
ASSEMBLY BILL NO. 495—COMMITTEE ON COMMERCE AND LABOR

MARCH 22, 2007

Referred to Committee on Commerce and Labor

SUMMARY—Provides for certification and regulation of crime scene investigators and forensic analysts. (BDR 54-313)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
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 professions; creating the Board of Crime Scene Investigators and Forensic Analysts; prescribing the powers and duties of the Board; prohibiting a person from engaging in the practice of investigating crime scenes or analyzing forensic evidence unless he is licensed by the Board; prescribing the requirements for the issuance or renewal of a license; setting forth the grounds for disciplinary action against a licensee; providing the actions the Board may take against a person who commits certain acts; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 This bill creates the Board of Crime Scene Investigators and Forensic Analysts
2 to license and regulate the activities of crime scene investigators and forensic
3 analysts. This bill defines the licensure requirements for crime scene investigators
4 and forensic analysts and establishes the grounds for the Board to refuse to issue a
5 license to an applicant. This bill also establishes the disciplinary actions the Board
6 may take against an applicant or licensee. This bill prohibits any person who has
7 not been issued a license from engaging in the practice of investigating crime
8 scenes or analyzing forensic evidence or from implying that he is licensed to do so.
9 Any violation of these provisions is a misdemeanor, and the Board is authorized to
10 seek an injunction against such actions.



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

Section 1. Title 54 of NRS is hereby amended by adding thereto a new chapter to consist of the provisions set forth as sections 2 to 34, inclusive, of this act.

Sec. 2. *The Legislature finds and declares that:*

1. The practice of investigating crime scenes and the practice of analyzing forensic evidence by persons who do not possess sufficient knowledge of the proper techniques and procedures required for properly investigating crime scenes or analyzing forensic evidence gathered from crime scenes may endanger the health, welfare and safety of the residents of this State.

2. To protect the residents of this State, it is necessary to regulate the practice of investigating crime scenes and the practice of analyzing forensic evidence.

Sec. 3. *As used in this chapter, unless the context otherwise requires, the words and terms defined in sections 4 to 7, inclusive, of this act have the meanings ascribed to them in those sections.*

Sec. 4. *“Board” means the Board of Crime Scene Investigators and Forensic Analysts created pursuant to section 9 of this act.*

Sec. 5. *“License” means a license issued by the Board pursuant to section 21 or 22 of this act.*

Sec. 6. *“Practice of analyzing forensic evidence” means:*

1. The process of analyzing, examining, reviewing and interpreting, at a forensic laboratory operated by a law enforcement agency, any potential physical evidence gathered from any location or person; or

2. Directly supervising or reviewing the work of a person who engages in the process of analyzing, examining, reviewing and interpreting any potential physical evidence gathered from any location or person at a forensic laboratory operated by a law enforcement agency.

Sec. 7. *“Practice of investigating crime scenes” means:*

1. The process of identifying, documenting, gathering or processing potential physical evidence from any location or person; or

2. Directly supervising or reviewing the work of a person who engages in the process of identifying, documenting, gathering or processing potential physical evidence from any location or person.

Sec. 8. *1. The provisions of this chapter do not apply to a peace officer who:*

(a) Is investigating the scene of a traffic accident; or



1 ***(b) Has received training in the investigation of crime scenes***
2 ***or the analysis of forensic evidence that was approved by the***
3 ***Peace Officers' Standards and Training Commission pursuant to***
4 ***NRS 289.510.***

5 ***2. As used in this section, "peace officer" has the meaning***
6 ***ascribed to it in NRS 169.125.***

7 ***Sec. 9. 1. The Board of Crime Scene Investigators and***
8 ***Forensic Analysts is hereby created. The Board consists of nine***
9 ***members appointed pursuant to this section.***

10 ***2. The Governor shall appoint to the Board nine members as***
11 ***follows:***

12 ***(a) Eight members who have engaged in the practice of***
13 ***investigating crime scenes or analyzing forensic evidence at least 2***
14 ***years immediately preceding their appointment. Of the eight***
15 ***members appointed pursuant to this paragraph, three members***
16 ***must be representatives of law enforcement agencies in Clark***
17 ***County, two members must be representatives of law enforcement***
18 ***agencies in Washoe County, two members must be representatives***
19 ***of law enforcement agencies in counties other than Clark County***
20 ***or Washoe County and one member must be the representative of***
21 ***a law enforcement agency of the State of Nevada.***

22 ***(b) One member who is a representative of the general public.***
23 ***This member must not be:***

24 ***(1) A person licensed to engage in the practice of***
25 ***investigating crime scenes or analyzing forensic evidence.***

26 ***(2) The spouse or the parent or child, by blood, marriage or***
27 ***adoption, of a person licensed to engage in the practice of***
28 ***investigating crime scenes or analyzing forensic evidence.***

29 ***3. The Governor may, in making his appointments to the***
30 ***Board pursuant to paragraph (a) of subsection 2, consider for***
31 ***appointment to the Board a person recommended to him by any***
32 ***person or group.***

33 ***4. The members who are appointed to the Board pursuant to***
34 ***paragraph (a) of subsection 2 must continue to engage in the***
35 ***practice of investigating crime scenes or analyzing forensic***
36 ***evidence in this State while they are members of the Board.***

37 ***5. After the initial terms, the term of each member of the***
38 ***Board is 2 years. A member may continue in office until the***
39 ***appointment of a successor.***

40 ***6. A member of the Board may not serve more than three***
41 ***consecutive terms.***

42 ***7. A vacancy must be filled by appointment for the unexpired***
43 ***term in the same manner as the original appointment.***



1 8. *The Governor may remove any member of the Board for*
2 *incompetence, neglect of duty, moral turpitude, or misfeasance,*
3 *malfeasance or nonfeasance in office.*

4 **Sec. 10.** *While engaged in the business of the Board, each*
5 *member and employee of the Board is entitled to receive a per*
6 *diem allowance and travel expenses at a rate fixed by the Board.*
7 *The rate must not exceed the rate provided for state officers and*
8 *employees generally.*

9 **Sec. 11.** *1. At the first meeting of each fiscal year, the*
10 *members of the Board shall elect a Chairman, Vice Chairman and*
11 *Secretary-Treasurer from among the members.*

12 *2. The Board shall meet at least quarterly and may meet at*
13 *other times at the call of the Chairman or upon the written request*
14 *of a majority of the members of the Board.*

15 *3. A meeting of the Board may be conducted telephonically or*
16 *by videoconferencing. A meeting conducted telephonically or by*
17 *videoconferencing must meet the requirements of chapter 241 of*
18 *NRS and any other applicable provisions of law.*

19 *4. Five members of the Board constitute a quorum for the*
20 *purpose of transacting the business of the Board, including,*
21 *without limitation, issuing, renewing, suspending, revoking or*
22 *reinstating a license issued pursuant to this chapter.*

23 **Sec. 12.** *1. The Attorney General and his deputies are*
24 *hereby designated as the attorneys for the Board.*

25 *2. The provisions of this section do not prevent the Board*
26 *from employing or retaining other attorneys as it may deem*
27 *necessary to carry out the provisions of this chapter.*

28 **Sec. 13.** *1. The Board may employ a person as the*
29 *Executive Director of the Board.*

30 *2. The Executive Director serves as the chief administrative*
31 *officer of the Board at a level of compensation set by the Board.*

32 *3. The Executive Director serves at the pleasure of the Board.*

33 *4. The Executive Director shall perform such duties as the*
34 *Board may direct.*

35 **Sec. 14.** *1. The Board may employ or contract with*
36 *inspectors, investigators, advisers, examiners and clerks and any*
37 *other persons required to carry out its duties and secure the*
38 *services of attorneys and other professional consultants as it may*
39 *deem necessary to carry out the provisions of this chapter.*

40 *2. Each employee of the Board serves at the pleasure of the*
41 *Board. The Board may discharge an employee of the Board for*
42 *any reason that does not violate public policy, including, without*
43 *limitation, making a false representation to the Board.*

44 **Sec. 15.** *The Board shall adopt a fiscal year beginning on*
45 *July 1 and ending on June 30.*



1 **Sec. 16. 1.** *Except as otherwise provided in subsection 5, all*
2 *reasonable expenses incurred by the Board in carrying out the*
3 *provisions of this chapter must be paid from the money that it*
4 *receives. No part of any expenses of the Board may be paid from*
5 *the State General Fund.*

6 2. *The Board may accept gifts, grants, donations and*
7 *contributions from any source to assist in carrying out the*
8 *provisions of this chapter.*

9 3. *All money received by the Board must be deposited in a*
10 *bank or other financial institution in this State and paid out upon*
11 *the Board's order for its expenses.*

12 4. *The Board may delegate to a hearing officer or panel its*
13 *authority to take any disciplinary action pursuant to this chapter,*
14 *impose and collect fines and penalties therefor, and deposit the*
15 *money therefrom in a bank or other financial institution in this*
16 *State.*

17 5. *If a hearing officer or panel is not authorized to take*
18 *disciplinary action pursuant to subsection 4 and the Board*
19 *deposits the money collected from the imposition of fines and*
20 *penalties with the State Treasurer for credit to the State General*
21 *Fund, it may present a claim to the State Board of Examiners for*
22 *recommendation to the Interim Finance Committee if money is*
23 *required to pay attorney's fees or the costs of an investigation, or*
24 *both.*

25 **Sec. 17. The Board shall:**

26 1. *Adopt a seal;*

27 2. *Prepare and maintain a record of its proceedings and*
28 *transactions;*

29 3. *Review and evaluate applications for the issuance of a*
30 *license to engage in the practice of investigating crime scenes or*
31 *analyzing forensic evidence;*

32 4. *Determine the qualifications and fitness of applicants;*

33 5. *Issue, renew, reinstate, revoke, suspend and deny licenses,*
34 *as appropriate;*

35 6. *Enforce the provisions of this chapter and any regulations*
36 *adopted pursuant thereto;*

37 7. *Investigate any complaints filed with the Board;*

38 8. *Impose any penalties it determines are required to*
39 *administer the provisions of this chapter; and*

40 9. *Transact any other business required to carry out its*
41 *duties.*

42 **Sec. 18.** *The Board shall adopt regulations to carry out the*
43 *provisions of this chapter. The regulations must include, without*
44 *limitation, provisions that:*



1 1. Establish the requirements for continuing education for
2 the renewal of a license to engage in the practice of investigating
3 crime scenes or analyzing forensic evidence;

4 2. Establish the requirements for the approval of a course of
5 continuing education, including, without limitation, a course on
6 specialty techniques for investigating crime scenes or analyzing
7 forensic evidence;

8 3. Establish the requirements for the approval of an
9 instructor of a course of continuing education;

10 4. Establish requirements relating to techniques and
11 procedures that must be followed when engaging in the practice of
12 investigating crime scenes or analyzing forensic evidence;

13 5. Prescribe the requirements for any practical, oral or
14 written examination for a license that the Board may require,
15 including, without limitation, the passing grade for such an
16 examination; and

17 6. Establish the period within which the Board or its designee
18 must report the results of the investigation of an applicant.

19 **Sec. 19.** 1. The Board shall adopt regulations necessary to
20 effect the classification and subclassification of persons who are
21 licensed to engage in the practice of investigating crime scenes or
22 analyzing forensic evidence in a manner consistent with
23 established usage and procedure and may limit the field and scope
24 of a person licensed to engage in the practice of investigating
25 crime scenes or analyzing forensic evidence to those in which he is
26 classified and qualified to engage as defined by the regulations of
27 the Board. The regulations may include, without limitation, the
28 qualifications that a person must meet for the issuance of a license
29 pursuant to section 21 to 22 of this act.

30 2. This section does not prohibit a crime scene investigator or
31 forensic analyst from engaging in the practice of investigating
32 crime scenes or analyzing forensic evidence that involves the use
33 of two or more classifications or subclassifications, if the
34 performance of the work in the classifications or
35 subclassifications in which he is not licensed is incidental and
36 supplemental to the performance of work in the classification or
37 subclassification in which he is licensed.

38 **Sec. 20.** In accordance with regulations adopted by the
39 Board, the Board may investigate, classify and qualify applicants
40 for a license by written or oral examinations, or both, and may
41 issue a license to qualified applicants. The examinations may, in
42 the discretion of the Board, be given in specific classifications
43 only.



1 **Sec. 21.** 1. *The Board may issue a license to engage in the*
2 *practice of investigating crime scenes or analyzing forensic*
3 *evidence.*

4 2. *An applicant for a license must:*

5 (a) *Be at least 18 years of age;*

6 (b) *Be employed by a law enforcement agency;*

7 (c) *Submit to the Board:*

8 (1) *A completed application on a form prescribed by the*
9 *Board;*

10 (2) *The fees prescribed by the Board pursuant to section 26*
11 *of this act; and*

12 (3) *A complete set of fingerprints and written permission*
13 *authorizing the Board to forward the fingerprints to the Central*
14 *Repository for Nevada Records of Criminal History for submission*
15 *to the Federal Bureau of Investigation for its report;*

16 (d) *Meet any qualifications established for a classification or*
17 *subclassification established by the Board pursuant to section 19*
18 *of this act; and*

19 (e) *Pass any oral or written examination required by the Board*
20 *pursuant to section 20 of this act.*

21 **Sec. 22.** 1. *The Board may issue a temporary license to*
22 *engage in the practice of investigating crime scenes or analyzing*
23 *forensic evidence.*

24 2. *An applicant for a temporary license issued pursuant to*
25 *this section must:*

26 (a) *Be at least 18 years of age; and*

27 (b) *Submit to the Board:*

28 (1) *A completed application on a form prescribed by the*
29 *Board;*

30 (2) *The fees prescribed by the Board pursuant to section 26*
31 *of this act;*

32 (3) *An affidavit indicating that he has not committed any of*
33 *the offenses for which the Board may refuse to issue a license*
34 *pursuant to section 27 of this act; and*

35 (4) *A certified statement issued by a law enforcement*
36 *agency that will employ the applicant, which provides that he will*
37 *be employed for the purpose of engaging in the practice of*
38 *investigating crime scenes or analyzing forensic evidence.*

39 3. *A temporary license expires 1 year after the date it is issued*
40 *and may not be renewed.*

41 4. *A person who holds a temporary license:*

42 (a) *May engage in the practice of investigating crime scenes or*
43 *analyzing forensic evidence only under the supervision of a person*
44 *licensed pursuant to section 21 of this act and in accordance with*



1 *the provisions of this chapter and any regulations adopted*
2 *pursuant thereto;*

3 *(b) Must comply with any other conditions, limitations and*
4 *requirements imposed by the Board;*

5 *(c) Is subject to the regulatory and disciplinary authority of the*
6 *Board to the same extent as a person licensed pursuant to section*
7 *21 of this act; and*

8 *(d) Remains subject to the regulatory and disciplinary*
9 *authority of the Board after the expiration of the temporary*
10 *license for all acts which occurred during the period of temporary*
11 *licensure.*

12 **Sec. 23. 1. In addition to any other requirements set forth**
13 **in this chapter:**

14 *(a) An applicant for the issuance of a license shall include his*
15 *social security number in the application submitted to the Board.*

16 *(b) An applicant for the issuance or renewal of a license shall*
17 *submit to the Board the statement prescribed by the Division of*
18 *Welfare and Supportive Services of the Department of Health and*
19 *Human Services pursuant to NRS 425.520. The statement must be*
20 *completed and signed by the applicant.*

21 **2. The Board shall include the statement required pursuant to**
22 **subsection 1 in:**

23 *(a) The application or any other forms that must be submitted*
24 *for the issuance or renewal of the license; or*

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

26 **3. A license may not be issued or renewed by the Board if the**
27 **applicant:**

28 *(a) Fails to submit the statement required pursuant to*
29 *subsection 1; or*

30 *(b) Indicates on the statement submitted pursuant to*
31 *subsection 1 that he is subject to a court order for the support of a*
32 *child and is not in compliance with the order or a plan approved*
33 *by the district attorney or other public agency enforcing the order*
34 *for the repayment of the amount owed pursuant to the order.*

35 **4. If an applicant indicates on the statement submitted**
36 **pursuant to subsection 1 that he is subject to a court order for the**
37 **support of a child and is not in compliance with the order or a**
38 **plan approved by the district attorney or other public agency**
39 **enforcing the order for the repayment of the amount owed**
40 **pursuant to the order, the Board shall advise the applicant to**
41 **contact the district attorney or other public agency enforcing the**
42 **order to determine the actions that the applicant may take to**
43 **satisfy the arrearage.**

44 **Sec. 24. 1. In addition to any other requirements set forth**
45 **in this chapter, an applicant for the issuance or renewal of a**



1 *license shall submit to the Board the statement prescribed by the*
2 *Division of Welfare and Supportive Services of the Department of*
3 *Health and Human Services pursuant to NRS 425.520. The*
4 *statement must be completed and signed by the applicant.*

5 *2. The Board shall include the statement required pursuant to*
6 *subsection 1 in:*

7 *(a) The application or any other forms that must be submitted*
8 *for the issuance or renewal of the license; or*

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

10 *3. A license may not be issued or renewed by the Board if the*
11 *applicant:*

12 *(a) Fails to submit the statement required pursuant to*
13 *subsection 1; or*

14 *(b) Indicates on the statement submitted pursuant to*
15 *subsection 1 that he is subject to a court order for the support of a*
16 *child and is not in compliance with the order or a plan approved*
17 *by the district attorney or other public agency enforcing the order*
18 *for the repayment of the amount owed pursuant to the order.*

19 *4. If an applicant indicates on the statement submitted*
20 *pursuant to subsection 1 that he is subject to a court order for the*
21 *support of a child and is not in compliance with the order or a*
22 *plan approved by the district attorney or other public agency*
23 *enforcing the order for the repayment of the amount owed*
24 *pursuant to the order, the Board shall advise the applicant to*
25 *contact the district attorney or other public agency enforcing the*
26 *order to determine the actions that the applicant may take to*
27 *satisfy the arrearage.*

28 **Sec. 25. 1. Each license issued pursuant to section 21 of**
29 **this act expires 2 years after it is issued and may be renewed if,**
30 **before it expires, the holder of the license submits to the Board:**

31 *(a) A completed application for renewal on a form prescribed*
32 *by the Board;*

33 *(b) Proof of his completion of any requirements for continuing*
34 *education prescribed by the Board by regulation; and*

35 *(c) The fee for renewal of the license prescribed by the Board*
36 *pursuant to section 26 of this act.*

37 *2. A license that expires pursuant to this section may be*
38 *reinstated if the applicant:*

39 *(a) Complies with the provisions of subsection 1; and*

40 *(b) Submits to the Board the fees prescribed by the Board*
41 *pursuant to section 26 of this act:*

42 *(1) For the reinstatement of an expired license; and*

43 *(2) For the renewal of a license for each year that the*
44 *license was expired.*



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3. *The Board shall send a notice of renewal to each holder of a license not later than 60 days before his license expires. The notice must include a statement setting forth the provisions of this section and the amount of the fee for renewal of the license.*

Sec. 26. *1. The Board shall establish a schedule of fees and charges, including, without limitation, fees for the issuance, renewal and reinstatement of licenses.*

2. The total fees collected by the Board pursuant to this section must not exceed the amount of money necessary for the operation of the Board and for the maintenance of an adequate reserve.

Sec. 27. *The Board may refuse to issue a license to an applicant or may initiate disciplinary action against a licensee if the applicant or licensee:*

1. Has submitted false, fraudulent or misleading information to the Board or any agency of this State, any other state, a territory or possession of the United States, the District of Columbia or the Federal Government;

2. Has violated any provision of this chapter or any regulation adopted pursuant thereto;

3. Has been convicted of a crime involving violence, prostitution or any other sexual offense, a crime involving any type of larceny, a crime relating to a controlled substance, a crime involving any federal or state law or regulation relating to the investigation of crime scenes or the analysis of forensic evidence, or a crime involving moral turpitude within the immediately preceding 10 years;

4. Has habitually abused alcohol or is addicted to a controlled substance;

5. Is, in the judgment of the Board, guilty of gross negligence in his practice of investigating crime scenes or analyzing forensic evidence;

6. Is determined by the Board to be professionally incompetent to engage in the practice of investigating crime scenes or analyzing forensic evidence;

7. Has failed to provide any information requested by the Board within 60 days after receiving the request;

8. Has, in the judgment of the Board, engaged in unethical or unprofessional conduct as it relates to the practice of investigating crime scenes or analyzing forensic evidence;

9. Has been disciplined in another state, a territory or possession of the United States or the District of Columbia for conduct that would be a violation of the provisions of this chapter or any regulation adopted pursuant thereto if the conduct were committed in this State; or



1 10. *Has violated any terms of probation imposed by the Board*
2 *pursuant to section 28 of this act.*

3 **Sec. 28.** 1. *If, after notice and a hearing as required by law,*
4 *the Board finds one or more grounds for taking disciplinary*
5 *action, the Board may:*

6 (a) *Place the applicant or licensee on probation for a specified*
7 *period or until further order of the Board;*

8 (b) *Administer to the applicant or licensee a public reprimand;*

9 (c) *Refuse to issue, renew, reinstate or restore the license;*

10 (d) *Suspend or revoke the license;*

11 (e) *Impose an administrative fine of not more than \$1,000 for*
12 *each day on which the Board determines a violation occurred;*

13 (f) *Require the applicant or licensee to pay the costs incurred*
14 *by the Board to conduct the investigation and hearing; or*

15 (g) *Impose any combination of actions set forth in paragraphs*
16 *(a) to (f), inclusive.*

17 2. *The order of the Board may contain such other terms,*
18 *provisions or conditions as the Board deems appropriate.*

19 3. *The order of the Board and the findings of fact and*
20 *conclusions of law supporting that order are public records.*

21 4. *The Board shall not issue a private reprimand.*

22 **Sec. 29.** 1. *If the Board receives a copy of a court order*
23 *issued pursuant to NRS 425.540 that provides for the suspension*
24 *of all professional, occupational and recreational licenses,*
25 *certificates and permits issued to a person who is the holder of a*
26 *license, the Board shall deem the license issued to that person to*
27 *be suspended at the end of the 30th day after the date on which the*
28 *court order was issued unless the Board receives a letter issued to*
29 *the holder of the license by the district attorney or other public*
30 *agency pursuant to NRS 425.550 stating that the holder of the*
31 *license has complied with the subpoena or warrant or has satisfied*
32 *the arrearage pursuant to NRS 425.560.*

33 2. *The Board shall reinstate a license that has been*
34 *suspended by a district court pursuant to NRS 425.540 if:*

35 (a) *The Board receives a letter issued by the district attorney or*
36 *other public agency pursuant to NRS 425.550 to the person whose*
37 *license was suspended stating that the person whose license was*
38 *suspended has complied with the subpoena or warrant or has*
39 *satisfied the arrearage pursuant to NRS 425.560; and*

40 (b) *The licensee pays the fee for reinstatement of the license*
41 *prescribed by the Board pursuant to section 26 of this act.*

42 **Sec. 30.** 1. *If any member of the Board or the Executive*
43 *Director becomes aware of any ground for initiating disciplinary*
44 *action against a licensee, the member of the Board or the*
45 *Executive Director shall file a written complaint with the Board.*



- 1 2. *The complaint must specifically:*
- 2 (a) *Set forth the relevant facts; and*
- 3 (b) *Charge one or more grounds for initiating disciplinary*
- 4 *action.*

5 3. *As soon as practicable after the filing of the complaint, an*
6 *investigation of the complaint must be conducted to determine*
7 *whether the allegations in the complaint merit the initiation of*
8 *disciplinary proceedings against the licensee.*

9 **Sec. 31.** 1. *The Board may conduct investigations and hold*
10 *hearings to carry out its duties pursuant to this chapter.*

11 2. *In such a hearing:*

12 (a) *Any member of the Board may administer oaths and*
13 *examine witnesses; and*

14 (b) *The Board or any member thereof may issue subpoenas to*
15 *compel the attendance of witnesses and the production of books*
16 *and papers.*

17 3. *Each witness who is subpoenaed to appear before the*
18 *Board is entitled to receive for his attendance the same fees and*
19 *mileage allowed by law for a witness in a civil case. The amount*
20 *must be paid by the party who requested the subpoena. If any*
21 *witness who has not been required to attend at the request of any*
22 *party is subpoenaed by the Board, his fees and mileage must be*
23 *paid by the Board from money available for that purpose.*

24 4. *If any person fails to comply with the subpoena within 10*
25 *days after it is issued, the Chairman of the Board may petition a*
26 *court of competent jurisdiction for an order of the court*
27 *compelling compliance with the subpoena.*

28 5. *Upon the filing of such a petition, the court shall enter an*
29 *order directing the person subpoenaed to appear before the court*
30 *at a time and place to be fixed by the court in its order, the time to*
31 *be not more than 10 days after the date of the order, and to show*
32 *cause why he has not complied with the subpoena. A certified copy*
33 *of the order must be served upon the person subpoenaed.*

34 6. *If it appears to the court that the subpoena was regularly*
35 *issued by the Board, the court shall enter an order compelling*
36 *compliance with the subpoena. The failure of the person to comply*
37 *with the order is a contempt of the court that issued the order.*

38 **Sec. 32.** 1. *Except as otherwise provided in this section and*
39 *section 28 of this act, a complaint filed with the Board, all*
40 *documents and other information filed with the complaint and all*
41 *documents and other information compiled as a result of an*
42 *investigation conducted to determine whether to initiate*
43 *disciplinary action against a person are confidential, unless the*
44 *person submits a written statement to the Board requesting that*
45 *such documents and information be made public records.*



2. The charging documents filed with the Board to initiate disciplinary action and all documents and information considered by the Board when determining whether to impose discipline are public records.

3. The provisions of this section do not prohibit the Board from communicating or cooperating with or providing any documents or other information to any other licensing board or any other federal, state or local agency that is investigating a person, including, without limitation, a law enforcement agency.

Sec. 33. 1. If the Board determines that a person has violated or is about to violate any provision of this chapter or any regulation adopted pursuant thereto, the Board may bring an action in a court of competent jurisdiction to enjoin the person from engaging in or continuing the violation.

2. An injunction:

(a) May be issued without proof of actual damage sustained by any person.

(b) Does not prohibit the criminal prosecution and punishment of the person who commits the violation.

Sec. 34. 1. If a person is not licensed to engage in the practice of investigating crime scenes or analyzing forensic evidence pursuant to this chapter, the person shall not:

(a) Engage in the practice of investigating crime scenes or analyzing forensic evidence in this State; or

(b) Use in connection with his name the words or letters "C.S.I.," "crime scene investigator," "licensed crime scene investigation," "forensic analyst" or "licensed forensic analyst" or any other letters, words or insignia indicating or implying that he is licensed to engage in the practice of investigating crime scenes or analyzing forensic evidence.

2. If a person's license to engage in the practice of investigating crime scenes or analyzing forensic evidence pursuant to this chapter has expired or has been suspended or revoked by the Board, the person shall not:

(a) Engage in the practice of investigating crime scenes or analyzing forensic evidence in this State; or

(b) Use in connection with his name the words or letters "C.S.I.," "crime scene investigator," "licensed crime scene investigation," "forensic analyst" or "licensed forensic analyst" or any other letters, words or insignia indicating or implying that he is licensed to engage in the practice of investigating crime scenes or analyzing forensic evidence.

3. A person who violates any provision of this section is guilty of a misdemeanor.



Sec. 35. NRS 218.825 is hereby amended to read as follows:

218.825 1. Except as otherwise provided in subsection 2, each board created by the provisions of NRS 590.485 and chapters 623 to 625A, inclusive, 628, 630 to 644, inclusive, 648, 654 and 656 of NRS *and sections 2 to 34, inclusive, of this act* shall:

(a) If the revenue of the board from all sources is less than \$50,000 for any fiscal year, prepare a balance sheet for that fiscal year on the form provided by the Legislative Auditor and file the balance sheet with the Legislative Auditor and the Chief of the Budget Division of the Department of Administration on or before December 1 following the end of that fiscal year. The Legislative Auditor shall prepare and make available a form that must be used by a board to prepare such a balance sheet.

(b) If the revenue of the board from all sources is \$50,000 or more for any fiscal year, engage the services of a certified public accountant or public accountant, or firm of either of such accountants, to audit all its fiscal records for that fiscal year and file a report of the audit with the Legislative Auditor and the Chief of the Budget Division of the Department of Administration on or before December 1 following the end of that fiscal year.

2. In lieu of preparing a balance sheet or having an audit conducted for a single fiscal year, a board may engage the services of a certified public accountant or public accountant, or firm of either of such accountants, to audit all its fiscal records for a period covering two successive fiscal years. If such an audit is conducted, the board shall file the report of the audit with the Legislative Auditor and the Chief of the Budget Division of the Department of Administration on or before December 1 following the end of the second fiscal year.

3. The cost of each audit conducted pursuant to subsection 1 or 2 must be paid by the board that is audited. Each such audit must be conducted in accordance with generally accepted auditing standards, and all financial statements must be prepared in accordance with generally accepted principles of accounting for special revenue funds.

4. Whether or not a board is required to have its fiscal records audited pursuant to subsection 1 or 2, the Legislative Auditor shall audit the fiscal records of any such board whenever directed to do so by the Legislative Commission. When the Legislative Commission directs such an audit, the Legislative Commission shall also determine who is to pay the cost of the audit.

5. A person who is a state officer or employee of a board is guilty of nonfeasance if the person:

(a) Is responsible for preparing a balance sheet or having an audit conducted pursuant to this section or is responsible for



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1 preparing or maintaining the fiscal records that are necessary to
2 prepare a balance sheet or have an audit conducted pursuant to this
3 section; and

4 (b) Knowingly fails to prepare the balance sheet or have the
5 audit conducted pursuant to this section or knowingly fails to
6 prepare or maintain the fiscal records that are necessary to prepare a
7 balance sheet or have an audit conducted pursuant to this section.

8 6. In addition to any other remedy or penalty, a person who is
9 guilty of nonfeasance pursuant to this section forfeits his state office
10 or employment and may not be appointed to a state office or
11 position of state employment for a period of 2 years following the
12 forfeiture. The provisions of this subsection do not apply to a state
13 officer who may be removed from office only by impeachment
14 pursuant to Article 7 of the Nevada Constitution.

15 **Sec. 36.** NRS 284.013 is hereby amended to read as follows:

16 284.013 1. Except as otherwise provided in subsection 4, this
17 chapter does not apply to:

18 (a) Agencies, bureaus, commissions, officers or personnel in the
19 Legislative Department or the Judicial Department of State
20 Government, including the Commission on Judicial Discipline;

21 (b) Any person who is employed by a board, commission,
22 committee or council created in chapters 590, 623 to 625A,
23 inclusive, 628, 630 to 644, inclusive, 648, 652, 654 and 656 of NRS
24 ~~and~~ *and sections 2 to 34, inclusive, of this act;* or

25 (c) Officers or employees of any agency of the Executive
26 Department of the State Government who are exempted by specific
27 statute.

28 2. Except as otherwise provided in subsection 3, the terms and
29 conditions of employment of all persons referred to in subsection 1,
30 including salaries not prescribed by law and leaves of absence,
31 including, without limitation, annual leave and sick and disability
32 leave, must be fixed by the appointing or employing authority
33 within the limits of legislative appropriations or authorizations.

34 3. Except as otherwise provided in this subsection, leaves of
35 absence prescribed pursuant to subsection 2 must not be of lesser
36 duration than those provided for other state officers and employees
37 pursuant to the provisions of this chapter. The provisions of this
38 subsection do not govern the Legislative Commission with respect
39 to the personnel of the Legislative Counsel Bureau.

40 4. Any board, commission, committee or council created in
41 chapters 590, 623 to 625A, inclusive, 628, 630 to 644, inclusive,
42 648, 652, 654 and 656 of NRS *and sections 2 to 34, inclusive, of*
43 *this act*, which contracts for the services of a person, shall require
44 the contract for those services to be in writing. The contract must be



1 approved by the State Board of Examiners before those services
2 may be provided.

3 **Sec. 37.** NRS 353.005 is hereby amended to read as follows:

4 353.005 The provisions of this chapter do not apply to boards
5 created by the provisions of NRS 590.485 and chapters 623 to
6 625A, inclusive, 628, 630 to 644, inclusive, 648, 654 and 656 of
7 NRS *and sections 2 to 34, inclusive, of this act* and the officers and
8 employees of those boards.

9 **Sec. 38.** NRS 353A.020 is hereby amended to read as follows:

10 353A.020 1. The Director, in consultation with the
11 Committee and Legislative Auditor, shall adopt a uniform system of
12 internal accounting and administrative control for agencies. The
13 elements of the system must include, without limitation:

14 (a) A plan of organization which provides for a segregation of
15 duties appropriate to safeguard the assets of the agency;

16 (b) A plan which limits access to assets of the agency to persons
17 who need the assets to perform their assigned duties;

18 (c) Procedures for authorizations and recordkeeping which
19 effectively control accounting of assets, liabilities, revenues and
20 expenses;

21 (d) A system of practices to be followed in the performance of
22 the duties and functions of each agency; and

23 (e) An effective system of internal review.

24 2. The Director, in consultation with the Committee and
25 Legislative Auditor, may modify the system whenever he considers
26 it necessary.

27 3. Each agency shall develop written procedures to carry out
28 the system of internal accounting and administrative control adopted
29 pursuant to this section.

30 4. For the purposes of this section, "agency" does not include:

31 (a) A board created by the provisions of NRS 590.485 and
32 chapters 623 to 625A, inclusive, 628, 630 to 644, inclusive, 648,
33 654 and 656 of NRS *and sections 2 to 34, inclusive, of this act.*

34 (b) The Nevada System of Higher Education.

35 (c) The Public Employees' Retirement System.

36 (d) The Housing Division of the Department of Business and
37 Industry.

38 (e) The Colorado River Commission of Nevada.

39 **Sec. 39.** NRS 353A.025 is hereby amended to read as follows:

40 353A.025 1. The head of each agency shall periodically
41 review the agency's system of internal accounting and
42 administrative control to determine whether it is in compliance with
43 the uniform system of internal accounting and administrative control
44 for agencies adopted pursuant to subsection 1 of NRS 353A.020.



2. On or before July 1 of each even-numbered year, the head of each agency shall report to the Director whether the agency's system of internal accounting and administrative control is in compliance with the uniform system adopted pursuant to subsection 1 of NRS 353A.020. The reports must be made available for inspection by the members of the Legislature.

3. For the purposes of this section, "agency" does not include:

(a) A board created by the provisions of NRS 590.485 and chapters 623 to 625A, inclusive, 628, 630 to 644, inclusive, 648, 654 and 656 of NRS ~~H~~ *and sections 2 to 34, inclusive, of this act.*

(b) The Nevada System of Higher Education.

(c) The Public Employees' Retirement System.

(d) The Housing Division of the Department of Business and Industry.

(e) The Colorado River Commission of Nevada.

4. The Director shall, on or before the first Monday in February of each odd-numbered year, submit a report on the status of internal accounting and administrative controls in agencies to the:

(a) Director of the Legislative Counsel Bureau for transmittal to the:

(1) Senate Standing Committee on Finance; and

(2) Assembly Standing Committee on Ways and Means;

(b) Governor; and

(c) Legislative Auditor.

5. The report submitted by the Director pursuant to subsection 4 must include, without limitation:

(a) The identification of each agency that has not complied with the requirements of subsections 1 and 2;

(b) The identification of each agency that does not have an effective method for reviewing its system of internal accounting and administrative control; and

(c) The identification of each agency that has weaknesses in its system of internal accounting and administrative control, and the extent and types of such weaknesses.

Sec. 40. NRS 353A.045 is hereby amended to read as follows:

353A.045 The Chief shall:

1. Report to the Director.

2. Develop long-term and annual work plans to be based on the results of periodic documented risk assessments. The annual work plan must list the agencies to which the Division will provide training and assistance and be submitted to the Director for approval. Such agencies must not include:

(a) A board created by the provisions of NRS 590.485 and chapters 623 to 625A, inclusive, 628, 630 to 644, inclusive, 648, 654 and 656 of NRS ~~H~~ *and sections 2 to 34, inclusive, of this act.*



- 1 (b) The Nevada System of Higher Education.
- 2 (c) The Public Employees' Retirement System.
- 3 (d) The Housing Division of the Department of Business and
- 4 Industry.
- 5 (e) The Colorado River Commission of Nevada.
- 6 3. Provide a copy of the approved annual work plan to the
- 7 Legislative Auditor.
- 8 4. In consultation with the Director, prepare a plan for auditing
- 9 executive branch agencies for each fiscal year and present the plan
- 10 to the Committee for its review and approval. Each plan for auditing
- 11 must:
- 12 (a) State the agencies which will be audited, the proposed scope
- 13 and assignment of those audits and the related resources which will
- 14 be used for those audits; and
- 15 (b) Ensure that the internal accounting, administrative controls
- 16 and financial management of each agency are reviewed periodically.
- 17 5. Perform the audits of the programs and activities of the
- 18 agencies in accordance with the plan approved pursuant to
- 19 subsection 5 of NRS 353A.038 and prepare audit reports of his
- 20 findings.
- 21 6. Review each agency that is audited pursuant to subsection 5
- 22 and advise those agencies concerning internal accounting,
- 23 administrative controls and financial management.
- 24 7. Submit to each agency that is audited pursuant to subsection
- 25 5 analyses, appraisals and recommendations concerning:
- 26 (a) The adequacy of the internal accounting and administrative
- 27 controls of the agency; and
- 28 (b) The efficiency and effectiveness of the management of the
- 29 agency.
- 30 8. Report any possible abuses, illegal actions, errors, omissions
- 31 and conflicts of interest of which the Division becomes aware
- 32 during the performance of an audit.
- 33 9. Adopt the standards of the Institute of Internal Auditors for
- 34 conducting and reporting on internal audits.
- 35 10. Consult with the Legislative Auditor concerning the plan
- 36 for auditing and the scope of audits to avoid duplication of effort
- 37 and undue disruption of the functions of agencies that are audited
- 38 pursuant to subsection 5.
- 39 11. Appoint a Manager of Internal Controls.
- 40 **Sec. 41.** NRS 608.0116 is hereby amended to read as follows:
- 41 608.0116 "Professional" means pertaining to an employee who
- 42 is licensed or certified by the State of Nevada for and engaged in the
- 43 practice of law or any of the professions regulated by chapters 623
- 44 to 645, inclusive, and 656A of NRS ⚠ *and sections 2 to 34,*
- 45 *inclusive, of this act.*



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1 **Sec. 42.** Notwithstanding any provision of this act to the
2 contrary, a person who is engaging in the practice of investigating
3 crime scenes or analyzing forensic evidence on or before October 1,
4 2007, who wishes to continue the practice of investigating crime
5 scenes or analyzing forensic evidence on and after July 1, 2009,
6 must obtain a license pursuant to the provisions of sections 2 to 34,
7 inclusive, of this act on or before July 1, 2009.

8 **Sec. 43.** As soon as practicable after October 1, 2007, the
9 Governor shall appoint to the Board of Crime Scene Investigators
10 and Forensic Analysts created pursuant to section 9 of this act:

11 1. Five members whose terms expire on June 30, 2008; and

12 2. Four members whose terms expire on June 30, 2009.

13 **Sec. 44.** 1. This section and sections 1 to 23, inclusive, and
14 25 to 43, inclusive, of this act become effective on October 1, 2007.

15 2. Section 23 of this act expires by limitation on the date on
16 which the provisions of 42 U.S.C. § 666 requiring each state to
17 establish procedures under which the state has authority to withhold
18 or suspend, or to restrict the use of professional, occupational and
19 recreational licenses of persons who:

20 (a) Have failed to comply with a subpoena or warrant relating to
21 a proceeding to determine the paternity of a child or to establish or
22 enforce an obligation for the support of a child; or

23 (b) Are in arrears in the payment for the support of one or more
24 children,

25 ↪ are repealed by the Congress of the United States.

26 3. Section 24 of this act:

27 (a) Becomes effective on the date on which the provisions of 42
28 U.S.C. § 666 requiring each state to establish procedures under
29 which the state has authority to withhold or suspend, or to restrict
30 the use of professional, occupational and recreational licenses of
31 persons who:

32 (1) Have failed to comply with a subpoena or warrant
33 relating to a proceeding to determine the paternity of a child or to
34 establish or enforce an obligation for the support of a child; or

35 (2) Are in arrears in the payment for the support of one or
36 more children,

37 ↪ are repealed by the Congress of the United States; and

38 (b) Expires by limitation on the date 2 years after the date on
39 which the provisions of 42 U.S.C. § 666 requiring each state to
40 establish procedures under which the state has authority to withhold
41 or suspend, or to restrict the use of professional, occupational and
42 recreational licenses of persons who:

43 (1) Have failed to comply with a subpoena or warrant
44 relating to a proceeding to determine the paternity of a child or to
45 establish or enforce an obligation for the support of a child; or



1 (2) Are in arrears in the payment for the support of one or
2 more children,

3 ➡ are repealed by the Congress of the United States.

4 4. Section 29 of this act expires by limitation on the date 2
5 years after the date on which the provisions of 42 U.S.C. § 666
6 requiring each state to establish procedures under which the state
7 has authority to withhold or suspend, or to restrict the use of
8 professional, occupational and recreational licenses of persons who:

9 (a) Have failed to comply with a subpoena or warrant relating to
10 a proceeding to determine the paternity of a child or to establish or
11 enforce an obligation for the support of a child; or

12 (b) Are in arrears in the payment for the support of one or more
13 children,

14 ➡ are repealed by the Congress of the United States.

