

SENATE BILL NO. 423—COMMITTEE ON JUDICIARY

MARCH 25, 2013

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to offenders.
(BDR 16-1112)

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 offenders; requiring the Director of the Department of Corrections to provide certain information upon the release of an offender; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law requires the Director of the Department of Corrections to provide
2 certain information to an offender upon the offender's release from prison. (NRS
3 209.511) **Section 1** of this bill requires the Director to provide a photo
4 identification card, including the name, date of birth and a color photograph of the
5 offender, to an offender upon his or her release if the offender requests such
6 identification and is eligible to acquire a driver's license or identification card.

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);



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

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

(f) Shall provide the offender with *a photo identification card issued by the Department and* 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:

(1) *Requests a photo identification card; or*

(2) Requests such information and assistance ~~and~~ ~~is~~ ~~is~~ eligible to acquire a valid driver's license or identification card from the Department of Motor Vehicles;

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

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

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

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

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

3. As used in this section ~~is~~ ~~“facility”~~ :

(a) *“Facility* for transitional living for released offenders” has the meaning ascribed to it in NRS 449.0055.

(b) *“Photo identification card” means a document which includes the name, date of birth and a color picture of the offender.*

Sec. 2. NRS 483.290 is hereby amended to read as follows:

483.290 1. Every application for an instruction permit or for a driver's license must:

(a) Be made upon a form furnished by the Department.



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(b) Be verified by the applicant before a person authorized to administer oaths. Officers and employees of the Department may administer those oaths without charge.

(c) Be accompanied by the required fee.

(d) State the full legal name, date of birth, sex, address of principal residence and mailing address, if different from the address of principal residence, of the applicant and briefly describe the applicant.

(e) State whether the applicant has theretofore been licensed as a driver, and, if so, when and by what state or country, and whether any such license has ever been suspended or revoked, or whether an application has ever been refused, and, if so, the date of and reason for the suspension, revocation or refusal.

(f) Include such other information as the Department may require to determine the competency and eligibility of the applicant.

2. Every applicant must furnish proof of his or her full legal name and age by displaying ~~an~~ :

(a) *An original or certified copy of the required documents as prescribed by regulation ~~H~~ ; or*

(b) *A photo identification card issued by the Department of Corrections pursuant to NRS 209.511.*

3. The Department shall adopt regulations prescribing the documents an applicant may use to furnish proof of his or her full legal name and age to the Department ~~H~~ *pursuant to paragraph (a) of subsection 2.*

4. At the time of applying for a driver's license, an applicant may, if eligible, register to vote pursuant to NRS 293.524.

5. Every applicant who has been assigned a social security number must furnish proof of his or her social security number by displaying:

(a) An original card issued to the applicant by the Social Security Administration bearing the social security number of the applicant; or

(b) Other proof acceptable to the Department, including, without limitation, records of employment or federal income tax returns.

6. The Department may refuse to accept a driver's license issued by another state, the District of Columbia or any territory of the United States if the Department determines that the other state, the District of Columbia or the territory of the United States has less stringent standards than the State of Nevada for the issuance of a driver's license.

7. With respect to any document presented by a person who was born outside of the United States to prove his or her full legal name and age, the Department:



1 (a) May, if the document has expired, refuse to accept the
2 document or refuse to issue a driver's license to the person
3 presenting the document, or both; and

4 (b) Shall issue to the person presenting the document a driver's
5 license that is valid only during the time the applicant is authorized
6 to stay in the United States, or if there is no definite end to the time
7 the applicant is authorized to stay, the driver's license is valid for 1
8 year beginning on the date of issuance.

9 8. The Administrator shall adopt regulations setting forth
10 criteria pursuant to which the Department will issue or refuse to
11 issue a driver's license in accordance with this section to a person
12 who is a citizen of any state, the District of Columbia, any territory
13 of the United States or a foreign country. The criteria pursuant to
14 which the Department shall issue or refuse to issue a driver's license
15 to a citizen of a foreign country must be based upon the purpose for
16 which that person is present within the United States.

17 9. Notwithstanding any other provision of this section, the
18 Department shall not accept a consular identification card as proof
19 of the age or identity of an applicant for an instruction permit or for
20 a driver's license. As used in this subsection, "consular
21 identification card" has the meaning ascribed to it in NRS 232.006.

22 **Sec. 3.** NRS 483.860 is hereby amended to read as follows:

23 483.860 1. Every applicant for an identification card must
24 furnish proof of his or her full legal name and age by presenting
25 ~~that~~ :

26 (a) *An* original or certified copy of the required documents as
27 prescribed by regulation ~~H~~ ; or

28 (b) *A photo identification card issued by the Department of*
29 *Corrections pursuant to NRS 209.511.*

30 2. The Director shall adopt regulations:

31 (a) Prescribing the documents an applicant may use to furnish
32 proof of his or her full legal name and age to the Department ~~H~~
33 *pursuant to paragraph (a) of subsection 1*; and

34 (b) Setting forth criteria pursuant to which the Department will
35 issue or refuse to issue an identification card in accordance with this
36 section to a person who is a citizen of a state, the District of
37 Columbia, any territory of the United States or a foreign country.
38 The criteria pursuant to which the Department shall issue or refuse
39 to issue an identification card to a citizen of a foreign country must
40 be based upon the purpose for which that person is present within
41 the United States.

42 3. Notwithstanding any other provision of this section, the
43 Department shall not accept a consular identification card as proof
44 of the age or identity of an applicant for an identification card. As



1 used in this subsection, “consular identification card” has the
2 meaning ascribed to it in NRS 232.006.

3 **Sec. 4.** This act becomes effective:

4 1. Upon passage and approval for the purpose of performing
5 any preparatory administrative tasks that are necessary to carry out
6 the provisions of this act; and

7 2. On January 1, 2014, for all other purposes.

