

EXECUTIVE AGENCY
FISCAL NOTE

AGENCY'S ESTIMATES

Date Prepared: April 7, 2025

Agency Submitting: Department of Corrections

Items of Revenue or Expense, or Both	Fiscal Year 2024-25	Fiscal Year 2025-26	Fiscal Year 2026-27	Effect on Future Biennia
(Expense)		\$3,697,462	\$7,179,958	\$42,209,695
Total	0	\$3,697,462	\$7,179,958	\$42,209,695

Explanation

(Use Additional Sheets of Attachments, if required)

Please see attachment for expanded description: Much of the long-term increase is due to habitual criminal convictions with delayed effects. For lesser sentences, this delay will take on average a year after implementation for an effect to begin, climbing by 38 offenders per year annually after that with a tenure of 6.5 years. For greater sentences, effects are expected to take up to 20 years to begin to materialize due to sizable average existing sentence lengths, even when the habitual criminal sentence is excluded; after this, 15 offenders per year are expected to be added with varying tenures. The department expects 111 additional offenders in the first fiscal year after release, which is expected to increase to 215 in the next fiscal year. This increase is expected to continue until a plateau is reached at 632 additional offenders. The average total daily cost per offender in FY 2025 is \$91.43. This equates to a cost of \$3,697,461.89 in FY 2026 and \$7,179,957.66 in FY 2027. The eventual cost per biennium is expected to be \$42,209,694.74.

Supporting calculations are attached.

Name Kitty DeSocio

Title Deputy Director of Support Services

GOVERNOR'S OFFICE OF FINANCE COMMENTS

Date Friday, March 28, 2025

The agency's response appears reasonable.

Name Tiffany Greenameyer

Title Director, Governor's Finance Office

DESCRIPTION OF FISCAL EFFECT

BDR/Bill/Amendment Number: BDR 15-1038

Name of Agency: Department of Corrections

Division/Department: _____

Date: March 27, 2025

The Nevada Department of Corrections (NDOC) has reviewed BDR 24-1147. Section 1 amends NRS Chapter 193 to add an additional penalty for offenders who commit new crimes while released from incarceration but are still under sentence. Section 2 amends NRS 200.575 to expand stalking protections to include those in dating relationships. Section 3 amends NRS 200.730 to state that each visual presentation of a person under the age of 16 in a sexual portrayal should count as a separate offense. Section 6 amends NRS Chapter 205 to make it a category D felony to commit a theft offense if the individual has previously been convicted twice of a theft, forgery, counterfeiting, larceny, or motor vehicle-related theft offense. Section 7 amends NRS 205.060 to remove the requirement of unlawful entry from burglary and increases the categories of burglary of motor vehicle offenses. Section 10 amends NRS 205.0835 to lower the threshold for felony convictions of theft from \$1200 to \$750. Section 11 amends NRS 205.130 to lower the threshold for felony convictions of issuing checks without a sufficient balance from \$1200 to \$750 and removes the provision governing repeat offenders being convicted of a felony. Sections 13-28 amend NRS 205.220, 205.267, 205.275, 205.365, 205.370, 205.377, 205.380, 205.415, 205.445, 205.520, 205.540, 205.570, 205.580, 205.590, and 205.950 to decrease thresholds from \$1200 to \$750 for felony convictions. Likewise, section 76 amends NRS 475.105 to decrease the threshold for a felony conviction from \$1200 to \$750, and sections 83-84 amend NRS 501.3765 and 612.445 subsection 5 to do the same. Section 29 amends NRS 207.010 to lower the thresholds for the number of felonies required to be convicted as a habitual criminal, both for the lesser and greater offenses. Section 39 amends NRS 171.196 to allow sworn statements from law enforcement officers to provide statements for declarants made outside of court for sex offenses where the victim was under 16, NRS 200.508, and 33.018. Section 73 amends NRS 453.3387 to decrease thresholds for possession of fentanyl to be sentenced with trafficking. Section 77 amends NRS 484C.110 to expand marijuana and marijuana metabolite thresholds for intoxication to NRS 484C.410, 484C.430, and 484C.440. Section 78 amends NRS 484C.340 to allow offenders undergoing a program of treatment for a substance use disorder to be subject to the penalties of 484C.410 if they violate the provisions of 484C.110 or 484C.120. Section 79 amends NRS 484C.410 to expand the category B felony provision for NRS 484C.110 and 484C.120 for those undergoing treatment for a substance use disorder. Section 80 amends NRS 484C.430 to increase the penalties for DUI offenses resulting in death. Section 81 amends NRS 488.410 to expand marijuana and marijuana metabolite thresholds for intoxication to NRS 488.420 and 488.425. Section 82 amends NRS 488.420 to increase the penalties for boating-related DUI

offenses resulting in death. Methodologies, assumptions, and notes can be found in the provided workbook.

Much of the long-term increase is due to habitual criminal convictions with delayed effects. For lesser sentences, this delay will take on average a year after implementation for an effect to begin, climbing by 38 offenders per year annually after that with a tenure of 6.5 years. For greater sentences, effects are expected to take up to 20 years to begin to materialize due to sizable average existing sentence lengths, even when the habitual criminal sentence is excluded; after this, 15 offenders per year are expected to be added with varying tenures.

The department expects 111 additional offenders in the first fiscal year after release, which is expected to increase to 215 in the next fiscal year. This increase is expected to continue until a plateau is reached at 632 additional offenders. The average total daily cost per offender in FY 2025 is \$91.43. This equates to a cost of \$3,697,461.89 in FY 2026 and \$7,179,957.66 in FY 2027. The eventual cost per biennium is expected to be \$42,209,694.74.

Section	Affected NRS	Affected Subsection	Average Annual New Admissions (2022-2024)	Prosecutorial Change	Min Threshold		Window Size		Minimum Sentence			Methodology/Assumptions/Notes	Change in Annual Admissions	Population Accumulation	Population Effect
					Old	New	Old	New	Avg Current (Months)	New (Months)	Difference (Years)				
1	Chapter 193			Yes						12		A 1 year sentence is added to all parole violators w/ new conviction admissions.	34.67	0.00	34.67
2	200.575		14.33	Yes					35.5			Assumed 5% increase due to slight increase in protected population.	0.72	1.40	2.12
3	200.730		16.70	Yes					23.2			Judicial discretion already exists on sentencing in this regard; the language of this provision does not restrict sentencing, but reaffirms that each image may be sentenced separately.	0.00	0.00	0.00
6	Chapter 205			Yes						12		This would allow repeat theft-related offenders to be sentenced as felons regardless of value. Assumed to be equal to NRS 205.0835 admissions.	7.00	0.00	7.00
7	205.060	1A	230.70	Yes					23.4			50% increase assumed from elimination of unlawful entry condition. New sentences are average values of property offenses of that category. Additional 50% increase assumed in motor vehicle (1C) offenses.	11.70	11.12	22.82
		1B	100.33	Yes					16.9	27.2	0.86		8.45	10.70	19.15
		1C	29.30	Yes					14.9				14.90	3.60	18.50
		1D	18.70	Yes					14.8	17.2	0.20		7.40	3.21	10.61
10	205.0835	2B	7.00	No	1200	750	3800	4250	14.5			Used regression model to predict change in admissions.	1.00	0.21	1.21
11	205.130		1.00	Yes	1200	750			13	0	1.08	Provision eliminated. Used fixed effects regression model to predict change in admissions.	0.00	0.00	0.00
13	205.220	1	75.33	No	1200	750			17.3			Used regression model to predict change in admissions.	2.32	1.02	3.34
15	205.267	2A	1.00	No	1200	750	3800	4250	20			Used regression model to predict change in admissions.	0.00	0.00	0.00
16	205.275	2B	22.00	No	1200	750	3800	4250	18.6			Used regression model to predict change in admissions.	0.68	0.37	1.05
17	205.365	1	0.00	No	1200	750						No recent admissions, changes unlikely to have an impact.	0.00	0.00	0.00
18	205.370	1A	0.00	No	1200	750						No recent admissions, changes unlikely to have an impact.	0.00	0.00	0.00
19	205.377	1C	0.00	No	1200	750						No recent admissions, changes unlikely to have an impact.	0.00	0.00	0.00
20	205.380	1B	5.67	No	1200	750	3800	4250	16.3			Used regression model to predict change in admissions.	0.00	0.00	0.00
21	205.415	1	0.00	No	1200	750						No recent admissions, changes unlikely to have an impact.	0.00	0.00	0.00
22	205.445	2A	1.00	No	1200	750			18			Used regression model to predict change in admissions.	0.00	0.00	0.00
23	205.520	1	0.00	No	1200	750						No recent admissions, changes unlikely to have an impact.	0.00	0.00	0.00
24	205.540	1	0.00	No	1200	750						No recent admissions, changes unlikely to have an impact.	0.00	0.00	0.00
25	205.570	1	0.67	No	1200	750			12			Used regression model to predict change in admissions.	0.00	0.00	0.00
26	205.580	1	0.00	No	1200	750						No recent admissions, changes unlikely to have an impact.	0.00	0.00	0.00
27	205.590	1	0.00	No	1200	750						No recent admissions, changes unlikely to have an impact.	0.00	0.00	0.00
28	205.950	3	0.00	No	1200	750						No recent admissions, changes unlikely to have an impact.	0.00	0.00	0.00
29	207.010	1A	4.00	No	5	2			68.5			NRS 453.411 and 453.336 subsection 2 A, B, and C may now be considered toward the count.	38.20	179.86	218.06
		1B	15.00	No	7	3			120			Pre-AB 236 percentages with habitual criminal sentences were applied to future projected admissions for expected admissions.	14.70	180.81	195.51
39	171.196	6	112.69	Yes					61.5			Assumed 10% increase in admissions for sex offenses <16, 200.508, 33.018 from increased willingness on the victim's part to prosecute.	11.27	46.48	57.75
73	453.3387	1	0.00		28	4	14	10	12			Assumed 5% of NRS 453.336 admissions were fentanyl related, would qualify as trafficking under this bill, and that 80% would qualify for lower-level trafficking. Effectively all recent admissions would qualify as high-level traffickers.	4.18	0.00	4.18
		2	0.67	No	42	14	58	14	24				1.04	1.04	2.08
		3	0.00		100	28			120				0.67	6.03	6.70
76	475.105	2	0.00	No	1200	750						Used regression model to predict change in admissions.	0.00	0.00	0.00
77	484C.110	4	48.00	Yes					48			10% increase in admissions assumed from expanding provision to marijuana.	4.80	14.40	19.20
78	484C.340			Yes								<60 offenders statewide are in the RC 184 program, limiting impact.	0.00	0.00	0.00
79	484C.410			Yes								<60 offenders statewide are in the RC 184 program, limiting impact.	0.00	0.00	0.00
80	484C.430		25.00	Yes					39.7	60	1.69	Approximately 20% of incidents leading to 484C.430 convictions resulted in death. There will be no change in admissions; instead, increases will be from longer sentences. There will be an approximately 45 month delay before impact due to existing average overall sentence lengths.	0.00	8.46	8.46
81	488.410		0.00	Yes								No recent admissions, changes unlikely to have an impact.	0.00	0.00	0.00
82	488.420		0.00	Yes								No recent admissions, changes unlikely to have an impact.	0.00	0.00	0.00
83	501.3765		0.00	No	1200	750						Used regression model to predict change in admissions.	0.00	0.00	0.00
84	612.445	5	0.00	No	1200	750						Used regression model to predict change in admissions.	0.00	0.00	0.00
Total			729.09										110.80	468.72	632.41

Note: Prosecutorial change refers to a change in conviction procedure or applicability rather than a specific threshold being changed.