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ASSEMBLY BILL NO. 194—ASSEMBLYMEN ELLISON, HAMBRICK;  
FIORE, GRADY, HEALEY, HICKEY, LIVERMORE, NEAL,  
OSCARSON, STEWART, WHEELER AND WOODBURY

MARCH 4, 2013

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JOINT SPONSORS: SENATORS GOICOECHEA AND SETTELMAYER

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Referred to Committee on Judiciary

SUMMARY—Clarifies that a person who holds a leasehold interest in the real property of another person may be criminally liable for the destruction or injury of that real property. (BDR 15-654)

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

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

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AN ACT relating to crimes; clarifying that a person who holds a leasehold interest in the real property of another person may be criminally liable for the destruction or injury of that real property; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

1 Existing law prohibits a person from willfully or maliciously destroying or  
2 injuring the real or personal property of another person. (NRS 206.310) Existing  
3 law also provides that a person who is guilty of such an offense shall be punished:  
4 (1) where the value of the loss is \$5,000 or more, for a category C felony; (2) where  
5 the value of the loss is \$250 or more but less than \$5,000, for a gross misdemeanor;  
6 (3) where the value of the loss is \$25 or more but less than \$250, for a  
7 misdemeanor; and (4) where the value is less than \$25, by a fine of not more than  
8 \$500. (NRS 193.155) This bill clarifies that a person who holds a leasehold interest  
9 in the real property of another person may be criminally liable for the willful or  
10 malicious destruction or injury of that real property.

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

- 1     **Section 1.** NRS 206.310 is hereby amended to read as follows:  
2     206.310   ***1.*** Every person who shall willfully or maliciously  
3     destroy or injure any real or personal property of another, for the  
4     destruction or injury of which no special punishment is otherwise  
5     specially prescribed, shall be guilty of a public offense proportionate  
6     to the value of the property affected or the loss resulting from such  
7     offense.  
8     ***2.*** *It is not a defense that the person engaging in the conduct*  
9     *prohibited by subsection 1 holds a leasehold interest in the real*  
10    *property that was destroyed or injured.*

