

Amendment No. 45

Senate Amendment to Senate Bill No. 148	(BDR 15-715)
<b>Proposed by:</b> Senate Committee on Judiciary	
<b>Amends:</b> Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

Adoption of this amendment will MAINTAIN the unfunded mandate not requested by the affected local government to S.B. 148 (§ 1).

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>		Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>		Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>		Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red-strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

JRD/NCA



Date: 4/8/2021

S.B. No. 148—Establishes provisions regarding the reporting of hate crimes.  
(BDR 15-715)





## SENATE BILL NO. 148—SENATOR D. HARRIS

FEBRUARY 25, 2021

Referred to Committee on Judiciary

SUMMARY—Establishes provisions regarding the reporting of hate crimes.  
(BDR 15-715)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 1)  
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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; requiring law enforcement agencies to ~~maintain~~ submit records of hate crimes ~~and submit such records~~ on a ~~quarterly~~ monthly basis to the Central Repository for Nevada Records of Criminal History; ~~and the Attorney General;~~ imposing certain duties on the ~~Attorney General~~ Central Repository relating to the submission of such records; revising provisions concerning the guidelines required to be adopted by the Director of the Department of Public Safety regarding the reporting of hate crimes; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires the Director of the Department of Public Safety to: (1) establish within the Central Repository for Nevada Records of Criminal History a program for reporting crimes that manifest evidence of prejudice based on race, color, religion, national origin, physical or mental disability, sexual orientation or gender identity or expression that is designed to collect, compile and analyze statistical data regarding such crimes; and (2) adopt guidelines for the collection of such statistical data. (NRS 179A.175)

**Section 1** of this bill requires each state or local law enforcement agency in this State to ~~maintain~~ submit on a monthly basis a record of all such crimes to the Central Repository in accordance with the guidelines adopted by the Director. ~~and submit the records on a quarterly basis to the Central Repository and the Attorney General. Section 1 also requires the Attorney General to: (1) adopt guidelines for the submission of such records to the Attorney General; (2) ensure that all submitted records are provided to the Federal Bureau of Investigation for inclusion in its annual Hate Crime Statistics report; and (3) issue a detailed annual report regarding the reported crimes.~~ **Section 1** additionally requires that any data acquired be used only for research or statistical purposes and not contain any information that may reveal the identity of an individual victim of a crime. **Section 2** of this bill requires: (1) the Director to adopt guidelines regarding the manner in which statistical data must be reported to the Central Repository; (2) the Central Repository to make all such data available to the public; and (3) the Central Repository to ensure that such data is

provided to the Federal Bureau of Investigation for inclusion in the annual Hate Crime Statistics report of the Uniform Crime Reporting Program.

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

**Section 1.** Chapter 193 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. Each state or local law enforcement agency in this State shall ~~maintain~~ submit on a monthly basis a record of all crimes that manifest evidence of prejudice based on race, color, religion, national origin, physical or mental disability, sexual orientation or gender identity or expression, including, without limitation, the basis on which any such crime occurred, in accordance with the guidelines adopted by the Director pursuant to subsection 2 of NRS 179A.175.*

~~2. Each state or local law enforcement agency in this State shall submit on a quarterly basis all records maintained pursuant to subsection 1 to:~~

~~(a) The Central Repository for Nevada Records of Criminal History, in accordance with the guidelines adopted by the Director of the Department of Public Safety pursuant to subsection 2 of NRS 179A.175.;~~ and

~~(b) The Attorney General, in accordance with the guidelines adopted by the Attorney General pursuant to paragraph (a) of subsection 3.~~

~~3. The Attorney General shall:~~

~~(a) Adopt guidelines for the submission of records maintained pursuant to subsection 1 to the Attorney General;~~

~~(b) Ensure that all records submitted pursuant to paragraph (b) of subsection 2 are provided to the Federal Bureau of Investigation for inclusion in its annual Hate Crime Statistics report; and~~

~~(c) Issue a detailed annual report regarding crimes that manifest evidence of prejudice based on race, color, religion, national origin, physical or mental disability, sexual orientation or gender identity or expression, including, without limitation, data regarding any prosecution of a violation of NRS 207.185 and any sentence imposed pursuant to NRS 103.1675.~~

~~4.] 2. Data acquired pursuant to this section must be used only for research or statistical purposes and must not contain any information that may reveal the identity of an individual victim of a crime.~~

~~[ 5. As used in this section, "Director" means the Director of the Department of Public Safety.]~~

**Sec. 2.** NRS 179A.175 is hereby amended to read as follows:

179A.175 1. The Director of the Department shall establish within the Central Repository a program for reporting crimes that manifest evidence of prejudice based on race, color, religion, national origin, physical or mental disability, sexual orientation or gender identity or expression.

2. The program must be designed to collect, compile and analyze statistical data about crimes that manifest evidence of prejudice based on race, color, religion, national origin, physical or mental disability, sexual orientation or gender identity or expression. The Director shall adopt guidelines for the collection of the statistical data, including, but not limited to, the criteria to establish the presence of prejudice and the manner in which the data must be reported to the Central Repository.

3. The Central Repository shall include in any appropriate report an independent section relating solely to the analysis of crimes that manifest evidence

1 of prejudice based on race, color, religion, national origin, physical or mental  
2 disability, sexual orientation or gender identity or expression.

3 4. Data acquired pursuant to this section must be used only for research or  
4 statistical purposes and must not contain any information that may reveal the  
5 identity of an individual victim of a crime.

6 5. The Central Repository shall make all data acquired pursuant to this  
7 section and data regarding any prosecution of a violation of NRS 207.185 and  
8 any sentence imposed pursuant to NRS 193.1675 available to the public.

9 6. The Central Repository shall ensure that the data acquired pursuant to  
10 this section is provided to the Federal Bureau of Investigation for inclusion in the  
11 annual Hate Crime Statistics report of the Uniform Crime Reporting Program.

12 7. As used in this section, "gender identity or expression" has the meaning  
13 ascribed to it in NRS 193.0148.

14 **Sec. 3.** The provisions of NRS 354.599 do not apply to any additional  
15 expenses of a local government that are related to the provisions of this act.

16 **Sec. 4.** 1. This section becomes effective upon passage and approval.

17 2. Sections 1, 2 and 3 of this act become effective:

18 (a) Upon passage and approval for the purpose of adopting guidelines and  
19 performing any other preparatory administrative tasks that are necessary to carry  
20 out the provisions of this act; and

21 (b) On October 1, 2021, for all other purposes.