

**EXECUTIVE AGENCY  
FISCAL NOTE**

AGENCY'S ESTIMATES

Date Prepared: February 22, 2017

Agency Submitting: Nevada Department of Corrections

Items of Revenue or Expense, or Both	Fiscal Year 2016-17	Fiscal Year 2017-18	Fiscal Year 2018-19	Effect on Future Biennia
Total	0	0	0	0

Explanation

(Use Additional Sheets of Attachments, if required)

Bill Draft Request 3-383 proposes to amend NRS 33.100, 125.560, and 171.136 to increase the penalty for violation of a temporary order of protection for domestic violence from a misdemeanor to a category C felony punishable by one to five years in prison unless a more severe penalty is imposed by law. The Nevada Department of Corrections (NDOC) reviewed its inmate records and concluded that there is no data available to simulate the possibility of future admissions to prison as a result of the passage of the law. According to The National Center for Victims of Crime (2004), states that have mandatory arrest laws for violation of protective orders have a tendency to view domestic orders of protection as civil issues associated with divorce, custody, or visitation and not as a criminal matter, and they don't typically arrest offenders who commit these violations. For the State of Nevada, violation of a temporary restraining order for domestic violence is a misdemeanor punishable with jail time. Violations are reported to local law enforcement authorities and handled by the county courts. The Governor's Recommended budget provides an average of \$18,719 in variable expenses per inmate for SFY18-19. The fiscal impact of this proposal would be this amount for each year of a new prison sentence. There is insufficient data for the State of Nevada to produce a forecast unless the violation of a restraining order is associated with stalking, kidnapping, or sexual assault. Based on the current language of the proposed statute change, the NDOC is unable to forecast the fiscal impact at this time.

Name Scott Ewart

Title Chief of Fiscal Services

DEPARTMENT OF ADMINISTRATION'S COMMENTS

Date Wednesday, February 15, 2017

The agency's response appears reasonable.

Name Paul Nicks

Title Exec. Branch Budget Officer