

ASSEMBLY BILL NO. 461—COMMITTEE ON JUDICIARY

MARCH 28, 2011

Referred to Committee on Judiciary

SUMMARY—Revises provisions concerning the duties of the Board of State Prison Commissioners and the Director of the Department of Corrections. (BDR 16-1123)

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

~

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

AN ACT relating to prisons; revising provisions concerning the duties of the Board of State Prison Commissioners and the Director of the Department of Corrections; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law requires the Board of State Prison Commissioners to regulate the
2 number of officers and employees of the Department of Corrections. (NRS
3 209.111) **Section 1** of this bill specifies that the Board must perform such
4 regulation for the purpose of ensuring the safety of the officers and employees
5 within each unit of any institution or facility of the Department. Existing law also
6 requires the Director of the Department of Corrections to take proper measures to
7 protect the health and safety of the staff and offenders in the institutions and
8 facilities of the Department. (NRS 209.131) **Section 2** of this bill provides that one
9 such measure includes submitting on an annual basis for approval by the Board a
10 minimum staffing chart for each institution and facility of the Department.

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

1 **Section 1.** NRS 209.111 is hereby amended to read as follows:
2 209.111 The Board has full control of all grounds, buildings,
3 labor, and property of the Department, and shall:
4 1. Purchase, or cause to be purchased, all commissary supplies,
5 materials and tools necessary for any lawful purpose carried on at
6 any institution or facility of the Department.



2. Regulate the number of officers and employees of the Department ***H to ensure the safety of such officers and employees within each unit of any institution or facility of the Department.***

3. Prescribe regulations for carrying on the business of the Board and the Department.

Sec. 2. NRS 209.131 is hereby amended to read as follows:

209.131 The Director shall:

1. Administer the Department under the direction of the Board.

2. Supervise the administration of all institutions and facilities of the Department.

3. Receive, retain and release, in accordance with law, offenders sentenced to imprisonment in the state prison.

4. Be responsible for the supervision, custody, treatment, care, security and discipline of all offenders under his or her jurisdiction.

5. Ensure that any person employed by the Department whose primary responsibilities are:

(a) The supervision, custody, security, discipline, safety and transportation of an offender;

(b) The security and safety of the staff; and

(c) The security and safety of an institution or facility of the Department,

➤ is a correctional officer who has the powers of a peace officer pursuant to subsection 1 of NRS 289.220.

6. Establish regulations with the approval of the Board and enforce all laws governing the administration of the Department and the custody, care and training of offenders.

7. Take proper measures to protect the health and safety of the staff and offenders in the institutions and facilities of the Department ***H , including, without limitation, submitting on an annual basis for approval by the Board a minimum staffing chart for each institution and facility of the Department, which must not exceed the allocation for staff authorized by the Legislature.***

8. Cause to be placed from time to time in conspicuous places about each institution and facility copies of laws and regulations relating to visits and correspondence between offenders and others.

9. Provide for the holding of religious services in the institutions and facilities and make available to the offenders copies of appropriate religious materials.

Sec. 3. This act becomes effective on July 1, 2011.

