

ASSEMBLY BILL NO. 501—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

MARCH 28, 2011

Referred to Concurrent Committees on Legislative
Operations and Elections and Ways and Means

SUMMARY—Provides for a study of issues regarding the death
penalty. (BDR S-1103)

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 the death penalty; providing for a study of
issues regarding the death penalty; and providing other
matters properly relating thereto.

Legislative Counsel's Digest:

- 1 This bill requires the Audit Division of the Legislative Counsel Bureau to
2 conduct a staff study on the fiscal costs of the death penalty in Nevada. The study
3 must include, without limitation, an examination and analysis of the costs of
4 prosecuting and adjudicating capital cases compared to noncapital cases. The
5 Legislative Auditor is required to submit a written report of findings to the Director
6 of the Legislative Counsel Bureau on or before January 31, 2013.

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

- 1 **Section 1.** (Deleted by amendment.)
2 **Sec. 2.** 1. The Legislative Commission shall direct the Audit
3 Division of the Legislative Counsel Bureau to conduct a staff study
4 of the fiscal costs associated with the death penalty in this State.
5 2. The study conducted pursuant to this section must include an
6 examination and analysis concerning the costs of prosecuting and
7 adjudicating capital murder cases as compared to noncapital murder
8 cases, including, without limitation, the costs relating to the death
9 penalty borne by the State of Nevada and by the local governments
10 in this State at each stage of the proceedings in capital murder cases,



1 including pretrial costs, trial costs, appellate and postconviction
2 costs and costs of incarceration such as:

3 (a) The costs of legal counsel involved in the prosecution and
4 defense of a capital murder case for all pretrial, trial and
5 postconviction proceedings; and

6 (b) Additional procedural costs involved in capital murder cases
7 as compared to noncapital murder cases, including, without
8 limitation, costs relating to:

9 (1) Processing of bonds, including investigative costs of
10 prosecutors, police and other staff;

11 (2) Investigation of a case before a person is charged with a
12 crime, including costs for investigation by the prosecution and the
13 defense;

14 (3) Pretrial motions;

15 (4) Extradition;

16 (5) Psychiatric and medical evaluations;

17 (6) Expert witnesses;

18 (7) Juries;

19 (8) Sentencing proceedings;

20 (9) Appellate and postconviction proceedings, including
21 motions, writs of certiorari and state and federal petitions for
22 postconviction relief;

23 (10) Requests for clemency;

24 (11) Incarceration of persons awaiting trial in capital murder
25 cases and persons sentenced to death; and

26 (12) Execution of a sentence of death, including costs of
27 facilities and staff.

28 3. On or before January 31, 2013, the Legislative Auditor shall
29 submit a written report of any findings to the Director of the
30 Legislative Counsel Bureau for transmittal to the 77th Session of the
31 Nevada Legislature.

32 **Sec. 3.** This act becomes effective upon passage and approval.

