

SENATE BILL NO. 454—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE ADVISORY COMMISSION  
ON THE ADMINISTRATION OF JUSTICE)

MARCH 23, 2015

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to criminal justice.  
(BDR 14-559)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
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 criminal justice; requiring the use of a uniform pretrial risk assessment tool in any criminal proceeding; requiring the State Controller to collect fines, administrative assessments, fees and restitution from persons convicted of certain criminal offenses; requiring the Director of the Department of Corrections to provide to an offender a duplicate driver's license or identification card upon the release of an offender; authorizing the Director of the Department of Corrections to release certain personal information of an offender to the Office of the Attorney General under certain circumstances; providing that a county is eligible for reimbursement for the cost of a sexual assault examination from the Fund for the Compensation of Victims of Crime; requiring the Advisory Commission on the Administration of Justice to study and report on certain issues; requiring the Central Repository for Nevada Records of Criminal History to develop recommended policies and procedures related to certain issues; requiring the Division of Parole and Probation of the Department of Public Safety to study and report on certain issues; and providing other matters properly relating thereto.



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### Legislative Counsel's Digest:

Existing law provides that if a fine, administrative assessment, fee or restitution imposed upon a defendant is delinquent: (1) the defendant is liable for a collection fee; (2) the entity responsible for collecting the delinquent amount may report the delinquency to credit reporting agencies, may contract with a collection agency and may request that the court take appropriate action; and (3) the court may request that a prosecuting attorney undertake collection efforts, may order the suspension of the driver's license of the defendant and may, in the case of a delinquent fine or administrative assessment, order that the defendant be confined in the appropriate prison, jail or detention facility (NRS 176.064)

**Sections 2-8, 11 and 13** of this bill provide that if a defendant is convicted of a felony or gross misdemeanor and ordered to pay a fine, administrative assessment, fee or restitution, the State Controller is responsible for: (1) collecting the fine, administrative assessment, fee or restitution; and (2) distributing the fine, administrative assessment, fee or restitution to the entity entitled to receive it.

**Sections 4, 6 and 13** also require: (1) the Court Administrator, the Chief of the Division of Parole and Probation of the Department of Public Safety and the Director of the Department of Corrections to provide, upon request and in the manner prescribed by the State Controller, necessary information to the State Controller regarding the amount of any fine, administrative assessment, fee or restitution owed by a person convicted of a felony or gross misdemeanor; and (2) the Court Administrator, the Department of Public Safety, the Department of Corrections and any other state or local agency involved in the collection of fines, administrative assessments, fees or restitution to collaborate with the State Controller.

Existing law requires the Director of the Department of Corrections to provide certain information and a photo identification card to an offender upon the offender's release from prison. (NRS 209.511) **Section 9** of this bill requires the Director to provide a valid driver's license or identification card issued by the Department of Motor Vehicles to an offender upon his or her release if the offender is eligible to acquire a driver's license or identification card. **Section 9** also requires the Director to provide to the Department of Motor Vehicles, monthly, a list of offenders scheduled to be released from prison by expiration of his or her term of sentence, by pardon or by parole, within the next 30 days to facilitate the issuance of driver's licenses or identification cards, as applicable, to those offenders. **Sections 14 and 15** of this bill require the Department of Motor Vehicles to issue a driver's license or identification card, as applicable, to each offender listed on such list provided pursuant to **section 9**.

Existing law requires the Director of the Department of Corrections to provide victims of certain offenses with information regarding his or her offender's release from custody. (NRS 209.521) **Section 10** of this bill authorizes the Director to release such information to the Office of the Attorney General for the limited purpose of notifying victims involved in pending litigation. Existing law also provides for the compensation of certain victims from the Fund for the Compensation of Victims of Crime. (NRS 217.160) **Section 12** of this bill authorizes the reimbursement of counties for the cost of sexual assault examinations from the Fund for the Compensation of Victims of Crime.

**Section 1** of this bill requires the use of a uniform pretrial risk assessment tool in any criminal proceeding where a court conducts a pretrial risk assessment of the defendant. **Section 17** of this bill directs the Advisory Commission on the Administration of Justice to conduct an interim study concerning the use of sentence credits to reduce the minimum term of imprisonment imposed for offenders convicted of category B felonies. **Section 17** of this bill directs the Central Repository for Nevada Records of Criminal History to collaborate with various persons and entities to develop policies and procedures to implement a



statewide criminal justice information sharing database. **Section 18** of this bill directs the Division of Parole and Probation of the Department of Public Safety to conduct a study and report on the accuracy and effectiveness of current risk assessment tools utilized by the Division.

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

**Section 1.** Chapter 174 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. A uniform pretrial risk assessment tool must be used in any criminal proceeding where a court conducts a pretrial risk assessment of the defendant.*

*2. The Supreme Court shall provide by court rule for the risk assessment tool to be used in criminal proceedings pursuant to subsection 1.*

**Sec. 2.** NRS 176.062 is hereby amended to read as follows:

176.062 1. When a defendant pleads guilty or guilty but mentally ill or is found guilty or guilty but mentally ill of a felony or gross misdemeanor, the judge shall include in the sentence the sum of \$25 as an administrative assessment and render a judgment against the defendant for the assessment.

2. The money collected for an administrative assessment:

(a) Must not be deducted from any fine imposed by the judge;

(b) Must be taxed against the defendant in addition to the fine; and

(c) Must be stated separately on the court's docket.

3. The money collected for administrative assessments in district courts must be paid by the clerk of the court to the ~~county treasurer~~ *State Controller* on or before the fifth day of each month for the preceding month. The ~~county treasurer~~ *State Controller* shall distribute, on or before the 15th day of that month, the money received in the following amounts for each assessment received:

(a) Five dollars *to the county treasurer* for credit to a special account in the county general fund for the use of the district court.

(b) The remainder of each assessment to *remain with* the State Controller.

4. The State Controller shall credit the money received pursuant to subsection 3 to a special account for the assistance of criminal justice in the State General Fund, and distribute the money from the account to the Attorney General as authorized by the Legislature. Any amount received in excess of the amount authorized by the Legislature for distribution must remain in the account.



**Sec. 3.** NRS 176.0623 is hereby amended to read as follows:

176.0623 1. In addition to any other administrative assessment imposed, when a defendant pleads guilty, is found guilty or enters a plea of nolo contendere to a misdemeanor, gross misdemeanor or felony, including the violation of any municipal ordinance, on or after July 1, 2013, the justice or judge of the justice, municipal or district court, as applicable, shall include in the sentence the sum of \$3 as an administrative assessment for obtaining a biological specimen and conducting a genetic marker analysis and shall render a judgment against the defendant for the assessment. If a defendant is sentenced to perform community service in lieu of a fine, the sentence must include the administrative assessment required pursuant to this subsection.

2. The money collected for an administrative assessment for obtaining a biological specimen and conducting a genetic marker analysis must not be deducted from the fine imposed by the justice or judge but must be taxed against the defendant in addition to the fine. The money collected for such an administrative assessment must be stated separately on the court's docket and must be included in the amount posted for bail. If bail is forfeited, the administrative assessment included in the bail pursuant to this subsection must be disbursed pursuant to subsection 4. If the defendant is found not guilty or the charges are dismissed, the money deposited with the court must be returned to the defendant. If the justice or judge cancels a fine because the fine has been determined to be uncollectible, any balance of the fine and the administrative assessment remaining unpaid shall be deemed to be uncollectible, and the defendant is not required to pay it. If a fine is determined to be uncollectible, the defendant is not entitled to a refund of the fine or administrative assessment he or she has paid, and the justice or judge shall not recalculate the administrative assessment.

3. If the justice or judge permits the fine and administrative assessment for the provision of genetic marker analysis to be paid in installments, the payments must be applied in the following order:

(a) To pay the unpaid balance of an administrative assessment imposed pursuant to NRS 176.059;

(b) To pay the unpaid balance of an administrative assessment for the provision of court facilities pursuant to NRS 176.0611;

(c) To pay the unpaid balance of an administrative assessment for the provision of specialty court programs pursuant to NRS 176.0613;

(d) To pay the unpaid balance of an administrative assessment for obtaining a biological specimen and conducting a genetic marker analysis pursuant to this section; and

(e) To pay the fine.



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4. The money collected for an administrative assessment for the provision of genetic marker analysis must be paid by the clerk of the court to the ~~county treasurer~~ *State Controller* on or before the fifth day of each month for the preceding month *to be remitted to the county treasurer* for credit to the fund for genetic marker analysis pursuant to NRS 176.0915.

**Sec. 4.** NRS 176.0625 is hereby amended to read as follows:

176.0625 1. If a fine, administrative assessment or fee is imposed pursuant to this chapter upon a defendant who pleads guilty or guilty but mentally ill or is found guilty or guilty but mentally ill of a felony or gross misdemeanor, the district court entering the judgment of conviction shall forward to the ~~county treasurer or other office assigned by the county to make collections~~ *State Controller* the information necessary to collect the fine, administrative assessment or fee. The ~~county treasurer or other office assigned by the county to make collections~~ *State Controller* is responsible for such collection efforts and has the authority to collect the fine, administrative assessment or fee.

2. ~~If the county treasurer or other office assigned by the county to make collections is unable to collect the fine, administrative assessment or fee after 60 days, the county treasurer may assign to the Office of the State Controller the responsibility for collection of the fine, administrative assessment or fee through a cooperative agreement pursuant to NRS 353.650, so long as the Office of the State Controller is willing and able to make such collection efforts.~~

~~3. If the county treasurer and the Office of the State Controller enter into a cooperative agreement pursuant to NRS 353.650, the county treasurer or other county office assigned by the county to make collections shall forward to the Office of the State Controller the necessary information.~~ For the purposes of this section, the information necessary to collect the fine, administrative assessment or fee shall be considered and limited to:

- (a) The name of the defendant;
- (b) The date of birth of the defendant;
- (c) The social security number of the defendant;
- (d) The last known address of the defendant; and
- (e) The nature and the amount of money owed by the defendant.

~~4.~~ 3. If the Office of the State Controller is successful in collecting the fine, administrative assessment or fee, the money collected must be returned to the originating county, minus the costs and fees actually incurred in collecting the fine, administrative assessment or fee pursuant to NRS 176.0635.

~~5.~~ 4. Any money collected pursuant to subsection ~~4~~ 3 must be deposited in the State Treasury, pursuant to NRS 176.265.



1     ~~16-1~~ 5. Any record created pursuant to subsection 3 that  
2 contains personal identifying information shall not be considered a  
3 public record pursuant to NRS 239.010 and must be treated pursuant  
4 to NRS 239.0105.

5     ~~17-1~~ 6. Unless otherwise prohibited by law, the entity  
6 responsible for collecting the fine, administrative assessment or fee  
7 pursuant to this section has the authority to compromise the amount  
8 to be collected for the purpose of satisfying the judgment.

9     **Sec. 5.** NRS 176.0635 is hereby amended to read as follows:

10     176.0635 1. A defendant who pleads guilty or guilty but  
11 mentally ill or is found guilty or guilty but mentally ill who owes a  
12 fine, administrative assessment or fee, pursuant to NRS 176.0625,  
13 must be assessed by and pay to the ~~{county treasurer or other office~~  
14 ~~assigned by the county to make collections}~~ *State Controller* the  
15 following costs and fees if the ~~{county treasurer or other office~~  
16 ~~assigned by the county to make collections}~~ *State Controller* is  
17 successful in collecting the fine, administrative assessment or fee:

18     (a) The costs and fees actually incurred in collecting the fine,  
19 administrative assessment or fee; and

20     (b) A fee payable to the ~~{county treasurer}~~ *State Controller* in  
21 the amount of 2 percent of the amount of the fine, administrative  
22 assessment or fee assigned to the ~~{county treasurer or other office~~  
23 ~~assigned by the county to make collections}~~ *State Controller*.

24     2. The total amount of the costs and fees required to be  
25 collected pursuant to subsection 1 must not exceed 35 percent of the  
26 amount of the fine, administrative assessment or fee or \$50,000,  
27 whichever is less.

28     **Sec. 6.** NRS 176.064 is hereby amended to read as follows:

29     176.064 1. If a fine, administrative assessment, fee or  
30 restitution is imposed upon a defendant pursuant to this chapter,  
31 whether or not the fine, administrative assessment, fee or restitution  
32 is in addition to any other punishment, and the fine, administrative  
33 assessment, fee or restitution or any part of it remains unpaid after  
34 the time established by the court for its payment, the defendant is  
35 liable for a collection fee, to be imposed by the court at the time it  
36 finds that the fine, administrative assessment, fee or restitution is  
37 delinquent, of:

38     (a) Not more than \$100, if the amount of the delinquency is less  
39 than \$2,000.

40     (b) Not more than \$500, if the amount of the delinquency is  
41 \$2,000 or greater, but is less than \$5,000.

42     (c) Ten percent of the amount of the delinquency, if the amount  
43 of the delinquency is \$5,000 or greater.

44     2. ~~{A}~~ *The State Controller or a* state or local entity that is  
45 ~~{responsible for collecting}~~ *involved in the collection of* a



1 delinquent fine, administrative assessment, fee or restitution may, in  
2 addition to attempting to collect the fine, administrative assessment,  
3 fee or restitution through any other lawful means, take any or all of  
4 the following actions:

5 (a) Report the delinquency to reporting agencies that assemble  
6 or evaluate information concerning credit.

7 (b) Request that the court take appropriate action pursuant to  
8 subsection 3.

9 (c) Contract with a collection agency licensed pursuant to NRS  
10 649.075 to collect the delinquent amount and the collection fee. The  
11 collection agency must be paid as compensation for its services an  
12 amount not greater than the amount of the collection fee imposed  
13 pursuant to subsection 1, in accordance with the provisions of the  
14 contract.

15 3. The court may, on its own motion or at the request of *the*  
16 *State Controller or* a state or local entity that is ~~responsible for~~  
17 ~~collecting~~ *involved in the collection of* the delinquent fine,  
18 administrative assessment, fee or restitution, take any or all of the  
19 following actions, in the following order of priority if practicable:

20 (a) Enter a civil judgment for the amount due in favor of the  
21 state or local entity that is responsible for collecting the delinquent  
22 fine, administrative assessment, fee or restitution. A civil judgment  
23 entered pursuant to this paragraph may be enforced and renewed in  
24 the manner provided by law for the enforcement and renewal of a  
25 judgment for money rendered in a civil action. If the court has  
26 entered a civil judgment pursuant to this paragraph and the person  
27 against whom the judgment is entered is not indigent and has not  
28 satisfied the judgment within the time established by the court, the  
29 person may be dealt with as for contempt of court.

30 (b) Request that a prosecuting attorney undertake collection of  
31 the delinquency, including, without limitation, the original amount  
32 of the civil judgment entered pursuant to paragraph (a) and the  
33 collection fee, by attachment or garnishment of the defendant's  
34 property, wages or other money receivable.

35 (c) Order the suspension of the driver's license of the defendant.  
36 If the defendant does not possess a driver's license, the court may  
37 prohibit the defendant from applying for a driver's license for a  
38 specified period. If the defendant is already the subject of a court  
39 order suspending or delaying the issuance of the defendant's  
40 driver's license, the court may order the additional suspension or  
41 delay, as appropriate, to apply consecutively with the previous  
42 order. At the time the court issues an order suspending the driver's  
43 license of a defendant pursuant to this paragraph, the court shall  
44 require the defendant to surrender to the court all driver's licenses  
45 then held by the defendant. The court shall, within 5 days after



1 issuing the order, forward to the Department of Motor Vehicles the  
2 licenses, together with a copy of the order. At the time the court  
3 issues an order pursuant to this paragraph delaying the ability of a  
4 defendant to apply for a driver's license, the court shall, within 5  
5 days after issuing the order, forward to the Department of Motor  
6 Vehicles a copy of the order. The Department of Motor Vehicles  
7 shall report a suspension pursuant to this paragraph to an insurance  
8 company or its agent inquiring about the defendant's driving record,  
9 but such a suspension must not be considered for the purpose of  
10 rating or underwriting.

11 (d) For a delinquent fine or administrative assessment, order the  
12 confinement of the person in the appropriate prison, jail or detention  
13 facility, as provided in NRS 176.065 and 176.075.

14 4. Money collected from a collection fee imposed pursuant to  
15 subsection 1 must be distributed in the following manner:

16 (a) Except as otherwise provided in paragraph (d), if the money  
17 is collected by or on behalf of a municipal court, the money must be  
18 deposited in a special fund in the appropriate city treasury. The city  
19 may use the money in the fund only to develop and implement a  
20 program for the collection of fines, administrative assessments, fees  
21 and restitution and to hire additional personnel necessary for the  
22 success of such a program.

23 (b) Except as otherwise provided in paragraph (d), if the money  
24 is collected by or on behalf of a justice court or district court, the  
25 money must be deposited in a special fund in the appropriate county  
26 treasury. The county may use the money in the special fund only to:

27 (1) Develop and implement a program for the collection of  
28 fines, administrative assessments, fees and restitution and to hire  
29 additional personnel necessary for the success of such a program; or

30 (2) Improve the operations of a court by providing funding  
31 for:

32 (I) A civil law self-help center; or

33 (II) Court security personnel and equipment for a regional  
34 justice center that includes the justice courts of that county.

35 (c) Except as otherwise provided in paragraph (d), if the money  
36 is collected by a state entity ~~†~~ *or the State Controller*, the money  
37 must be deposited in an account, which is hereby created in the State  
38 Treasury. The ~~†Court Administrator†~~ *State Controller* may use the  
39 money in the account only to develop and implement a program for  
40 the collection of fines, administrative assessments, fees and  
41 restitution in this State and to hire additional personnel necessary for  
42 the success of such a program.

43 (d) If the money is collected by a collection agency, after the  
44 collection agency has been paid its fee pursuant to the terms of the  
45 contract, any remaining money must be deposited in the state, city



1 or county treasury, whichever is appropriate, to be used only for the  
2 purposes set forth in paragraph (a), (b) or (c). ~~of this subsection.~~

3 **5. To carry out the provisions of this section:**

4 **(a) The Court Administrator, the Chief of the Division and the**  
5 **Director of the Department of Corrections shall, upon the request**  
6 **of and in the manner prescribed by the State Controller, provide to**  
7 **the State Controller such information in their possession**  
8 **regarding the amount of any fine, administrative assessment, fee**  
9 **or restitution owed by a person convicted of a felony or gross**  
10 **misdemeanor as determined necessary by the State Controller.**

11 **(b) The Court Administrator, the Department of Public Safety,**  
12 **the Department of Corrections and any other state or local entity**  
13 **involved in the collection of fines, administrative assessments, fees**  
14 **or restitution shall collaborate with the State Controller for the**  
15 **purposes of collecting such fines, administrative assessments, fees**  
16 **or restitution.**

17 **Sec. 7.** NRS 176.0916 is hereby amended to read as follows:

18 176.0916 1. If the Division is supervising a probationer or  
19 parolee pursuant to an interstate compact and the probationer or  
20 parolee is or has been convicted in another jurisdiction of violating a  
21 law that prohibits the same or similar conduct as an offense listed in  
22 subsection 4 of NRS 176.0913, unless a biological specimen was  
23 previously obtained upon arrest pursuant to NRS 176.09123, the  
24 Division shall arrange for a biological specimen to be obtained from  
25 the probationer or parolee.

26 2. After a biological specimen is obtained from a probationer  
27 or parolee pursuant to this section, the Division shall:

28 (a) Provide the biological specimen to the forensic laboratory  
29 that has been designated by the county in which the probationer or  
30 parolee is residing to conduct or oversee genetic marker analysis for  
31 the county pursuant to NRS 176.0917; and

32 (b) Submit the name, social security number, date of birth,  
33 fingerprints and any other information identifying the probationer or  
34 parolee to the Central Repository **H for Nevada Records of**  
35 **Criminal History.**

36 3. Except as otherwise authorized by federal law or by specific  
37 statute, a biological specimen obtained pursuant to this section, the  
38 DNA profile, the DNA record and any other information identifying  
39 or matching a biological specimen with a person must not be shared  
40 with or disclosed to any person other than the authorized personnel  
41 who have possession and control of the biological specimen, the  
42 DNA profile, the DNA record or other information identifying or  
43 matching a biological specimen with a person, except pursuant to:

44 (a) A court order; or



(b) A request from a law enforcement agency during the course of an investigation.

4. A person who violates any provision of subsection 3 is guilty of a category C felony and shall be punished as provided in NRS 193.130.

5. A probationer or parolee, to the extent of his or her financial ability, shall pay the sum of \$150 to the ~~Division~~ *State Controller* as a fee for obtaining the biological specimen and for conducting the genetic marker analysis. Except as otherwise provided in subsection 6, the fee required pursuant to this subsection must be collected from a probationer or parolee at the time the biological specimen is obtained from the probationer or parolee.

6. A probationer or parolee may arrange to make monthly payments of the fee required pursuant to subsection 5. If such arrangements are made, the ~~Division~~ *State Controller* shall provide a probationer or parolee with a monthly statement that specifies the date on which the next payment is due.

7. Any unpaid balance for a fee required pursuant to subsection 5 is a charge against the ~~Division~~ *State Controller*.

8. The ~~Division~~ *State Controller* shall deposit money that is collected pursuant to this section in the Fund for Genetic Marker Analysis, which is hereby created in the State General Fund. The money deposited in the Fund for Genetic Marker Analysis must be used to pay for the actual amount charged to the Division for obtaining biological specimens from probationers and parolees, and for conducting genetic marker analysis of the biological specimens.

**Sec. 8.** NRS 176A.430 is hereby amended to read as follows:

176A.430 1. The court shall order as a condition of probation or suspension of sentence, in appropriate circumstances, that the defendant make full or partial restitution to the person or persons named in the order, at the times and in the amounts specified in the order unless the court finds that restitution is impracticable. Such an order may require payment for medical or psychological treatment of any person whom the defendant has injured. In appropriate circumstances, the court shall include as a condition of probation or suspension of sentence that the defendant execute an assignment of wages earned while on probation or subject to the conditions of suspension of sentence to the ~~Division~~ *State Controller* for restitution.

2. All money received by the ~~Division~~ *State Controller* for restitution must be deposited with the State Treasurer for credit to the Restitution Trust Fund.

3. The ~~Division~~ *State Controller* shall make pro rata payments from the money received from the defendant to each person to whom the restitution was ordered pursuant to this section.



1 Such a payment must be made not less than once each fiscal year.  
2 Any money received from the defendant that is remaining at the end  
3 of each fiscal year must be paid at that time in pro rata payments to  
4 each person to whom the restitution was ordered. A final pro rata  
5 payment must be made to such persons when the defendant pays the  
6 entire restitution owed.

7 4. All payments from the Fund must be paid as other claims  
8 against the State are paid.

9 5. If restitution is not required, the court shall set forth the  
10 circumstances upon which it finds restitution impracticable in its  
11 order of probation or suspension of sentence.

12 6. Failure to comply with the terms of an order for restitution is  
13 a violation of a condition of probation or suspension of sentence  
14 unless the defendant's failure was caused by economic hardship  
15 resulting in his or her inability to pay the amount due. The defendant  
16 is entitled to a hearing to show the existence of such a hardship.

17 7. If, within 3 years after the defendant has been discharged  
18 from probation, the ~~Division~~ *State Controller* has not located the  
19 person to whom the restitution was ordered, the money paid to the  
20 ~~Division~~ *State Controller* by the defendant must be deposited with  
21 the State Treasurer for credit to the Fund for the Compensation of  
22 Victims of Crime.

23 **Sec. 9.** NRS 209.511 is hereby amended to read as follows:

24 209.511 1. When an offender is released from prison by  
25 expiration of his or her term of sentence, by pardon or by parole, the  
26 Director:

27 (a) May furnish the offender with a sum of money not to exceed  
28 \$100, the amount to be based upon the offender's economic need as  
29 determined by the Director;

30 (b) Shall give the offender notice of the provisions of chapter  
31 179C of NRS and NRS 202.357 and 202.360;

32 (c) Shall require the offender to sign an acknowledgment of the  
33 notice required in paragraph (b);

34 (d) Shall give the offender notice of the provisions of NRS  
35 179.245 and the provisions of NRS 213.090, 213.155 or 213.157, as  
36 applicable;

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

42 (f) Shall provide the offender with a photo identification card  
43 issued by the Department and information and ~~reasonable~~  
44 ~~assistance relating to acquiring~~ a ~~valid~~ *duplicate* driver's license



1 or identification card to enable the offender to obtain employment  
2 ~~if~~ if the offender ~~is~~

3 ~~—— (1) Requests a photo identification card; or~~

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

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

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

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

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

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

23 3. As used in this section:

24 (a) "Facility for transitional living for released offenders" has  
25 the meaning ascribed to it in NRS 449.0055.

26 (b) "Photo identification card" means a document which  
27 includes the name, date of birth and a color picture of the offender.

28 **Sec. 10.** NRS 209.521 is hereby amended to read as follows:

29 209.521 1. If a victim of an offender provides his or her  
30 current address to the Director and makes a written request for  
31 notification of the offender's release or escape, the Director shall  
32 notify the victim if the offender:

33 (a) Will be released into the community for the purpose of  
34 employment, training or education, or for any other purpose for  
35 which release is authorized; or

36 (b) Has escaped from the custody of the Department.

37 2. An offender must not be temporarily released into the  
38 community for any purpose unless notification of the release has  
39 been given to every victim of the offender who has requested  
40 notification and has provided his or her current address.

41 3. The Director may not be held responsible for any injury  
42 proximately caused by the Director's failure to give any notice  
43 required pursuant to subsection 1 or 2 if no address was provided to  
44 the Director or the address provided is inaccurate or not current.



1 4. All personal information, including, but not limited to, a  
2 current or former address, which pertains to a victim and which is  
3 received by the Director pursuant to this section is confidential.

4 5. *The Director may authorize the distribution of confidential*  
5 *personal information collected pursuant to this section to the*  
6 *Office of the Attorney General, upon request of that office, for the*  
7 *limited purpose of notifying a victim of pending litigation.*

8 6. As used in this section, "victim" has the meaning ascribed to  
9 it in NRS 213.005.

10 **Sec. 11.** NRS 213.126 is hereby amended to read as follows:

11 213.126 1. Unless complete restitution was made while the  
12 parolee was incarcerated, the Board shall impose as a condition of  
13 parole, in appropriate circumstances, a requirement that the parolee  
14 make restitution to the person or persons named in the statement of  
15 parole conditions, including restitution to a governmental entity for  
16 expenses related to extradition, at the times specified in the  
17 statement unless the Board finds that restitution is impracticable.  
18 The amount of restitution must be the amount set by the court  
19 pursuant to NRS 176.033. In appropriate circumstances, the Board  
20 shall include as a condition of parole that the parolee execute an  
21 assignment of wages earned by the parolee while on parole to the  
22 ~~Division~~ *State Controller* for restitution.

23 2. All money received by the ~~Division~~ *State Controller* for  
24 restitution must be deposited with the State Treasurer for credit to  
25 the Restitution Trust Fund which is hereby created.

26 3. The ~~Division~~ *State Controller* shall make pro rata  
27 payments from the money received from the parolee to each person  
28 to whom the restitution was ordered pursuant to NRS 176.033. Such  
29 a payment must be made not less than once each fiscal year. Any  
30 money received from the parolee that is remaining at the end of each  
31 fiscal year must be paid at that time in pro rata payments to each  
32 person to whom the restitution was ordered. A final pro rata  
33 payment must be made to such persons when the parolee pays the  
34 entire restitution owed.

35 4. A person to whom restitution was ordered pursuant to NRS  
36 176.033 may at any time file an application with the ~~Division~~  
37 *State Controller* requesting the ~~Division~~ *State Controller* to make  
38 a pro rata payment from the money received from the parolee. If the  
39 ~~Division~~ *State Controller* finds that the applicant is suffering a  
40 serious financial hardship and is in need of financial assistance, the  
41 ~~Division~~ *State Controller* shall pay to the applicant his or her pro  
42 rata share of the money received from the parolee.

43 5. All payments from the Fund must be paid as other claims  
44 against the State are paid.



6. If restitution is not required, the Board shall set forth the circumstances upon which it finds restitution impracticable in its statement of parole conditions.

7. Failure to comply with a restitution requirement imposed by the Board is a violation of a condition of parole unless the parolee's failure was caused by economic hardship resulting in his or her inability to pay the amount due. The parolee is entitled to a hearing to show the existence of that hardship.

8. If, within 3 years after the parolee is discharged from parole, the ~~Division~~ *State Controller* has not located the person to whom the restitution was ordered, the money paid to the ~~Division~~ *State Controller* by the parolee must be deposited with the State Treasurer for credit to the Fund for the Compensation of Victims of Crime.

**Sec. 12.** NRS 217.160 is hereby amended to read as follows:

217.160 1. The compensation officer may order the payment of compensation:

(a) To or for the benefit of the victim.

(b) If the victim has suffered personal injury, to any person responsible for the maintenance of the victim who has suffered pecuniary loss or incurred expenses as a result of the injury.

(c) If the victim dies, to or for the benefit of any one or more of the dependents of the victim.

(d) To a minor who is a member of the household or immediate family of a victim of a battery which constitutes domestic violence pursuant to NRS 33.018 who needs an assessment, a psychological evaluation or psychological counseling for emotional trauma suffered by the minor as a result of the battery.

(e) To a member of the victim's household or immediate family for psychological counseling for emotional trauma suffered by the member as a result of the crime of murder as defined in NRS 200.010.

*(f) To any county for the reimbursement of costs associated with a forensic medical examination pursuant to NRS 217.300, up to a maximum of 10 examinations or \$10,000 per year, whichever is greater.*

2. As used in this section:

(a) "Battery" has the meaning ascribed to it in paragraph (a) of subsection 1 of NRS 200.481.

(b) "Household" means an association of persons who live in the same home or dwelling and who:

(1) Have significant personal ties to the victim; or

(2) Are related by blood, adoption or marriage, within the first degree of consanguinity or affinity.



(c) "Immediate family" means persons who are related by blood, adoption or marriage, within the first degree of consanguinity or affinity.

**Sec. 13.** Chapter 227 of NRS is hereby amended by adding thereto a new section to read as follows:

***1. The State Controller shall:***

***(a) Collect any fine, administrative assessment, fee or restitution imposed upon a defendant convicted of a felony or gross misdemeanor pursuant to chapter 176 of NRS; and***

***(b) Distribute a fine, administrative assessment, fee or restitution collected pursuant to subsection 1 to the entity that is entitled to receive the fine, administrative assessment, fee or restitution.***

***2. To carry out the provisions of subsection 1, the State Controller shall:***

***(a) Collaborate with the Court Administrator, the Department of Public Safety, the Department of Corrections and any other state or local agency involved in the collection of fines, administrative assessments, fees or restitution; and***

***(b) Use any lawful means necessary to collect the fines, administrative assessments, fees and restitution, including, without limitation, taking any or all of the actions set forth in NRS 176.064.***

**Sec. 14.** NRS 483.370 is hereby amended to read as follows:

483.370 ***1.*** If an instruction permit or driver's license issued under the provisions of NRS 483.010 to 483.630, inclusive, is lost or destroyed, the person to whom the permit or license was issued may obtain a duplicate, or substitute thereof, upon:

~~1-1~~ ***(a)*** Furnishing proof satisfactory to the Department that:

~~1(a)~~ ***(1)*** The permit or license was lost or destroyed; and

~~1(b)~~ ***(2)*** He or she is the person to whom that permit or license was issued.

~~1-1~~ ***(b)*** Payment of the required fee.

***2. Upon notification from the Director of the Department of Corrections that a person is scheduled to be released from prison, the Department of Motor Vehicles shall issue a duplicate to the person to whom the permit or license was issued.***

**Sec. 15.** NRS 483.880 is hereby amended to read as follows:

483.880 ***1.*** Upon furnishing information that his or her identification card is lost or destroyed and paying the prescribed fee, the person to whom the original was issued may obtain a duplicate.

***2. Upon notification from the Director of the Department of Corrections that a person is scheduled to be released from prison, the Department of Motor Vehicles shall issue a duplicate card to the person to whom the original was issued.***



3. If the original of a duplicated card is subsequently recovered or a lost card is found, the person having possession shall return it immediately to the Department.

**Sec. 16.** 1. The Advisory Commission on the Administration of Justice created by NRS 176.0123 shall appoint a subcommittee to conduct an interim study concerning the use of sentence credits in the State of Nevada, and make a report thereof.

2. The study and report must include, without limitation:

(a) A review of criminal offenses that are classified as category B felonies;

(b) The use of sentence credits to reduce the minimum term of imprisonment imposed for offenders convicted of category B felonies; and

(c) The use of judicial discretion at sentencing to determine whether such credits should be allocated.

3. The subcommittee shall submit a report of the results of the study and any recommendations for legislation to the full Advisory Commission not later than September 1, 2016.

**Sec. 17.** On or before January 1, 2016, the Central Repository for Nevada Records of Criminal History, in collaboration with the Court Administrator, the State Bar of Nevada, law enforcement agencies, district judges, district attorneys, county clerks, justices of the peace and municipal judges shall:

1. Develop recommended policies and procedures to implement a statewide criminal justice information sharing database; and

2. Submit the recommended policies and procedures to the Advisory Commission on the Administration of Justice created by NRS 176.0123.

**Sec. 18.** 1. The Division of Parole and Probation of the Department of Public Safety shall conduct a study of the current risk assessment tools utilized by the Division to assess the risk of offenders to reoffend. The study must review:

(a) The accuracy of the risk assessment tools relating to the future actions of the offender; and

(b) The effectiveness of the risk assessment tools in aiding the Division in making decisions relating to an offender's parole or probation status.

2. The Division shall complete the study and submit a copy of its findings and recommendations on or before July 1, 2016, to the Advisory Commission on the Administration of Justice created by NRS 176.0123.

