

ASSEMBLY BILL NO. 260—ASSEMBLYMAN OHRENSCHALL

MARCH 11, 2015

Referred to Committee on Judiciary

SUMMARY—Requires youthful offenders to serve their terms of imprisonment in a state juvenile detention facility under certain circumstances. (BDR 14-841)

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 youthful offenders; requiring, under certain circumstances, a person who is less than 18 years of age and who is sentenced to a term of imprisonment in the state prison to serve the term in a state juvenile detention facility until he or she reaches the age of 18 years; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law establishes various provisions governing judgment and execution
2 in a criminal case, including provisions relating to sentencing and terms of
3 imprisonment. (Chapter 176 of NRS) This bill requires a person who is less than 18
4 years of age and who is sentenced as an adult to a term of imprisonment in the state
5 prison for committing a crime to serve the term in a state juvenile detention facility
6 until the person reaches the age of 18 years, unless the court determines that he or
7 she may be dangerous to others.

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

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

3 ***1. If a defendant who is less than 18 years of age is sentenced***
4 ***to serve a term of imprisonment in the state prison, the court must***
5 ***order the defendant to be housed in a state facility for the***
6 ***detention of children until he or she reaches the age of 18 years,***
7 ***except that the court may order the defendant to be immediately***



1 *placed in the custody of the Department of Corrections if the court*
2 *determines that the defendant may present a danger to others in*
3 *the state facility for the detention of children.*

4 *2. As soon as practicable after a defendant who is housed in a*
5 *state facility for the detention of children pursuant to subsection 1*
6 *reaches the age of 18 years, the state facility for the detention of*
7 *children shall transfer the defendant to the custody of the*
8 *Department of Corrections.*

9 *3. As used in this section, "state facility for the detention of*
10 *children" has the meaning ascribed to it in NRS 62A.330.*

11 **Sec. 2.** The amendatory provisions of this act apply to a person
12 convicted of a crime on or after October 1, 2015.

