
SENATE BILL NO. 33—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE DIVISION OF PAROLE AND PROBATION)

PREFILED JANUARY 26, 2007

Referred to Committee on Judiciary

SUMMARY—Requires the manager of a gated community to provide to parole and probation officers the code or device which allows entry to the community. (BDR 16-560)

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 supervision; requiring a parole and probation officer to request the code or device which allows entry to a gated community if a parolee or probationer who is under the supervision of the parole and probation officer resides or works in the gated community; requiring the manager of a gated community to provide the code or device which allows entry to the community to a parole and probation officer who makes such a request; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law requires parole and probation officers to supervise all persons who
2 are placed on parole or probation. (NRS 213.1096) This bill provides that if a
3 person on parole or probation resides or works in a gated community, the parole
4 and probation officer who is responsible for the supervision of that person must
5 request from the manager of the gated community the code or device which allows
6 entry to the community. If a parole and probation officer submits to the manager of
7 the gated community a written request for the code or device which allows entry to
8 the community and presents official identification, this bill requires the manager of
9 the gated community to provide the code or device to the parole and probation
10 officer.



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

Section 1. Chapter 213 of NRS is hereby amended by adding thereto a new section to read as follows:

1. If a parolee or probationer resides or works in a gated community, the parole and probation officer who is responsible for the supervision of the parolee or probationer shall:

(a) Submit to the manager of the gated community a written request for the code or device which allows entry to the gated community; and

(b) Present to the manager of the gated community the identification issued to the parole and probation officer by the Division.

2. If a parole and probation officer submits a request pursuant to this section, the manager of the gated community shall provide the parole and probation officer with the code or device which allows entry to the gated community.

3. As used in this section:

(a) "Gated community" means a residential area or residential community which is gated or enclosed and the access to which is restricted or controlled by a person or device.

(b) "Manager of the gated community" means the person who has the duty, responsibility or obligation to manage the gated community.

Sec. 2. NRS 213.107 is hereby amended to read as follows:

213.107 As used in NRS 213.107 to 213.157, inclusive, **and section 1 of this act**, unless the context otherwise requires:

1. "Board" means the State Board of Parole Commissioners.

2. "Chief" means the Chief Parole and Probation Officer.

3. "Division" means the Division of Parole and Probation of the Department of Public Safety.

4. "Residential confinement" means the confinement of a person convicted of a crime to his place of residence under the terms and conditions established by the Board.

5. "Sex offender" means any person who has been or is convicted of a sexual offense.

6. "Sexual offense" means:

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



- 1 (b) An attempt to commit any offense listed in paragraph (a); or
- 2 (c) An act of murder in the first or second degree, kidnapping in
- 3 the first or second degree, false imprisonment, burglary or invasion
- 4 of the home if the act is determined to be sexually motivated at a
- 5 hearing conducted pursuant to NRS 175.547.
- 6 7. "Standards" means the objective standards for granting or
- 7 revoking parole or probation which are adopted by the Board or the
- 8 Chief.
- 9 **Sec. 3.** This act becomes effective upon passage and approval.

