

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 submit records of hate crimes on a monthly basis to the Central Repository for Nevada Records of Criminal History; imposing certain duties on the 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 submit on a monthly basis a record of all such crimes to the Central Repository in accordance with the guidelines adopted by the Director. **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



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

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

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

3 *1. Each state or local law enforcement agency in this State*
4 *shall submit on a monthly basis a record of all crimes that*
5 *manifest evidence of prejudice based on race, color, religion,*
6 *national origin, physical or mental disability, sexual orientation or*
7 *gender identity or expression, including, without limitation, the*
8 *basis on which any such crime occurred, to the Central Repository*
9 *for Nevada Records of Criminal History, in accordance with the*
10 *guidelines adopted by the Director of the Department of Public*
11 *Safety pursuant to subsection 2 of NRS 179A.175.*

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

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

17 179A.175 1. The Director of the Department shall establish
18 within the Central Repository a program for reporting crimes that
19 manifest evidence of prejudice based on race, color, religion,
20 national origin, physical or mental disability, sexual orientation or
21 gender identity or expression.

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

30 3. The Central Repository shall include in any appropriate
31 report an independent section relating solely to the analysis of
32 crimes that manifest evidence of prejudice based on race, color,
33 religion, national origin, physical or mental disability, sexual
34 orientation or gender identity or expression.

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

38 5. *The Central Repository shall make all data acquired*
39 *pursuant to this section and data regarding any prosecution of a*



1 *violation of NRS 207.185 and any sentence imposed pursuant to*
2 *NRS 193.1675 available to the public.*

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

7 *7. As used in this section, “gender identity or expression” has*
8 *the meaning ascribed to it in NRS 193.0148.*

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

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

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

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

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

