

SENATE BILL NO. 58—COMMITTEE ON
GROWTH AND INFRASTRUCTURE

(ON BEHALF OF THE INVESTIGATION DIVISION
OF THE DEPARTMENT OF PUBLIC SAFETY)

PREFILED NOVEMBER 18, 2020

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises provisions relating to the Department of
Public Safety. (BDR 43-352)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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 public safety; revising certain functions and responsibilities of the Investigation Division of the Department of Public Safety and the Chief of the Investigation Division; granting authority to the Director of the Department to authorize the Department, the various divisions of the Department and the officers and employees of the Department to use certain designations to identify themselves; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes the primary functions and responsibilities of the Investigation Division of the Department of Public Safety. (NRS 480.140) **Section 1** of this bill adds to the functions and responsibilities of the Investigation Division the duty to provide investigative services to other divisions of the Department of Public Safety as determined by the Director of the Department. **Section 1** also adds the duties to: (1) investigate certain technological crimes and enforce provisions of law relating to technological crime; and (2) provide investigative services upon request to certain state agencies in criminal investigations relating to cannabis.

Existing law requires the Chief of the Investigation Division to furnish services relating to the investigation of crimes upon the request of the Attorney General or any sheriff, chief of police or district attorney. (NRS 480.460) **Section 2** of this bill requires the Chief to provide investigative services to the heads of certain state agencies upon request. **Section 2** also requires the Chief to: (1) investigate certain technological crimes and enforce provisions of law relating to technological crime;



and (2) provide investigative services upon request to certain state agencies in criminal investigations relating to cannabis.

Existing law establishes the duties and powers of the Director of the Department. (NRS 480.150) **Section 1.5** of this bill additionally grants authority to the Director to authorize the Department, the various divisions of the Department and the officers and employees of the Department to use certain designations to identify themselves.

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

Section 1. NRS 480.140 is hereby amended to read as follows:

480.140 The primary functions and responsibilities of the divisions of the Department are as follows:

1. The Investigation Division shall:

(a) Execute, administer and enforce the provisions of chapter 453 of NRS relating to controlled substances and chapter 454 of NRS relating to dangerous drugs;

(b) *Investigate technological crime, as defined in NRS 205A.030, and enforce the provisions of the law of this State relating to technological crime, as defined in NRS 205A.030;*

(c) *Provide investigative services to the divisions of the Department as determined by the Director;*

(d) Assist the Secretary of State in carrying out an investigation pursuant to NRS 293.124; ~~and~~

~~—(e)~~ (e) *Upon request, assist:*

(1) *The Department of Taxation in carrying out a criminal investigation relating to cannabis pursuant to NRS 372A.200 to 372A.380, inclusive, and chapter 678A of NRS;*

(2) *The Division of Public and Behavioral Health of the Department of Health and Human Services in carrying out a criminal investigation relating to cannabis pursuant to chapter 678C of NRS; and*

(3) *The Cannabis Compliance Board in carrying out a criminal investigation pursuant to title 56 of NRS; and*

(f) Perform such duties and exercise such powers as may be conferred upon it pursuant to this chapter and any other specific statute.

2. The Nevada Highway Patrol Division shall, in conjunction with the Department of Motor Vehicles, execute, administer and enforce the provisions of chapters 484A to 484E, inclusive, of NRS and perform such duties and exercise such powers as may be conferred upon it pursuant to NRS 480.360 and any other specific statute.



3. The Division of Emergency Management shall execute, administer and enforce the provisions of chapters 414 and 414A of NRS and perform such duties and exercise such powers as may be conferred upon it pursuant to chapters 414 and 414A of NRS and any other specific statute.

4. The State Fire Marshal Division shall execute, administer and enforce the provisions of chapter 477 of NRS and perform such duties and exercise such powers as may be conferred upon it pursuant to chapter 477 of NRS and any other specific statute.

5. The Division of Parole and Probation shall execute, administer and enforce the provisions of chapters 176A and 213 of NRS relating to parole and probation and perform such duties and exercise such powers as may be conferred upon it pursuant to those chapters and any other specific statute.

6. The Capitol Police Division shall assist in the enforcement of subsection 1 of NRS 331.140.

7. The Nevada Office of Cyber Defense Coordination shall:

(a) Serve as the strategic planning, facilitating and coordinating office for cybersecurity policy and planning in this State; and

(b) Execute, administer and enforce the provisions of NRS 480.900 to 480.950, inclusive, and perform such duties and exercise such powers as may be conferred upon it pursuant to NRS 480.900 to 480.950, inclusive, and any other specific statute.

8. The Training Division shall provide training to the employees of the Department.

9. The Records, Communications and Compliance Division shall:

(a) Execute, administer and enforce the provisions of chapter 179A of NRS and perform such duties and exercise such powers as may be conferred upon it pursuant to chapter 179A of NRS and any other specific statute;

(b) Provide dispatch services for the Department and other agencies as determined by the Director;

(c) Maintain records of the Department as determined by the Director; and

(d) Provide support services to the Director, the divisions of the Department and the Nevada Criminal Justice Information System as may be imposed by the Director.

Sec. 1.5. NRS 480.150 is hereby amended to read as follows:
480.150 1. The Director shall:

(a) Direct and supervise all administrative and technical activities of the Department.

(b) Formulate the policies of the Department and the various divisions thereof.



(c) Coordinate the activities of the various divisions of the Department.

(d) Furnish fiscal, accounting and other administrative services to the various divisions of the Department.

(e) Adopt such regulations as he or she deems necessary for the operation of the Department and the enforcement of all laws administered by the Department.

2. The Director may delegate to the officers and employees of the Department such authorities and responsibilities not otherwise delegated by a specific statute as the Director deems necessary for the efficient conduct of the business of the Department.

3. *The Director may authorize:*

(a) *The Department to use certain designations to identify itself;*

(b) *The various divisions of the Department to use certain designations to identify themselves, including, without limitation, the designation of "State Police" if such a designation is appropriate; and*

(c) *The officers and employees of the Department to use certain designations to identify themselves.*

Sec. 2. NRS 480.460 is hereby amended to read as follows:

480.460 The Chief of the Investigation Division shall:

1. Furnish services relating to the investigation of crimes, including interrogation with the use of polygraph instruments, upon the request of the *following*:

(a) *The Attorney General ;*

(b) *The head of any agency, bureau, board, commission, department, division, office or other unit of the Executive Department of the State Government which is authorized or required to conduct criminal investigations; or ~~any~~*

(c) *Any* sheriff, chief of police or district attorney.

2. Disseminate information relating to the dangers of the use of controlled substances and dangerous drugs.

3. Provide and operate a system of recording all information received by the Investigation Division relating to persons who have alleged connections with organized crime or have some connection with violations of laws regulating controlled substances or dangerous drugs.

4. Arrange for the purchase of controlled substances and dangerous drugs when such a purchase is necessary in an investigation of offenses relating to controlled substances and dangerous drugs.

5. Procure from law enforcement agencies and other reliable sources information relating to violators of laws which govern controlled substances and dangerous drugs, including information



1 about their character, probable motives, circumstances of arrest,
2 methods of operation and other pertinent information.

3 6. Enforce the provisions of chapter 453 of NRS.

4 7. Furnish information relating to any person of whom he or
5 she maintains a record to any law enforcement agency.

6 8. Assist the Secretary of State in carrying out an investigation
7 pursuant to NRS 293.124.

8 **9. Upon request, assist:**

9 *(a) The Department of Taxation in carrying out a criminal*
10 *investigation relating to cannabis pursuant to NRS 372A.200 to*
11 *372A.380, inclusive, and chapter 678A of NRS;*

12 *(b) The Division of Public and Behavioral Health of the*
13 *Department of Health and Human Services in carrying out a*
14 *criminal investigation relating to cannabis pursuant to chapter*
15 *678C of NRS; and*

16 *(c) The Cannabis Compliance Board in carrying out a*
17 *criminal investigation pursuant to title 56 of NRS.*

18 **10. Investigate technological crime, as defined in NRS**
19 **205A.030, and enforce the provisions of the law of this State**
20 **relating to technological crime, as defined in NRS 205A.030.**

21 **Sec. 3.** This act becomes effective upon passage and approval.

