

SENATE BILL NO. 443—COMMITTEE ON FINANCE

(ON BEHALF OF THE DIVISION OF BUDGET AND PLANNING)

MARCH 28, 2011

Referred to Committee on Finance

SUMMARY—Requires counties to pay a percentage of the expense of presentence or general investigations and reports made by the Division of Parole and Probation of the Department of Public Safety. (BDR 14-1202)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

CONTAINS UNFUNDED MANDATE (§1)
(REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 probation; requiring counties to pay a percentage of the expense of presentence or general investigations and reports made by the Division of Parole and Probation of the Department of Public Safety; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Division of Parole and Probation of the Department of Public Safety to make presentence or general investigations and reports in certain circumstances. (NRS 176.133-176.159) This bill requires that 70 percent of the expense of any presentence or general investigation and report made by the Division, other than the expense of a psychosexual evaluation, be paid by the county in which the indictment was found or the information filed. Under this bill, a county must pay to the Division all such expenses according to a schedule established by the Division, which must require payment on at least a quarterly basis.



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

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

1. Seventy percent of the expense of any presentence or general investigation and report made by the Division pursuant to NRS 176.135 or 176.151, other than the expense of a psychosexual evaluation conducted pursuant to NRS 176.139, must be paid by the county in which the indictment was found or the information filed.

2. Each county shall pay to the Division all expenses required pursuant to subsection 1 according to a schedule established by the Division, which must require payment on at least a quarterly basis.

Sec. 2. NRS 176.133 is hereby amended to read as follows:

176.133 As used in NRS 176.133 to 176.159, inclusive, *and section 1 of this act*, unless the context otherwise requires:

1. "Person professionally qualified to conduct psychosexual evaluations" means a person who has received training in conducting psychosexual evaluations and is:

(a) A psychiatrist licensed to practice medicine in this State and certified by the American Board of Psychiatry and Neurology, Inc.;

(b) A psychologist licensed to practice in this State;

(c) A social worker holding a master's degree in social work and licensed in this State as a clinical social worker;

(d) A registered nurse holding a master's degree in the field of psychiatric nursing and licensed to practice professional nursing in this State;

(e) A marriage and family therapist licensed in this State pursuant to chapter 641A of NRS; or

(f) A clinical professional counselor licensed in this State pursuant to chapter 641A of NRS.

2. "Psychosexual evaluation" means an evaluation conducted pursuant to NRS 176.139.

3. "Sexual offense" means:

(a) Sexual assault pursuant to NRS 200.366;

(b) Statutory sexual seduction pursuant to NRS 200.368, if punished as a felony;

(c) Battery with intent to commit sexual assault pursuant to NRS 200.400;

(d) Abuse of a child pursuant to NRS 200.508, if the abuse involved sexual abuse or sexual exploitation and is punished as a felony;



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1 (e) An offense involving pornography and a minor pursuant to
2 NRS 200.710 to 200.730, inclusive;

3 (f) Incest pursuant to NRS 201.180;

4 (g) Solicitation of a minor to engage in acts constituting the
5 infamous crime against nature pursuant to NRS 201.195, if punished
6 as a felony;

7 (h) Open or gross lewdness pursuant to NRS 201.210, if
8 punished as a felony;

9 (i) Indecent or obscene exposure pursuant to NRS 201.220, if
10 punished as a felony;

11 (j) Lewdness with a child pursuant to NRS 201.230;

12 (k) Sexual penetration of a dead human body pursuant to
13 NRS 201.450;

14 (l) Luring a child or a person with mental illness pursuant to
15 NRS 201.560, if punished as a felony;

16 (m) An attempt to commit an offense listed in paragraphs (a) to
17 (l), inclusive, if punished as a felony; or

18 (n) An offense that is determined to be sexually motivated
19 pursuant to NRS 175.547 or 207.193.

20 **Sec. 3.** The provisions of NRS 354.599 do not apply to any
21 additional expenses of a local government that are related to the
22 provisions of this act.

23 **Sec. 4.** This act becomes effective upon passage and approval
24 for the purpose of adopting regulations and on July 1, 2011, for all
25 other purposes.

