

Amendment No. 365

Assembly Amendment to Assembly Bill No. 265

(BDR 5-834)

Proposed by: Assembly Committee on Corrections, Parole, and Probation**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.

NMB/RRY



Date: 4/14/2009

A.B. No. 265—Revises provisions governing juvenile justice. (BDR 5-834)



ASSEMBLY BILL NO. 265--ASSEMBLYMAN DENIS

MARCH 9, 2009

Referred to Committee on Corrections, Parole, and Probation

SUMMARY—Revises provisions governing juvenile justice. (BDR 5-834)

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 juvenile justice; authorizing a juvenile court to impose certain penalties on ~~ta child~~ *certain children* who ~~disobeys~~ *disobey* the terms of certain orders of disposition made by the juvenile court; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides that if a person, other than a child, violates the terms of any order of disposition made by a juvenile court under title 5 of NRS, that person is guilty of a misdemeanor and may be punished for contempt, which punishment may include a fine, imprisonment not to exceed 25 days or both. (NRS 62E.040) **Section 2** of this bill provides that such imprisonment is imprisonment in a county jail. **Section 1** of this bill provides that if a child, *other than a child in need of supervision*, violates the terms of any order of disposition made by a juvenile court under title 5 of NRS, the juvenile court may order the child to: *(1) pay a fine* ~~for to~~; *(2) be placed, for not more than 10 days, in a detention facility or county jail, as appropriate.* ~~or both~~ *(3) pay a fine and be placed in a detention facility or county jail, as appropriate.*

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

Section 1. Chapter 62E of NRS is hereby amended by adding thereto a new section to read as follows:

~~1. Except as otherwise provided in subsection 2, if a child commits an offense described in subsection 1 of NRS 62E.040, a juvenile court may order the child to:~~

~~(a) Pay a fine, not to exceed \$500; or~~

~~(b) If the child:~~

~~(1) Is less than 18 years of age, be placed in a facility for the detention of children for not more than 10 days; or~~

~~(2) Is at least 18 years of age but less than 21 years of age, be placed in the county jail for not more than 10 days,~~

1 ↪ or both.

2 2. The provisions of this section do not apply to a child who is adjudicated
3 as a child in need of supervision.

4 Sec. 2. NRS 62E.040 is hereby amended to read as follows:

5 62E.040 1. Any person, except a child, who willfully violates, neglects or
6 refuses to obey the terms of any order of disposition made by the juvenile court
7 under the provisions of this title is guilty of a misdemeanor and may be punished
8 for contempt.

9 2. Except as otherwise provided in this section, if the juvenile court
10 determines that a person is guilty of contempt, the person may be punished by:

11 (a) A fine, not to exceed \$500; or

12 (b) Imprisonment ~~H~~ in the county jail, not to exceed 25 days,

13 ↪ or both.

14 3. The juvenile court may punish a person who is guilty of contempt by
15 imprisonment in the county jail for more than 25 days if:

16 (a) The person is guilty of contempt for refusing to perform an act and the
17 person has the power to perform the act; and

18 (b) The juvenile court specifies the act the person must perform in the warrant
19 of commitment.

20 4. A person punished pursuant to subsection 3 may be imprisoned in the
21 county jail until the person performs the act specified in the warrant of
22 commitment.

23 Sec. 3. NRS 62E.100 is hereby amended to read as follows:

24 62E.100 Except as otherwise provided in NRS 62E.100 to 62E.300, inclusive
25 ~~H~~, and section 1 of this act:

26 1. The provisions of NRS 62E.100 to 62E.300, inclusive, and section 1 of
27 this act apply to the disposition of a case involving any child who is found to be
28 within the purview of this title.

29 2. In addition to any other orders or actions authorized or required by the
30 provisions of this title, if a child is found to be within the purview of this title:

31 (a) The juvenile court may issue any orders or take any actions set forth in
32 NRS 62E.100 to 62E.300, inclusive, and section 1 of this act that the juvenile court
33 deems proper for the disposition of the case; and

34 (b) If required by a specific statute, the juvenile court shall issue the
35 appropriate orders or take the appropriate actions set forth in the statute.