

ASSEMBLY BILL NO. 73—ASSEMBLYMAN STEWART

PREFILED FEBRUARY 2, 2007

Referred to Select Committee on Corrections, Parole, and Probation

SUMMARY—Revises the information required to search the community notification website to identify or locate certain sex offenders. (BDR 14-715)

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 sex offenders; providing an additional manner for searching the community notification website to identify or locate certain sex offenders; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, the Department of Public Safety is required to maintain a
2 community notification website to provide the public with access to certain
3 information regarding sex offenders who have been assigned a Tier 2 or Tier 3
4 level of notification. (NRS 179B.250) Currently, this website is searchable by
5 submitting certain information relating to the identity or location of the subject of
6 the search. This bill requires the Department to make the community notification
7 website searchable by proximity to an address or street provided by the requester. If
8 a match is identified within the proximity provided by the requester, the website
9 must sort and display the information relating to sex offenders assigned a Tier 2 or
10 Tier 3 level of notification within that proximity in the order of proximity of the
11 residence of the offender to the address or street provided.

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

1 **Section 1.** NRS 179B.250 is hereby amended to read as
2 follows:

3 179B.250 1. The Department shall establish and maintain
4 within the Central Repository a community notification website to



1 provide the public with access to certain information contained in
2 the statewide registry in accordance with the procedures set forth in
3 this section.

4 2. For each inquiry to the community notification website, the
5 requester must provide ~~the~~ **at least one of the following:**

- 6 (a) The name of the subject of the search . ~~the~~
7 (b) Any alias of the subject of the search . ~~the~~
8 (c) The zip code of the residence, place of work or school of the
9 subject of the search . ~~the~~

10 (d) **A street name or address and the distance in miles from**
11 **that street or address within which the website must search.**

12 (e) Any other information concerning the identity or location of
13 the subject of the search that is deemed sufficient in the discretion of
14 the Department.

15 3. For each inquiry to the community notification website
16 made by the requester, the Central Repository shall:

- 17 (a) Explain the levels of notification that are assigned to sex
18 offenders pursuant to NRS 179D.730; and
19 (b) Explain that the Central Repository is prohibited by law
20 from disclosing information concerning certain offenders, even if
21 those offenders are listed in the statewide registry.

22 4. If an offender listed in the statewide registry matches the
23 information provided by the requester concerning the identity or
24 location of the subject of the search, the Central Repository:

- 25 (a) Shall disclose to the requester information concerning an
26 offender who is assigned a Tier 2 or Tier 3 level of notification.
27 (b) Shall not disclose to the requester information concerning an
28 offender who is assigned a Tier 1 level of notification.

29 5. After each inquiry to the community notification website
30 made by the requester, the Central Repository shall inform the
31 requester that:

32 (a) No offender listed in the statewide registry matches the
33 information provided by the requester concerning the identity or
34 location of the subject of the search;

35 (b) The search of the statewide registry has not produced
36 information that is available to the public through the statewide
37 registry;

38 (c) The requester needs to provide additional information
39 concerning the identity or location of the subject of the search
40 before the Central Repository may disclose the results of the search;
41 or

42 (d) An offender listed in the statewide registry matches the
43 information provided by the requester concerning the identity or
44 location of the subject of the search. If a search of the statewide
45 registry results in a match pursuant to this paragraph, the Central



Repository shall provide the requester with the following information:

(1) The name of the offender and all aliases that the offender has used or under which the offender has been known.

(2) A complete physical description of the offender.

(3) A current photograph of the offender.

(4) The year of birth of the offender.

(5) The complete address of any residence at which the offender resides.

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

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

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

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

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

(II) The court in which the offender was convicted.

(III) The name under which the offender was convicted.

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

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

(8) The tier level of notification assigned to the offender.

6. If a search of the statewide registry results in a match pursuant to paragraph (d) of subsection 5, the Central Repository shall not provide the requester with any information that is included in the record of registration for the offender other than the information required pursuant to paragraph (d) of subsection 5. *If the search was made by providing the information listed in paragraph (d) of subsection 2, the results must be listed in the order of proximity of the residence of the offender to the street or address provided by the requester.*

7. For each inquiry to the community notification website, the Central Repository shall maintain a log of the information provided by the requester to the Central Repository and the information provided by the Central Repository to the requester.

8. A person may not use information obtained through the community notification 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 another provision of law.



- 1 9. The provisions of this section do not prevent law
2 enforcement officers, the Central Repository and its officers and
3 employees, or any other person from:
4 (a) Accessing information in the statewide registry pursuant to
5 NRS 179B.200;
6 (b) Carrying out any duty pursuant to chapter 179D of NRS; or
7 (c) Carrying out any duty pursuant to another provision of law.

