

(Reprinted with amendments adopted on April 14, 2009)

FIRST REPRINT

S.B. 236

SENATE BILL NO. 236—SENATORS PARKS, COPENING, HORSFORD;
BREEDEN, CARE, COFFIN, LEE, WIENER AND WOODHOUSE

MARCH 13, 2009

JOINT SPONSOR: ASSEMBLYWOMAN PIERCE

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to certain programs for criminal offenders and parolees. (BDR 14-896)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

EXPLANATION – Matter in **bolded italics** is new; matter between brackets **[omitted material]** is material to be omitted.

AN ACT relating to criminal procedure; requiring a certain fee to be included in the sentence of certain defendants; creating the Fund for Reentry Programs; requiring such fees to be credited to the Fund; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 **Section 1.5** of this bill requires a judge to include in the sentence of a defendant
2 who pleads guilty or guilty but mentally ill to, or is found guilty or guilty but
3 mentally ill of, a category C, D or E felony or gross misdemeanor a fee of \$250 to
4 be credited to the Fund for Reentry Programs which is created in **section 2** of this
5 bill. Existing law authorizes the establishment by a judicial district and by the
6 Director of the Department of Corrections of programs for reentry of criminal
7 offenders and parolees into the community. (NRS 209.4883, 209.4887) **Section 2**
8 authorizes the money in the Fund to be used only to pay necessary administrative
9 costs and to pay for programs for reentry of criminal offenders and parolees into the
10 community, including correctional programs and judicial programs.

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

1 **Section 1.** (Deleted by amendment.)



* S B 2 3 6 R 1 *

1 **Sec. 1.5.** Chapter 176 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *When a defendant pleads guilty or guilty but mentally ill*
4 *to, or is found guilty or guilty but mentally ill of, a category C, D*
5 *or E felony or gross misdemeanor, the judge shall include in the*
6 *sentence, in addition to any other fine, assessment, fee or*
7 *restitution, the sum of \$250 as a fee to be deposited into the Fund*
8 *for Reentry Programs created by section 2 of this act and render a*
9 *judgment against the defendant for the fee.*

10 2. *The money collected as a fee pursuant to subsection 1:*

11 (a) *Must not be deducted from any fine imposed by the judge;*

12 (b) *Must be taxed against the defendant in addition to the fine;*
13 *and*

14 (c) *Must be stated separately on the court's docket.*

15 3. *The money collected as fees in district courts must be paid*
16 *by the clerk of the court to the county treasurer on or before the*
17 *fifth day of each month for the preceding month. The county*
18 *treasurer shall distribute, on or before the 15th day of that month,*
19 *the money received to the State Controller for credit to the Fund*
20 *for Reentry Programs created by section 2 of this act.*

21 **Sec. 2.** Chapter 209 of NRS is hereby amended by adding
22 thereto a new section to read as follows:

23 1. *The Fund for Reentry Programs is hereby created in the*
24 *State Treasury as a special revenue fund, to be administered by the*
25 *Director.*

26 2. *The Director may apply for and accept any gift, donation,*
27 *bequest, grant or other source of money for the use of the Fund.*

28 3. *All money received for the use of the Fund pursuant to*
29 *subsection 2 or NRS 209.4889 or section 1.5 of this act or from*
30 *any other source must be deposited in the State Treasury for credit*
31 *to the Fund.*

32 4. *All expenditures from the Fund must be approved by the*
33 *Director. The money in the Fund may be expended only to pay*
34 *necessary administrative costs and to pay for programs for reentry*
35 *of offenders and parolees into the community, including, without*
36 *limitation, correctional programs and judicial programs.*

37 5. *The interest and income earned on the money in the Fund,*
38 *after deducting any applicable charges, must be credited to the*
39 *Fund. All claims against the Fund must be paid as other claims*
40 *against the State are paid.*

41 **Sec. 3.** NRS 209.4871 is hereby amended to read as follows:

42 209.4871 As used in NRS 209.4871 to 209.4889, inclusive,
43 *and section 2 of this act*, unless the context otherwise requires, the
44 words and terms defined in NRS 209.4873 to 209.488, inclusive,
45 have the meanings ascribed to them in those sections.



* S B 2 3 6 R 1 *

Sec. 4. NRS 209.4889 is hereby amended to read as follows:

209.4889 1. The Director may, after consulting with the Division, enter into one or more contracts with one or more public or private entities to provide any of the following services, as necessary and appropriate, to offenders or parolees participating in a correctional or judicial program:

- (a) Transitional housing;
- (b) Treatment pertaining to substance abuse or mental health;
- (c) Training in life skills;
- (d) Vocational rehabilitation and job skills training; and
- (e) Any other services required by offenders or parolees who are participating in a correctional or judicial program.

2. The Director shall, as necessary and appropriate, provide referrals and information regarding:

- (a) Any of the services provided pursuant to subsection 1;
- (b) Access and availability of any appropriate self-help groups;
- (c) Social services for families and children; and
- (d) Permanent housing.

3. The Director may apply for and accept any gift, donation, bequest, grant or other source of money to carry out the provisions of this section. *Any money received pursuant to this subsection must be deposited in the State Treasury for credit to the Fund for Reentry Programs created by section 2 of this act.*

4. As used in this section, "training in life skills" includes, without limitation, training in the areas of:

- (a) Parenting;
- (b) Improving human relationships;
- (c) Preventing domestic violence;
- (d) Maintaining emotional and physical health;
- (e) Preventing abuse of alcohol and drugs;
- (f) Preparing for and obtaining employment; and
- (g) Budgeting, consumerism and personal finances.

Sec. 5. This act becomes effective on July 1, 2009.

