to the satisfaction of the juvenile court or  
44 that the child is likely to pose a threat to the safety of others, the  
45 juvenile court shall deem the child to be an adult sex offender for



1 the purposes of registration and community notification pursuant to  
2 NRS 179D.350 to 179D.800, inclusive.

3 4. *In determining at the hearing whether the child has been*  
4 *rehabilitated to the satisfaction of the juvenile court and whether*  
5 *the child is not likely to pose a threat to the safety of others, the*  
6 *juvenile court shall consider the following factors:*

7 (a) *The number, date, nature and gravity of the act or acts*  
8 *committed by the child, including:*

9 (1) *Whether the act or acts were characterized by repetitive*  
10 *and compulsive behavior; and*

11 (2) *Whether the act or acts involved the use of a weapon,*  
12 *violence or infliction of serious bodily injury.*

13 (b) *The extent to which the child has received counseling,*  
14 *therapy or treatment, and the response of the child to any such*  
15 *counseling, therapy or treatment.*

16 (c) *Whether psychological or psychiatric profiles indicate a*  
17 *risk of recidivism.*

18 (d) *The behavior of the child while subject to the jurisdiction*  
19 *of the juvenile court, including the behavior of the child during*  
20 *any period of confinement.*

21 (e) *Whether the child has made any recent threats against a*  
22 *person or expressed any intent to commit any crimes in the future.*

23 (f) *Any physical conditions that minimize the risk of*  
24 *recidivism, including physical disability or illness.*

25 (g) *Any other factor that the juvenile court finds relevant to*  
26 *the determination of whether the child has been rehabilitated to*  
27 *the satisfaction of the juvenile court and whether the child is not*  
28 *likely to pose a threat to the safety of others.*

29 5. If a child is deemed to be an adult sex offender pursuant to  
30 this section, the juvenile court shall notify the Central Repository so  
31 the Central Repository may carry out the provisions for registration  
32 of the child as an adult sex offender pursuant to NRS 179D.450.

33 **Sec. 39.** NRS 200.366 is hereby amended to read as follows:

34 200.366 1. A person who subjects another person to sexual  
35 penetration, or who forces another person to make a sexual  
36 penetration on himself or another, or on a beast, against the will of  
37 the victim or under conditions in which the perpetrator knows or  
38 should know that the victim is mentally or physically incapable of  
39 resisting or understanding the nature of his conduct, is guilty of  
40 sexual assault.

41 2. Except as otherwise provided in subsections 3 and 4, a  
42 person who commits a sexual assault is guilty of a category A  
43 felony and shall be punished:





(a) If substantial bodily harm to the victim results from the actions of the defendant committed in connection with or as a part of the sexual assault, by imprisonment in the state prison:

(1) For life without the possibility of parole; *or*

(2) For life with the possibility of parole, with eligibility for parole beginning when a minimum of 15 years has been served . ~~;~~

~~or~~

~~—— (3) For a definite term of 40 years, with eligibility for parole beginning when a minimum of 15 years has been served.]~~

(b) If no substantial bodily harm to the victim results, by imprisonment in the state prison ~~;~~

~~—— (1) For life,] for life~~ with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served . ~~;~~~~or~~

~~—— (2) For a definite term of 25 years, with eligibility for parole beginning when a minimum of 10 years has been served.]~~

3. Except as otherwise provided in subsection 4, a person who commits a sexual assault against a child under the age of 16 years is guilty of a category A felony and shall be punished:

(a) If the crime results in substantial bodily harm to the child, by imprisonment in the state prison for life without the possibility of parole.

(b) Except as otherwise provided in paragraph (c), if the crime does not result in substantial bodily harm to the child, by imprisonment in the state prison ~~;~~

~~—— (1) For] for~~ life with the possibility of parole, with eligibility for parole beginning when a minimum of 20 years has been served . ~~;~~~~or~~

~~—— (2) For a definite term of 40 years, with eligibility for parole beginning when a minimum of 15 years has been served.]~~

(c) If the crime is committed against a child under the age of 14 years and does not result in substantial bodily harm to the child, by imprisonment in the state prison for life with the possibility of parole, with eligibility for parole beginning when a minimum of 20 years has been served.

4. A person who commits a sexual assault against a child under the age of 16 years and who has been previously convicted of:

(a) A sexual assault pursuant to this section or any other sexual offense against a child; or

(b) An offense committed in another jurisdiction that, if committed in this State, would constitute a sexual assault pursuant to this section or any other sexual offense against a child,

➤ is guilty of a category A felony and shall be punished by imprisonment in the state prison for life without the possibility of parole.





5. For the purpose of this section, "other sexual offense against a child" means any act committed by an adult upon a child constituting:

- (a) Incest pursuant to NRS 201.180;
- (b) Lewdness with a child pursuant to NRS 201.230;
- (c) Sado-masochistic abuse pursuant to NRS 201.262; or
- (d) Luring a child using a computer, system or network pursuant to NRS 201.560, if punished as a felony.

**Sec. 40.** NRS 200.400 is hereby amended to read as follows:

200.400 1. As used in this section, "battery" means any willful and unlawful use of force or violence upon the person of another.

2. A person who is convicted of battery with the intent to commit mayhem, robbery or grand larceny is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000.

3. A person who is convicted of battery with the intent to kill is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years.

4. A person who is convicted of battery with the intent to commit sexual assault shall be punished:

(a) If the crime results in substantial bodily harm to the victim, for a category A felony by imprisonment in the state prison:

(1) For life without the possibility of parole; *or*

(2) For life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been ~~served; or~~

~~— (3) For a definite term of 25 years, with eligibility for parole beginning when a minimum of 10 years has been~~ served,

↳ as determined by the verdict of the jury, or the judgment of the court if there is no jury.

(b) If the crime does not result in substantial bodily harm to the victim and the victim is 16 years of age or older, for a category ~~[B]~~ *A* felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of ~~[not more than 15 years.]~~ *life with the possibility of parole.*

(c) If the crime does not result in substantial bodily harm to the victim and the victim is a child under the age of 16, for a category ~~[B]~~ *A* felony by imprisonment in the state prison for a minimum term of not less than 5 years and a maximum term of ~~[not more than 15 years.]~~ *life with the possibility of parole.*

↳ In addition to any other penalty, a person convicted pursuant to this subsection may be punished by a fine of not more than \$10,000.



**Sec. 41.** NRS 200.730 is hereby amended to read as follows:

200.730 A person who knowingly and willfully has in his possession for any purpose any film, photograph or other visual presentation depicting a person under the age of 16 years as the subject of a sexual portrayal or engaging in or simulating, or assisting others to engage in or simulate, sexual conduct:

1. For the first offense, is guilty of a category B felony and 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 6 years, and may be further punished by a fine of not more than \$5,000.

2. For any subsequent offense, is guilty of a category ~~[B]~~ A felony and 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 10 years,~~ *life with the possibility of parole*, and may be further punished by a fine of not more than \$5,000.

**Sec. 42.** NRS 200.750 is hereby amended to read as follows:

200.750 A person punishable pursuant to NRS 200.710 or 200.720 shall be punished for a category A felony by imprisonment in the state prison:

1. If the minor is 14 years of age or older ~~[-]~~

~~—(a) For~~, *for* life with the possibility of parole, with eligibility for parole beginning when a minimum of 5 years has been served ~~[-]~~ ~~or~~

~~—(b) For a definite term of 15 years, with eligibility for parole beginning when a minimum of 5 years has been served,~~

~~→~~, and shall be further punished by a fine of not more than \$100,000.

2. If the minor is less than 14 years of age, for life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served, and shall be further punished by a fine of not more than \$100,000.

**Sec. 43.** NRS 201.180 is hereby amended to read as follows:

201.180 Persons being within the degree of consanguinity within which marriages are declared by law to be incestuous and void ~~[-]~~ who intermarry with each other ~~[-]~~ or who commit fornication or adultery with each other ~~[-]~~ shall be punished for a category ~~[B]~~ A felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of ~~not more than 10 years,~~ *life with the possibility of parole*, and may be further punished by a fine of not more than \$10,000.

**Sec. 44.** NRS 201.195 is hereby amended to read as follows:

201.195 1. A person who incites, entices or solicits a minor to engage in acts which constitute the infamous crime against nature:



(a) If the minor actually engaged in such acts as a result and:

(1) The minor was less than 14 years of age, is guilty of a category A felony and shall be punished by imprisonment in the state prison for life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served.

(2) The minor was 14 years of age or older, is guilty of a category ~~HD~~ A felony and shall be punished ~~as provided in NRS 193.130.~~ *by imprisonment in the state prison for life with the possibility of parole, with eligibility for parole beginning when a minimum of 5 years has been served.*

(b) If the minor did not engage in such acts:

(1) For the first offense, is guilty of a gross misdemeanor.

(2) For any subsequent offense, is guilty of a category ~~HD~~ A felony and shall be punished ~~as provided in NRS 193.130.~~ *by imprisonment in the state prison for life with the possibility of parole, with eligibility for parole beginning when a minimum of 5 years has been served.*

2. As used in this section, the "infamous crime against nature" means anal intercourse, cunnilingus or fellatio between natural persons of the same sex. Any sexual penetration, however slight, is sufficient to complete the infamous crime against nature.

**Sec. 45.** NRS 201.230 is hereby amended to read as follows:

201.230 1. A person who willfully and lewdly commits any lewd or lascivious act, other than acts constituting the crime of sexual assault, upon or with the body, or any part or member thereof, of a child under the age of 14 years, with the intent of arousing, appealing to, or gratifying the lust or passions or sexual desires of that person or of that child, is guilty of lewdness with a child.

2. Except as otherwise provided in subsection 3, a person who commits lewdness with a child is guilty of a category A felony and shall be punished by imprisonment in the state prison for ~~f~~

~~—(a) Life~~ *life* with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served, and may be further punished by a fine of not more than \$10,000. ~~f; or~~

~~—(b) A definite term of 20 years, with eligibility for parole after a minimum of 2 years has been served, and may further be punished by a fine of not more than \$10,000.~~

3. A person who commits lewdness with a child and who has been previously convicted of:

(a) Lewdness with a child pursuant to this section or any other sexual offense against a child; or

(b) An offense committed in another jurisdiction that, if committed in this State, would constitute lewdness with a child pursuant to this section or any other sexual offense against a child,



1    ➔ is guilty of a category A felony and shall be punished by  
2 imprisonment in the state prison for life without the possibility of  
3 parole.

4    4. For the purpose of this section, "other sexual offense against  
5 a child" has the meaning ascribed to it in subsection 5 of  
6 NRS 200.366.

7    **Sec. 46.** NRS 201.450 is hereby amended to read as follows:

8    201.450 1. A person who commits a sexual penetration on  
9 the dead body of a human being is guilty of a category A felony and  
10 shall be punished by imprisonment in the state prison ~~for~~:

11 ~~—(a) For~~ *for* life with the possibility of parole, with eligibility for  
12 parole beginning when a minimum of 5 years has been served ~~for~~;

13 ~~—(b) For a definite term of 15 years, with eligibility for parole~~  
14 ~~beginning when a minimum of 5 years has been served;~~

15 ~~—(c) By~~ *, and shall be further punished by* a fine of not more  
16 than \$20,000. ~~for~~

17 ~~—(d) By both fine and imprisonment.]~~

18    2. For the purposes of this section, "sexual penetration" means  
19 cunnilingus, fellatio or any intrusion, however slight, of any part of  
20 a person's body or any object manipulated or inserted by a person  
21 into the genital or anal openings of the body of another, including,  
22 without limitation, sexual intercourse in what would be its ordinary  
23 meaning if practiced upon the living.

24    **Sec. 47.** NRS 213.1243 is hereby amended to read as follows:

25    213.1243 1. The Board shall establish by regulation a  
26 program of lifetime supervision of sex offenders to commence after  
27 any period of probation or any term of imprisonment and any period  
28 of release on parole. The program must provide for the lifetime  
29 supervision of sex offenders by parole and probation officers.

30    2. Lifetime supervision shall be deemed a form of parole for  
31 ~~the~~:

32    (a) *The* limited purposes of the applicability of the provisions of  
33 NRS 213.1076, subsection 9 of NRS 213.1095, NRS 213.1096 and  
34 subsection 2 of NRS 213.110 ~~for~~; *and*

35    (b) *The purposes of the Interstate Compact for Adult Offender*  
36 *Supervision ratified, enacted and entered into by the State of*  
37 *Nevada pursuant to NRS 213.215.*

38    3. A person who ~~violates~~ *commits a violation of* a condition  
39 imposed on him pursuant to the program of lifetime supervision is  
40 guilty of ~~it~~:

41    (a) *If the violation constitutes a minor violation, a*  
42 *misdemeanor.*

43    (b) *If the violation constitutes a major violation, a* category B  
44 felony and shall be punished by imprisonment in the state prison for  
45 a minimum term of not less than 1 year and a maximum term of not



1 more than 6 years, and may be further punished by a fine of not  
2 more than \$5,000.

3 *4. For the purposes of prosecution of a violation by a person*  
4 *of a condition imposed upon him pursuant to the program of*  
5 *lifetime supervision, the violation shall be deemed to have*  
6 *occurred in, and may only be prosecuted in, the county in which*  
7 *the court that imposed the sentence of lifetime supervision*  
8 *pursuant to NRS 176.0931 is located, regardless of whether the*  
9 *acts or conduct constituting the violation took place, in whole or in*  
10 *part, within or outside that county or within or outside this State.*

11 *5. As used in this section:*

12 *(a) "Major violation" means a violation which poses a threat*  
13 *to the safety or well-being of others and which involves:*

14 *(1) The commission of any crime that is punishable as a*  
15 *gross misdemeanor or felony or any crime that involves a victim*  
16 *who is less than 18 years of age;*

17 *(2) The use of a deadly weapon, explosives or a firearm;*

18 *(3) The use or threatened use of force or violence against a*  
19 *person;*

20 *(4) Death or bodily injury of a person;*

21 *(5) An act of domestic violence;*

22 *(6) Harassment, stalking or threats of any kind; or*

23 *(7) The forcible or unlawful entry of a home, building,*  
24 *structure or vehicle in which a person is present.*

25 *(b) "Minor violation" means a violation that does not pose a*  
26 *threat to the safety or well-being of others.*

27 **Sec. 48.** NRS 458.300 is hereby amended to read as follows:

28 458.300 Subject to the provisions of NRS 458.290 to 458.350,  
29 inclusive, an alcoholic or a drug addict who has been convicted of a  
30 crime is eligible to elect to be assigned by the court to a program of  
31 treatment for the abuse of alcohol or drugs pursuant to NRS 453.580  
32 before he is sentenced unless:

33 1. The crime is ~~fel~~:

34 *(a) A crime against the person punishable as a felony or gross*  
35 *misdemeanor as provided in chapter 200 of NRS ~~for the crime is an~~*  
36 *;*

37 *(b) A crime against a child as defined in NRS 179D.210;*

38 *(c) A sexual offense as defined in NRS 179D.410; or*

39 *(d) An act which constitutes domestic violence as set forth in*  
40 *NRS 33.018;*

41 2. The crime is that of trafficking of a controlled substance;

42 3. The crime is a violation of NRS 484.379 or 484.3795;

43 4. The alcoholic or drug addict has a record of two or more  
44 convictions of a crime described in subsection 1 or 2, a similar



1 crime in violation of the laws of another state, or of three or more  
2 convictions of any felony;

3 5. Other criminal proceedings alleging commission of a felony  
4 are pending against the alcoholic or drug addict;

5 6. The alcoholic or drug addict is on probation or parole and  
6 the appropriate parole or probation authority does not consent to the  
7 election; or

8 7. The alcoholic or drug addict elected and was admitted,  
9 pursuant to NRS 458.290 to 458.350, inclusive, to a program of  
10 treatment not more than twice within the preceding 5 years.

11 **Sec. 49.** Chapter 463 of NRS is hereby amended by adding  
12 thereto a new section to read as follows:

13 *1. The Board may not register an applicant for registration or*  
14 *renewal of registration as a gaming employee if the applicant is an*  
15 *offender unless:*

16 *(a) The applicant has submitted the declaration required*  
17 *pursuant to this section to the Board; and*

18 *(b) The Board has received the report submitted by the Central*  
19 *Repository pursuant to section 24 of this act indicating that the*  
20 *applicant is in compliance with the provisions of chapter 179D of*  
21 *NRS.*

22 *2. The Board shall include the declaration required pursuant*  
23 *to this section in:*

24 *(a) The application or any other forms that must be submitted*  
25 *for registration or renewal of registration as a gaming employee;*  
26 *or*

27 *(b) A separate form prescribed by the Board.*

28 *3. An applicant for registration or renewal of registration as*  
29 *a gaming employee who is an offender must submit a declaration,*  
30 *signed under penalty of perjury, stating that the applicant is in*  
31 *compliance with the provisions of chapter 179D of NRS.*

32 *4. If an applicant fails to submit the declaration required*  
33 *pursuant to this section or if the Central Repository submits a*  
34 *report to the Board pursuant to section 24 of this act indicating*  
35 *that the applicant is not in compliance with the provisions of*  
36 *chapter 179D of NRS, the Board:*

37 *(a) Shall not register or renew the registration of the*  
38 *applicant; and*

39 *(b) Shall advise the applicant to contact the Central Repository*  
40 *to determine the actions that the applicant must take to be in*  
41 *compliance with the provisions of chapter 179D of NRS.*

42 *5. Unless objected to by the Board or suspended or revoked,*  
43 *the initial registration of an offender as a gaming employee*  
44 *expires 1 year after the date employment commences with the*  
45 *applicable licensee or, in the case of an independent agent, 1 year*



1 *after the date he contracts with an applicable licensee. Any*  
2 *subsequent renewal of registration as a gaming employee, unless*  
3 *objected to by the Board or suspended or revoked, expires 1 year*  
4 *after the expiration date of the most recent registration or renewal*  
5 *of registration of the gaming employee.*

6 **6. The Commission may, with the advice and assistance of the**  
7 **Board, adopt regulations to carry out the provisions of this section.**

8 **7. As used in this section:**

9 (a) ***“Central Repository” means the Central Repository for***  
10 ***Nevada Records of Criminal History.***

11 (b) ***“Offender” includes an “offender convicted of a crime***  
12 ***against a child” as defined in NRS 179D.216 and a “sex offender”***  
13 ***as defined in NRS 179D.400.***

14 **Sec. 50. NRS 463.335 is hereby amended to read as follows:**

15 463.335 1. The Legislature finds that, to protect and promote  
16 the health, safety, morals, good order and general welfare of the  
17 inhabitants of the State of Nevada and to carry out the policy  
18 declared in NRS 463.0129, it is necessary that the Board:

19 (a) Ascertain and keep itself informed of the identity, prior  
20 activities and present location of all gaming employees and  
21 independent agents in the State of Nevada; and

22 (b) Maintain confidential records of such information.

23 2. Except as otherwise provided in subsection 4, a person may  
24 not be employed as a gaming employee or serve as an independent  
25 agent unless he is temporarily registered or registered as a gaming  
26 employee pursuant to this section. An applicant for registration or  
27 renewal of registration as a gaming employee must file an  
28 application for registration or renewal of registration with the Board.  
29 Whenever a registered gaming employee, whose registration has not  
30 expired, has not been objected to by the Board, or has not been  
31 suspended or revoked becomes employed as a gaming employee at  
32 another or additional gaming establishment, he must file a change of  
33 employment notice within 10 days with the Board. The application  
34 for registration and change of employment notice must be filed  
35 through the licensee for whom the applicant will commence or  
36 continue working as a gaming employee, unless otherwise filed with  
37 the Board as prescribed by regulation of the Commission.

38 3. The Board shall prescribe the forms for the application for  
39 registration as a gaming employee and the change of employment  
40 notice.

41 4. An independent agent is not required to be registered as a  
42 gaming employee if he is not a resident of this State and has  
43 registered with the Board in accordance with the provisions of the  
44 regulations adopted by the Commission.



1       5. A complete application for registration or renewal of  
2 registration as a gaming employee or a change of employment  
3 notice received by a licensee must be mailed or delivered to the  
4 Board within 5 business days of receipt unless the date is  
5 administratively extended by the Chairman of the Board for good  
6 cause. A licensee is not responsible for the accuracy or  
7 completeness of any application for registration or renewal of  
8 registration as a gaming employee or any change of employment  
9 notice.

10       6. The Board shall immediately conduct an investigation of  
11 each person who files an application for registration or renewal of  
12 registration as a gaming employee to determine whether he is  
13 eligible for registration as a gaming employee. In conducting the  
14 investigation, two complete sets of the applicant's fingerprints must  
15 be submitted to the Central Repository for Nevada Records of  
16 Criminal History for:

17       (a) A report concerning the criminal history of the applicant; and

18       (b) Submission to the Federal Bureau of Investigation for a  
19 report concerning the criminal history of the applicant.

20       ➤ The investigation need not be limited solely to consideration of  
21 the results of the report concerning the criminal history of the  
22 applicant. The fee for processing an application for registration or  
23 renewal of registration as a gaming employee may be charged only  
24 to cover the actual investigative and administrative costs related to  
25 processing the application and the fees charged by the Central  
26 Repository for Nevada Records of Criminal History and the Federal  
27 Bureau of Investigation to process the fingerprints of an applicant  
28 pursuant to this subsection.

29       7. Upon receipt of a change of employment notice, the Board  
30 may conduct any investigations of the gaming employee that the  
31 Board deems appropriate to determine whether the gaming  
32 employee may remain registered as a gaming employee. The filing  
33 of a change of employment notice constitutes an application for  
34 registration as a gaming employee, and if the Board, after  
35 conducting its investigation, suspends or objects to the continued  
36 registration of the gaming employee, the provisions of subsections  
37 11 to 17, inclusive, apply to such suspension by or objection of the  
38 Board. No fee may be charged by the Board to cover the actual  
39 investigative and administrative costs related to processing a change  
40 of employment notice.

41       8. Except as otherwise prescribed by regulation of the  
42 Commission, an applicant for registration or renewal of registration  
43 as a gaming employee is deemed temporarily registered as a gaming  
44 employee as of the date a complete application for registration or  
45 renewal of registration is submitted to the licensee for which he will





1 commence or continue working as a gaming employee. ~~Unless~~  
2 *Except as otherwise provided in section 49 of this act and unless*  
3 objected to by the Board or suspended or revoked, the initial  
4 registration of an applicant as a gaming employee expires 5 years  
5 after the date employment commences with the applicable licensee  
6 or, in the case of an independent agent, 5 years after the date he  
7 contracts with an applicable licensee. Any subsequent renewal of  
8 registration as a gaming employee, *except as otherwise provided in*  
9 *section 49 of this act and* unless objected to by the Board or  
10 suspended or revoked, expires 5 years after the expiration date of  
11 the most recent registration or renewal of registration of the gaming  
12 employee.

13 9. If, within 120 days after receipt by the Board of a complete  
14 application for registration or renewal of registration as a gaming  
15 employee, including classifiable fingerprints, or a change of  
16 employment notice, the Board has not notified the applicable  
17 licensee of any suspension or objection, the applicant shall be  
18 deemed to be registered as a gaming employee. A complete  
19 application for registration or renewal of registration as a gaming  
20 employee is composed of:

21 (a) The fully completed form for application for registration as a  
22 gaming employee prescribed in subsection 3;

23 (b) Two complete sets of the fingerprints of the applicant, unless  
24 directly forwarded electronically or by another means to the Central  
25 Repository for Nevada Records of Criminal History;

26 (c) The fee for processing the application for registration or  
27 renewal of registration as a gaming employee prescribed by the  
28 Board pursuant to subsection 6, unless otherwise prescribed by  
29 regulation of the Commission; ~~and~~

30 (d) A completed statement as prescribed in subsections 1 and 2  
31 of NRS 463.3351 ~~+~~; and

32 *(e) A completed declaration as prescribed in section 49 of this*  
33 *act, if required.*

34 ➔ If the Board determines after receiving an application for  
35 registration or renewal of registration as a gaming employee that the  
36 application is incomplete, the Board may suspend the temporary  
37 registration as a gaming employee of the applicant who filed the  
38 incomplete application. An applicant whose temporary registration  
39 is suspended shall not be eligible to work as a gaming employee  
40 until such time as he files a complete application.

41 10. A person who is temporarily registered or registered as a  
42 gaming employee is eligible for employment in any licensed gaming  
43 establishment in this State until such registration is objected to by  
44 the Board, expires or is suspended or revoked. The Commission  
45 shall adopt regulations to:



1 (a) Establish uniform procedures for the registration of gaming  
2 employees;

3 (b) Establish uniform criteria for objection by the Board of an  
4 application for registration; and

5 (c) Provide for the creation and maintenance of a system of  
6 records that contain information regarding the current place of  
7 employment of each person who is registered as a gaming employee  
8 and each person whose registration as a gaming employee has  
9 expired, was objected to by the Board, or was suspended or revoked.  
10 The system of records must be accessible by licensees for the  
11 limited purpose of complying with subsection 2.

12 11. If the Board, within the 120-day period prescribed in  
13 subsection 9, notifies:

14 (a) The applicable licensee; and

15 (b) The applicant,

16 ➔ that the Board suspends or objects to the temporary registration  
17 of an applicant as a gaming employee, the licensee shall  
18 immediately terminate the applicant from employment or reassign  
19 him to a position that does not require registration as a gaming  
20 employee. The notice of suspension or objection by the Board which  
21 is sent to the applicant must include a statement of the facts upon  
22 which the Board relied in making its suspension or objection.

23 12. Any person whose application for registration or renewal of  
24 registration as a gaming employee has been suspended or objected  
25 to by the Board may, not later than 60 days after receiving notice of  
26 the suspension or objection, apply to the Board for a hearing. A  
27 failure of a person whose application has been objected to or  
28 suspended to apply for a hearing within 60 days or his failure to  
29 appear at a hearing of the Board conducted pursuant to this section  
30 shall be deemed to be an admission that the suspension or objection  
31 is well-founded, and the failure precludes administrative or judicial  
32 review. At the hearing, the Board shall take any testimony deemed  
33 necessary. After the hearing, the Board shall review the testimony  
34 taken and any other evidence, and shall, within 45 days after the  
35 date of the hearing, mail to the applicant its decision sustaining or  
36 reversing the suspension or the objection to the registration of the  
37 applicant as a gaming employee.

38 13. The Board may suspend or object to the registration of an  
39 applicant as a gaming employee for any cause deemed reasonable  
40 by the Board. The Board may object to or suspend the registration if  
41 the applicant has:

42 (a) Failed to disclose or misstated information or otherwise  
43 attempted to mislead the Board with respect to any material fact  
44 contained in the application for registration as a gaming employee;



1 (b) Knowingly failed to comply with the provisions of this  
2 chapter or chapter 463B, 464 or 465 of NRS or the regulations of  
3 the Commission at a place of previous employment;

4 (c) Committed, attempted or conspired to commit any crime of  
5 moral turpitude, embezzlement or larceny or any violation of any  
6 law pertaining to gaming, or any crime which is inimical to the  
7 declared policy of this State concerning gaming;

8 (d) Committed, attempted or conspired to commit a crime which  
9 is a felony or gross misdemeanor in this State or an offense in  
10 another state or jurisdiction which would be a felony or gross  
11 misdemeanor if committed in this State and which relates to the  
12 applicant's suitability or qualifications to work as a gaming  
13 employee;

14 (e) Been identified in the published reports of any federal or  
15 state legislative or executive body as being a member or associate of  
16 organized crime, or as being of notorious and unsavory reputation;

17 (f) Been placed and remains in the constructive custody of any  
18 federal, state or municipal law enforcement authority; or

19 (g) Had registration as a gaming employee revoked or  
20 committed any act which is a ground for the revocation of  
21 registration as a gaming employee or would have been a ground for  
22 revoking registration as a gaming employee if the applicant had then  
23 been registered as a gaming employee.

24 ➤ If the Board registers or does not suspend or object to the  
25 registration of an applicant as a gaming employee, it may specially  
26 limit the period for which the registration is valid, limit the job  
27 classifications for which the registered gaming employee may be  
28 employed and establish such individual conditions for the renewal  
29 and effectiveness of the registration as the Board deems appropriate,  
30 including required submission to unscheduled tests for the presence  
31 of alcohol or controlled substances.

32 14. Any applicant aggrieved by the decision of the Board may,  
33 within 15 days after the announcement of the decision, apply in  
34 writing to the Commission for review of the decision. Review is  
35 limited to the record of the proceedings before the Board. The  
36 Commission may sustain, modify or reverse the Board's decision.  
37 The decision of the Commission is subject to judicial review  
38 pursuant to NRS 463.315 to 463.318, inclusive.

39 15. The Chairman of the Board may designate a member of the  
40 Board or the Board may appoint a hearing examiner and authorize  
41 that person to perform on behalf of the Board any of the following  
42 functions required of the Board by this section concerning the  
43 registration or renewal of registration of gaming employees:

44 (a) Conducting a hearing and taking testimony;



1 (b) Reviewing the testimony and evidence presented at the  
2 hearing;

3 (c) Making a recommendation to the Board based upon the  
4 testimony and evidence or rendering a decision on behalf of  
5 the Board to sustain or reverse the suspension of or the objection to  
6 the registration of an applicant as a gaming employee; and

7 (d) Notifying the applicant of the decision.

8 16. Notice by the Board as provided pursuant to this section is  
9 sufficient if it is mailed to the applicant's last known address as  
10 indicated on the application for registration as a gaming employee  
11 or the record of the hearing, as the case may be. The date of mailing  
12 may be proven by a certificate signed by an officer or employee of  
13 the Board which specifies the time the notice was mailed. The  
14 notice shall be deemed to have been received by the applicant 5  
15 days after it is deposited with the United States Postal Service with  
16 the postage thereon prepaid.

17 17. Except as otherwise provided in this subsection, all records  
18 acquired or compiled by the Board or Commission relating to any  
19 application made pursuant to this section, all lists of persons  
20 registered as gaming employees, all lists of persons suspended or  
21 objected to by the Board and all records of the names or identity of  
22 persons engaged in the gaming industry in this State are confidential  
23 and must not be disclosed except in the proper administration of this  
24 chapter or to an authorized law enforcement agency. Upon receipt of  
25 a request from the Welfare Division of the Department of Human  
26 Resources pursuant to NRS 425.400 for information relating to a  
27 specific person who has applied for registration as a gaming  
28 employee or is registered as a gaming employee, the Board shall  
29 disclose to the Division his social security number, residential  
30 address and current employer as that information is listed in the files  
31 and records of the Board. Any record of the Board or Commission  
32 which shows that the applicant has been convicted of a crime in  
33 another state must show whether the crime was a misdemeanor,  
34 gross misdemeanor, felony or other class of crime as classified by  
35 the state in which the crime was committed. In a disclosure of the  
36 conviction, reference to the classification of the crime must be based  
37 on the classification in the state where it was committed.

38 **Sec. 51.** Chapter 483 of NRS is hereby amended by adding  
39 thereto a new section to read as follows:

40 *1. The Department shall not issue a driver's license,*  
41 *commercial driver's license or identification card to an offender*  
42 *or renew the driver's license, commercial driver's license or*  
43 *identification card of an offender until:*

44 *(a) The offender has submitted the declaration required*  
45 *pursuant to this section to the Department; and*



1       (b) *The Department has received a report submitted by the*  
2 *Central Repository pursuant to section 24 of this act indicating*  
3 *that the offender is in compliance with the provisions of chapter*  
4 *179D of NRS.*

5       2. *At the time of submitting an application for the issuance or*  
6 *renewal of a driver's license, commercial driver's license or*  
7 *identification card, an offender must submit to the Department a*  
8 *declaration, signed under penalty of perjury, stating that the*  
9 *offender is in compliance with the requirements of chapter 179D*  
10 *of NRS.*

11       3. *If an offender fails to submit the declaration required*  
12 *pursuant to this section or if the Central Repository submits a*  
13 *report to the Department pursuant to section 24 of this act*  
14 *indicating that the offender is not in compliance with the*  
15 *provisions of chapter 179D of NRS, the Department:*

16       (a) *Shall not issue a driver's license, commercial driver's*  
17 *license or identification card to the offender or renew the driver's*  
18 *license, commercial driver's license or identification card of the*  
19 *offender; and*

20       (b) *Shall advise the offender to contact the Central Repository*  
21 *to determine the actions that the offender must take to be in*  
22 *compliance with the provisions of chapter 179D of NRS.*

23       4. *A driver's license, commercial driver's license or*  
24 *identification card issued to an offender expires on the first*  
25 *anniversary date of the offender's birthday, measured in the case*  
26 *of an original license or identification card, a renewal license or*  
27 *identification card and a renewal of an expired license or*  
28 *identification card, from the birthday nearest the date of issuance*  
29 *or renewal.*

30       5. *The Department may adopt regulations to carry out the*  
31 *provisions of this section.*

32       6. *As used in this section:*

33       (a) *"Central Repository" means the Central Repository for*  
34 *Nevada Records of Criminal History.*

35       (b) *"Offender" includes an "offender convicted of a crime*  
36 *against a child" as defined in NRS 179D.216 and a "sex offender"*  
37 *as defined in NRS 179D.400.*

38       **Sec. 52.** *NRS 483.250 is hereby amended to read as follows:*

39       483.250 *The Department shall not issue any license pursuant to*  
40 *the provisions of NRS 483.010 to 483.630, inclusive:*

41       1. *To any person who is under the age of 18 years, except that*  
42 *the Department may issue:*

43       (a) *A restricted license to a person between the ages of 14 and*  
44 *18 years pursuant to the provisions of NRS 483.267 and 483.270.*



(b) An instruction permit to a person who is at least 15 1/2 years of age pursuant to the provisions of subsection 1 of NRS 483.280.

(c) A restricted instruction permit to a person under the age of 18 years pursuant to the provisions of subsection 3 of NRS 483.280.

(d) Except as otherwise provided in paragraph (e), a license to a person between the ages of 15 3/4 and 18 years if:

(1) He has completed a course:

(I) In automobile driver education pursuant to NRS 389.090; or

(II) Provided by a school for training drivers licensed pursuant to NRS 483.700 to 483.780, inclusive, if the course complies with the applicable regulations governing the establishment, conduct and scope of automobile driver education adopted by the State Board of Education pursuant to NRS 389.090;

(2) He has at least 50 hours of experience in driving a motor vehicle with a restricted license, instruction permit or restricted instruction permit issued pursuant to NRS 483.267, 483.270 or 483.280;

(3) His parent or legal guardian signs and submits to the Department a form provided by the Department which attests that the person who wishes to obtain the license has completed the training and experience required by subparagraphs (1) and (2); and

(4) He has held an instruction permit for at least:

(I) Ninety days before he applies for the license, if he was under the age of 16 years at the time he obtained the instruction permit;

(II) Sixty days before he applies for the license, if he was at least 16 years of age but less than 17 years of age at the time he obtained the instruction permit; or

(III) Thirty days before he applies for the license, if he was at least 17 years of age but less than 18 years of age at the time he obtained the instruction permit.

(e) A license to a person who is between the ages of 15 3/4 and 18 years if:

(1) The public school in which he is enrolled is located in a county whose population is less than 50,000 or in a city or town whose population is less than 25,000;

(2) The public school does not offer automobile driver education;

(3) He has at least 50 hours of experience in driving a motor vehicle with a restricted license, instruction permit or restricted instruction permit issued pursuant to NRS 483.267, 483.270 or 483.280;

(4) His parent or legal guardian signs and submits to the Department a form provided by the Department which attests that



1 the person who wishes to obtain the license has completed the  
2 experience required by subparagraph (3); and

3 (5) He has held an instruction permit for at least:

4 (I) Ninety days before he applies for the license, if he was  
5 under the age of 16 years at the time he obtained the instruction  
6 permit;

7 (II) Sixty days before he applies for the license, if he was  
8 at least 16 years of age but less than 17 years of age at the time he  
9 obtained the instruction permit; or

10 (III) Thirty days before he applies for the license, if he  
11 was at least 17 years of age but less than 18 years of age at the time  
12 he obtained the instruction permit.

13 2. To any person whose license has been revoked until the  
14 expiration of the period during which he is not eligible for a license.

15 3. To any person whose license has been suspended, but upon  
16 good cause shown to the Administrator, the Department may issue a  
17 restricted license to him or shorten any period of suspension.

18 4. To any person who has previously been adjudged to be  
19 afflicted with or suffering from any mental disability or disease and  
20 who has not at the time of application been restored to legal  
21 capacity.

22 5. To any person who is required by NRS 483.010 to 483.630,  
23 inclusive, to take an examination, unless he has successfully passed the  
24 examination.

25 6. To any person when the Administrator has good cause to  
26 believe that by reason of physical or mental disability that person  
27 would not be able to operate a motor vehicle safely.

28 7. To any person who is not a resident of this State.

29 8. To any child who is the subject of a court order issued  
30 pursuant to title 5 of NRS which delays his privilege to drive.

31 9. To any person who is the subject of a court order issued  
32 pursuant to NRS 206.330 which suspends or delays his privilege to  
33 drive until the expiration of the period of suspension or delay.

34 *10. To any person who is not eligible for the issuance a*  
35 *license pursuant to section 51 of this act.*

36 **Sec. 53.** NRS 483.290 is hereby amended to read as follows:

37 483.290 1. Every application for an instruction permit or for  
38 a driver's license must:

39 (a) Be made upon a form furnished by the Department.

40 (b) Be verified by the applicant before a person authorized to  
41 administer oaths. Officers and employees of the Department may  
42 administer those oaths without charge.

43 (c) Be accompanied by the required fee.

44 (d) State the name, date of birth, sex and residence address of  
45 the applicant and briefly describe the applicant.



(e) State whether the applicant has theretofore been licensed as a driver, and, if so, when and by what state or country, and whether any such license has ever been suspended or revoked, or whether an application has ever been refused, and, if so, the date of and reason for the suspension, revocation or refusal.

(f) *If required pursuant to section 51 of this act, include the declaration described in that section.*

(g) Include such other information as the Department may require to determine the competency and eligibility of the applicant.

2. Except as otherwise provided in subsections 5, 6 and 7, every applicant must furnish proof of his name and age by displaying an original or certified copy of at least one of the following documents:

(a) If the applicant was born in the United States, including, without limitation, the District of Columbia or any territory of the United States:

(1) A birth certificate issued by a state, a political subdivision of a state, the District of Columbia or any territory of the United States;

(2) A driver's license issued by another state, the District of Columbia or any territory of the United States;

(3) A passport issued by the United States Government;

(4) A military identification card or military dependent identification card issued by any branch of the Armed Forces of the United States;

(5) For persons who served in any branch of the Armed Forces of the United States, a report of separation;

(6) A Certificate of Degree of Indian Blood issued by the United States Government; or

(7) Such other documentation as specified by the Department by regulation; or

(b) If the applicant was born outside the United States:

(1) A Certificate of Citizenship, Certificate of Naturalization, Permanent Resident Card or Temporary Resident Card issued by the Bureau of Citizenship and Immigration Services;

(2) A Consular Report of Birth Abroad issued by the Department of State;

(3) A driver's license issued by another state, the District of Columbia or any territory of the United States;

(4) A passport issued by the United States Government; or

(5) Any other proof acceptable to the Department other than a passport issued by a foreign government.

3. At the time of applying for a driver's license, an applicant may, if eligible, register to vote pursuant to NRS 293.524.





1       4. Every applicant who has been assigned a social security  
2 number must furnish proof of his social security number by  
3 displaying:

4       (a) An original card issued to the applicant by the Social  
5 Security Administration bearing the social security number of the  
6 applicant; or

7       (b) Other proof acceptable to the Department, including, without  
8 limitation, records of employment or federal income tax returns.

9       5. The Department may refuse to accept a driver's license  
10 issued by another state, the District of Columbia or any territory of  
11 the United States if the Department determines that the other state,  
12 the District of Columbia or the territory of the United States has less  
13 stringent standards than the State of Nevada for the issuance of a  
14 driver's license.

15       6. With respect to any document described in paragraph (b) of  
16 subsection 2, the Department may:


17       (a) If the document has expired, refuse to accept the document  
18 or refuse to issue a driver's license to the person presenting the  
19 document, or both; and

20       (b) If the document specifies a date by which the person  
21 presenting the document must depart from the United States, issue  
22 to the person presenting the document a driver's license that expires  
23 on the date on which the person is required to depart from the  
24 United States.

25       7. The Director shall adopt regulations setting forth criteria  
26 pursuant to which the Department will issue or refuse to issue a  
27 driver's license in accordance with this section to a person who is a  
28 citizen of a foreign country. The criteria must be based upon the  
29 purpose for which that person is present within the United States.

30       8. Notwithstanding any other provision of this section, the  
31 Department shall not accept a consular identification card as proof  
32 of the age or identity of an applicant for an instruction permit or for  
33 a driver's license. As used in this subsection, "consular  
34 identification card" has the meaning ascribed to it in NRS 232.006.

35       **Sec. 54.** NRS 483.380 is hereby amended to read as follows:

36       483.380 1. Except as otherwise provided in NRS 483.247   
37 *and section 51 of this act*, every driver's license expires on the  
38 fourth anniversary of the licensee's birthday, measured in the case  
39 of an original license, a renewal license and a renewal of an expired  
40 license, from the birthday nearest the date of issuance or renewal.  
41 Any applicant whose date of birth was on February 29 in a leap year  
42 is, for the purposes of NRS 483.010 to 483.630, inclusive,  
43 considered to have the anniversary of his birth fall on February 28.

44       2. Every license is renewable at any time before its expiration  
45 upon application and payment of the required fee.



3. The Department may, by regulation, defer the expiration of the driver's license of a person who is on active duty in the Armed Forces upon such terms and conditions as it may prescribe. The Department may similarly defer the expiration of the license of the spouse or dependent son or daughter of that person if the spouse or child is residing with the person.

**Sec. 55.** NRS 483.410 is hereby amended to read as follows:

483.410 1. Except as otherwise provided in ~~subsection 6,~~ *subsections 2 and 7*, for every driver's license, including a motorcycle driver's license, issued and service performed, the following fees must be charged:

A license issued to a person 65 years of age or older .....	\$14
An original license issued to any other person.....	19
A renewal license issued to any other person .....	19
Reinstatement of a license after suspension, revocation or cancellation, except a revocation for a violation of NRS 484.379 or 484.3795 or pursuant to NRS 484.384 and 484.385 .....	40
Reinstatement of a license after revocation for a violation of NRS 484.379 or 484.3795 or pursuant to NRS 484.384 and 484.385 .....	65
A new photograph, change of name, change of other information, except address, or any combination.....	5
A duplicate license .....	14

*2. The Department shall prorate, as appropriate, the fees charged to a person who is subject to the provisions of section 51 of this act.*

3. For every motorcycle endorsement to a driver's license, a fee of \$5 must be charged.

~~3.~~ 4. If no other change is requested or required, the Department shall not charge a fee to convert the number of a license from the licensee's social security number, or a number that was formulated by using the licensee's social security number as a basis for the number, to a unique number that is not based on the licensee's social security number.

~~4.~~ 5. The increase in fees authorized by NRS 483.347 and the fees charged pursuant to NRS 483.383 and 483.415 must be paid in addition to the fees charged pursuant to subsections 1 and ~~2.~~ 3.

~~5.~~ 6. A penalty of \$10 must be paid by each person renewing his license after it has expired for a period of 30 days or more as provided in NRS 483.386 unless he is exempt pursuant to that section.



~~[6-]~~ 7. The Department may not charge a fee for the reinstatement of a driver's license that has been:

- (a) Voluntarily surrendered for medical reasons; or
- (b) Cancelled pursuant to NRS 483.310.

~~[7-]~~ 8. All fees and penalties are payable to the Administrator at the time a license or a renewal license is issued.

~~[8-]~~ 9. Except as otherwise provided in NRS 483.340, 483.415 and 483.840, all money collected by the Department pursuant to this chapter must be deposited in the State Treasury for credit to the Motor Vehicle Fund.

**Sec. 56.** NRS 483.820 is hereby amended to read as follows:

483.820 1. A person who applies for an identification card in accordance with the provisions of NRS 483.810 to 483.890, inclusive, *and who complies with the provisions of section 51 of this act, if required*, is entitled to receive an identification card if he is:

(a) A resident of this State and is 10 years of age or older and does not hold a valid driver's license or identification card from any state or jurisdiction; or

(b) A seasonal resident who does not hold a valid Nevada driver's license.

2. ~~[The]~~ *Except as otherwise provided in subsection 3, the Department shall charge and collect the following fees for the issuance of an original, duplicate or changed identification card:*

An original or duplicate identification card issued to a person 65 years of age or older .....	\$4
An original or duplicate identification card issued to a person under 18 years of age.....	3
A renewal of an identification card for a person under 18 years of age .....	3
An original or duplicate identification card issued to any other person.....	9
A renewal of an identification card for any person at least 18 years of age, but less than 65 years of age .....	9
A new photograph or change of name, or both.....	4

3. *The Department shall prorate, as appropriate, the fees for the issuance of an original, duplicate or changed identification card to a person who is subject to the provisions of section 51 of this act.*

4. The Department shall not charge a fee for:

(a) An identification card issued to a person who has voluntarily surrendered his driver's license pursuant to NRS 483.420; or



(b) A renewal of an identification card for a person 65 years of age or older.

~~[4-]~~ 5. The increase in fees authorized in NRS 483.347 must be paid in addition to the fees charged pursuant to this section.

~~[5-]~~ 6. As used in this section, "photograph" has the meaning ascribed to it in NRS 483.125.

**Sec. 57.** NRS 483.850 is hereby amended to read as follows:

483.850 1. Every application for an identification card must be made upon a form provided by the Department and include:

(a) The applicant's name.

(b) His social security number, if any.

(c) His date of birth.

(d) His state of legal residence.

(e) His current address in this State, unless the applicant is on active duty in the military service of the United States.

(f) A statement from:

(1) A resident stating that he does not hold a valid driver's license or identification card from any state or jurisdiction; or

(2) A seasonal resident stating that he does not hold a valid Nevada driver's license.

*(g) If required pursuant to section 51 of this act, the declaration described in that section.*

2. When the form is completed, the applicant must sign the form and verify the contents before a person authorized to administer oaths.

3. At the time of applying for an identification card, an applicant may, if eligible, register to vote pursuant to NRS 293.524.

4. A person who possesses a driver's license or identification card issued by another state or jurisdiction who wishes to apply for an identification card pursuant to this section shall surrender to the Department the driver's license or identification card issued by the other state or jurisdiction at the time he applies for an identification card pursuant to this section.

**Sec. 58.** NRS 483.875 is hereby amended to read as follows:

483.875 1. Except as otherwise provided in NRS 483.870 ~~[4-]~~ *and section 51 of this act*, an identification card and a renewal of an identification card issued pursuant to NRS 483.810 to 483.890, inclusive, expires on the fourth anniversary of the birthday of the holder of the identification card, measured from the birthday nearest the date of issuance or renewal. Any applicant whose date of birth was on February 29 in a leap year is, for the purposes of NRS 483.810 to 483.890, inclusive, considered to have the anniversary of his birth fall on February 28.

2. An identification card is renewable at any time before its expiration upon application and payment of the required fee.



**Sec. 59.** NRS 483.910 is hereby amended to read as follows:

483.910 1. ~~[The]~~ *Except as otherwise provided in subsection 2, the* Department shall charge and collect the following fees:

For an original commercial driver's license which requires the Department to administer a driving skills test.....	\$84
For an original commercial driver's license which does not require the Department to administer a driving skills test .....	54
For renewal of a commercial driver's license which requires the Department to administer a driving skills test.....	84
For renewal of a commercial driver's license which does not require the Department to administer a driving skills test .....	54
For reinstatement of a commercial driver's license after suspension or revocation of the license for a violation of NRS 484.379 or 484.3795, or pursuant to NRS 484.384 and 484.385, or pursuant to 49 C.F.R. § 383.51(b)(2)(i) or (ii).....	84
For reinstatement of a commercial driver's license after suspension, revocation, cancellation or disqualification of the license, except a suspension or revocation for a violation of NRS 484.379 or 484.3795, or pursuant to NRS 484.384 and 484.385, or pursuant to 49 C.F.R. § 383.51(b)(2)(i) or (ii) .....	54
For the transfer of a commercial driver's license from another jurisdiction, which requires the Department to administer a driving skills test .....	84
For the transfer of a commercial driver's license from another jurisdiction, which does not require the Department to administer a driving skills test .....	54
For a duplicate commercial driver's license .....	19
For any change of information on a commercial driver's license .....	9
For each endorsement added after the issuance of an original commercial driver's license.....	14
For the administration of a driving skills test to change any information on, or add an endorsement to, an existing commercial driver's license .....	30



2. *The Department shall prorate, as appropriate, the fees charged to a person who is subject to the provisions of section 51 of this act.*

3. The Department shall charge and collect an annual fee of \$555 from each person who is authorized by the Department to administer a driving skills test pursuant to NRS 483.912.

~~{3-}~~ 4. An additional charge of \$3 must be charged for each knowledge test administered to a person who has twice failed the test.

~~{4-}~~ 5. An additional charge of \$25 must be charged for each driving skills test administered to a person who has twice failed the test.

~~{5-}~~ 6. The increase in fees authorized in NRS 483.347 must be paid in addition to the fees charged pursuant to this section.

~~{6-}~~ 7. The Department shall charge an applicant for a hazardous materials endorsement an additional fee for the processing of fingerprints. The Department shall establish the additional fee by regulation, except that the amount of the additional fee must not exceed the sum of the amount charged by the Central Repository for Nevada Records of Criminal History and each applicable federal agency to process the fingerprints for a background check of the applicant in accordance with Section 1012 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT ACT) of 2001, 49 U.S.C. § 5103a.

**Sec. 60.** NRS 483.928 is hereby amended to read as follows:

483.928 A person who wishes to be issued a commercial driver's license by this State must:

1. Apply to the Department for a commercial driver's license;

2. In accordance with standards contained in regulations adopted by the Department:

(a) Pass a knowledge test for the type of motor vehicle he operates or expects to operate; and

(b) Pass a driving skills test for driving a commercial motor vehicle taken in a motor vehicle which is representative of the type of motor vehicle he operates or expects to operate;

3. Comply with all other requirements contained in the regulations adopted by the Department pursuant to NRS 483.908;

~~{and}~~

4. *Comply with the requirements of section 51 of this act, if required; and*

5. For the issuance of a commercial driver's license with an endorsement for hazardous materials, submit a complete set of fingerprints and written permission authorizing the Department to forward the fingerprints to the Central Repository for Nevada



1 Records of Criminal History and all applicable federal agencies to  
2 process the fingerprints for a background check of the applicant in  
3 accordance with Section 1012 of the Uniting and Strengthening  
4 America by Providing Appropriate Tools Required to Intercept and  
5 Obstruct Terrorism Act (USA PATRIOT ACT) of 2001, 49 U.S.C.  
6 § 5103a.

7 **Sec. 61.** NRS 179A.310, 179A.315, 179B.080, 179B.100,  
8 179B.140 and 179B.250 are hereby repealed.

9 **Sec. 62.** 1. The Attorney General shall, as expeditiously as  
10 possible after July 1, 2005, but not later than January 1, 2006, create  
11 and place into operation the Attorney General's Offender  
12 Information Website established pursuant to section 15 of this act.

13 2. The Central Repository for Nevada Records of Criminal  
14 History shall assist the Attorney General in creating and placing into  
15 operation the Attorney General's Offender Information Website.

16 **Sec. 63.** 1. Notwithstanding any other provision of law or  
17 any contrary information contained in or on any previous document  
18 issued by the State Gaming Control Board or the Nevada Gaming  
19 Commission, if the registration of a person as a gaming employee  
20 will currently expire on or after July 1, 2005, and if the person is  
21 subject to the provisions of section 49 of this act, the registration of  
22 such a person shall be deemed to expire on January 1, 2006, unless  
23 the registration is otherwise earlier suspended or revoked by the  
24 Board, and the person must apply for renewal of his registration in  
25 accordance with the amendatory provisions of this act on or after  
26 January 1, 2006.

27 2. The Board shall, with the assistance of the Central  
28 Repository for Nevada Records of Criminal History, make a  
29 reasonable attempt to notify any person whose registration as a  
30 gaming employee is affected by the amendatory provisions of this  
31 act and provide that person with information concerning the  
32 procedures that must be followed to be registered as a gaming  
33 employee pursuant to the amendatory provisions of this act.

34 **Sec. 64.** 1. Notwithstanding any other provision of law or  
35 any contrary information contained in or on any previous document  
36 issued by the Department of Motor Vehicles, including, without  
37 limitation, any driver's license, commercial driver's license or  
38 identification card, if the driver's license, commercial driver's  
39 license or identification card of a person will currently expire on or  
40 after July 1, 2005, and if the person is subject to the provisions of  
41 section 51 of this act, the driver's license, commercial driver's  
42 license or identification card of the person shall be deemed to expire  
43 on January 1, 2006, unless the driver's license, commercial driver's  
44 license or identification card is otherwise earlier suspended or  
45 revoked, and the person must apply for renewal of his driver's



1 license, commercial driver's license or identification card in  
2 accordance with the amendatory provisions of this act on or after  
3 January 1, 2006.

4 2. The Department of Motor Vehicles shall, with the assistance  
5 of the Central Repository for Nevada Records of Criminal History,  
6 make a reasonable attempt to notify any person whose driver's  
7 license, commercial driver's license or identification card is affected  
8 by the amendatory provisions of this act and provide that person  
9 with information concerning the procedures that must be followed to  
10 obtain a driver's license, commercial driver's license or  
11 identification card pursuant to the amendatory provisions of this act.

12 **Sec. 65.** This act becomes effective on July 1, 2005.

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## LEADLINES OF REPEALED SECTIONS

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**179A.310 Creation; administration; purpose; regulations; failure to apply for grant or request background investigation is not evidence of negligence or causation.**

**179A.315 Donations to Account: Forms and procedures; deposit with State Treasurer.**

**179B.080 "Program" defined.**

**179B.100 "Requester" defined.**

**179B.140 "Subject of the search" defined.**

**179B.250 Establishment of program; information to be included with each inquiry to the program; duties authorizations and prohibitions of Central Repository.**

