SENATE BILL NO. 92–COMMITTEE ON JUDICIARY

(ON BEHALF OF THE NEVADA LEAGUE OF CITIES AND MUNICIPALITIES)

PREFILED NOVEMBER 18, 2026

Referred to Committee on Judiciary

SUMMARY—Establishes a civil cause of action for the intentional damage or destruction of public property. (BDR 3-557)

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 civil actions; establishing a civil cause of action for the intentional damage or destruction of public property; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the owner of property that has been damaged by graffiti or a governmental entity that is otherwise responsible for the property to: (1) bring a civil action against the person who placed the graffiti or, if that person is less than 18 years of age, the parent or legal guardian of the person; and (2) recover damages in an amount up to three times the amount of any loss in value to the property and up to three times the cost of restoring the property plus attorney's fees and costs. (NRS 206.345) **Section 1** of this bill expands the authority of a governmental entity to collect civil damages by authorizing the governmental entity to: (1) bring a civil action against any person who intentionally damages or destroys public property or, if that person is less than 18 years of age, the parent or legal guardian of the person; and (2) recover damages in an amount that is equivalent to the actual, reasonable and documented cost of replacing, repairing or restoring the property, plus attorney's fees and costs. **Section 1** also requires the court to consider certain factors when determining the amount of damages. Finally, **section 1**: (1) requires the court to reduce the damages that a governmental entity may recover by any amount of restitution, insurance benefit or other monetary resource that the governmental entity has received for the replacement, repair or restoration of the property; and (2) clarifies that a civil action may be brought even if there has been no criminal conviction for the damage or destruction of the property.

Sections 2 and 3 of this bill make conforming changes to remove the authority of a governmental entity to bring a civil cause of action specific to graffiti for the purpose of having the governmental entity collect such damages pursuant to the civil action established under **section 1**.

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

Section 1. Chapter 40 of NRS is hereby amended by adding thereto a new section to read as follows:

1. A governmental entity may bring a civil action against a person who intentionally damages or destroys the property of the governmental entity or, if the person is less than 18 years of age, against the parent or legal guardian of the person.

2. Subject to the provisions of subsection 3 and except as otherwise provided in subsection 4, a court may award to the governmental entity damages in an amount that is equivalent to the actual, reasonable and documented cost of replacing, repairing or restoring the property, plus attorney's fees and costs.

3. In determining the cost of replacing, repairing or restoring the property under subsection 2, the court shall consider, as applicable, the costs associated with:

(a) Materials, parts and supplies;

(b) Labor, including, without limitation, payment for overtime;

(c) Using governmental vehicles and equipment, including, without limitation, the cost of fuel;

(d) Retaining contractors or other specialized services, including, without limitation, the costs for:

(1) Specialized testing;

(2) Inspections; and

(3) Engineering services;

(e) Emergency response services;

(f) Removal of debris;

(g) Temporary measures to mitigate the damage, including, without limitation:

(1) The erection of fencing or barricades; and

(2) The use of a generator, pump or like equipment;

(h) Insurance deductibles; and

(i) Any other cost associated with the replacement, repair or restoration of the property.

4. A court shall reduce the amount of damages a governmental entity is entitled to recover under subsection 2 by any amount of restitution, insurance benefit or other monetary resource that the governmental entity has received for the replacement, repair or restoration of the property.

5. A civil action may be brought pursuant to this section even if there has been no criminal conviction for the damage or destruction of the property.

Sec. 2. NRS 206.345 is hereby amended to read as follows:

206.345 1. A court may, in addition to any other fine or penalty imposed, order a person who places graffiti on or otherwise defaces public or private property in violation of NRS 206.125 or 206.330 to participate in counseling, and if the person is less than 18 years of age, order the parent or legal guardian of the person to attend or participate in counseling pursuant to NRS 62E.290.

2. If a court orders a person who violates the provisions of NRS 206.125 or 206.330 to pay restitution, the person shall pay the restitution to:

(a) The owner of the property which was affected by the violation; or

(b) If the violation involved the placing of graffiti on any public property, the governmental entity that incurred or will incur expenses for removing, covering or cleaning up the graffiti.

3. The owner of the property that has been damaged by graffiti ~~[or a governmental entity that is otherwise responsible for the property]~~ may bring a civil action against the person who placed the graffiti on such property. The court may award to the ~~[governmental entity or other]~~ property owner damages in an amount up to three times the amount of any loss in value to the property and up to three times the cost of restoring the property plus attorney's fees and costs, which may be recovered from the offender or, if the offender is less than 18 years of age, from the parent or legal guardian of the offender.

Sec. 3. NRS 268.408 is hereby amended to read as follows:

268.408 ~~[1.]~~ The governing body of a city shall remove or cover all evidence that graffiti has been placed on any real or personal property which it owns or otherwise controls within 15 days after it discovers the graffiti or as soon as practicable.

~~[2. The governing body of a city may bring an action against a person responsible for placing graffiti on the property of the city to recover a civil penalty and damages pursuant to the provisions of NRS 206.345.]~~

Sec. 4. The amendatory provisions of this act apply to a cause of action for damage to or destruction of property that accrues on or after July 1, 2027.

Sec. 5. This act becomes effective on July 1, 2027.

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