SENATE BILL NO. 50–COMMITTEE ON JUDICIARY

(ON BEHALF OF THE DIVISION OF PAROLE AND PROBATION OF THE DEPARTMENT OF PUBLIC SAFETY)

PREFILED NOVEMBER 10, 2026

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to probation and parole. (BDR 14-173)

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 convicted persons; replacing the classifications of honorable and dishonorable discharge from probation and parole with a general discharge; revising the definition of "absconding" for purposes of supervision by the Division of Parole and Probation of the Department of Public Safety; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides for honorable and dishonorable discharges from probation and parole under certain circumstances. (NRS 176A.850, 213.154) **Section 3** of this bill eliminates those classifications with respect to probation and instead requires a court to grant a general discharge from probation when the term of probation has expired. **Section 5** of this bill similarly replaces honorable and dishonorable discharges from parole with a general discharge if the term of sentence has expired. **Sections 1, 4 and 6** of this bill make conforming changes to reflect the elimination of the honorable and dishonorable classifications and replacement of those classifications with a general discharge.

Existing law defines the term "absconding" to mean that a person under the supervision of the Division of Parole and Probation of the Department of Public Safety is actively avoiding supervision for a continuous period of 60 days or more. (NRS 176A.510) **Section 2** of this bill revises that definition by: (1) eliminating the 60-day requirement; and (2) specifying certain actions that constitute actively and continuously avoiding supervision.

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

Section 1. NRS 176A.500 is hereby amended to read as follows:

176A.500 1. Except as otherwise provided in subsection 2, the period of probation or suspension of sentence may be indeterminate or may be fixed by the court and may at any time be extended or terminated by the court, but the period, including any extensions thereof, must not be more than:

(a) Twelve months for a:

(1) Gross misdemeanor; or

(2) Suspension of sentence pursuant to NRS 176A.240, 176A.260, 176A.290 or 453.3363;

(b) Eighteen months for a category E felony;

(c) Twenty-four months for a category C or D felony;

(d) Thirty-six months for a category B felony; or

(e) Notwithstanding the provisions of paragraphs (a) to (d), inclusive, 60 months for a violent or sexual offense as defined in NRS 202.876, a violation of NRS 200.508 or a violation of NRS 574.100 that is punishable pursuant to subsection 6 of that section.

2. The court may extend the period of probation or suspension of sentence ordered pursuant to subsection 1 for a period of not more than 12 months if such an extension is necessary for the defendant to complete his or her participation in a specialty court program.

3. At any time during probation or suspension of sentence, the court may issue a warrant for violating any of the conditions of probation or suspension of sentence and cause the defendant to be arrested. Except for the purpose of giving a ~~[dishonorable]~~ ***general*** discharge from probation, and except as otherwise provided in this subsection, the time during which a warrant for violating any of the conditions of probation is in effect is not part of the period of probation. If the warrant is cancelled or probation is reinstated, the court may include any amount of that time as part of the period of probation.

4. Any parole and probation officer or any peace officer with power to arrest may arrest a probationer without a warrant, or may deputize any other officer with power to arrest to do so by giving the probationer a written statement setting forth that the probationer has, in the judgment of the parole and probation officer, violated the conditions of probation. Except as otherwise provided in subsection 5, the parole and probation officer or the peace officer, after making an arrest, shall present to the detaining authorities, if any, a statement of the charges against the probationer. The parole and

probation officer shall at once notify the court which granted probation of the arrest and detention or residential confinement of the probationer and shall submit a report in writing showing in what manner the probationer has violated the conditions of probation.

5. A parole and probation officer or a peace officer may immediately release from custody without any further proceedings any person the officer arrests without a warrant for violating a condition of probation if the parole and probation officer or peace officer determines that there is no probable cause to believe that the person violated the condition of probation.

6. A person who is sentenced to serve a period of probation for a felony or a gross misdemeanor must be allowed for the period of the probation a deduction of:

(a) Ten days from that period for each month the person serves and is current with any fee to defray the costs of his or her supervision charged by the Division of Parole and Probation of the Department of Public Safety pursuant to NRS 213.1076 and with any payment of restitution ordered by the court, including, without limitation, any payment of restitution required pursuant to NRS 176A.430. A person shall be deemed to be current with any such fee and payment of restitution for any given month if, during that month, the person makes at least the minimum monthly payment established by the court or, if the court does not establish a minimum monthly payment, by the Division.

(b) Except as otherwise provided in subsection 8, 10 days from that period for each month the person serves and is actively involved in employment or enrolled in a program of education, rehabilitation or any other program approved by the Division.

7. A person must be allowed a deduction pursuant to paragraph (a) or (b) of subsection 6 regardless of whether the person has satisfied the requirements of the other paragraph and must be allowed a deduction pursuant to paragraphs (a) and (b) of subsection 6 if the person has satisfied the requirements of both paragraphs of that subsection.

8. A person who is sentenced to serve a period of probation for a felony or a gross misdemeanor and who is a participant in a specialty court program must be allowed a deduction from the period of probation for being actively involved in employment or enrolled in a program of education, rehabilitation or any other program approved by the Division only if the person successfully completes the specialty court program. Such a deduction must not exceed the length of time remaining on the person's period of probation.

Sec. 2. NRS 176A.510 is hereby amended to read as follows:

176A.510 1. The Division shall adopt a written system of graduated sanctions for parole and probation officers to use when responding to a technical violation of the conditions of probation. The system must:

(a) Set forth a menu of presumptive sanctions for the most common violations, including, without limitation, failure to report, willful failure to pay fines and fees, failure to participate in a required program or service, failure to complete community service and failure to refrain from the use of alcohol or controlled substances.

(b) Take into account factors such as responsivity factors impacting a person's ability to successfully complete any conditions of supervision, the severity of the current violation, the person's previous criminal record, the number and severity of any previous violations and the extent to which graduated sanctions were imposed for previous violations.

(c) Include guidance on the use of confinement in a jail or detention facility and electronic monitoring pursuant to subsection 3.

2. The Division shall establish and maintain a program of initial and ongoing training for parole and probation officers regarding the system of graduated sanctions.

3. As part of the system of graduated sanctions, the Division may, in response to a technical violation of the conditions of probation:

(a) Impose confinement in a jail or detention facility for a period of not more than 10 days. The total number of days of confinement imposed pursuant to this paragraph must not, in the aggregate, exceed 30 days.

(b) Place the person under a system of active electronic monitoring for a period of not more than 60 days using an electronic device approved by the Division. The device may be capable of using the Global Positioning System, but must be minimally intrusive and limited in capability to recording or transmitting information concerning the location of the person, including, without limitation, the transmission of still visual images which do not concern the activities of the person, and producing, upon request, reports or records of the person's presence near or within a crime scene or prohibited area or his or her departure from a specified geographic location. A device which is capable of recording or transmitting:

(1) Oral or wire communications or any auditory sound; or

(2) Information concerning the activities of the person,

➥ must not be used.

4. Notwithstanding any rule or law to the contrary, a parole and probation officer shall use graduated sanctions established pursuant to this section when responding to a technical violation.

5. A parole and probation officer intending to impose a graduated sanction shall provide the supervised person with notice of the intended sanction. The notice must inform the person of any alleged violation and the date thereof and the graduated sanction to be imposed.

6. The failure of a supervised person to comply with a sanction may constitute a technical violation of the conditions of probation.

7. The Division may not seek revocation of probation for a technical violation of the conditions of probation until all graduated sanctions have been exhausted. If the Division determines that all graduated sanctions have been exhausted, the Division shall submit a report to the court or Board outlining the reasons for the recommendation of revocation and the steps taken by the Division to change the supervised person's behavior while in the community, including, without limitation, any graduated sanctions imposed before recommending revocation.

8. As used in this section:

(a) "Absconding" means that a person is actively ***and continuously*** avoiding supervision by ~~[making his or her whereabouts unknown to]~~ the Division ~~[for a continuous period of 60 days or more.]~~ ***by taking two or more of the following actions:***

(1) Failing to report as instructed;

(2) Changing address without providing forwarding information to the Division;

(3) Leaving employment or ceasing participation in a treatment program, school or other resource program without notifying the Division; or

(4) Eliminating a means by which the Division may contact the person without providing an alternate means of contact.

(b) "Responsivity factors" has the meaning ascribed to it in NRS 213.107.

(c) "Technical violation" means any alleged violation of the conditions of probation that does not constitute absconding and is not:

(1) The commission of a:

(I) New felony or gross misdemeanor;

(II) Battery which constitutes domestic violence pursuant to NRS 200.485;

(III) Violation of NRS 484C.110 or 484C.120;

(IV) Crime of violence as defined in NRS 200.408 that is punishable as a misdemeanor;

(V) Harassment pursuant to NRS 200.571 or stalking or aggravated stalking pursuant to NRS 200.575;

(VI) Violation of a temporary or extended order for protection against domestic violence issued pursuant to NRS 33.017 to 33.100, inclusive, a restraining order or injunction that is in the nature of a temporary or extended order for protection against domestic violence issued in an action or proceeding brought pursuant to title 11 of NRS, a temporary or extended order for protection against stalking, aggravated stalking or harassment issued pursuant to NRS 200.591 or a temporary or extended order for protection against sexual assault pursuant to NRS 200.378;

(VII) Violation of a stay away order involving a natural person who is the victim of the crime for which the supervised person is being supervised; or

(VIII) Violation of a condition required pursuant to paragraph (i) or (l) of subsection 1 of NRS 176A.410 or ***NRS*** 176A.413; or

(2) Termination from a program which provides residential treatment, as ordered by a court, as a condition of supervision.

➥ The term does not include termination from a specialty court program.

Sec. 3. NRS 176A.850 is hereby amended to read as follows:

176A.850 1. A person ~~[who:~~

~~(a) Has fulfilled the conditions of probation for the entire period thereof;~~

~~(b) Is recommended for earlier discharge by the Division; or~~

~~(c) Has demonstrated fitness for honorable discharge but because of economic hardship, verified by the Division, has been unable to make restitution as ordered by the court,~~

~~➥ may be granted an honorable discharge from probation by order of the court.]~~ ***whose term of probation has expired must be granted a general discharge from probation by order of the court.***

2. A person ~~[whose term of probation has expired and:~~

~~(a) Whose whereabouts are unknown;~~

~~(b) Who has failed to make restitution in full as ordered by the court, without a verified showing of economic hardship; or~~

~~(c) Who has otherwise failed to qualify for an honorable discharge as provided in subsection 1,~~

~~➥ is not eligible for an honorable discharge and must be given a dishonorable discharge. A dishonorable discharge releases the person from any further obligation, except as otherwise provided in subsection 3.]~~ ***who is recommended for an early discharge pursuant to NRS 176A.840 may be granted a general discharge from probation.***

3. Any amount of restitution remaining unpaid constitutes a civil liability arising upon the date of discharge and is enforceable pursuant to NRS 176.275.

4. A person who has been discharged from probation:

(a) Is free from the terms and conditions of probation.

(b) Is immediately restored to the right to serve as a juror in a civil action.

(c) Four years after the date of discharge from probation, is restored to the right to hold office.

(d) Six years after the date of discharge from probation, is restored to the right to serve as a juror in a criminal action.

(e) If the person meets the requirements of NRS 179.245, may apply to the court for the sealing of records relating to the conviction.

(f) Must be informed of the provisions of this section and NRS 179.245 in the person's probation papers.

(g) Is exempt from the requirements of chapter 179C of NRS, but is not exempt from the requirements of chapter 179D of NRS.

(h) Shall disclose the conviction to a gaming establishment and to the State and its agencies, departments, boards, commissions and political subdivisions, if required in an application for employment, license or other permit. As used in this paragraph, "establishment" has the meaning ascribed to it in NRS 463.0148.

(i) Except as otherwise provided in paragraph (h), need not disclose the conviction to an employer or prospective employer.

5. The prior conviction of a person who has been discharged from probation may be used for purposes of impeachment. In any subsequent prosecution of the person, the prior conviction may be pleaded and proved if otherwise admissible.

6. Upon discharge from probation, the person so discharged must be given an official document which provides:

(a) That the person has received ~~[an honorable]~~ ***a general*** discharge ~~[or dishonorable discharge, as applicable,]~~ from probation;

(b) That the person is restored to his or her civil right to serve as a juror in a civil action as of the date of his or her discharge from probation;

(c) The date on which the person's civil right to hold office will be restored pursuant to paragraph (c) of subsection 4; and

(d) The date on which the person's civil right to serve as a juror in a criminal action will be restored pursuant to paragraph (d) of subsection 4.

7. A person who has been discharged from probation in this State or elsewhere and whose official documentation of discharge from probation is lost, damaged or destroyed may file a written

request with a court of competent jurisdiction to restore the person's civil rights pursuant to this section. Upon verification that the person has been discharged from probation and is eligible to be restored to the civil rights set forth in subsection 4, the court shall issue an order restoring the person to the civil rights set forth in subsection 4. A person must not be required to pay a fee to receive such an order.

8. A person who has been discharged from probation in this State or elsewhere may present:

(a) Official documentation of discharge from probation, if it contains the provisions set forth in subsection 6; or

(b) A court order restoring the person's civil rights,

➥ as proof that the person has been restored to the civil rights set forth in subsection 4.

Sec. 4. NRS 179.2445 is hereby amended to read as follows:

179.2445 ~~[1. Except as otherwise provided in subsection 2, upon]~~ ***Upon*** the filing of a petition for the sealing of records pursuant to NRS 179.245, 179.247, 179.255, 179.259 or 179.2595, there is a rebuttable presumption that the records should be sealed if the applicant satisfies all statutory requirements for the sealing of the records.

~~[2. The presumption set forth in subsection 1 does not apply to a defendant who is given a dishonorable discharge from probation pursuant to NRS 176A.850 and applies to the court for the sealing of records relating to the conviction.]~~

Sec. 5. NRS 213.154 is hereby amended to read as follows:

213.154 1. The Division shall issue ~~[an honorable]~~ ***a general*** discharge to a parolee whose term of sentence has expired ***.*** ~~[if the parolee has:~~

~~(a) Fulfilled the conditions of his or her parole for the entire period of his or her parole; or~~

~~(b) Demonstrated his or her fitness for honorable discharge but because of economic hardship, verified by a parole and probation officer, has been unable to make restitution as ordered by the court.]~~

2. ~~[The Division shall issue a dishonorable discharge to a parolee whose term of sentence has expired if:~~

~~(a) The whereabouts of the parolee are unknown;~~

~~(b) The parolee has failed to make full restitution as ordered by the court, without a verified showing of economic hardship; or~~

~~(c) The parolee has otherwise failed to qualify for an honorable discharge pursuant to subsection 1.~~

~~3.]~~ Any amount of restitution that remains unpaid by a person after the person has been discharged from parole constitutes a civil liability as of the date of discharge and is enforceable pursuant to NRS 176.275.

Sec. 6. NRS 213.155 is hereby amended to read as follows:

213.155 1. A person who receives a ***general*** discharge from parole pursuant to NRS 213.154:

(a) Is immediately restored to the right to serve as a juror in a civil action.

(b) Four years after the date of his or her discharge from parole, is restored to the right to hold office.

(c) Six years after the date of his or her discharge from parole, is restored to the right to serve as a juror in a criminal action.

2. Upon his or her discharge from parole, a person so discharged must be given an official document which provides:

(a) That the person has received ~~[an honorable]~~ ***a general*** discharge ~~[or dishonorable discharge, as applicable,]~~ from parole;

(b) That the person is restored to his or her civil right to serve as a juror in a civil action as of the date of his or her discharge from parole;

(c) The date on which his or her civil right to hold office will be restored to the person pursuant to paragraph (b) of subsection 1; and

(d) The date on which his or her civil right to serve as a juror in a criminal action will be restored to the person pursuant to paragraph (c) of subsection 1.

3. A person who has been discharged from parole in this State or elsewhere and whose official documentation of his or her discharge from parole is lost, damaged or destroyed may file a written request with a court of competent jurisdiction to restore his or her civil rights pursuant to this section. Upon verification that the person has been discharged from parole and is eligible to be restored to the civil rights set forth in subsection 1, the court shall issue an order restoring the person to the civil rights set forth in subsection 1. A person must not be required to pay a fee to receive such an order.

4. A person who has been discharged from parole in this State or elsewhere may present:

(a) Official documentation of his or her discharge from parole, if it contains the provisions set forth in subsection 2; or

(b) A court order restoring his or her civil rights,

➥ as proof that the person has been restored to the civil rights set forth in subsection 1.

5. The Board may adopt regulations necessary or convenient for the purposes of this section.