

ASSEMBLY BILL NO. 85—COMMITTEE ON
CORRECTIONS, PAROLE, AND PROBATION

(ON BEHALF OF THE ATTORNEY GENERAL)

PREFILED DECEMBER 15, 2008

Referred to Committee on Corrections, Parole, and Probation

SUMMARY—Provides for the formation of a committee to study laws concerning sex offender registration. (BDR 14-259)

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 crimes; establishing the Advisory Committee to Study Laws Concerning Sex Offender Registration; prescribing the duties of the Committee; requiring the Committee to prepare and submit to the Legislative Commission a biennial report; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law requires certain sex offenders to register with certain law
2 enforcement agencies. (Chapter 179D of NRS) This bill creates an advisory
3 committee to study state and federal laws concerning sex offender registration. The
4 advisory committee must consist of the Attorney General, one member of the
5 Assembly appointed by the Speaker of the Assembly, one member of the Senate
6 appointed by the Senate Majority Leader, representatives of law enforcement
7 agencies, district attorneys' offices and public defenders' offices and a
8 representative of the American Civil Liberties Union and any other organization
9 authorized by the Attorney General to appoint a member of the advisory committee.
10 The advisory committee must prepare and submit to the Legislative Commission a
11 biennial report of its findings and recommendations for proposed legislation
12 concerning sex offender registration.



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

Section 1. (Deleted by amendment.)

Sec. 2. (Deleted by amendment.)

Sec. 3. (Deleted by amendment.)

Sec. 4. (Deleted by amendment.)

Sec. 5. (Deleted by amendment.)

Sec. 5.1. Chapter 179D of NRS is hereby amended by adding thereto the provisions set forth as 5.3 to 5.7, inclusive, of this act.

Sec. 5.3. *As used in sections 5.3 to 5.7, inclusive, of this act, "Committee" means the Advisory Committee to Study Laws Concerning Sex Offender Registration.*

Sec. 5.4. 1. *The Advisory Committee to Study Laws Concerning Sex Offender Registration is hereby created.*

2. The Committee consists of the following members:

(a) The Attorney General or his designee;

(b) One member of the Assembly appointed by the Speaker of the Assembly;

(c) One member of the Senate appointed by the Majority Leader of the Senate;

(d) One member appointed by the Nevada Sheriffs' and Chiefs' Association, or a successor organization;

(e) One member appointed by the Nevada District Attorneys Association, or a successor organization;

(f) One member who is a public defender, appointed by the governing body of the State Bar of Nevada;

(g) One member appointed by the American Civil Liberties Union, or a successor organization; and

(h) Any member appointed by an organization that has been authorized by the Attorney General to appoint a member of the Committee pursuant to section 5.5 of this act.

3. The Attorney General or his designee is the Chairman of the Committee.

4. Each member who is appointed to the Committee serves a term of 2 years. Except as otherwise provided in subsection 3 of section 5.5 of this act:

(a) Members may be reappointed for additional terms of 2 years in the same manner as the original appointments; and

(b) Any vacancy occurring in the membership of the Committee must be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs.

5. The Committee shall meet at least twice each year and may meet at such further times as deemed necessary by the Chairman.



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6. A majority of the members of the Committee constitutes a quorum for the transaction of business, and a majority of those members present at any meeting is sufficient for any official action taken by the Committee.

7. The Committee shall comply with the provisions of chapter 241 of NRS, and all meetings of the Committee must be conducted in accordance with that chapter.

8. For each day or portion of a day during which a member of the Committee who is a Legislator attends a meeting of the Committee or is otherwise engaged in the business of the Committee, except during a regular or special session of the Legislature, he is entitled to receive the:

(a) Compensation provided for a majority of the members of the Legislature during the first 60 days of the preceding regular session;

(b) Per diem allowance provided for state officers generally; and

(c) Travel expenses provided pursuant to NRS 218.2207.

↪ The compensation, per diem allowances and travel expenses of the members of the Committee who are Legislators must be paid from the Legislative Fund.

9. While engaged in the business of the Committee, to the extent of legislative appropriation, the members of the Committee who are not Legislators are entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

10. A member of the Committee who is an officer or employee of this State or a political subdivision of this State must be relieved from his duties without loss of his regular compensation so that he may prepare for and attend meetings of the Committee and perform any work necessary to carry out the duties of the Committee in the most timely manner practicable. A state agency or political subdivision of this State shall not require an officer or employee who is a member of the Committee to:

(a) Make up the time he is absent from work to carry out his duties as a member of the Committee; or

(b) Take annual leave or compensatory time for the absence.

11. The Attorney General shall provide the Committee with such staff as is necessary to carry out the duties of the Committee.

Sec. 5.5. 1. An organization which is concerned with state and federal laws concerning the registration of sex offenders and which wishes to appoint a member to the Committee pursuant to paragraph (h) of subsection 2 of section 5.4 of this act may apply to the Attorney General, or his designee, for authorization to appoint a member to the Committee. At his discretion, the Attorney



1 *General may authorize the organization to appoint a member to*
2 *the Committee.*

3 2. *At any time after the Attorney General has authorized an*
4 *organization to appoint a member to the Committee, the Attorney*
5 *General may revoke the organization's authorization to appoint a*
6 *member to the Committee.*

7 3. *If, after receiving authorization to appoint a member to the*
8 *Committee, an organization ceases to exist or has its authorization*
9 *to appoint a member to the Committee revoked by the Attorney*
10 *General, any member of the Committee appointed by the*
11 *organization may complete the term to which he was appointed,*
12 *and upon the completion of that term, the organization, or a*
13 *successor organization, may not appoint a member to the*
14 *Committee.*

15 **Sec. 5.6. The Committee shall:**

16 1. *Identify and study issues relating to state and federal law*
17 *concerning the registration of sex offenders and any litigation*
18 *concerning those laws.*

19 2. *Prepare a report of the activities and findings of the*
20 *Committee and any recommendations for proposed legislation*
21 *concerning the registration of sex offenders developed by the*
22 *Committee.*

23 3. *On or before September 1 of each even-numbered year,*
24 *submit the report prepared pursuant to subsection 2 to the*
25 *Director of the Legislative Counsel Bureau for submission to the*
26 *Legislative Commission.*

27 **Sec. 5.7. 1. The Attorney General may apply for and accept**
28 **any available grants and may accept any bequests, devises,**
29 **donations or gifts from any public or private source to carry out**
30 **the provisions of sections 5.3 to 5.7, inclusive, of this act.**

31 2. *Any money received pursuant to this section must be*
32 *deposited in the Special Account for the Support of the Committee,*
33 *which is hereby created in the State General Fund. Interest and*
34 *income earned on money in the Account must be credited to the*
35 *Account. Money in the Account may only be used for the support*
36 *of the Committee and its activities pursuant to sections 5.3 to 5.7,*
37 *inclusive, of this act.*

38 **Sec. 5.9. Not later than July 15, 2009:**

39 1. *The Nevada Sheriffs' and Chiefs' Association, or a*
40 *successor organization, shall appoint the member described in*
41 *paragraph (d) of subsection 2 of section 5.4 of this act;*

42 2. *The Nevada District Attorneys Association, or a successor*
43 *organization, shall appoint the member described in paragraph (e) of*
44 *subsection 2 of section 5.4 of this act;*



1 3. The governing board of the State Bar of Nevada shall
2 appoint the member described in paragraph (f) of subsection 2 of
3 section 5.4 of this act; and

4 4. The American Civil Liberties Union, or a successor
5 organization, shall appoint the member described in paragraph (g) of
6 subsection 2 of section 5.4 of this act.

7 **Sec. 6.** This act becomes effective upon passage and approval.

