
ASSEMBLY BILL NO. 38—SELECT COMMITTEE ON
CORRECTIONS, PAROLE, AND PROBATION

(ON BEHALF OF THE DEPARTMENT OF CORRECTIONS)

PREFILED JANUARY 26, 2007

Referred to Select Committee on Corrections, Parole, and Probation

SUMMARY—Revises certain provisions governing the forfeiture of credits earned to reduce the maximum term of imprisonment when a parolee violates a condition of his parole. (BDR 16-617)

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

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

AN ACT relating to parole; revising certain provisions governing the forfeiture of credits earned to reduce the maximum term of imprisonment when a parolee violates a condition of his parole; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law provides that a prisoner may earn credits to reduce the maximum
2 term of imprisonment, including credits for: (1) good behavior; (2) completing drug
3 treatment programs and educational programs; (3) work performed while
4 incarcerated; and (4) making restitution. (NRS 209.433-209.449) **Sections 1-3** of
5 this bill provide that if a parolee violates a condition of his parole only the credits
6 that he earned for good behavior are forfeited and, under certain circumstances,
7 may be restored by the State Board of Parole Commissioners. (NRS 213.1518,
8 213.15185, 213.1519)
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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 213.1518 is hereby amended to read as follows:

213.1518 1. If a parolee violates a condition of his parole, he forfeits all or part of the credits *for good behavior* earned by him pursuant to ~~[NRS 209.447 and 209.4475]~~ *chapter 209 of NRS* after his release on parole, in the discretion of the Board.

2. A forfeiture may be made only by the Board after proof of the violation and notice to the parolee.

3. The Board may restore credits forfeited for such reasons as it considers proper.

4. The Chief ~~[Parole and Probation Officer]~~ shall report to the Director of the Department of Corrections any forfeiture or restoration of credits pursuant to this section.

Sec. 2. NRS 213.15185 is hereby amended to read as follows:

213.15185 1. A prisoner who is paroled and leaves the State without permission from the Board or who does not keep the Board informed as to his location as required by the conditions of his parole shall be deemed an escaped prisoner and arrested as such.

2. Except as otherwise provided in subsection 2 of NRS 213.1519, if his parole is lawfully revoked and he is thereafter returned to prison, he forfeits all previously earned credits *for good behavior* earned to reduce his sentence pursuant to chapter 209 of NRS and shall serve any part of the unexpired maximum term of his original sentence as may be determined by the Board.

3. Except as otherwise provided in subsection 2 of NRS 213.1519, the Board may restore any credits forfeited pursuant to subsection 2.

4. Except as otherwise provided in NRS 213.15187, the time a person is an escaped prisoner is not time served on his term of imprisonment.

Sec. 3. NRS 213.1519 is hereby amended to read as follows:

213.1519 1. Except as otherwise provided in subsection 2, a parolee whose parole is revoked by decision of the Board for a violation of any rule or regulation governing his conduct:

(a) Forfeits all credits *for good behavior* previously earned to reduce his sentence pursuant to chapter 209 of NRS; and

(b) Must serve such part of the unexpired maximum term of his original sentence as may be determined by the Board.

↪ The Board may restore any credits forfeited under this subsection.



- 1 2. A parolee released on parole pursuant to NRS 213.1215
- 2 whose parole is revoked for having been convicted of a new felony:
- 3 (a) Forfeits all credits *for good behavior* previously earned to
- 4 reduce his sentence pursuant to chapter 209 of NRS;
- 5 (b) Must serve the entire unexpired maximum term of his
- 6 original sentence; and
- 7 (c) May not again be released on parole during his term of
- 8 imprisonment.
- 9 **Sec. 4.** This act becomes effective upon passage and approval.

