

SENATE BILL NO. 159—SENATOR GUSTAVSON

FEBRUARY 16, 2011

Referred to Committee on Judiciary

SUMMARY—Makes various changes governing offenders.
(BDR 16-74)

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

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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 convicted persons; requiring the Director of the Department of Corrections to provide certain information to an offender upon his or her release, including information regarding employment assistance; providing for the waiver of fees for the issuance of certain forms of identifying information for certain persons released from prison; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Director of the Department of Corrections to provide certain information to an offender upon the offender's release from prison. (NRS 209.511) **Section 1** of this bill requires the Director to provide such an offender with: (1) information relating to assistance for obtaining employment, including information regarding obtaining bonding for employment; and (2) information and reasonable assistance relating to acquiring a valid driver's license or identification card to enable the offender to obtain employment if the offender requests such information and assistance and is eligible to acquire a driver's license or identification card.

Existing law provides for the waiver of certain fees relating to the issuance of certified copies of birth certificates and duplicate drivers' licenses and identification cards to homeless persons. (NRS 440.175, 440.700, 483.417, 483.825) **Sections 3-6** of this bill provide for a similar waiver of such fees for persons who were released from prison within the immediately preceding 90 days. **Section 7** of this bill requires the Department of Motor Vehicles to encourage each vendor that has entered into an agreement with the Department to produce photographs for drivers' licenses and identification cards to waive the cost charged to the Department to produce the photographs for such persons who were released from prison.



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

1 **Section 1.** NRS 209.511 is hereby amended to read as follows:

2 209.511 1. When an offender is released from prison by
3 expiration of his or her term of sentence, by pardon or by parole, the
4 Director:

5 (a) May furnish the offender with a sum of money not to exceed
6 \$100, the amount to be based upon the offender's economic need as
7 determined by the Director;

8 (b) Shall give the offender notice of the provisions of chapter
9 179C of NRS and NRS 202.357 and 202.360;

10 (c) Shall require the offender to sign an acknowledgment of the
11 notice required in paragraph (b);

12 (d) Shall give the offender notice of the provisions of NRS
13 179.245 and the provisions of NRS 213.090, 213.155 or 213.157, as
14 applicable;

15 (e) *Shall provide the offender with information relating to*
16 *obtaining employment, including, without limitation, any*
17 *programs which may provide bonding for an offender entering the*
18 *workplace and any organizations which may provide employment*
19 *or bonding assistance to such a person;*

20 (f) *Shall provide the offender with information and reasonable*
21 *assistance relating to acquiring a valid driver's license or*
22 *identification card to enable the offender to obtain employment, if*
23 *the offender:*

24 (1) *Requests such information and assistance; and*

25 (2) *Is eligible to acquire a valid driver's license or*
26 *identification card from the Department of Motor Vehicles;*

27 (g) May provide the offender with clothing suitable for
28 reentering society;

29 ~~(f)(h)~~ (h) May provide the offender with the cost of
30 transportation to his or her place of residence anywhere within the
31 continental United States, or to the place of his or her conviction;

32 ~~(g)(i)~~ (i) May, but is not required to, release the offender to a
33 facility for transitional living for released offenders that is licensed
34 pursuant to chapter 449 of NRS; and

35 ~~(f)(j)~~ (j) Shall require the offender to submit to at least one test
36 for exposure to the human immunodeficiency virus.

37 2. The costs authorized in paragraphs (a) ~~[-(e), (f)]~~, (g) ~~and~~
38 ~~(h)~~, (h) and (j) of subsection 1 must be paid out of the appropriate
39 account within the State General Fund for the use of the Department
40 as other claims against the State are paid to the extent that the costs
41 have not been paid in accordance with subsection 5 of NRS 209.221
42 and NRS 209.246.



3. As used in this section, "facility for transitional living for released offenders" has the meaning ascribed to it in NRS 449.0055.

Sec. 2. (Deleted by amendment.)

Sec. 3. NRS 440.175 is hereby amended to read as follows:

440.175 1. Upon request, the State Registrar may furnish statistical data to any federal, state, local or other public or private agency, upon such terms or conditions as may be prescribed by the Board.

2. No person may prepare or issue any document which purports to be an original, certified copy, certified abstract or official copy of:

(a) A certificate of birth, death or fetal death, except as authorized in this chapter or by the Board.

(b) A certificate of marriage, except a county clerk, county recorder or a person so required pursuant to NRS 122.120.

(c) A decree of divorce or annulment of marriage, except a county clerk or the judge of a court of record.

3. A person or governmental organization which issues certified or official copies pursuant to paragraph (a) of subsection 2 shall:

(a) Not charge a fee for issuing a certified or official copy of a certificate of birth to ~~fa~~:

(1) A homeless person who submits a signed affidavit on a form prescribed by the State Registrar stating that the person is homeless.

(2) A person who submits documentation from the Department of Corrections verifying that the person was released from prison within the immediately preceding 90 days.

(b) Remit to the State Registrar fees collected which are charged in an amount established by the State Registrar by regulation:

(1) For each registration of a birth or death in its district.

(2) For each copy issued of a certificate of birth in its district, other than a copy issued pursuant to paragraph (a).

(3) For each copy issued of a certificate of death in its district.

Sec. 4. NRS 440.700 is hereby amended to read as follows:

440.700 1. Except as otherwise provided in this section, the State Registrar shall charge and collect a fee in an amount established by the State Registrar by regulation:

(a) For searching the files for one name, if no copy is made.

(b) For verifying a vital record.

(c) For establishing and filing a record of paternity, other than a hospital-based paternity, and providing a certified copy of the new record.

(d) For a certified copy of a record of birth.



(e) For a certified copy of a record of death originating in a county in which the board of county commissioners has not created an account for the support of the office of the county coroner pursuant to NRS 259.025.

(f) For a certified copy of a record of death originating in a county in which the board of county commissioners has created an account for the support of the office of the county coroner pursuant to NRS 259.025.

(g) For correcting a record on file with the State Registrar and providing a certified copy of the corrected record.

(h) For replacing a record on file with the State Registrar and providing a certified copy of the new record.

(i) For filing a delayed certificate of birth and providing a certified copy of the certificate.

(j) For the services of a notary public, provided by the State Registrar.

(k) For an index of records of marriage provided on microfiche to a person other than a county clerk or a county recorder of a county of this State.

(l) For an index of records of divorce provided on microfiche to a person other than a county clerk or a county recorder of a county in this State.

(m) For compiling data files which require specific changes in computer programming.

2. The fee collected for furnishing a copy of a certificate of birth or death must include the sum of \$3 for credit to the Children's Trust Account created by NRS 432.131.

3. The fee collected for furnishing a copy of a certificate of death must include the sum of \$1 for credit to the Review of Death of Children Account created by NRS 432B.409.

4. The State Registrar shall not charge a fee for furnishing a certified copy of a record of birth to ~~fe~~:

(a) A homeless person who submits a signed affidavit on a form prescribed by the State Registrar stating that the person is homeless.

(b) *A person who submits documentation from the Department of Corrections verifying that the person was released from prison within the immediately preceding 90 days.*

5. The fee collected for furnishing a copy of a certificate of death originating in a county in which the board of county commissioners has created an account for the support of the office of the county coroner pursuant to NRS 259.025 must include the sum of \$1 for credit to the account for the support of the office of the county coroner of the county in which the certificate originates.

6. Upon the request of any parent or guardian, the State Registrar shall supply, without the payment of a fee, a certificate



1 limited to a statement as to the date of birth of any child as disclosed
2 by the record of such birth when the certificate is necessary for
3 admission to school or for securing employment.

4 7. The United States Bureau of the Census may obtain, without
5 expense to the State, transcripts or certified copies of births and
6 deaths without payment of a fee.

7 **Sec. 5.** NRS 483.417 is hereby amended to read as follows:

8 483.417 1. The Department shall waive the fee prescribed by
9 NRS 483.410 and the increase in the fee required by NRS 483.347
10 not more than one time for furnishing a duplicate driver's license to
11 ~~{a}~~ :

12 (a) A homeless person who submits a signed affidavit on a form
13 prescribed by the Department stating that the person is homeless.

14 (b) *A person who submits documentation from the Department*
15 *of Corrections verifying that the person was released from prison*
16 *within the immediately preceding 90 days.*

17 2. A vendor that has entered into an agreement with the
18 Department to produce photographs for drivers' licenses pursuant to
19 NRS 483.347 may waive the cost it charges the Department to
20 produce the photograph of a homeless person *or person released*
21 *from prison* for a duplicate driver's license.

22 3. If the vendor does not waive pursuant to subsection 2 the
23 cost it charges the Department and the Department has waived the
24 increase in the fee required by NRS 483.347 for a duplicate driver's
25 license furnished to a ~~{homeless}~~ person pursuant to subsection 1,
26 the ~~{homeless}~~ person shall reimburse the Department in an amount
27 equal to the increase in the fee required by NRS 483.347 if the
28 ~~{homeless}~~ person:

29 (a) Applies to the Department for the renewal of his or her
30 driver's license; and

31 (b) Is employed at the time of such application.

32 4. The Department may accept gifts, grants and donations of
33 money to fund the provision of duplicate drivers' licenses without a
34 fee to ~~{homeless}~~ persons *{-} pursuant to subsection 1.*

35 **Sec. 6.** NRS 483.825 is hereby amended to read as follows:

36 483.825 1. The Department shall waive the fee prescribed by
37 NRS 483.820 and the increase in the fee required by NRS 483.347
38 not more than one time for furnishing a duplicate identification card
39 to ~~{a}~~ :

40 (a) A homeless person who submits a signed affidavit on a form
41 prescribed by the Department stating that the person is homeless.

42 (b) *A person who submits documentation from the Department*
43 *of Corrections verifying that the person was released from prison*
44 *within the immediately preceding 90 days.*



2. A vendor that has entered into an agreement with the Department to produce photographs for identification cards pursuant to NRS 483.347 may waive the cost it charges the Department to produce the photograph of a homeless person *or person released from prison* for a duplicate identification card.

3. If the vendor does not waive pursuant to subsection 2 the cost it charges the Department and the Department has waived the increase in the fee required by NRS 483.347 for a duplicate identification card furnished to a ~~homeless~~ person pursuant to subsection 1, the ~~homeless~~ person shall reimburse the Department in an amount equal to the increase in the fee required by NRS 483.347 if the ~~homeless~~ person:

(a) Applies to the Department for the renewal of his or her identification card; and

(b) Is employed at the time of such application.

4. The Department may accept gifts, grants and donations of money to fund the provision of duplicate identification cards without a fee to ~~homeless~~ persons ~~[-]~~ *pursuant to subsection 1.*

5. As used in this section, "photograph" has the meaning ascribed to it in NRS 483.125.

Sec. 7. The Department of Motor Vehicles shall encourage each vendor that has entered into an agreement with the Department to produce photographs for drivers' licenses and identification cards pursuant to NRS 483.347 to waive the cost that the vendor charges the Department to produce photographs for duplicate drivers' licenses or identification cards furnished to persons released from prison within the immediately preceding 90 days pursuant to subsection 2 of NRS 483.417, as amended by section 5 of this act, and subsection 2 of NRS 483.825, as amended by section 6 of this act.

Sec. 8. 1. This section and section 1 of this bill become effective on October 1, 2011.

2. Sections 3 to 7, inclusive, of this act become effective on February 1, 2012.

