

Amendment No. 398

Assembly Amendment to Assembly Bill No. 209	(BDR 43-872)
Proposed by: Assembly Committee on Judiciary	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION		Initial and Date	SENATE ACTION		Initial and Date
Adopted	☐	Lost ☐	Adopted	☐	Lost ☐
Concurred In	☐	Not ☐	Concurred In	☐	Not ☐
Receded	☐	Not ☐	Receded	☐	Not ☐

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold dashed underlining* is newly added transitory language.

NCA/BAW



Date: 4/13/2009

A.B. No. 209—Revises provisions governing the attendance of certain offenders at meetings of panels of victims of crimes relating to driving under the influence. (BDR 43-872)



ASSEMBLY BILL NO. 209—ASSEMBLYMAN MANENDO

FEBRUARY 20, 2009

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing the attendance of certain offenders at meetings of panels of victims of crimes relating to driving under the influence. (BDR 43-872)

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 driving under the influence; ~~removing the discretion of a court to choose not to order~~ requiring an offender convicted of certain offenses relating to driving under the influence to attend a live meeting of a panel of victims in person; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

This bill ~~removes the discretion of a court to choose not to order~~ requires an offender who is convicted of an offense relating to driving under the influence to attend a live meeting of a panel of victims ~~regardless of the distance of the meeting from an offender's residence~~ in person, unless such a meeting is not available within 60 miles of the offender's residence. (NRS 484.3797)

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

Section 1. NRS 484.3797 is hereby amended to read as follows:
484.3797 1. The judge or judges in each judicial district shall cause the preparation and maintenance of a list of the panels of persons who:
(a) Have been injured or had members of their families or close friends injured or killed by a person who was driving or in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance or who was engaging in any other conduct prohibited by NRS 484.379, 484.3795, 484.37955 or 484.379778 or a law of any other jurisdiction that prohibits the same or similar conduct; and
(b) Have, by contacting the judge or judges in the district, expressed their willingness to discuss collectively the personal effect of those crimes.
The list must include the name and telephone number of the person to be contacted regarding each such panel and a schedule of times and locations of the meetings of each such panel. The judge or judges shall establish, in cooperation

1 with representatives of the members of the panels, a fee, if any, to be paid by
2 defendants who are ordered to attend a meeting of the panel. The amount of the fee,
3 if any, must be reasonable. The panel may not be operated for profit.

4 2. Except as otherwise provided in this subsection, if ~~##~~ a defendant pleads
5 guilty or guilty but mentally ill to, or is found guilty or guilty but mentally ill of,
6 any violation of NRS 484.379, 484.3795, 484.37955 or 484.379778, the court shall,
7 in addition to imposing any other penalties provided by law, order the defendant to:

8 (a) Attend ~~H~~ in person, at the defendant's expense, a live meeting of a panel of
9 persons who have been injured or had members of their families or close friends
10 injured or killed by a person who was driving or in actual physical control of a
11 vehicle while under the influence of intoxicating liquor or a controlled substance or
12 who was engaging in any other conduct prohibited by NRS 484.379, 484.3795,
13 484.37955 or 484.379778 or a law of any other jurisdiction that prohibits the same
14 or similar conduct, in order to have the defendant understand the effect such a
15 crime has on other persons; and

16 (b) Pay the fee, if any, established by the court pursuant to subsection 1.

17 ➤ The court may, but is not required to, order the defendant to attend such a
18 meeting if one is not available within 60 miles of the defendant's residence.

19 3. A person ordered to attend a meeting pursuant to subsection 2 shall, after
20 attending the meeting, present evidence or other documentation satisfactory to the
21 court that he attended the meeting and remained for its entirety.