SUMMARY—Makes an appropriation for certain costs related to the provision of indigent defense services. (BDR S-569)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State: Contains Appropriation from the State General Fund not included in Executive Budget.

Effect on the State Highway Fund: No.

AN ACT making an appropriation to the Department of Indigent Defense Services for certain costs related to pretrial release hearings; and providing other matters properly relating thereto.

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

Section 1. 1. There is hereby appropriated from the State General Fund to the Department of Indigent Defense Services for certain costs related to pretrial release hearings that are or may be conducted on a weekend or holiday the following sums:

For the Fiscal Year 2027-2028.....$1,696,070

For the Fiscal Year 2028-2029.....$1,696,070

2. Of the sums appropriated by subsection 1, on or before August 1, 2027, and August 1, 2028, the Executive Director of the Department of Indigent Defense Services shall distribute

$1,180,100 to the counties in this State for use for the purposes set forth in subsection 3 with each county receiving the following applicable amount:

Carson City	$49,200
Clark	98,300
Churchill	49,200
Douglas	98,300
Elko	98,300
Esmeralda	49,200
Eureka	49,200
Humboldt	49,200
Lander	49,200
Lincoln	98,300
Lyon	98,300
Mineral	49,200
Nye	98,300
Pershing	49,200
Storey	49,200
Washoe	49,200
White Pine	98,300

3. Money distributed pursuant to subsection 2:

(a) Except as otherwise provided in paragraph (b), must be used only by the counties to pay a stipend of $450 per day to:

(1) A district attorney, assistant district attorney, deputy district attorney or other attorney employed by a district attorney for being available on a weekend or holiday to serve as the prosecuting attorney in a pretrial release hearing required by NRS 178.4849 or for serving as the prosecuting attorney in any such pretrial release hearing conducted on a weekend or holiday; or

(2) A magistrate for being available on a weekend or holiday to conduct a pretrial release hearing required by NRS 178.4849 or for conducting any such pretrial release hearing on a weekend or holiday. As used in this subparagraph, "magistrate" means a judicial officer who presides over a pretrial release hearing.

(b) May not be used for the payment of the stipends described in paragraph (a) by:

(1) Clark County for pretrial release hearings in the justice and municipal courts in the townships of Henderson, Las Vegas and North Las Vegas.

(2) Washoe County for pretrial release hearings in the justice and municipal courts in the townships of Reno and Sparks.

(c) Except as otherwise provided in paragraph (a), may not be used to pay any other staffing costs, including, without limitation, any staffing costs attributable to the courts, district attorneys, public defenders or sheriffs.

4. Except as otherwise provided in this subsection, after making the distributions required by subsection 2 each fiscal year, the Department of Indigent Defense Services shall use the money remaining each fiscal year from the sums appropriated by subsection 1 only to pay a stipend of

$450 per day to a public defender, the State Public Defender or any other attorney employed by the public defender or State Public Defender for being available on a weekend or holiday to represent a defendant in a pretrial release hearing required by NRS 178.4849 or to represent a defendant in any such pretrial release hearing conducted on a weekend or holiday. The Department may not use the money to pay stipends for such representation in the justice and municipal courts in the townships of Henderson, Las Vegas, North Las Vegas, Reno and Sparks.

5. The expenditure by a county of money distributed pursuant to subsection 2 is subject to an annual audit of the county. Each county that receives a distribution of money pursuant to subsection 2 shall provide, on or before October 1, 2028, and October 1, 2029, a report to the Director of the Legislative Counsel Bureau, for transmittal to the Legislature and the Department of Indigent Defense Services, that sets forth the expenditure of such money for the immediately preceding fiscal year.

6. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 15, 2028, and September 21, 2029, respectively, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 15, 2028, and September 21, 2029, respectively.

7. As used in this section:

(a) "Holiday" has the meaning ascribed to it in NRS 236.015.

(b) "Weekend" means a Saturday or Sunday.

Sec. 2. The provisions of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 3. This act becomes effective on July 1, 2027.