

SENATE BILL NO. 449—COMMITTEE ON JUDICIARY

MARCH 29, 2005

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing crime of burglary.
(BDR 15-1357)

FISCAL NOTE: Effect on Local Government: No.
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.

AN ACT relating to crimes against property; revising provisions governing the crime of burglary; providing a penalty; 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 205.060 is hereby amended to read as follows:
2 205.060 1. A person who, by day or night, enters any house,
3 room, apartment, tenement, shop, warehouse, store, mill, barn,
4 stable, outhouse or other building, tent, vessel, vehicle, vehicle
5 trailer, semitrailer or house trailer, airplane, glider, boat or railroad
6 car, with the intent to commit grand or petit larceny, assault or
7 battery on any person or any felony, ***or to obtain money or property***
8 ***by false pretenses***, is guilty of burglary.
9 2. Except as otherwise provided in this section, a person
10 convicted of burglary is guilty of a category B felony and shall be
11 punished by imprisonment in the state prison for a minimum term of
12 not less than 1 year and a maximum term of not more than 10 years,
13 and may be further punished by a fine of not more than \$10,000. A
14 person who is convicted of burglary and who has previously been
15 convicted of burglary or another crime involving the forcible entry
16 or invasion of a dwelling must not be released on probation or
17 granted a suspension of his sentence.
18 3. Whenever a burglary is committed on a vessel, vehicle,
19 vehicle trailer, semitrailer, house trailer, airplane, glider, boat or



1 railroad car, in motion or in rest, in this State, and it cannot with
2 reasonable certainty be ascertained in what county the crime was
3 committed, the offender may be arrested and tried in any county
4 through which the vessel, vehicle, vehicle trailer, semitrailer, house
5 trailer, airplane, glider, boat or railroad car traveled during the time
6 the burglary was committed.

7 4. A person convicted of burglary who has in his possession or
8 gains possession of any firearm or deadly weapon at any time during
9 the commission of the crime, at any time before leaving the
10 structure or upon leaving the structure, is guilty of a category B
11 felony and shall be punished by imprisonment in the state prison for
12 a minimum term of not less than 2 years and a maximum term of not
13 more than 15 years, and may be further punished by a fine of not
14 more than \$10,000.

15 **Sec. 2.** This act becomes effective upon passage and approval.

