ASSEMBLY BILL NO. 55–COMMITTEE ON JUDICIARY

(ON BEHALF OF THE STATE BOARD OF PAROLE COMMISSIONERS)

PREFILED NOVEMBER 10, 2026

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to corrections. (BDR 16-165)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.
Effect on the State Highway Fund: 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 corrections; revising provisions relating to alternative correctional programs; revising provisions relating to correctional programs; revising provisions relating to judicial programs; revising provisions relating to programs of work release; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes a judicial district to establish a judicial program for the reentry of offenders and parolees into the community. Existing law authorizes the Chair of the State Board of Parole Commissioners, after consulting with the Division of Parole and Probation of the Department of Public Safety, to refer a prisoner who is being considered for parole or a parolee who has violated a term or condition of parole to the reentry court under certain circumstances to determine whether the prisoner or parolee should be ordered by the State Board of Parole Commissioners to participate in the judicial program. Similarly, existing law requires the reentry court to determine the suitability of such persons for the judicial program and, upon approval, authorizes the Chair of the State Board of Parole Commissioners to assign the person to the judicial program under certain circumstances. (NRS 209.4883, 213.625) **Sections 1 and 7** of this bill provide that the referral and assignment is made by the State Board of Parole Commissioners instead of the Chair of the State Board of Parole Commissioners. **Section 7** also eliminates the requirement that the State Board of Parole Commissioners consult with the Division before providing the referral.

Existing law requires the State Board of Parole Commissioners, upon granting parole to a prisoner who has been assigned to a judicial program, to require the

parolee to continue to participate in the judicial program as a condition of parole. (NRS 213.625) **Section 7** makes this requirement a discretionary decision of the State Board of Parole Commissioners.

Existing law authorizes the Director of the Department of Corrections to establish a correctional program for the reentry of offenders and parolees into the community. (NRS 209.4887) Existing law authorizes the Chair of the State Board of Parole Commissioners to refer a prisoner who is being considered for parole or a parolee who has violated a term or condition of parole to the Director under certain circumstances to determine whether the person is suitable to participate in the correctional program. (NRS 209.4887, 213.632) Similarly, existing law requires the Director of the Department to determine the suitability of offenders and parolees for participation in the correctional program and requires the Director of the Department to notify the Chair of the State Board of Parole Commissioners of the suitability of the referred prisoner or parolee for, and request their assignment to, the correctional program. (NRS 209.4887, 209.4888, 213.632) **Sections 3 and 8** of this bill remove the provisions relating to the referral, notification and assignment process between the Chair of the State Board of Parole Commissioners and the Director of the Department and instead provide for a bifurcated process whereby: (1) the Director of the Department determines the suitability of offenders who are not being considered for parole for participation in the correctional program; and (2) the State Board of Parole Commissioners determines the suitability and assignment of offenders who are being considered for parole and parolees who have violated a term or condition of parole for participation or continued participation in the correctional program, as applicable. To facilitate the bifurcated process of assigning offenders and parolees to a correctional program, **sections 3 and 4** of this bill also make various changes to require the Director of the Department to request that the Chief Parole and Probation Officer, instead of the Chair of the State Board of Parole Commissioners, assign offenders who are not being considered for parole to the correctional program.

Existing law authorizes the Director of the Department to establish an alternative correctional program for the reentry of offenders into the community. Existing law provides that an offender who is suitable for a correctional program but who is not assigned by the Chair of the State Board of Parole Commissioners qualifies for participation in the alternative correctional program. (NRS 209.48883) **Section 5** of this bill makes a conforming change to reflect the assignment of an offender who is not being considered for parole to a correctional program by the Chief Parole and Probation Officer instead of the Chair of the State Board of Parole Commissioners.

Existing law authorizes the Director of the Department to establish a program of work release for certain offenders. (NRS 213.300) Existing law requires the Director of the Department to determine the eligibility of an offender for the program and refer the eligible offender to the Chair of the State Board of Parole Commissioners for release into the program. (NRS 213.310) **Section 6** of this bill provides that the referral is made to the Chief Parole and Probation Officer instead of the Chair of the State Board of Parole Commissioners.

Sections 2 and 4 of this bill make technical changes to differentiate the references to the State Board of Parole Commissioners from the references to the Board of State Prison Commissioners.

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

Section 1. NRS 209.4883 is hereby amended to read as follows:

209.4883 1. A judicial district may establish a judicial program for reentry of offenders and parolees into the community pursuant to this section.

2. If a judicial district establishes a judicial program pursuant to this section, the reentry court shall:

(a) Determine whether offenders who are referred by the Director pursuant to NRS 209.4886 should be assigned to the custody of the Division to participate in a judicial program.

(b) Determine whether parolees who are referred by the ~~[Chair of the]~~ State Board of Parole Commissioners pursuant to NRS 213.625 should be ordered by the ***State*** Board ***of Parole Commissioners*** to participate in a judicial program as a condition of their parole.

(c) Supervise offenders and parolees participating in the judicial program during their participation in the judicial program.

3. An offender may not be assigned to the custody of the Division to participate in a judicial program unless the reentry court grants prior approval of the assignment pursuant to this section.

4. Except as otherwise provided in NRS 213.625, a parolee may not participate in a judicial program as a condition of his or her parole unless the reentry court grants prior approval for his or her participation pursuant to this section.

Sec. 2. NRS 209.4886 is hereby amended to read as follows:

209.4886 1. Except as otherwise provided in this section, if a judicial program has been established in the judicial district in which an offender was sentenced to imprisonment, the Director may, after consulting with the Division, refer the offender to the reentry court if:

(a) The Director believes that the offender would participate successfully in and benefit from the judicial program;

(b) The offender has demonstrated a willingness to:

(1) Engage in employment or participate in vocational rehabilitation or job skills training; and

(2) Meet any existing obligation for restitution to any victim of his or her crime; and

(c) The offender is within 2 years of his or her probable release from prison, as determined by the Director.

2. Except as otherwise provided in this section, if the Director is notified by the reentry court pursuant to NRS 209.4883 that an offender should be assigned to the custody of the Division to

participate in the judicial program, the Director shall assign the offender to the custody of the Division to participate in the judicial program for not longer than the remainder of the offender's sentence.

3. The Director shall, by regulation, adopt standards setting forth which offenders are eligible to be assigned to the custody of the Division to participate in the judicial program pursuant to this section. The standards adopted by the Director must be approved by the Board ***of State Prison Commissioners*** and must provide that an offender who:

(a) Has recently committed a serious infraction of the rules of an institution or facility of the Department;

(b) Has not performed the duties assigned to the offender in a faithful and orderly manner;

(c) Has, within the immediately preceding year, been convicted of any crime involving the use or threatened use of force or violence against a victim that is punishable as a felony;

(d) Has ever been convicted of a sexual offense that is punishable as a felony; or

(e) Has escaped or attempted to escape from any jail or correctional institution for adults,

➥ is not eligible for assignment to the custody of the Division pursuant to this section to participate in a judicial program.

4. The Director shall adopt regulations requiring offenders who are assigned to the custody of the Division pursuant to this section to reimburse the reentry court, the Division and the Department for the cost of their participation in a judicial program, to the extent of their ability to pay.

5. The reentry court may return the offender to the custody of the Department at any time for any violation of the terms and conditions imposed by the reentry court.

6. If an offender assigned to the custody of the Division pursuant to this section violates any of the terms or conditions imposed by the reentry court and is returned to the custody of the Department, the offender forfeits all or part of the credits for good behavior earned by the offender before the offender was returned to the custody of the Department, as determined by the Director. The Director may provide for a forfeiture of credits pursuant to this subsection only after proof of the violation and notice is given to the offender. The Director may restore credits so forfeited for such reasons as the Director considers proper. The decision of the Director regarding such a forfeiture is final.

7. The assignment of an offender to the custody of the Division pursuant to this section shall be deemed:

(a) A continuation of the offender's imprisonment and not a release on parole; and

(b) For the purposes of NRS 209.341, an assignment to a facility of the Department,

➥ except that the offender is not entitled to obtain any benefits or to participate in any programs provided to offenders in the custody of the Department.

8. An offender does not have a right to be assigned to the custody of the Division pursuant to this section, or to remain in that custody after such an assignment. It is not intended that the establishment or operation of a judicial program creates any right or interest in liberty or property or establishes a basis for any cause of action against the State of Nevada, its political subdivisions, agencies, boards, commissions, departments, officers or employees.

Sec. 3. NRS 209.4887 is hereby amended to read as follows:

209.4887 1. The Director may establish a correctional program for reentry of offenders and parolees into the community ***.*** ~~[pursuant to this section.]~~

2. If the Director establishes a correctional program pursuant to this section, the Director shall ~~[:]~~ ***, unless an offender is eligible for assignment to a correctional program pursuant to NRS 213.632:***

(a) Determine whether offenders in the custody of the Department are suitable to participate in a correctional program ~~[.]~~ ***; and***

(b) ~~[Determine whether parolees who are referred by the Chair of the State Board of Parole Commissioners pursuant to NRS 213.632. are suitable to participate in a correctional program as a condition of their parole.~~

~~(c)]~~ Request that the ~~[Chair of the State Board of Parole Commissioners]~~ ***Chief Parole and Probation Officer*** assign to a correctional program offenders ~~[and parolees]~~ determined by the Director to be suitable to participate in a correctional program, under the terms and conditions agreed upon by the Director and the ~~[Chair,]~~ ***Chief Parole and Probation Officer,*** including, if appropriate, supervision of the offenders ~~[and parolees]~~ by the Division during ~~[their]~~ participation in the correctional program.

3. ~~[An]~~ ***Except as otherwise provided in NRS 213.632, an*** offender ~~[or parolee]~~ may not be assigned to the custody of the Division to participate in a correctional program unless the Director grants prior approval of the assignment pursuant to this section.

4. The Division may receive and distribute restitution paid by an offender assigned to the custody of the Division pursuant to this section.

Sec. 4. NRS 209.4888 is hereby amended to read as follows:

209.4888 1. Except as otherwise provided in this section, ***and unless an offender is eligible for assignment to a correctional program pursuant to NRS 213.632,*** if a correctional program has been established by the Director in the county in which an offender was sentenced to imprisonment, the Director may, after consulting with the Division, determine that an offender is suitable to participate in the correctional program if:

(a) The Director believes that the offender would participate successfully in and benefit from the correctional program;

(b) The offender has demonstrated a willingness to:

(1) Engage in employment or participate in vocational rehabilitation or job skills training; and

(2) Meet any existing obligation for restitution to any victim of his or her crime; and

(c) The offender is within 2 years of his or her probable release from prison, as determined by the Director.

2. Except as otherwise provided in this section, if the Director determines that an offender is suitable to participate in the correctional program ~~[,]~~ ***pursuant to subsection 1,*** the Director shall request that the ~~[Chair of the State Board of Parole Commissioners]~~ ***Chief Parole and Probation Officer*** assign the offender to the custody of the Division to participate in the correctional program. The ~~[Chair]~~ ***Chief Parole and Probation Officer*** may assign the offender to the custody of the Division to participate in the correctional program for not longer than the remainder of the offender's sentence.

3. The Director shall, by regulation, adopt standards setting forth which offenders are suitable to participate in the correctional program pursuant to this section. The standards adopted by the Director must be approved by the Board ***of State Prison Commissioners*** and must provide that an offender who:

(a) Has recently committed a serious infraction of the rules of an institution or facility of the Department;

(b) Has not performed the duties assigned to the offender in a faithful and orderly manner;

(c) Has, within the immediately preceding year, been convicted of any crime involving the use or threatened use of force or violence against a victim that is punishable as a felony;

(d) Has ever been convicted of a sexual offense that is punishable as a felony; or

(e) Has escaped or attempted to escape from any jail or correctional institution for adults,

➥ is not eligible for assignment to the custody of the Division pursuant to this section to participate in a correctional program.

4. The Director shall adopt regulations requiring offenders who are assigned to the custody of the Division pursuant to this section to reimburse the Division and the Department for the cost of their participation in a correctional program, to the extent of their ability to pay.

5. The Director may return ~~[the]~~ ***an*** offender ***assigned to the custody of the Division pursuant to this section*** to the custody of the Department at any time for any violation of the terms and conditions agreed upon by the Director and the ~~[Chair.]~~ ***Chief Parole and Probation Officer.***

6. If an offender assigned to the custody of the Division pursuant to this section violates any of the terms or conditions agreed upon by the Director and the ~~[Chair]~~ ***Chief Parole and Probation Officer*** and is returned to the custody of the Department, the offender forfeits all or part of the credits for good behavior earned by the offender before the offender was returned to the custody of the Department, as determined by the Director. The Director may provide for a forfeiture of credits pursuant to this subsection only after proof of the violation and notice is given to the offender. The Director may restore credits so forfeited for such reasons as the Director considers proper. The decision of the Director regarding such a forfeiture is final.

7. The assignment of an offender to the custody of the Division pursuant to this section shall be deemed:

(a) A continuation of the offender's imprisonment and not a release on parole; and

(b) For the purposes of NRS 209.341, an assignment to a facility of the Department,

➥ except that the offender is not entitled to obtain any benefits or to participate in any programs provided to offenders in the custody of the Department.

8. An offender does not have a right to be assigned to the custody of the Division pursuant to this section, or to remain in that custody after such an assignment. It is not intended that the establishment or operation of a correctional program creates any right or interest in liberty or property or establishes a basis for any cause of action against the State of Nevada, its political subdivisions, agencies, boards, commissions, departments, officers or employees.

Sec. 5. NRS 209.48883 is hereby amended to read as follows:

209.48883 1. The Director may establish an alternative correctional program for the reentry of offenders into the community pursuant to this section.

2. If the Director establishes an alternative correctional program pursuant to this section, the Director shall determine

whether offenders in the custody of the Department are suitable to participate in the alternative correctional program.

3. An offender is suitable to participate in an alternative correctional program if:

(a) The Director has requested that the ~~[Chair of the State Board of Parole Commissioners]~~ ***Chief Parole and Probation Officer*** assign the offender to the custody of the Division to participate in a correctional program pursuant to subsection 2 of NRS 209.4888; and

(b) The ~~[Chair]~~ ***Chief Parole and Probation Officer*** does not assign the offender to the custody of the Division to participate in a correctional program pursuant to subsection 2 of NRS 209.4888.

4. The Director may assign an offender to an alternative correctional program if:

(a) The Director determines that an offender is suitable to participate in an alternative correctional program; and

(b) The offender has requested and agreed to participate in the alternative correctional program.

Sec. 6. NRS 213.310 is hereby amended to read as follows:

213.310 1. If a program is established by the Department pursuant to NRS 213.300, the Director shall, by appropriate means of classification and selection, determine which of the offenders, during the last 6 months' confinement, are suitable for the program, excluding those sentenced to life imprisonment who are not eligible for parole and those imprisoned for violations of chapter 201 of NRS who have not been certified by the designated board as eligible for parole.

2. The Director shall then select the names of those offenders the Director determines to be eligible for the program, and the Director shall refer the names of those offenders to the ~~[Chair of the State Board of Parole Commissioners]~~ ***Chief Parole and Probation Officer*** for release into the program and, if appropriate, for residential confinement or other appropriate supervision as determined by the Division of Parole and Probation of the Department of Public Safety.

Sec. 7. NRS 213.625 is hereby amended to read as follows:

213.625 1. Except as otherwise provided in this section, if a judicial program has been established in the judicial district in which a prisoner or parolee may be paroled, the ~~[Chair of the]~~ Board may ~~[, after consulting with the Division,]~~ refer a prisoner who is being considered for parole or a parolee who has violated a term or condition of his or her parole to the reentry court if the ~~[Chair]~~ ***Board*** believes that the person:

(a) Would participate successfully in and benefit from a judicial program; and

(b) Has demonstrated a willingness to:

(1) Engage in employment or participate in vocational rehabilitation or job skills training; and

(2) Meet any existing obligation for restitution to any victim of his or her crime.

2. Except as otherwise provided in this section, if the ~~[Chair]~~ ***Board*** is notified by the reentry court pursuant to NRS 209.4883 that a person should be ordered to participate in a judicial program, the Board may, in accordance with the provisions of this section:

(a) If the person is a prisoner who is being considered for parole, upon the granting of parole to the prisoner, require as a condition of parole that the person participate in and complete the judicial program; or

(b) If the person is a parolee who has violated a term or condition of his or her parole, order the parolee to participate in and complete the judicial program as a condition of the continuation of his or her parole and in lieu of revoking his or her parole and returning the parolee to confinement.

3. If a prisoner who has been assigned to the custody of the Division to participate in a judicial program pursuant to NRS 209.4886 is being considered for parole:

(a) The Board ~~[shall,]~~ ***may,*** if the Board grants parole to the prisoner, require as a condition of parole that the person continue to participate in and complete the judicial program.

(b) The Board is not required to refer the prisoner to the reentry court pursuant to subsection 1 or to obtain prior approval of the reentry court pursuant to NRS 209.4883 for the prisoner to continue participating in the judicial program while the prisoner is on parole.

4. In determining whether to order a person to participate in and complete a judicial program pursuant to this section, the Board shall consider:

(a) The criminal history of the person; and

(b) The safety of the public.

5. The Board shall adopt regulations requiring persons who are ordered to participate in and complete a judicial program pursuant to this section to reimburse the reentry court and the Division for the cost of their participation in a judicial program, to the extent of their ability to pay.

6. The Board shall not order a person to participate in a judicial program if the time required to complete the judicial program is longer than the unexpired maximum term or the unexpired maximum aggregate term, as applicable, of the person's original sentence.

Sec. 8. NRS 213.632 is hereby amended to read as follows:

213.632 1. ~~[Except as otherwise provided in this section, if a correctional program has been established by the Director in the county in which an offender or parolee may be paroled, the Chair of the Board may, after consulting with the Division, refer a prisoner who is being considered for parole or a parolee who has violated a term or condition of his or her parole to the Director if the Chair believes that the person:~~

~~(a) Would participate successfully in and benefit from a correctional program; and~~

~~(b) Has demonstrated a willingness to:~~

~~(1) Engage in employment or participate in vocational rehabilitation or job skills training; and~~

~~(2) Meet any existing obligation for restitution to any victim of his or her crime.~~

~~2. Except as otherwise provided in this section, if the Chair is notified by the Director pursuant to NRS 209.4887 that a person is suitable to participate in a correctional program, the]~~ ***The*** Board may, in accordance with the provisions of this section:

(a) If ~~[the person is]~~ an offender ~~[who]~~ is being considered for parole, upon the granting of parole to the offender, require as a condition of parole that the offender participate in and complete ~~[the]~~ ***a*** correctional program; ~~[or]~~

(b) If ~~[the person is]~~ a parolee ~~[who]~~ has violated a term or condition of his or her parole, order the parolee to participate in and complete ~~[the]~~ ***a*** correctional program as a condition of the continuation of his or her parole and in lieu of revoking his or her parole and returning the parolee to confinement ~~[.]~~ ***; or***

~~[3.]~~ ***(c)*** If an offender who has been assigned to the custody of the Division to participate in a correctional program pursuant to NRS 209.4888 is being considered for parole, ~~[the Board shall, if]~~ ***and*** the Board grants parole to the offender, require as a condition of parole that the offender continue to participate in and complete ~~[the]~~ ***a*** correctional program.

~~[4.]~~ ***2.*** In determining whether to order a person to participate in and complete a correctional program pursuant to this section, the Board shall consider:

(a) The criminal history of the person; and

(b) The safety of the public.

~~[5.]~~ ***3.*** The Board shall adopt regulations requiring persons who are ordered to participate in and complete a correctional program pursuant to this section to reimburse the Department of Corrections and the Division for the cost of their participation in a correctional program, to the extent of their ability to pay.

~~[6.]~~ ***4.*** The Board shall not order a person to participate in a correctional program if the time required to complete the correctional program is longer than the unexpired maximum term or the unexpired maximum aggregate term, as applicable, of the person's original sentence.

Sec. 9. This act becomes effective on July 1, 2027.

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