

SENATE BILL NO. 265—SENATOR CEGAVSKE

MARCH 15, 2013

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to criminal law.
(BDR 15-672)

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 crimes; establishing a statutory rule of lenity;
and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 The Nevada Supreme Court has applied the “rule of lenity” as a principle of
2 statutory construction which demands that ambiguities in criminal statutes be
3 liberally interpreted in the accused’s favor. (*Moore v. State*, 122 Nev. 27, (2006))
4 This bill codifies in statute the rule of lenity.

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

- 1 **Section 1.** Chapter 193 of NRS is hereby amended by adding
2 thereto a new section to read as follows:
3 *Ambiguities in sections of the Nevada Revised Statutes defining*
4 *criminal offenses or penalties must be strictly construed against*
5 *the State and liberally construed in favor of the accused.*
6 **Sec. 2.** The provisions of this act apply to offenses committed
7 on or after October 1, 2013.

