

Amendment No. 80

Senate Amendment to Senate Bill No. 264

(BDR S-671)

Proposed by: Senate Committee on Judiciary

Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: No

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date
Adopted	☐	Lost	☐ _____	Adopted	☐	Lost	☐ _____
Concurred In	☐	Not	☐ _____	Concurred In	☐	Not	☐ _____
Receded	☐	Not	☐ _____	Receded	☐	Not	☐ _____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold underlining* is newly added transitory language.

NCA/BAW



Date: 4/3/2013

S.B. No. 264—Revises provisions governing criminal procedure. (BDR S-671)



SENATE BILL NO. 264—SENATOR CEGAVSKE

MARCH 15, 2013

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing criminal procedure. (BDR S-671)

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.

AN ACT relating to criminal procedure; requiring the Advisory Commission on the Administration of Justice to identify and study certain issues relating to criminal procedure; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes the Advisory Commission on the Administration of Justice and directs the Commission, among other duties, to identify and study the elements of this State's system of criminal justice. (NRS 176.0123, 176.0125) This bill requires the Commission to include certain items relating to overcriminalization on an agenda for discussion.

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

Section 1. The Advisory Commission on the Administration of Justice created pursuant to NRS 176.0123 shall, at a meeting held by the Commission, include as an item on the agenda a discussion of the following issues relating to overcriminalization:

1. A review of all criminal sentences ~~other than those related to controlled substances, to determine whether potential or actual harm to an individual victim should be included as an element of the offense.~~

2. A review of all criminal offenses which may be duplicative or sanction the same or similar behavior.

3. An evaluation of the reclassification of certain misdemeanor offenses to determine whether jail time is necessary and whether such offenses may be more appropriately classified as civil violations.

4. An evaluation of certain felony offenses to determine whether misdemeanor punishment may be more appropriate given the disparate impacts a felony conviction may carry. The Commission shall consider the lasting harm caused by the unlawful act, the blameworthiness accompanying the offense and the impact on future public safety.

Sec. 2. This act becomes effective on July 1, 2013.