

Assembly Bill No. 579—Select Committee on
Corrections, Parole, and Probation

CHAPTER.....

AN ACT relating to crimes; revising provisions relating to the registration of and community notification concerning sex offenders and certain offenders convicted of a crime against a child; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

In 2006, the federal "Adam Walsh Child Protection and Safety Act of 2006" ("the Act") was enacted to protect the public by establishing a comprehensive national system for the registration of sex offenders and offenders against children which includes, without limitation, the establishment of a uniform nationwide system for the registration of and community notification concerning such offenders. (42 U.S.C. §§ 16901 et seq.) In furtherance of this purpose, the Act requires each state to enact laws regarding the registration of and community notification concerning sex offenders and offenders convicted of a crime against a child which conform to the provisions of the Act. (42 U.S.C. § 16912) States which do not enact such laws by the date provided in the Act may not receive certain federal funds. (42 U.S.C. §§ 16924-16925)

Existing law requires all sex offenders and offenders convicted of a crime against a child to register with certain local law enforcement agencies. (NRS 179D.230, 179D.240, 179D.450, 179D.460) **Section 27** of this bill adds a new requirement that each such offender register for the first time before he is released from prison or, if he is not imprisoned for the offense, within 3 days after he is sentenced for the offense. Existing law requires an offender to appear in person at a local law enforcement agency to notify the appropriate agencies of any change in his address and to provide updated information to certain agencies. (NRS 179D.250, 179D.470) **Section 28** of this bill expands this duty to apply when there is a change to certain other information contained in an offender's registration record. Existing law requires each offender to mail a verification form to the Central Repository for Nevada Records of Criminal History each year to verify the information in his registration record. (NRS 179D.260, 179D.480) **Section 40** of this bill removes this annual requirement and instead requires each offender to appear in person at a local law enforcement agency to register at least once every 90 days, every 180 days or every year, depending on whether the offender is designated as a Tier I, Tier II or Tier III offender.

Existing law provides that, under certain circumstances, an offender may petition for termination of his duty to register. (NRS 179D.270, 179D.490) **Section 41** of this bill revises existing law to further restrict which offenders may petition for termination of the duty to register.

Existing law provides for community notification of sex offenders depending upon whether the sex offender is designated as a Tier 1, Tier 2 or Tier 3 sex offender. (NRS 179D.600-179D.800) Such designation is based upon an assessment of the sex offender's risk of recidivism, with Tier 1 sex offenders being the least likely to reoffend and Tier 3 sex offenders being the most likely to reoffend. (NRS 179D.720, 179D.730) The assessment must be conducted in compliance with the guidelines and procedures for community notification established by the Attorney General. **Sections 31-42** of this bill revise existing law to require that all sex offenders and offenders convicted of a crime against a child



be subject to community notification regardless of their designated tier level. **Section 56** of this bill repeals the existing tier levels and the existing laws concerning the guidelines and procedures for community notification established by the Attorney General. (NRS 179D.710, 179D.720, 179D.730) **Sections 22-24** of this bill establish three new tiers for registration and community notification for all sex offenders and offenders convicted of a crime against a child. The determination as to which tier level an offender is assigned is based upon the specific crime committed by the offender.

Section 13 of this bill revises provisions regarding the content and format of the community notification website maintained by the Department of Public Safety to ensure compliance with the requirements of federal law. (NRS 179B.250) **Section 10.5** of this bill provides a new criminal penalty, not required by the Act, for any person who uses information obtained from the community notification website to commit a crime.

The Act provides that the new uniform system of registration and community notification does not apply to certain offenses which involve consensual sexual conduct. **Section 46** of this bill amends existing law to exclude such offenses from the new registration and community notification requirements.

The Act prospectively repeals certain provisions of federal law concerning sex offenders who are designated "sexually violent predators." For consistency with the Act, **section 56** of this bill repeals existing state laws which apply to sexually violent predators. (NRS 179D.055, 179D.060, 179D.360, 179D.370, 179D.380, 179D.420, 179D.430, 179D.510, 179D.530) The Act also provides that the new uniform system of registration and community notification applies to juveniles who are at least 14 years of age and who have been adjudicated delinquent for committing certain sexual offenses. **Section 56** of this bill repeals certain existing state laws which are inconsistent with such provisions of the federal law. (NRS 62A.050, 62F.210, 62F.230, 62F.240, 62F.250, 179D.800) **Sections 16-21** of this bill reenact certain provisions of existing law to restructure chapter 179D of NRS as a result of the changes to the chapter as a result of this bill.

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

Section 1. NRS 176.0913 is hereby amended to read as follows:

176.0913 1. If a defendant is convicted of an offense listed in subsection 4, the court, at sentencing, shall order that:

(a) The name, social security number, date of birth and any other information identifying the defendant be submitted to the Central Repository for Nevada Records of Criminal History; and

(b) A biological specimen be obtained from the defendant pursuant to the provisions of this section and that the specimen be used for an analysis to determine the genetic markers of the specimen.

2. If the defendant is committed to the custody of the Department of Corrections, the Department of Corrections shall arrange for the biological specimen to be obtained from the



defendant. The Department of Corrections shall provide the specimen to the forensic laboratory that has been designated by the county in which the defendant was convicted to conduct or oversee genetic marker testing for the county pursuant to NRS 176.0917.

3. If the defendant is not committed to the custody of the Department of Corrections, the Division shall arrange for the biological specimen to be obtained from the defendant. The Division shall provide the specimen to the forensic laboratory that has been designated by the county in which the defendant was convicted to conduct or oversee genetic marker testing for the county pursuant to NRS 176.0917. Any cost that is incurred to obtain a biological specimen from a defendant pursuant to this subsection is a charge against the county in which the defendant was convicted and must be paid as provided in NRS 176.0915.

4. Except as otherwise provided in subsection 5, the provisions of subsection 1 apply to a defendant who is convicted of:

- (a) A category A felony;
- (b) A category B felony;
- (c) A category C felony involving the use or threatened use of force or violence against the victim;
- (d) A crime against a child as defined in ~~NRS 179D.210;~~ *section 16 of this act;*
- (e) A sexual offense as defined in ~~NRS 179D.410;~~ *section 21 of this act;*
- (f) Abuse or neglect of an older person or a vulnerable person pursuant to NRS 200.5099;
- (g) A second or subsequent offense for stalking pursuant to NRS 200.575;
- (h) An attempt or conspiracy to commit an offense listed in paragraphs (a) to (g), inclusive;
- (i) Failing to register with a local law enforcement agency as a convicted person as required pursuant to NRS 179C.100, if the defendant previously was:
 - (1) Convicted in this State of committing an offense listed in paragraph (a), (b), (c), (f), (g) or (h); or
 - (2) Convicted in another jurisdiction of committing an offense that would constitute an offense listed in paragraph (a), (b), (c), (f), (g) or (h) if committed in this State;
- (j) Failing to register with a local law enforcement agency after being convicted of a crime against a child as required pursuant to NRS ~~179D.240;~~ *179D.450;* or



(k) Failing to register with a local law enforcement agency after being convicted of a sexual offense as required pursuant to NRS 179D.450.

5. A court shall not order a biological specimen to be obtained from a defendant who has previously submitted such a specimen for conviction of a prior offense unless the court determines that an additional sample is necessary.

Sec. 2. NRS 176.0923 is hereby amended to read as follows:

176.0923 “Crime against a child” has the meaning ascribed to it in ~~NRS 179D.210.~~ *section 16 of this act.*

Sec. 3. NRS 176.0925 is hereby amended to read as follows:

176.0925 “Sexual offense” has the meaning ascribed to it in ~~NRS 179D.410.~~ *section 21 of this act.*

Sec. 4. NRS 176.0926 is hereby amended to read as follows:

176.0926 1. If a defendant is convicted of a crime against a child, the court shall, following the imposition of a sentence:

(a) Notify the Central Repository of the conviction of the defendant, so the Central Repository may carry out the provisions for registration of the defendant pursuant to NRS ~~179D.230.~~ *179D.450.*

(b) Inform the defendant of the requirements for registration, including, but not limited to:

(1) *The duty to register initially pursuant to section 27 of this act;*

(2) The duty to register in this State during any period in which he is a resident of this State or a nonresident who is a student or worker within this State and the time within which he is required to register pursuant to NRS ~~179D.240.~~ *179D.450;*

~~(2)~~ (3) The duty to register in any other jurisdiction during any period in which he is a resident of the other jurisdiction or a nonresident who is a student or worker within the other jurisdiction;

~~(3)~~ (4) If he moves from this State to another jurisdiction, the duty to register with the appropriate law enforcement agency in the other jurisdiction;

~~(4)~~ (5) The duty to notify the local law enforcement agency in whose jurisdiction he formerly resided, in person or in writing, if he changes the address at which he resides, including if he moves from this State to another jurisdiction, or changes the primary address at which he is a student or worker; and

~~(5)~~ (6) The duty to notify immediately the appropriate local law enforcement agency if the defendant is, expects to be or becomes enrolled as a student at an institution of higher education or changes the date of commencement or termination of his enrollment at an institution of higher education or if the defendant is, expects to



be or becomes a worker at an institution of higher education or changes the date of commencement or termination of his work at an institution of higher education.

(c) Require the defendant to read and sign a form ~~[confirming]~~ *stating* that the requirements for registration have been explained to him ~~[]~~ *and that he understands the requirements for registration.*

2. The failure to provide the defendant with the information or confirmation form required by paragraphs (b) and (c) of subsection 1 does not affect the duty of the defendant to register and to comply with all other provisions for registration pursuant to NRS ~~[179D.200 to 179D.290, inclusive.]~~ *179D.010 to 179D.550, inclusive, and sections 16 to 30, inclusive, of this act.*

Sec. 5. NRS 176.0927 is hereby amended to read as follows:

176.0927 1. If a defendant is convicted of a sexual offense, the court shall, following the imposition of a sentence:

(a) Notify the Central Repository of the conviction of the defendant, so the Central Repository may carry out the provisions for registration of the defendant pursuant to NRS 179D.450.

(b) Inform the defendant of the requirements for registration, including, ~~[but not limited to:]~~ *without limitation:*

(1) *The duty to register initially pursuant to section 27 of this act;*

(2) The duty to register in this State during any period in which he is a resident of this State or a nonresident who is a student or worker within this State and the time within which he is required to register pursuant to NRS 179D.460;

~~[(2)]~~ (3) The duty to register in any other jurisdiction during any period in which he is a resident of the other jurisdiction or a nonresident who is a student or worker within the other jurisdiction;

~~[(3)]~~ (4) If he moves from this State to another jurisdiction, the duty to register with the appropriate law enforcement agency in the other jurisdiction;

~~[(4)]~~ (5) The duty to notify the local law enforcement agency in whose jurisdiction he formerly resided, in person or in writing, if he changes the address at which he resides, including if he moves from this State to another jurisdiction, or changes the primary address at which he is a student or worker; and

~~[(5)]~~ (6) The duty to notify immediately the appropriate local law enforcement agency if the defendant is, expects to be or becomes enrolled as a student at an institution of higher education or changes the date of commencement or termination of his enrollment at an institution of higher education or if the defendant is, expects to be or becomes a worker at an institution of higher education or



changes the date of commencement or termination of his work at an institution of higher education.

(c) Require the defendant to read and sign a form stating that the requirements for registration have been explained to him ~~[]~~ *and that he understands the requirements for registration.*

2. The failure to provide the defendant with the information or confirmation form required by paragraphs (b) and (c) of subsection 1 does not affect the duty of the defendant to register and to comply with all other provisions for registration pursuant to NRS ~~[179D.350]~~ *179D.010* to 179D.550, inclusive ~~[]~~, *and sections 16 to 30, inclusive, of this act.*

Sec. 6. NRS 176.0931 is hereby amended to read as follows:

176.0931 1. If a defendant is convicted of a sexual offense, the court shall include in sentencing, in addition to any other penalties provided by law, a special sentence of lifetime supervision.

2. The special sentence of lifetime supervision commences after any period of probation or any term of imprisonment and any period of release on parole.

3. A person sentenced to lifetime supervision may petition the sentencing court or the State Board of Parole Commissioners for release from lifetime supervision. The sentencing court or the Board shall grant a petition for release from a special sentence of lifetime supervision if:

(a) The person has complied with the requirements of the provisions of NRS ~~[179D.350]~~ *179D.010* to 179D.550, inclusive ~~[]~~, *and sections 16 to 30, inclusive, of this act;*

(b) The person has not been convicted of an offense that poses a threat to the safety or well-being of others for an interval of at least 10 consecutive years after his last conviction or release from incarceration, whichever occurs later; and

(c) The person is not likely to pose a threat to the safety of others, as determined by a person professionally qualified to conduct psychosexual evaluations, if released from lifetime supervision.

4. A person who is released from lifetime supervision pursuant to the provisions of subsection 3 remains subject to the provisions for registration as a sex offender and to the provisions for community notification, unless he is otherwise relieved from the operation of those provisions pursuant to the provisions of NRS ~~[179D.350 to 179D.800, inclusive.]~~ *179D.010 to 179D.550, inclusive, and sections 16 to 30, inclusive, of this act.*

5. As used in this section:



(a) "Offense that poses a threat to the safety or well-being of others" ~~has the meaning ascribed to it in NRS 179D.060.]~~ **includes, without limitation:**

(1) An offense that involves:

(I) A victim less than 18 years of age;

(II) A crime against a child as defined in section 16 of this act;

(III) A sexual offense as defined in section 21 of this act;

(IV) A deadly weapon, explosives or a firearm;

(V) The use or threatened use of force or violence;

(VI) Physical or mental abuse;

(VII) Death or bodily injury;

(VIII) An act of domestic violence;

(IX) Harassment, stalking, threats of any kind or other similar acts;

(X) The forcible or unlawful entry of a home, building, structure, vehicle or other real or personal property; or

(XI) The infliction or threatened infliction of damage or injury, in whole or in part, to real or personal property.

(2) Any offense listed in subparagraph (1) that is committed in this State or another jurisdiction, including, without limitation, an offense prosecuted in:

(I) A tribal court.

(II) A court of the United States or the Armed Forces of the United States.

(b) "Person professionally qualified to conduct psychosexual evaluations" has the meaning ascribed to it in NRS 176.133.

(c) "Sexual offense" means:

(1) A violation of NRS 200.366, subsection 4 of NRS 200.400, NRS 200.710, 200.720, subsection 2 of NRS 200.730, NRS 201.180, paragraph (a) or subparagraph (2) of paragraph (b) of subsection 1 of NRS 201.195, NRS 201.230 or 201.450 or paragraph (a) or (b) of subsection 4 or paragraph (a) or (b) of subsection 5 of NRS 201.560;

(2) An attempt to commit an offense listed in subparagraph (1); or

(3) An act of murder in the first or second degree, kidnapping in the first or second degree, false imprisonment, burglary or invasion of the home if the act is determined to be sexually motivated at a hearing conducted pursuant to NRS 175.547.

Sec. 7. NRS 176A.410 is hereby amended to read as follows:

176A.410 1. Except as otherwise provided in subsection 3, if a defendant is convicted of a sexual offense and the court grants



probation or suspends the sentence, the court shall, in addition to any other condition ordered pursuant to NRS 176A.400, order as a condition of probation or suspension of sentence that the defendant:

(a) Submit to a search and seizure of his person, residence or vehicle or any property under his control, at any time of the day or night, without a warrant, by any parole and probation officer or any peace officer, for the purpose of determining whether the defendant has violated any condition of probation or suspension of sentence or committed any crime;

(b) Reside at a location only if it has been approved by the parole and probation officer assigned to the defendant and keep the parole and probation officer informed of his current address;

(c) Accept a position of employment or a position as a volunteer only if it has been approved by the parole and probation officer assigned to the defendant and keep the parole and probation officer informed of the location of his position of employment or position as a volunteer;

(d) Abide by any curfew imposed by the parole and probation officer assigned to the defendant;

(e) Participate in and complete a program of professional counseling approved by the Division;

(f) Submit to periodic tests, as requested by the parole and probation officer assigned to the defendant, to determine whether the defendant is using a controlled substance;

(g) Submit to periodic polygraph examinations, as requested by the parole and probation officer assigned to the defendant;

(h) Abstain from consuming, possessing or having under his control any alcohol;

(i) Not have contact or communicate with a victim of the sexual offense or a witness who testified against the defendant or solicit another person to engage in such contact or communication on behalf of the defendant, unless approved by the parole and probation officer assigned to the defendant, and a written agreement is entered into and signed in the manner set forth in subsection 2;

(j) Not use aliases or fictitious names;

(k) Not obtain a post office box unless the defendant receives permission from the parole and probation officer assigned to the defendant;

(l) Not have contact with a person less than 18 years of age in a secluded environment unless another adult who has never been convicted of a sexual offense is present and permission has been obtained from the parole and probation officer assigned to the defendant in advance of each such contact;



(m) Unless approved by the parole and probation officer assigned to the defendant and by a psychiatrist, psychologist or counselor treating the defendant, if any, not be in or near:

(1) A playground, park, school or school grounds;

(2) A motion picture theater; or

(3) A business that primarily has children as customers or conducts events that primarily children attend;

(n) Comply with any protocol concerning the use of prescription medication prescribed by a treating physician, including, without limitation, any protocol concerning the use of psychotropic medication;

(o) Not possess any sexually explicit material that is deemed inappropriate by the parole and probation officer assigned to the defendant;

(p) Not patronize a business which offers a sexually related form of entertainment and which is deemed inappropriate by the parole and probation officer assigned to the defendant;

(q) Not possess any electronic device capable of accessing the Internet and not access the Internet through any such device or any other means, unless possession of such a device or such access is approved by the parole and probation officer assigned to the defendant; and

(r) Inform the parole and probation officer assigned to the defendant if the defendant expects to be or becomes enrolled as a student at an institution of higher education or changes the date of commencement or termination of his enrollment at an institution of higher education. As used in this paragraph, "institution of higher education" has the meaning ascribed to it in NRS 179D.045.

2. A written agreement entered into pursuant to paragraph (i) of subsection 1 must state that the contact or communication is in the best interest of the victim or witness, and specify the type of contact or communication authorized. The written agreement must be signed and agreed to by:

(a) The victim or the witness;

(b) The defendant;

(c) The parole and probation officer assigned to the defendant;

(d) The psychiatrist, psychologist or counselor treating the defendant, victim or witness, if any; and

(e) If the victim or witness is a child under 18 years of age, each parent, guardian or custodian of the child.

3. The court is not required to impose a condition of probation or suspension of sentence listed in subsection 1 if the court finds that extraordinary circumstances are present and the court enters those extraordinary circumstances in the record.



4. As used in this section, “sexual offense” has the meaning ascribed to it in ~~NRS 179D.410.~~ *section 21 of this act.*

Sec. 8. NRS 179.245 is hereby amended to read as follows:

179.245 1. Except as otherwise provided in subsection 5 and NRS 176A.265, 179.259 and 453.3365, a person may petition the court in which he was convicted for the sealing of all records relating to a conviction of:

(a) A category A or B felony after 15 years from the date of his release from actual custody or discharge from parole or probation, whichever occurs later;

(b) A category C or D felony after 12 years from the date of his release from actual custody or discharge from parole or probation, whichever occurs later;

(c) A category E felony after 7 years from the date of his release from actual custody or discharge from parole or probation, whichever occurs later;

(d) Any gross misdemeanor after 7 years from the date of his release from actual custody or discharge from probation, whichever occurs later;

(e) A violation of NRS 484.379 other than a felony, or a battery which constitutes domestic violence pursuant to NRS 33.018 other than a felony, after 7 years from the date of his release from actual custody or from the date when he is no longer under a suspended sentence, whichever occurs later; or

(f) Any other misdemeanor after 2 years from the date of his release from actual custody or from the date when he is no longer under a suspended sentence, whichever occurs later.

2. A petition filed pursuant to subsection 1 must:

(a) Be accompanied by current, verified records of the petitioner’s criminal history received from:

(1) The Central Repository for Nevada Records of Criminal History; and

(2) The local law enforcement agency of the city or county in which the conviction was entered;

(b) Include a list of any other public or private agency, company, official or other custodian of records that is reasonably known to the petitioner to have possession of records of the conviction and to whom the order to seal records, if issued, will be directed; and

(c) Include information that, to the best knowledge and belief of the petitioner, accurately and completely identifies the records to be sealed.



3. Upon receiving a petition pursuant to this section, the court shall notify the law enforcement agency that arrested the petitioner for the crime and:

(a) If the person was convicted in a district court or justice court, the prosecuting attorney for the county; or

(b) If the person was convicted in a municipal court, the prosecuting attorney for the city.

↳ The prosecuting attorney and any person having relevant evidence may testify and present evidence at the hearing on the petition.

4. If, after the hearing, the court finds that, in the period prescribed in subsection 1, the petitioner has not been charged with any offense for which the charges are pending or convicted of any offense, except for minor moving or standing traffic violations, the court may order sealed all records of the conviction which are in the custody of the court, of another court in the State of Nevada or of a public or private agency, company or official in the State of Nevada, and may also order all such criminal identification records of the petitioner returned to the file of the court where the proceeding was commenced from, including, but not limited to, the Federal Bureau of Investigation, the California Bureau of Identification and Information, sheriffs' offices and all other law enforcement agencies reasonably known by either the petitioner or the court to have possession of such records.

5. A person may not petition the court to seal records relating to a conviction of a crime against a child or a sexual offense.

6. If the court grants a petition for the sealing of records pursuant to this section, upon the request of the person whose records are sealed, the court may order sealed all records of the civil proceeding in which the records were sealed.

7. As used in this section:

(a) "Crime against a child" has the meaning ascribed to it in ~~[NRS 179D.210.]~~ *section 16 of this act.*

(b) "Sexual offense" means:

(1) Murder of the first degree committed in the perpetration or attempted perpetration of sexual assault or of sexual abuse or sexual molestation of a child less than 14 years of age pursuant to paragraph (b) of subsection 1 of NRS 200.030.

(2) Sexual assault pursuant to NRS 200.366.

(3) Statutory sexual seduction pursuant to NRS 200.368, if punishable as a felony.

(4) Battery with intent to commit sexual assault pursuant to NRS 200.400.



(5) An offense involving the administration of a drug to another person with the intent to enable or assist the commission of a felony pursuant to NRS 200.405, if the felony is an offense listed in this paragraph.

(6) An offense involving the administration of a controlled substance to another person with the intent to enable or assist the commission of a crime of violence pursuant to NRS 200.408, if the crime of violence is an offense listed in this paragraph.

(7) Abuse of a child pursuant to NRS 200.508, if the abuse involved sexual abuse or sexual exploitation.

(8) An offense involving pornography and a minor pursuant to NRS 200.710 to 200.730, inclusive.

(9) Incest pursuant to NRS 201.180.

(10) Solicitation of a minor to engage in acts constituting the infamous crime against nature pursuant to NRS 201.195.

(11) Open or gross lewdness pursuant to NRS 201.210, if punishable as a felony.

(12) Indecent or obscene exposure pursuant to NRS 201.220, if punishable as a felony.

(13) Lewdness with a child pursuant to NRS 201.230.

(14) Sexual penetration of a dead human body pursuant to NRS 201.450.

(15) Luring a child or mentally ill person pursuant to NRS 201.560, if punishable as a felony.

(16) An attempt to commit an offense listed in subparagraphs (1) to (15), inclusive.

Sec. 9. NRS 179.259 is hereby amended to read as follows:

179.259 1. Except as otherwise provided in subsections 3 and 4, 5 years after an eligible person completes a program for reentry, the court may order sealed all documents, papers and exhibits in the eligible person's record, minute book entries and entries on dockets, and other documents relating to the case in the custody of such other agencies and officers as are named in the court's order. The court may order those records sealed without a hearing unless the Division of Parole and Probation of the Department of Public Safety petitions the court, for good cause shown, not to seal the records and requests a hearing thereon.

2. If the court orders sealed the record of an eligible person, the court shall send a copy of the order to each agency or officer named in the order. Each such agency or officer shall notify the court in writing of its compliance with the order.

3. A professional licensing board is entitled, for the purpose of determining suitability for a license or liability to discipline for



misconduct, to inspect and to copy from a record sealed pursuant to this section.

4. A person may not petition the court to seal records relating to a conviction of a crime against a child or a sexual offense.

5. As used in this section:

(a) "Crime against a child" has the meaning ascribed to it in ~~[NRS 179D.210.]~~ *section 16 of this act.*

(b) "Eligible person" means a person who has:

(1) Successfully completed a program for reentry to which he participated in pursuant to NRS 209.4886, 209.4888, 213.625 or 213.632; and

(2) Been convicted of a single offense which was punishable as a felony and which did not involve the use or threatened use of force or violence against the victim. For the purposes of this subparagraph, multiple convictions for an offense punishable as a felony shall be deemed to constitute a single offense if those offenses arose out of the same transaction or occurrence.

(c) "Program for reentry" means:

(1) A correctional program for reentry of offenders and parolees into the community that is established by the Director of the Department of Corrections pursuant to NRS 209.4887; or

(2) A judicial program for reentry of offenders and parolees into the community that is established in a judicial district pursuant to NRS 209.4883.

(d) "Sexual offense" has the meaning ascribed to it in paragraph (b) of subsection 7 of NRS 179.245.

Sec. 10. NRS 179A.066 is hereby amended to read as follows:
179A.066 "Offender convicted of a crime against a child" has the meaning ascribed to it in ~~[NRS 179D.216.]~~ *section 18 of this act.*

Sec. 10.5. Chapter 179B of NRS is hereby amended by adding thereto a new section to read as follows:

In addition to any civil liability provided pursuant to NRS 179B.280, if any person uses information obtained from the community notification website to commit a crime punishable as:

1. A misdemeanor, the person is guilty of a gross misdemeanor.

2. A gross misdemeanor, the person is guilty of a category E felony and shall be punished as provided in NRS 193.130.

Sec. 11. NRS 179B.030 is hereby amended to read as follows:
179B.030 "Crime against a child" has the meaning ascribed to it in ~~[NRS 179D.210.]~~ *section 16 of this act.*



Sec. 12. NRS 179B.075 is hereby amended to read as follows:
179B.075 “Offender convicted of a crime against a child” has the meaning ascribed to it in ~~[NRS 179D.216.]~~ *section 18 of this act.*

Sec. 13. NRS 179B.250 is hereby amended to read as follows:
179B.250 1. The Department shall establish and maintain within the Central Repository a community notification website to provide the public with access to certain information contained in the statewide registry in accordance with the procedures set forth in this section.

2. *The community notification website must:*

(a) *Be maintained in a manner that will allow the public to obtain relevant information for each offender by a single query for any given zip code or geographical radius set by the user;*

(b) *Include in its design all the search field capabilities needed for full participation in the Dru Sjodin National Sex Offender Public Website maintained by the Attorney General of the United States pursuant to 42 U.S.C. § 16920;*

(c) *Include, to the extent practicable, links to sex offender safety and education resources;*

(d) *Include instructions on how to seek correction of information that a person contends is erroneous; and*

(e) *Include a warning that the information on the website should not be used to unlawfully injure, harass or commit a crime against any person named in the registry or residing or working at any reported address and a notice that any such action could result in civil or criminal penalties.*

3. For each inquiry to the community notification website, the requester ~~[must]~~ *may* provide:

(a) The name of the subject of the search;

(b) Any alias of the subject of the search;

(c) The zip code of the residence, place of work or school of the subject of the search; or

(d) Any other information concerning the identity or location of the subject of the search that is deemed sufficient in the discretion of the Department.

~~[3.]~~ 4. For each inquiry to the community notification website made by the requester, the Central Repository shall:

(a) Explain the levels of *registration and community notification* that are assigned to sex offenders pursuant to ~~[NRS 179D.730.]~~ *NRS 179D.010 to 179D.550, inclusive, and sections 16 to 30, inclusive, of this act;* and



(b) Explain that the Central Repository is prohibited by law from disclosing *certain* information concerning certain offenders, even if those offenders are listed in the statewide registry.

~~[4.]~~ **5.** If an offender listed in the statewide registry matches the information provided by the requester concerning the identity or location of the subject of the search, the Central Repository ~~[-~~

~~—(a) Shall] shall~~ disclose to the requester information *in the statewide registry* concerning ~~[an offender who is assigned a Tier 2 or Tier 3 level of notification.~~

~~—(b) Shall not disclose to the requester information concerning an offender who is assigned a Tier 1 level of notification.~~

~~—5.] the offender as provided pursuant to subsection 6.~~

6. After each inquiry to the community notification website made by the requester, the Central Repository shall inform the requester that:

(a) No offender listed in the statewide registry matches the information provided by the requester concerning the identity or location of the subject of the search;

(b) The search of the statewide registry has not produced information that is available to the public through the statewide registry; *or*

(c) ~~[The requester needs to provide additional information concerning the identity or location of the subject of the search before the Central Repository may disclose the results of the search; or~~

~~—(d)]~~ An offender listed in the statewide registry matches the information provided by the requester concerning the identity or location of the subject of the search. ~~[[~~ *Except as otherwise provided in subsection 7, if* a search of the statewide registry results in a match pursuant to this paragraph, the Central Repository shall provide the requester with the following information:

(1) The name of the offender and all aliases that the offender has used or under which the offender has been known.

(2) A complete physical description of the offender.

(3) A current photograph of the offender.

(4) The year of birth of the offender.

(5) The complete address of any residence at which the offender resides ~~[-] or will reside.~~

(6) The ~~[number of the street block, but not the specific street number,] address~~ of any location where the offender is ~~[currently:] or will be:~~

(I) A student, as defined in NRS 179D.110; or

(II) A worker, as defined in NRS 179D.120.



(7) *The license plate number and a description of any motor vehicle owned or operated by the offender.*

(8) The following information for each offense for which the offender has been convicted:

(I) The offense that was committed, including a citation to *and the text of* the specific statute that the offender violated.

(II) The court in which the offender was convicted.

(III) The name under which the offender was convicted.

(IV) The name and location of each penal institution, school, hospital, mental facility or other institution to which the offender was committed for the offense.

(V) The city, township or county where the offense was committed.

~~[(8)]~~ (9) The tier level of *registration and community notification* assigned to the offender ~~[-6-]~~ *pursuant to NRS 179D.010 to 179D.550, inclusive, and sections 16 to 30, inclusive, of this act.*

(10) Any other information required by federal law.

7. If a search of the statewide registry results in a match pursuant to paragraph ~~[(d)]~~ (c) of subsection ~~[(5-)]~~ 6, the Central Repository shall not provide the requester with ~~[any]~~:

(a) *The identity of any victim of a sexual offense or crime against a child;*

(b) *Any information relating to a Tier I offender unless he has been convicted of a sexual offense against a child or a crime against a child;*

(c) *The social security number of the offender;*

(d) *The name of any location where the offender is or will be:*

(1) *A student, as defined in NRS 179D.110; or*

(2) *A worker, as defined in NRS 179D.120;*

(e) *Any reference to arrests of the offender that did not result in conviction;*

(f) *Any other information that is included in the record of registration for the offender other than the information required pursuant to paragraph ~~[(d)]~~ (c) of subsection ~~[(5-)]~~ 6; or*

(g) *Any other information exempted from disclosure by the Attorney General of the United States pursuant to federal law.*

8. For each inquiry to the community notification website, the Central Repository shall maintain a log of the information provided by the requester to the Central Repository and the information provided by the Central Repository to the requester.

~~[(8-)]~~ 9. A person may not use information obtained through the community notification website as a substitute for information



relating to the offenses listed in subsection 4 of NRS 179A.190 that must be provided by the Central Repository pursuant to NRS 179A.180 to 179A.240, inclusive, or another provision of law.

~~9.]~~ **10.** The provisions of this section do not prevent law enforcement officers, the Central Repository and its officers and employees, or any other person from:

(a) Accessing information in the statewide registry pursuant to NRS 179B.200;

(b) Carrying out any duty pursuant to chapter 179D of NRS; or

(c) Carrying out any duty pursuant to another provision of law.

11. *As used in this section, “Tier I offender” has the meaning ascribed to it in section 22 of this act.*

Sec. 14. NRS 179C.010 is hereby amended to read as follows:

179C.010 1. Except as otherwise provided in subsection 2, as used in this chapter, unless the context otherwise requires, “convicted person” means:

(a) A person convicted in the State of Nevada or convicted in any place other than the State of Nevada of two or more offenses punishable as felonies.

(b) A person convicted in the State of Nevada of an offense punishable as a category A felony.

(c) A person convicted in the State of Nevada or convicted in any place other than the State of Nevada of a crime that would constitute a category A felony if committed in this State on July 1, 2003.

2. For the purposes of this chapter, “convicted person” does not include:

(a) A person who has been convicted of a crime against a child, as defined in ~~[NRS 179D.210,]~~ *section 16 of this act*, or a sexual offense, as defined in ~~[NRS 179D.410,]~~ *section 21 of this act*; or

(b) Except as otherwise provided in this chapter, a person whose conviction is or has been set aside in the manner provided by law.

Sec. 15. Chapter 179D of NRS is hereby amended by adding thereto the provisions set forth as sections 16 to 30, inclusive, of this act.

Sec. 16. *“Crime against a child” means any of the following offenses if the victim of the offense was less than 18 years of age when the offense was committed:*

1. Kidnapping pursuant to NRS 200.310 to 200.340, inclusive, unless the offender is the parent or guardian of the victim.

2. False imprisonment pursuant to NRS 200.460, unless the offender is the parent or guardian of the victim.



3. *An offense involving pandering or prostitution pursuant to NRS 201.300 to 201.340, inclusive.*

4. *An attempt to commit an offense listed in this section.*

5. *An offense committed in another jurisdiction that, if committed in this State, would be an offense listed in this section. This subsection includes, without limitation, an offense prosecuted in:*

(a) *A tribal court.*

(b) *A court of the United States or the Armed Forces of the United States.*

6. *An offense against a child committed in another jurisdiction, whether or not the offense would be an offense listed in this section, if the person who committed the offense resides or has resided or is or has been a student or worker in any jurisdiction in which the person is or has been required by the laws of that jurisdiction to register as an offender who has committed a crime against a child because of the offense. This subsection includes, without limitation, an offense prosecuted in:*

(a) *A tribal court.*

(b) *A court of the United States or the Armed Forces of the United States.*

(c) *A court having jurisdiction over juveniles.*

Sec. 17. *“Nonresident offender or sex offender who is a student or worker within this State” or “nonresident offender or sex offender” means an offender or sex offender who is a student or worker within this State but who is not otherwise deemed a resident offender or sex offender pursuant to subsection 2 or 3 of NRS 179D.460.*

Sec. 18. 1. *“Offender convicted of a crime against a child” or “offender” means a person who, after July 1, 1956, is or has been:*

(a) *Convicted of a crime against a child that is listed in section 16 of this act; or*

(b) *Adjudicated delinquent by a court having jurisdiction over juveniles of a crime against a child that is listed in NRS 62F.200 if the offender was 14 years of age or older at the time of the crime.*

2. *The term includes, without limitation, an offender who is a student or worker within this State but who is not otherwise deemed a resident offender pursuant to subsection 2 or 3 of NRS 179D.460.*

Sec. 19. *“Registration” means registration as an offender or sex offender pursuant to NRS 179D.010 to 179D.550, inclusive, and sections 16 to 30, inclusive, of this act.*



Sec. 20. 1. *“Sex offender” means a person who, after July 1, 1956, is or has been:*

(a) Convicted of a sexual offense listed in section 21 of this act; or

(b) Adjudicated delinquent by a court having jurisdiction over juveniles of a sexual offense listed in NRS 62F.200 if the offender was 14 years of age or older at the time of the offense.

2. The term includes, without limitation, a sex offender who is a student or worker within this State but who is not otherwise deemed a resident offender pursuant to subsection 2 or 3 of NRS 179D.460.

Sec. 21. 1. *“Sexual offense” means any of the following offenses:*

(a) Murder of the first degree committed in the perpetration or attempted perpetration of sexual assault or of sexual abuse or sexual molestation of a child less than 14 years of age pursuant to paragraph (b) of subsection 1 of NRS 200.030.

(b) Sexual assault pursuant to NRS 200.366.

(c) Statutory sexual seduction pursuant to NRS 200.368.

(d) Battery with intent to commit sexual assault pursuant to subsection 4 of NRS 200.400.

(e) An offense involving the administration of a drug to another person with the intent to enable or assist the commission of a felony pursuant to NRS 200.405, if the felony is an offense listed in this section.

(f) An offense involving the administration of a controlled substance to another person with the intent to enable or assist the commission of a crime of violence pursuant to NRS 200.408, if the crime of violence is an offense listed in this section.

(g) Abuse of a child pursuant to NRS 200.508, if the abuse involved sexual abuse or sexual exploitation.

(h) An offense involving pornography and a minor pursuant to NRS 200.710 to 200.730, inclusive.

(i) Incest pursuant to NRS 201.180.

(j) Solicitation of a minor to engage in acts constituting the infamous crime against nature pursuant to NRS 201.195.

(k) Open or gross lewdness pursuant to NRS 201.210.

(l) Indecent or obscene exposure pursuant to NRS 201.220.

(m) Lewdness with a child pursuant to NRS 201.230.

(n) Sexual penetration of a dead human body pursuant to NRS 201.450.

(o) Luring a child or mentally ill person pursuant to NRS 201.560, if punished as a felony.



(p) Any other offense that has an element involving a sexual act or sexual conduct with another;

(q) An attempt or conspiracy to commit an offense listed in paragraphs (a) to (p), inclusive.

(r) An offense that is determined to be sexually motivated pursuant to NRS 175.547 or 207.193.

(s) An offense committed in another jurisdiction that, if committed in this State, would be an offense listed in this section. This subsection includes, without limitation, an offense prosecuted in:

(1) A tribal court.

(2) A court of the United States or the Armed Forces of the United States.

(t) An offense of a sexual nature committed in another jurisdiction, whether or not the offense would be an offense listed in this section, if the person who committed the offense resides or has resided or is or has been a student or worker in any jurisdiction in which the person is or has been required by the laws of that jurisdiction to register as a sex offender because of the offense. This subsection includes, without limitation, an offense prosecuted in:

(1) A tribal court.

(2) A court of the United States or the Armed Forces of the United States.

(3) A court having jurisdiction over juveniles.

2. The term does not include an offense involving consensual sexual conduct if the victim was:

(a) An adult, unless the adult was under the custodial authority of the offender at the time of the offense; or

(b) At least 13 years of age and the offender was not more than 4 years older than the victim at the time of the commission of the offense.

Sec. 22. *“Tier I offender” means an offender convicted of a crime against a child or a sex offender other than a Tier II offender or Tier III offender.*

Sec. 23. *“Tier II offender” means an offender convicted of a crime against a child or a sex offender, other than a Tier III offender, whose crime against a child is punishable by imprisonment for more than 1 year or whose sexual offense:*

1. If committed against a child, constitutes:

(a) Luring a child pursuant to NRS 201.560, if punishable as a felony;

(b) Abuse of a child pursuant to NRS 200.508, if the abuse involved sexual abuse or sexual exploitation;



(c) An offense involving pandering or prostitution pursuant to NRS 201.300 to 201.340, inclusive;

(d) An offense involving pornography and a minor pursuant to NRS 200.710 to 200.730, inclusive; or

(e) Any other offense that is comparable to or more severe than the offenses described in 42 U.S.C. § 16911(3);

2. Involves an attempt or conspiracy to commit any offense described in subsection 1;

3. If committed in another jurisdiction, is an offense that, if committed in this State, would be an offense listed in this section. This subsection includes, without limitation, an offense prosecuted in:

(a) A tribal court; or

(b) A court of the United States or the Armed Forces of the United States; or

4. Is committed after the person becomes a Tier I offender if any of the person's sexual offenses constitute an offense punishable by imprisonment for more than 1 year.

Sec. 24. *"Tier III offender" means an offender convicted of a crime against a child or a sex offender who has been convicted of:*

1. Murder of the first degree committed in the perpetration or attempted perpetration of sexual assault or of sexual abuse or sexual molestation of a child less than 14 years of age pursuant to paragraph (b) of subsection 1 of NRS 200.030;

2. Sexual assault pursuant to NRS 200.366;

3. Battery with intent to commit sexual assault pursuant to subsection 4 of NRS 200.400;

4. Abuse of a child pursuant to NRS 200.508, if the abuse involved sexual abuse or sexual exploitation and if the victim of the offense was less than 13 years of age when the offense was committed;

5. Kidnapping pursuant to NRS 200.310 to 200.340, inclusive, if the victim of the offense was less than 18 years of age when the offense was committed, unless the offender is the parent or guardian of the victim;

6. Any sexual offense or crime against a child after the person becomes a Tier II offender;

7. Any other offense that is comparable to or more severe than the offenses described in 42 U.S.C. § 16911(4);

8. An attempt or conspiracy to commit an offense described in subsections 1 to 7, inclusive; or

9. An offense committed in another jurisdiction that, if committed in this State, would be an offense listed in this section.



This subsection includes, without limitation, an offense prosecuted in:

- (a) A tribal court; or*
- (b) A court of the United States or the Armed Forces of the United States.*

Sec. 25. *Each offender convicted of a crime against a child and each sex offender shall:*

- 1. Register initially with the local law enforcement agency of the jurisdiction in which the offender or sex offender was convicted as required pursuant to section 27 of this act;*
- 2. Register with the appropriate law enforcement agency as required pursuant to NRS 179D.460 and 179D.480; and*
- 3. Keep his registration current as required pursuant to section 28 of this act.*

Sec. 26. *When an offender convicted of a crime against a child or a sex offender registers with a local law enforcement agency as required pursuant to NRS 179D.460 or 179D.480 or section 27 of this act, or updates his registration as required pursuant to section 28 of this act:*

1. The offender or sex offender shall provide the local law enforcement agency with the following:

- (a) The name of the offender or sex offender and all aliases that he has used or under which he has been known;*
- (b) The social security number of the offender or sex offender;*
- (c) The address of any residence or location at which the offender or sex offender resides or will reside;*
- (d) The name and address of any place where the offender or sex offender is a worker or will be a worker;*
- (e) The name and address of any place where the offender or sex offender is a student or will be a student;*
- (f) The license plate number and a description of all motor vehicles registered to or frequently driven by the offender or sex offender; and*
- (g) Any other information required by federal law.*

2. The local law enforcement agency shall ensure that the record of registration of the offender or sex offender includes, without limitation:

- (a) A complete physical description of the offender or sex offender, a current photograph of the offender or sex offender and the fingerprints and palm prints of the offender or sex offender;*
- (b) The text of the provision of law defining each offense for which the offender or sex offender is required to register;*
- (c) The criminal history of the offender or sex offender, including, without limitation:*



(1) *The dates of all arrests and convictions of the offender or sex offender;*

(2) *The status of parole, probation or supervised release of the offender or sex offender;*

(3) *The status of the registration of the offender or sex offender; and*

(4) *The existence of any outstanding arrest warrants for the offender or sex offender;*

(d) *A report of the analysis of the genetic markers of the specimen obtained from the offender or sex offender pursuant to NRS 176.0913;*

(e) *The identification number from a driver's license or an identification card issued to the offender or sex offender by this State or any other jurisdiction and a photocopy of such driver's license or identification card; and*

(f) *Any other information required by federal law.*

Sec. 27. 1. *In addition to any other registration that is required pursuant to NRS 179D.010 to 179D.550, inclusive, and sections 16 to 30, inclusive, of this act, each offender or sex offender who, on or after October 1, 2007, is or has been convicted of a crime against a child or a sexual offense shall register initially with the appropriate local law enforcement agency of the jurisdiction in which the offender or sex offender was convicted pursuant to the provisions of this section.*

2. *An offender or sex offender shall initially register with a local law enforcement agency as required pursuant to subsection 1:*

(a) *If the offender or sex offender is sentenced to a term of imprisonment for the crime, before completing the term of imprisonment for the crime; and*

(b) *If the offender or sex offender is not sentenced to a term of imprisonment for the crime, not later than 3 business days after the date on which the offender or sex offender was sentenced for the crime.*

Sec. 28. 1. *An offender convicted of a crime against a child or a sex offender convicted of a sexual offense who changes his name, residence, employment or student status shall, not later than 3 business days after such change of name, residence, employment or student status:*

(a) *Appear in person in at least one of the jurisdictions in which the offender or sex offender resides, is a student or worker; and*

(b) *Provide all information concerning such change to the appropriate local law enforcement agency.*



2. *The local law enforcement agency shall immediately provide the updated information provided by an offender or sex offender pursuant to subsection 1 to the Central Repository and to all other jurisdictions in which the offender or sex offender is required to register.*

Sec. 29. *1. Except as otherwise provided in subsection 3, the Central Repository shall immediately provide all updated information obtained pursuant to NRS 179D.460 or 179D.480 or section 27 or 28 of this act to:*

(a) The Attorney General of the United States;

(b) The appropriate local law enforcement agencies for each jurisdiction in which the offender or sex offender resides or is a student or worker;

(c) Each jurisdiction in which the offender or sex offender now resides or is a student or worker and the jurisdiction in which he most recently resided or was a student or worker, if he changes the address at which he resides or is a student or worker;

(d) Any agency responsible for conducting employment-related background checks pursuant to 42 U.S.C. § 5119a; and

(e) Any organization, company or person who requests such notification.

2. *Except as otherwise provided in subsection 3, a local law enforcement agency:*

(a) Shall immediately provide all updated information obtained from the Central Repository pursuant to subsection 1 to:

(1) Each school, religious organization, youth organization and public housing authority in which the offender or sex offender resides or is a student or worker;

(2) Each agency which provides child welfare services as defined in NRS 432B.030;

(3) Volunteer organizations in which contact with children or other vulnerable persons might occur; and

(4) If the offender or sex offender is a Tier III offender, members of the public who are likely to encounter the offender or sex offender; and

(b) May provide any updated information obtained from the Central Repository pursuant to subsection 1 to any other person or entity whom the law enforcement agency determines warrants such notification.

3. *An entity or person described in paragraph (e) of subsection 1 or subparagraph (1) of paragraph (a) of subsection 2 may request to receive the updated information obtained pursuant to subsection 1 not less frequently than once every 5 business days.*



Sec. 30. *If a person who is required to register pursuant to NRS 179D.010 to 179D.550, inclusive, and sections 16 to 30, inclusive, of this act has been convicted of an offense described in paragraph (p) of subsection 1 of section 21 of this act, paragraph (e) of subsection 1 or subsection 3 of section 23 of this act or subsection 7 or 9 of section 24 of this act, the Central Repository shall determine whether the person is required to register as a Tier I offender, Tier II offender or Tier III offender.*

Sec. 31. NRS 179D.010 is hereby amended to read as follows:
179D.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 179D.020 to 179D.120, inclusive, *and sections 16 to 24, inclusive, of this act* have the meanings ascribed to them in those sections.

Sec. 32. NRS 179D.030 is hereby amended to read as follows:
179D.030 “Community notification” means notification of a community pursuant to the ~~[guidelines and procedures established by the Attorney General pursuant to NRS 179D.600 to 179D.800, inclusive.]~~ *provisions of section 29 of this act.*

Sec. 33. NRS 179D.035 is hereby amended to read as follows:
179D.035 “Convicted” includes, but is not limited to, an adjudication of delinquency ~~[or a finding of guilt]~~ by a court having jurisdiction over juveniles if ~~[the]~~ :

1. The adjudication of delinquency ~~[or the finding of guilt]~~ is for the commission of ~~[any of the following offenses:~~

~~— 1. A crime against a child that is listed in subsection 6 of NRS 179D.210.~~

~~— 2. A sexual offense that is listed in subsection 19 of NRS 179D.410.~~

~~— 3. A] a~~ sexual offense that is listed in ~~[paragraph (b) of subsection 2 of NRS 62F.260.]~~ *NRS 62F.200; and*

2. The offender was 14 years of age or older at the time of the offense.

Sec. 34. NRS 179D.110 is hereby amended to read as follows:
179D.110 “Student” means a person who is enrolled in and attends, on a full-time or part-time basis within this State, any course of academic or vocational instruction conducted by a public or private educational institution or school, including, but not limited to, any of the following institutions or schools:

1. An institution of higher education.

2. A trade school or vocational school.

3. A ~~[public school, as defined in NRS 385.007, or a private school, as defined in NRS 394.103.]~~ *secondary school.*



Sec. 35. NRS 179D.120 is hereby amended to read as follows:

179D.120 ~~{ }~~ “Worker” means a person who *is self-employed or who* engages in or who knows or reasonably should know that he will engage in any type of occupation, employment, work or volunteer service, ~~on a full-time or part-time basis within this State for:~~

- ~~—(a) Any period exceeding 14 days; or~~
- ~~—(b) More than 30 days, in the aggregate, during any calendar year;~~

~~↳ }~~ whether or not the person engages in or will engage in the occupation, employment, work or volunteer service for compensation. ~~for for the purposes of a governmental or educational benefit.~~

~~—2. The term includes, but is not limited to:~~

- ~~—(a) A person who is self-employed.~~
- ~~—(b) An employee or independent contractor.~~
- ~~—(c) A paid or unpaid intern, extern, aide, assistant or volunteer. }~~

Sec. 36. NRS 179D.150 is hereby amended to read as follows:

179D.150 ~~{ }~~ ~~Except as otherwise provided in NRS 179D.530, a~~ record of registration must include, if the information is available:

1. Information identifying the offender ~~{ }~~ *or sex offender*, including, but not limited to:

(a) The name of the offender *or sex offender* and all aliases that he has used or under which he has been known;

(b) A complete physical description of the offender ~~{ }~~ *or sex offender*, a current photograph of the offender *or sex offender* and the fingerprints *and palm prints* of the offender ~~{ }~~ *or sex offender*;

(c) The date of birth and the social security number of the offender ~~{ }~~ *or sex offender*;

(d) The identification number from a driver’s license or an identification card issued to the offender *or sex offender* by this State or any other jurisdiction ~~{ }~~ and *a photocopy of such driver’s license or identification card*;

(e) *A report of the analysis of the genetic markers of the specimen obtained from the offender or sex offender pursuant to NRS 176.0913; and*

(f) Any other information that identifies the offender ~~{ }~~ *or sex offender*.

2. Information concerning the residence of the offender ~~{ }~~ *or sex offender*, including, but not limited to:

(a) The address at which the offender *or sex offender* resides;

(b) The length of time he has resided at that address and the length of time he expects to reside at that address;



(c) The address or location of any other place where he expects to reside in the future and the length of time he expects to reside there; and

(d) The length of time he expects to remain in the county where he resides and in this State.

3. Information concerning the offender's *or sex offender's* occupations, employment or work or expected occupations, employment or work, including, but not limited to, the name, address and type of business of all current and expected future employers of the offender ~~[-]~~ *or sex offender.*

4. Information concerning the offender's *or sex offender's* volunteer service or expected volunteer service in connection with any activity or organization within this State, including, but not limited to, the name, address and type of each such activity or organization.

5. Information concerning the offender's *or sex offender's* enrollment or expected enrollment as a student in any public or private educational institution or school within this State, including, but not limited to, the name, address and type of each such educational institution or school.

6. Information concerning whether:

(a) The offender *or sex offender* is, expects to be or becomes enrolled as a student at an institution of higher education or changes the date of commencement or termination of his enrollment at an institution of higher education; or

(b) The offender *or sex offender* is, expects to be or becomes a worker at an institution of higher education or changes the date of commencement or termination of his work at an institution of higher education,

↳ including, but not limited to, the name, address and type of each such institution of higher education.

7. The license *plate* number and a description of all motor vehicles registered to or frequently driven by the offender ~~[-]~~ *or sex offender.*

8. The level of *registration and* community notification ~~{assigned to}~~ of the offender ~~[-]~~ *or sex offender.*

9. *The criminal history of the offender or sex offender, including, without limitation:*

(a) *The dates of all arrests and convictions of the offender or sex offender;*

(b) *The status of parole, probation or supervised release of the offender or sex offender;*

(c) *The status of the registration of the offender or sex offender; and*



(d) The existence of any outstanding arrest warrants for the offender or sex offender.

10. The following information for each offense for which the offender *or sex offender* has been convicted:

(a) The court in which he was convicted;

(b) *The text of the provision of law defining each offense;*

(c) The name under which he was convicted;

~~(d)~~ (d) The name and location of each penal institution, school, hospital, mental facility or other institution to which he was committed;

~~(d)~~ (e) The specific location where the offense was committed;

~~(e)~~ (f) The age, the gender, the race and a general physical description of the victim; and

~~(f)~~ (g) The method of operation that was used to commit the offense, including, but not limited to:

(1) Specific sexual acts committed against the victim;

(2) The method of obtaining access to the victim, such as the use of enticements, threats, forced entry or violence against the victim;

(3) The type of injuries inflicted on the victim;

(4) The types of instruments, weapons or objects used;

(5) The type of property taken; and

(6) Any other distinctive characteristic of the behavior or personality of the offender ~~(h)~~ *or sex offender.*

11. Any other information required by federal law.

Sec. 37. NRS 179D.170 is hereby amended to read as follows:

179D.170 Upon receiving from a local law enforcement agency, pursuant to NRS 179D.010 to 179D.550, inclusive ~~(h)~~, *and sections 16 to 30, inclusive, of this act:*

1. A record of registration;

2. Fingerprints, *palm prints* or a photograph of an offender ~~(h)~~ *or sex offender;*

3. A new address of an offender ~~(h)~~ *or sex offender;* or

4. Any other updated information,

↳ the Central Repository shall immediately provide the record of registration, fingerprints, *palm prints*, photograph, new address or updated information to the Federal Bureau of Investigation.

Sec. 38. NRS 179D.450 is hereby amended to read as follows:

179D.450 1. If the Central Repository receives notice from a court pursuant to NRS *176.0926 that an offender has been convicted of a crime against a child pursuant to NRS 176.0927*, that a sex offender has been convicted of a sexual offense or pursuant to NRS ~~[62F-250]~~ *62F.220* that a juvenile ~~[sex offender]~~ has been ~~[deemed to be an adult sex offender,]~~ *adjudicated*



delinquent for an offense for which he is subject to registration and community notification pursuant to NRS 179D.010 to 179D.550, inclusive, and sections 16 to 30, inclusive, of this act, the Central Repository shall:

(a) If a record of registration has not previously been established for the *offender or* sex offender, notify the local law enforcement agency so that a record of registration may be established; or

(b) If a record of registration has previously been established for the *offender or* sex offender, update the record of registration for the *offender or* sex offender and notify the appropriate local law enforcement agencies.

2. If the *offender or* sex offender named in the notice is granted probation or otherwise will not be incarcerated or confined ~~for if the sex offender named in the notice has been deemed to be an adult sex offender pursuant to NRS 62F.250 and is not otherwise incarcerated or confined:~~

~~—(a) The], the~~ Central Repository shall ~~[immediately]~~ :

(a) *Immediately* provide notification concerning the *offender or* sex offender to the appropriate local law enforcement agencies and, if the *offender or* sex offender resides in a jurisdiction which is outside of this State, to the appropriate law enforcement agency in that jurisdiction; and

(b) ~~[If the sex offender is subject to community notification, the Central Repository shall arrange for the assessment of the risk of recidivism of]~~ *Immediately provide community notification concerning* the *offender or* sex offender pursuant to the ~~[guidelines and procedures for community notification established by the Attorney General pursuant to NRS 179D.600 to 179D.800, inclusive.]~~ *provisions of section 29 of this act.*

3. If ~~[a]~~ *an offender or* sex offender is incarcerated or confined and has previously been convicted of *a crime against a child as described in section 16 of this act or* a sexual offense as described in ~~[NRS 179D.410.]~~ *section 21 of this act,* before the *offender or* sex offender is released:

(a) The Department of Corrections or a local law enforcement agency in whose facility the *offender or* sex offender is incarcerated or confined shall:

(1) Inform the *offender or* sex offender of the requirements for registration, including, but not limited to:

(I) *The duty to register initially with the appropriate law enforcement agency in the jurisdiction in which the offender or sex offender was convicted if the offender or sex offender is not a resident of that jurisdiction pursuant to section 27 of this act;*



(II) The duty to register in this State during any period in which he is a resident of this State or a nonresident who is a student or worker within this State and the time within which he is required to register pursuant to NRS 179D.460;

~~(III)~~ (III) The duty to register in any other jurisdiction during any period in which he is a resident of the other jurisdiction or a nonresident who is a student or worker within the other jurisdiction;

~~(III)~~ (IV) If he moves from this State to another jurisdiction, the duty to register with the appropriate law enforcement agency in the other jurisdiction;

~~(IV)~~ (V) The duty to notify the local law enforcement agency for the jurisdiction in which he now resides, in person, and the jurisdiction in which he formerly resided, in person or in writing, if he changes the address at which he resides, including if he moves from this State to another jurisdiction, or changes the primary address at which he is a student or worker; and

~~(V)~~ (VI) The duty to notify immediately the appropriate local law enforcement agency if the *offender or* sex offender is, expects to be or becomes enrolled as a student at an institution of higher education or changes the date of commencement or termination of his enrollment at an institution of higher education or if the *offender or* sex offender is, expects to be or becomes a worker at an institution of higher education or changes the date of commencement or termination of his work at an institution of higher education; and

(2) Require the *offender or* sex offender to read and sign a form ~~[confirming]~~ *stating* that the requirements for registration have been explained to him *and that he understands the requirements for registration*, and to forward the form to the Central Repository.

(b) The Central Repository shall:

(1) Update the record of registration for the *offender or* sex offender;

(2) ~~[If the sex offender is subject to community notification, arrange for the assessment of the risk of recidivism of]~~ *Provide community notification concerning the offender or* sex offender pursuant to the ~~[guidelines and procedures for community notification established by the Attorney General pursuant to NRS 179D.600 to 179D.800, inclusive;]~~ *provisions of section 29 of this act*; and

(3) Provide notification concerning the *offender or* sex offender to the appropriate local law enforcement agencies and, if the *offender or* sex offender will reside upon release in a



jurisdiction which is outside of this State, to the appropriate law enforcement agency in that jurisdiction.

4. The failure to provide ~~{a}~~ *an offender or* sex offender with the information or confirmation form required by paragraph (a) of subsection 3 does not affect the duty of the *offender or* sex offender to register and to comply with all other provisions for registration.

5. If the Central Repository receives notice from another jurisdiction or the Federal Bureau of Investigation that ~~{a}~~ *an offender or* sex offender is now residing or is a student or worker within this State, the Central Repository shall:

(a) Immediately provide notification concerning the *offender or* sex offender to the appropriate local law enforcement agencies;

(b) Establish a record of registration for the *offender or* sex offender; and

(c) ~~{If the sex offender is subject to community notification, arrange for the assessment of the risk of recidivism of}~~ *Immediately provide community notification concerning* the *offender or* sex offender pursuant to the ~~{guidelines and procedures for community notification established by the Attorney General pursuant to NRS 179D.600 to 179D.800, inclusive.}~~ *provisions of section 29 of this act.*

Sec. 39. NRS 179D.460 is hereby amended to read as follows:

179D.460 1. In addition to any other registration that is required pursuant to NRS 179D.450, each *offender or* sex offender who, after July 1, 1956, is or has been convicted of a *crime against a child or a* sexual offense shall register with a local law enforcement agency pursuant to the provisions of this section.

2. Except as otherwise provided in subsection 3, if the *offender or* sex offender resides or is present for 48 hours or more within:

(a) A county; or

(b) An incorporated city that does not have a city police department,

↳ the *offender or* sex offender shall be deemed a resident *offender or* sex offender and shall register with the sheriff's office of the county or, if the county or the city is within the jurisdiction of a metropolitan police department, the metropolitan police department, not later than 48 hours after arriving or establishing a residence within the county or the city.

3. If the *offender or* sex offender resides or is present for 48 hours or more within an incorporated city that has a city police department, the *offender or* sex offender shall be deemed a resident *offender or* sex offender and shall register with the city police department not later than 48 hours after arriving or establishing a residence within the city.



4. If the *offender or* sex offender is a nonresident *offender or* sex offender who is a student or worker within this State, the *offender or* sex offender shall register with the appropriate sheriff's office, metropolitan police department or city police department in whose jurisdiction he is a student or worker not later than 48 hours after becoming a student or worker within this State.

5. A resident or nonresident *offender or* sex offender shall immediately notify the appropriate local law enforcement agency if:

(a) The *offender or* sex offender is, expects to be or becomes enrolled as a student at an institution of higher education or changes the date of commencement or termination of his enrollment at an institution of higher education; or

(b) The *offender or* sex offender is, expects to be or becomes a worker at an institution of higher education or changes the date of commencement or termination of his work at an institution of higher education.

↳ The *offender or* sex offender shall provide the name, address and type of each such institution of higher education.

6. To register with a local law enforcement agency pursuant to this section, the *offender or* sex offender shall:

(a) Appear personally at the office of the appropriate local law enforcement agency;

(b) Provide all information that is requested by the local law enforcement agency, including, but not limited to, fingerprints and a photograph; and

(c) Sign and date the record of registration or some other proof of registration of the local law enforcement agency in the presence of an officer of the local law enforcement agency.

7. When ~~an~~ *an offender or* sex offender registers, the local law enforcement agency shall:

(a) Inform the *offender or* sex offender of the duty to notify the local law enforcement agency if the *offender or* sex offender changes the address at which he resides, including if he moves from this State to another jurisdiction, or changes the primary address at which he is a student or worker; and

(b) Inform the *offender or* sex offender of the duty to register with the local law enforcement agency in whose jurisdiction the sex offender relocates.

8. After the *offender or* sex offender registers with the local law enforcement agency, the local law enforcement agency shall forward to the Central Repository the information collected, including the fingerprints and a photograph of the *offender or* sex offender.



9. If the Central Repository has not previously established a record of registration for ~~[a]~~ **an offender or** sex offender described in subsection 8, the Central Repository shall:

(a) Establish a record of registration for the **offender or** sex offender;

(b) Provide notification concerning the **offender or** sex offender to the appropriate local law enforcement agencies; and

(c) ~~[If the sex offender is subject to community notification and has not otherwise been assigned a level of notification, arrange for the assessment of the risk of recidivism of]~~ **Provide community notification concerning** the **offender or** sex offender pursuant to the ~~[guidelines and procedures for community notification established by the Attorney General pursuant to NRS 179D.600 to 179D.800, inclusive.]~~ **provisions of section 29 of this act.**

10. When ~~[a]~~ **an offender or** sex offender notifies a local law enforcement agency that:

(a) The **offender or** sex offender is, expects to be or becomes enrolled as a student at an institution of higher education or changes the date of commencement or termination of his enrollment at an institution of higher education; or

(b) The **offender or** sex offender is, expects to be or becomes a worker at an institution of higher education or changes the date of commencement or termination of his work at an institution of higher education,

↳ and provides the name, address and type of each such institution of higher education, the local law enforcement agency shall immediately provide that information to the Central Repository and to the appropriate campus police department.

Sec. 40. NRS 179D.480 is hereby amended to read as follows:

179D.480 1. Except as otherwise provided in ~~[subsections 2 and 5, each year, on the anniversary of the date that the Central Repository establishes a record of registration for the sex offender, the Central Repository shall mail to the sex offender, at the address last registered by the sex offender, a nonforwardable verification form. The sex offender shall complete and sign the form and mail the form to the Central Repository not later than 10 days after receipt of the form to verify that he still resides at the address he last registered.~~

~~—2. Except as otherwise provided in subsection 5, if a sex offender has been declared to be a sexually violent predator, every 90 days, beginning on the date that the Central Repository establishes a record of registration for the sex offender, the Central Repository shall mail to the sex offender, at the address last registered by the sex offender, a nonforwardable verification form.~~



~~The sex offender shall complete and sign the form and mail the form to the Central Repository not later than 10 days after receipt of the form to verify that he still resides at the address he last registered.~~

~~— 3. A sex offender shall include with each verification form] subsection 3, an offender convicted of a crime against a child or sex offender shall appear in person in at least one jurisdiction in which the offender or sex offender resides or is a student or worker:~~

(a) Not less frequently than annually, if the offender or sex offender is a Tier I offender;

(b) Not less frequently than every 180 days, if the offender or sex offender is a Tier II offender; or

(c) Not less frequently than every 90 days, if the offender or sex offender is a Tier III offender,

↪ and shall allow the appropriate local law enforcement agency to collect a current set of fingerprints [∫] and palm prints, a current photograph and all other information that is relevant to updating his record of registration, including, but not limited to, any change in his name, occupation, employment, work, volunteer service or driver's license and any change in the license number or description of a motor vehicle registered to or frequently driven by him. [The Central Repository shall provide all updated information to the appropriate local law enforcement agencies.

~~— 4. If the Central Repository does not receive a verification form from a]~~

2. If an offender or sex offender [and otherwise cannot verify the address or location of the sex offender,] does not comply with the provisions of subsection 1, the Central Repository shall [immediately] :

(a) Immediately notify the appropriate local law enforcement agencies [∫

~~— 5. The Central Repository] and the Attorney General of the United States; and~~

(b) Update the record of registration for the sex offender to reflect his failure to comply with the provisions of subsection 1.

3. An offender or sex offender is not required to [complete the mailing pursuant to] comply with the provisions of subsection 1 [or 2:

~~— (a) During] during any period in which [a] the offender or sex offender is incarcerated or confined . [or has changed his place of residence from this State to another jurisdiction; or~~

~~— (b) For a nonresident sex offender who is a student or worker within this State.]~~



Sec. 41. NRS 179D.490 is hereby amended to read as follows:

179D.490 1. ~~[A]~~ *An offender convicted of a crime against a child or a sex offender* shall comply with the provisions for registration for as long as the *offender or sex offender* resides or is present within this State or is a nonresident *offender or sex offender* who is a student or worker within this State, unless the *period of time during which the offender or sex offender has the* duty ~~[of the sex-offender]~~ to register is ~~[terminated]~~ *reduced* pursuant to the provisions of this section.

2. Except as otherwise provided in subsection ~~[5, if a]~~ *3, the full period of registration is:*

(a) *Fifteen years, if the offender or sex offender is a Tier I offender;*

(b) *Twenty-five years, if the offender or sex offender is a Tier II offender; and*

(c) *The life of the offender or sex offender, if the offender or sex offender is a Tier III offender,*

↳ exclusive of any time during which the offender or sex offender is incarcerated or confined.

3. *If an offender or sex offender* complies with the provisions for registration ~~[for]~~ :

(a) *For an interval of at least ~~[15]~~ 10 consecutive years , if the offender or sex offender is a Tier I offender; or*

(b) *For an interval of at least 25 consecutive years, if the offender or sex offender is a Tier III offender adjudicated delinquent for the offense which required registration as an offender or sex offender,*

*↳ during which he is not convicted of an offense ~~[that poses a threat to the safety or well-being of others,]~~ for which imprisonment for more than 1 year may be imposed, is not convicted of a sexual offense, successfully completes any periods of supervised release, probation or parole, and successfully completes a sex offender treatment program certified by the State or by the Attorney General of the United States, the offender or sex offender may file a petition to ~~[terminate his]~~ reduce the period of time during which the offender or sex offender has a duty to register with the district court in whose jurisdiction he resides or, if he is a nonresident offender or sex offender, in whose jurisdiction he is a student or worker. For the purposes of this subsection, registration begins on the date that the Central Repository *or appropriate agency of another jurisdiction* establishes a record of registration for the offender or sex offender or the date that the offender or sex offender is released, whichever occurs later.*



~~[3.]~~ 4. If the *offender or sex offender* satisfies the requirements of subsection ~~[2.]~~ 3, the court shall hold a hearing on the petition at which the *offender or sex offender* and any other interested person may present witnesses and other evidence. If the court determines from the evidence presented at the hearing that the *offender or sex offender* ~~[is not likely to pose a threat to the safety of others.]~~ *satisfies the requirements of subsection 3*, the court shall ~~[terminate the duty of]~~ :

(a) If the offender or sex offender is a Tier I offender, reduce the period of time during which the offender or sex offender is required to register ~~[-~~

~~4. If the court does not terminate the duty of the sex offender to register after a petition is heard pursuant to subsections 2 and 3, the sex offender may file another petition after each succeeding interval of 5 consecutive years if the sex offender is not convicted of an offense that poses a threat to the safety or well being of others.~~

~~5. A sex offender may not file a petition to terminate his duty to register pursuant to this section if the sex offender:~~

~~(a) Is subject to community notification or to lifetime supervision pursuant to NRS 176.0931;~~

~~(b) Has been declared to be a sexually violent predator; or~~
~~(c) Has been convicted of:~~

~~(1) One or more sexually violent offenses;~~

~~(2) Two or more sexual offenses against persons less than 18 years of age;~~

~~(3) Two or more crimes against a child, as defined in NRS 179D.210; or~~

~~(4) At least one of each offense listed in subparagraphs (2) and (3).] by 5 years; and~~

(b) If the offender or sex offender is a Tier III offender adjudicated delinquent for the offense which required registration as an offender or sex offender, reduce the period of time during which the offender or sex offender is required to register from the life of the offender or sex offender to that period of time for which the offender or sex offender meets the requirements of subsection 3.

Sec. 42. NRS 179D.550 is hereby amended to read as follows:

179D.550 1. Except as otherwise provided in subsection 2, ~~[a]~~ *an offender or sex offender* who:

(a) Fails to register with a local law enforcement agency;

(b) Fails to notify the local law enforcement agency of a change of ~~[address;]~~ *name, residence, employment or student status as required pursuant to section 28 of this act;*



(c) Provides false or misleading information to the Central Repository or a local law enforcement agency; or

(d) Otherwise violates the provisions of NRS ~~[179D.350]~~ **179D.010** to 179D.550, inclusive, **and sections 16 to 30, inclusive, of this act,**

↳ is guilty of a category D felony and shall be punished as provided in NRS 193.130.

2. ~~[A]~~ **An offender or** sex offender who commits a second or subsequent violation of subsection 1 within 7 years after the first violation is guilty of a category C felony and shall be punished as provided in NRS 193.130. A court shall not grant probation to or suspend the sentence of a person convicted pursuant to this subsection.

3. **If a local law enforcement agency is aware that an offender or sex offender in its jurisdiction has failed to comply with a provision of NRS 179D.010 to 179D.550, inclusive, and sections 16 to 30, inclusive, of this act, the local law enforcement agency must take any appropriate action to ensure his compliance.**

Sec. 43. NRS 179D.570 is hereby amended to read as follows:

179D.570 1. The Central Repository shall, in accordance with the requirements of this section, share information concerning sex offenders and offenders convicted of a crime against a child with:

(a) The State Gaming Control Board to carry out the provisions of NRS 463.335 pertaining to the registration of a gaming employee who is a sex offender or an offender convicted of a crime against a child. The Central Repository shall, at least once each calendar month, provide the State Gaming Control Board with the name and other identifying information of each offender who is not in compliance with the provisions of this chapter, in the manner and form agreed upon by the Central Repository and the State Gaming Control Board.

(b) The Department of Motor Vehicles to carry out the provisions of NRS 483.283, 483.861 and 483.929.

2. The information shared by the Central Repository pursuant to this section must indicate whether a sex offender or an offender convicted of a crime against a child is in compliance with the provisions of this chapter.

3. The Central Repository shall share information pursuant to this section as expeditiously as possible under the circumstances.

4. The Central Repository may adopt regulations to carry out the provisions of this section.

~~[5.—As used in this section:]~~



~~—(a) “Offender convicted of a crime against a child” has the meaning ascribed to it in NRS 179D.216.~~

~~—(b) “Sex offender” has the meaning ascribed to it in NRS 179D.400.]~~

Sec. 44. NRS 40.770 is hereby amended to read as follows:

40.770 1. Except as otherwise provided in subsection 6, in any sale, lease or rental of real property, the fact that the property is or has been:

(a) The site of a homicide, suicide or death by any other cause, except a death that results from a condition of the property;

(b) The site of any crime punishable as a felony other than a crime that involves the manufacturing of any material, compound, mixture or preparation which contains any quantity of methamphetamine; or

(c) Occupied by a person exposed to the human immunodeficiency virus or suffering from acquired immune deficiency syndrome or any other disease that is not known to be transmitted through occupancy of the property,

↳ is not material to the transaction.

2. In any sale, lease or rental of real property, the fact that a sex offender, as defined in ~~[NRS 179D.400.]~~ *section 20 of this act*, resides or is expected to reside in the community is not material to the transaction, and the seller, lessor or landlord or any agent of the seller, lessor or landlord does not have a duty to disclose such a fact to a buyer, lessee or tenant or any agent of a buyer, lessee or tenant.

3. In any sale, lease or rental of real property, the fact that a facility for transitional living for released offenders that is licensed pursuant to chapter 449 of NRS is located near the property being sold, leased or rented is not material to the transaction.

4. A seller, lessor or landlord or any agent of the seller, lessor or landlord is not liable to the buyer, lessee or tenant in any action at law or in equity because of the failure to disclose any fact described in subsection 1, 2 or 3 that is not material to the transaction or of which the seller, lessor or landlord or agent of the seller, lessor or landlord had no actual knowledge.

5. Except as otherwise provided in an agreement between a buyer, lessee or tenant and his agent, an agent of the buyer, lessee or tenant is not liable to the buyer, lessee or tenant in any action at law or in equity because of the failure to disclose any fact described in subsection 1, 2 or 3 that is not material to the transaction or of which the agent of the buyer, lessee or tenant had no actual knowledge.

6. For purposes of this section, the fact that the property is or has been the site of a crime that involves the manufacturing of any



material, compound, mixture or preparation which contains any quantity of methamphetamine is not material to the transaction if:

(a) All materials and substances involving methamphetamine have been removed from or remediated on the property by an entity certified or licensed to do so; or

(b) The property has been deemed safe for habitation by a governmental entity.

7. As used in this section, "facility for transitional living for released offenders" has the meaning ascribed to it in NRS 449.0055.

Sec. 45. NRS 62A.030 is hereby amended to read as follows:
62A.030 1. "Child" means:

(a) A person who is less than 18 years of age;

(b) A person who is less than 21 years of age and subject to the jurisdiction of the juvenile court for an unlawful act that was committed before the person reached 18 years of age; or

(c) A person who is otherwise subject to the jurisdiction of the juvenile court as a juvenile sex offender pursuant to the provisions of NRS 62F.200 ~~[to 62F.260, inclusive.]~~, **62F.220 and 62F.260.**

2. The term does not include a person who is excluded from the jurisdiction of the juvenile court pursuant to NRS 62B.330 or a person who is certified for criminal proceedings as an adult pursuant to NRS 62B.390 or 62B.400.

Sec. 46. NRS 62F.200 is hereby amended to read as follows:

62F.200 1. As used in NRS 62F.200 ~~[to 62F.260, inclusive.]~~, **62F.220 and 62F.260**, unless the context otherwise requires, "sexual offense" means:

~~[1.]~~ (a) Sexual assault pursuant to NRS 200.366;

~~[2.]~~ (b) Battery with intent to commit sexual assault pursuant to NRS 200.400;

~~[3.—An offense involving pornography and a minor pursuant to NRS 200.710 or 200.720;~~

~~—4.]~~ (c) Lewdness with a child pursuant to NRS 201.230; or

~~[5.]~~ (d) An attempt *or conspiracy* to commit an offense listed in this section.

2. The term does not include an offense involving consensual sexual conduct if the victim was at least 13 years of age and the offender was not more than 4 years older than the victim at the time of the commission of the offense.

Sec. 47. NRS 62F.220 is hereby amended to read as follows:

62F.220 1. ~~[In addition to any other action authorized or required pursuant to the provisions of this title, if]~~ **If** a child *who is 14 years of age or older* is adjudicated delinquent for an unlawful act that would have been a sexual offense if committed by an adult ,



~~[for is adjudicated delinquent for a sexually motivated act,] the juvenile court shall:~~

~~(a) Notify the [Attorney General of the adjudication, so the Attorney General may arrange for the assessment of the risk of recidivism of the child pursuant to the guidelines and procedures for community notification;~~

~~—(b) Place the child under the supervision of a probation officer or parole officer, as appropriate, for a period of not less than 3 years;~~

~~—(c) *Central Repository of the adjudication of the child, so the Central Repository may carry out any provisions for registration of the child pursuant to NRS 179D.010 to 179D.550, inclusive, and sections 16 to 30, inclusive, of this act;*~~

~~(b) Inform the child and the parent or guardian of the child that the child is subject to [community notification as a juvenile sex offender and may be subject to] registration and community notification [as an adult sex offender] pursuant to NRS [62F.250; and~~

~~—(d) Order the child, and the parent or guardian of the child during the minority of the child, while the child is subject to community notification as a juvenile sex offender, to inform the probation officer or parole officer, as appropriate, assigned to the child of a change of the address at which the child resides not later than 48 hours after the change of address.] *179D.010 to 179D.550, inclusive, and sections 16 to 30, inclusive, of this act.*~~

2. The juvenile court may not terminate its jurisdiction concerning the child for the purposes of carrying out the provisions of NRS 62F.200 ~~[to 62F.260, inclusive,], 62F.220 and 62F.260~~ until the child is no longer subject to *registration and* community notification as a juvenile sex offender pursuant to NRS 62F.200 ~~[to 62F.260, inclusive,], 62F.220 and 62F.260.~~

Sec. 48. NRS 62F.260 is hereby amended to read as follows:

62F.260 ~~[1.]~~ The records relating to a child must not be sealed pursuant to the provisions of NRS 62H.100 to 62H.170, inclusive, while the child is subject to *registration and* community notification as a juvenile sex offender ~~[.~~

~~—2.— If a child is deemed to be an adult sex offender pursuant to NRS 62F.250, is convicted of a sexual offense, as defined in NRS 179D.410, before reaching 21 years of age or is otherwise subject to registration and community notification pursuant to NRS 179D.350 to 179D.800, inclusive, before reaching 21 years of age:~~

~~—(a) The records relating to the child must not be sealed pursuant to the provisions of NRS 62H.100 to 62H.170, inclusive; and~~

~~—(b) Each delinquent act committed by the child that would have been a sexual offense, as defined in NRS 179D.410 if committed by~~



~~an adult, shall be deemed to be a criminal conviction for the purposes of:~~

~~(1) Registration and community notification pursuant to NRS 179D.350 to 179D.800, inclusive; and~~

~~(2) The statewide registry established within the Central Repository pursuant to chapter 179B of NRS.] pursuant to NRS 179D.010 to 179D.550, inclusive, and sections 16 to 30, inclusive, of this act.~~

Sec. 49. NRS 213.1099 is hereby amended to read as follows:

213.1099 1. Except as otherwise provided in this section and NRS 213.1214 and 213.1215, the Board may release on parole a prisoner who is otherwise eligible for parole pursuant to NRS 213.107 to 213.157, inclusive.

2. In determining whether to release a prisoner on parole, the Board shall consider:

(a) Whether there is a reasonable probability that the prisoner will live and remain at liberty without violating the laws;

(b) Whether the release is incompatible with the welfare of society;

(c) The seriousness of the offense and the history of criminal conduct of the prisoner;

(d) The standards adopted pursuant to NRS 213.10885 and the recommendation, if any, of the Chief; and

(e) Any documents or testimony submitted by a victim notified pursuant to NRS 213.130.

3. When a person is convicted of a felony and is punished by a sentence of imprisonment, he remains subject to the jurisdiction of the Board from the time he is released on parole under the provisions of this chapter until the expiration of the maximum term of imprisonment imposed by the court less any credits earned to reduce his sentence pursuant to chapter 209 of NRS.

4. Except as otherwise provided in NRS 213.1215, the Board may not release on parole a prisoner whose sentence to death or to life without possibility of parole has been commuted to a lesser penalty unless it finds that the prisoner has served at least 20 consecutive years in the state prison, is not under an order to be detained to answer for a crime or violation of parole or probation in another jurisdiction, and that he does not have a history of:

(a) Recent misconduct in the institution, and that he has been recommended for parole by the Director of the Department of Corrections;

(b) Repetitive criminal conduct;

(c) Criminal conduct related to the use of alcohol or drugs;

(d) Repetitive sexual deviance, violence or aggression; or



(e) Failure in parole, probation, work release or similar programs.

5. In determining whether to release a prisoner on parole pursuant to this section, the Board shall not consider whether the prisoner will soon be eligible for release pursuant to NRS 213.1215.

6. The Board shall not release on parole an offender convicted of an offense listed in ~~[NRS 179D.410]~~ *section 21 of this act* until the ~~[Law enforcement agency in whose jurisdiction the offender will be released on parole]~~ *Central Repository for Nevada Records of Criminal History* has been provided an opportunity to give the notice required ~~[by the Attorney General]~~ pursuant to ~~[NRS 179D.600 to 179D.800, inclusive.]~~ *section 29 of this act.*

Sec. 50. NRS 213.1245 is hereby amended to read as follows:

213.1245 1. Except as otherwise provided in subsection 3, if the Board releases on parole a prisoner convicted of an offense listed in ~~[NRS 179D.620,]~~ *section 21 of this act*, the Board shall, in addition to any other condition of parole, require as a condition of parole that the parolee:

(a) Reside at a location only if it has been approved by the parole and probation officer assigned to the parolee and keep the parole and probation officer informed of his current address;

(b) Accept a position of employment or a position as a volunteer only if it has been approved by the parole and probation officer assigned to the parolee and keep the parole and probation officer informed of the location of his position of employment or position as a volunteer;

(c) Abide by any curfew imposed by the parole and probation officer assigned to the parolee;

(d) Participate in and complete a program of professional counseling approved by the Division;

(e) Submit to periodic tests, as requested by the parole and probation officer assigned to the parolee, to determine whether the parolee is using a controlled substance;

(f) Submit to periodic polygraph examinations, as requested by the parole and probation officer assigned to the parolee;

(g) Abstain from consuming, possessing or having under his control any alcohol;

(h) Not have contact or communicate with a victim of the offense or a witness who testified against the parolee or solicit another person to engage in such contact or communication on behalf of the parolee, unless approved by the parole and probation officer assigned to the parolee, and a written agreement is entered into and signed in the manner set forth in subsection 2;

(i) Not use aliases or fictitious names;



(j) Not obtain a post office box unless the parolee receives permission from the parole and probation officer assigned to the parolee;

(k) Not have contact with a person less than 18 years of age in a secluded environment unless another adult who has never been convicted of an offense listed in ~~[NRS 179D.410]~~ *section 21 of this act* is present and permission has been obtained from the parole and probation officer assigned to the parolee in advance of each such contact;

(l) Unless approved by the parole and probation officer assigned to the parolee and by a psychiatrist, psychologist or counselor treating the parolee, if any, not be in or near:

(1) A playground, park, school or school grounds;

(2) A motion picture theater; or

(3) A business that primarily has children as customers or conducts events that primarily children attend;

(m) Comply with any protocol concerning the use of prescription medication prescribed by a treating physician, including, without limitation, any protocol concerning the use of psychotropic medication;

(n) Not possess any sexually explicit material that is deemed inappropriate by the parole and probation officer assigned to the parolee;

(o) Not patronize a business which offers a sexually related form of entertainment and which is deemed inappropriate by the parole and probation officer assigned to the parolee;

(p) Not possess any electronic device capable of accessing the Internet and not access the Internet through any such device or any other means, unless possession of such a device or such access is approved by the parole and probation officer assigned to the parolee; and

(q) Inform the parole and probation officer assigned to the parolee if the parolee expects to be or becomes enrolled as a student at an institution of higher education or changes the date of commencement or termination of his enrollment at an institution of higher education. As used in this paragraph, "institution of higher education" has the meaning ascribed to it in NRS 179D.045.

2. A written agreement entered into pursuant to paragraph (h) of subsection 1 must state that the contact or communication is in the best interest of the victim or witness, and specify the type of contact or communication authorized. The written agreement must be signed and agreed to by:

(a) The victim or the witness;

(b) The parolee;



- (c) The parole and probation officer assigned to the parolee;
- (d) The psychiatrist, psychologist or counselor treating the parolee, victim or witness, if any; and
- (e) If the victim or witness is a child under 18 years of age, each parent, guardian or custodian of the child.

3. The Board is not required to impose a condition of parole listed in subsection 1 if the Board finds that extraordinary circumstances are present and the Board states those extraordinary circumstances in writing.

Sec. 51. NRS 391.314 is hereby amended to read as follows:

391.314 1. If a superintendent has reason to believe that cause exists for the dismissal of a licensed employee and he is of the opinion that the immediate suspension of the employee is necessary in the best interests of the pupils in the district, the superintendent may suspend the employee without notice and without a hearing. Notwithstanding the provisions of NRS 391.312, a superintendent may suspend a licensed employee who has been officially charged but not yet convicted of a felony or a crime involving moral turpitude or immorality. If the charge is dismissed or if the employee is found not guilty, he must be reinstated with back pay, plus interest, and normal seniority. The superintendent shall notify the employee in writing of the suspension.

2. Within 5 days after a suspension becomes effective, the superintendent shall begin proceedings pursuant to the provisions of NRS 391.312 to 391.3196, inclusive, to effect the employee's dismissal. The employee is entitled to continue to receive his salary and other benefits after the suspension becomes effective until the date on which the dismissal proceedings are commenced. The superintendent may recommend that an employee who has been charged with a felony or a crime involving immorality be dismissed for another ground set forth in NRS 391.312.

3. If sufficient grounds for dismissal do not exist, the employee must be reinstated with full compensation, plus interest.

4. A licensed employee who furnishes to the school district a bond or other security which is acceptable to the board as a guarantee that he will repay any amounts paid to him pursuant to this subsection as salary during a period of suspension is entitled to continue to receive his salary from the date on which the dismissal proceedings are commenced until the decision of the board or the report of the hearing officer, if the report is final and binding. The board shall not unreasonably refuse to accept security other than a bond. An employee who receives salary pursuant to this subsection shall repay it if he is dismissed or not reemployed as a result of a decision of the board or a report of a hearing officer.



5. A licensed employee who is convicted of a crime which requires registration pursuant to NRS ~~[179D.200 to 179D.290, inclusive, or 179D.350]~~ **179D.010** to 179D.550, inclusive, **and sections 16 to 30, inclusive, of this act**, or is convicted of an act forbidden by NRS 200.508, 201.190, 201.265, 201.540, 201.560 or 207.260 forfeits all rights of employment from the date of his arrest.

6. A licensed employee who is convicted of any crime and who is sentenced to and serves any sentence of imprisonment forfeits all rights of employment from the date of his arrest or the date on which his employment terminated, whichever is later.

7. A licensed employee who is charged with a felony or a crime involving immorality or moral turpitude and who waives his right to a speedy trial while suspended may receive no more than 12 months of back pay and seniority upon reinstatement if he is found not guilty or the charges are dismissed, unless proceedings have been begun to dismiss the employee upon one of the other grounds set forth in NRS 391.312.

8. A superintendent may discipline a licensed employee by suspending the employee with loss of pay at any time after a hearing has been held which affords the due process provided for in this chapter. The grounds for suspension are the same as the grounds contained in NRS 391.312. An employee may be suspended more than once during the employee's contract year, but the total number of days of suspension may not exceed 20 in 1 contract year. Unless circumstances require otherwise, the suspensions must be progressively longer.

Sec. 52. NRS 458.300 is hereby amended to read as follows:

458.300 Subject to the provisions of NRS 458.290 to 458.350, inclusive, an alcoholic or a drug addict who has been convicted of a crime is eligible to elect to be assigned by the court to a program of treatment for the abuse of alcohol or drugs pursuant to NRS 453.580 before he is sentenced unless:

1. The crime is:

(a) A crime against the person punishable as a felony or gross misdemeanor as provided in chapter 200 of NRS;

(b) A crime against a child as defined in ~~[NRS 179D.210;]~~ **section 16 of this act;**

(c) A sexual offense as defined in ~~[NRS 179D.410;]~~ **section 21 of this act;** or

(d) An act which constitutes domestic violence as set forth in NRS 33.018;

2. The crime is that of trafficking of a controlled substance;

3. The crime is a violation of NRS 484.379, 484.3795 or 484.37955;



4. The alcoholic or drug addict has a record of two or more convictions of a crime described in subsection 1 or 2, a similar crime in violation of the laws of another state, or of three or more convictions of any felony;

5. Other criminal proceedings alleging commission of a felony are pending against the alcoholic or drug addict;

6. The alcoholic or drug addict is on probation or parole and the appropriate parole or probation authority does not consent to the election; or

7. The alcoholic or drug addict elected and was admitted, pursuant to NRS 458.290 to 458.350, inclusive, to a program of treatment not more than twice within the preceding 5 years.

Sec. 53. NRS 483.283 is hereby amended to read as follows:

483.283 1. The Department shall not issue a driver's license to an offender or renew the driver's license of an offender until the Department has received information submitted by the Central Repository pursuant to NRS 179D.570 or other satisfactory evidence indicating that the offender is in compliance with the provisions of chapter 179D of NRS.

2. If an offender is not in compliance with the provisions of chapter 179D of NRS, the Department:

(a) Shall not issue a driver's license to the offender or renew the driver's license of the offender; and

(b) Shall advise the offender to contact the Central Repository to determine the actions that the offender must take to be in compliance with the provisions of chapter 179D of NRS.

3. A driver's license issued to an offender expires on the first anniversary date of the offender's birthday, measured in the case of an original license, or a renewal license and a renewal of an expired license, from the birthday nearest the date of issuance or renewal.

4. The Department may adopt regulations to carry out the provisions of this section.

5. As used in this section:

(a) "Central Repository" means the Central Repository for Nevada Records of Criminal History.

(b) "Offender" includes an "offender convicted of a crime against a child" as defined in ~~[NRS 179D.216]~~ *section 18 of this act* and a "sex offender" as defined in ~~[NRS 179D.400.]~~ *section 20 of this act.*

Sec. 54. NRS 483.861 is hereby amended to read as follows:

483.861 1. The Department shall not issue an identification card to an offender or renew the identification card of an offender until the Department has received information submitted by the Central Repository pursuant to NRS 179D.570 or other satisfactory



evidence indicating that the offender is in compliance with the provisions of chapter 179D of NRS.

2. If an offender is not in compliance with the provisions of chapter 179D of NRS, the Department:

(a) Shall not issue an identification card to the offender or renew the identification card of the offender; and

(b) Shall advise the offender to contact the Central Repository to determine the actions that the offender must take to be in compliance with the provisions of chapter 179D of NRS.

3. An identification card issued to an offender expires on the first anniversary date of the offender's birthday, measured in the case of an original identification card, a renewal identification card and a renewal of an expired identification card, from the birthday nearest the date of issuance or renewal.

4. The Department may adopt regulations to carry out the provisions of this section.

5. As used in this section:

(a) "Central Repository" means the Central Repository for Nevada Records of Criminal History.

(b) "Offender" includes , *without limitation*, an "offender convicted of a crime against a child" as defined in ~~[NRS 179D.216]~~ *section 18 of this act* and a "sex offender" as defined in ~~[NRS 179D.400.]~~ *section 20 of this act.*

Sec. 55. NRS 483.929 is hereby amended to read as follows:

483.929 1. The Department shall not issue a commercial driver's license to an offender or renew the commercial driver's license of an offender until the Department has received information submitted by the Central Repository pursuant to NRS 179D.570 or other satisfactory evidence indicating that the offender is in compliance with the provisions of chapter 179D of NRS.

2. If an offender is not in compliance with the provisions of chapter 179D of NRS, the Department:

(a) Shall not issue a commercial driver's license to the offender or renew the commercial driver's license of the offender; and

(b) Shall advise the offender to contact the Central Repository to determine the actions that the offender must take to be in compliance with the provisions of chapter 179D of NRS.

3. A commercial driver's license issued to an offender expires on the first anniversary date of the offender's birthday, measured in the case of an original license, a renewal license and a renewal of an expired license, from the birthday nearest the date of issuance or renewal.

4. The Department may adopt regulations to carry out the provisions of this section.



5. As used in this section:

(a) "Central Repository" means the Central Repository for Nevada Records of Criminal History.

(b) "Offender" includes , *without limitation*, an "offender convicted of a crime against a child" as defined in ~~[NRS 179D.216]~~ *section 18 of this act* and a "sex offender" as defined in ~~[NRS 179D.400.]~~ *section 20 of this act.*

Sec. 56. NRS 62A.050, 62F.210, 62F.230, 62F.240, 62F.250, 179D.055, 179D.060, 179D.200, 179D.210, 179D.214, 179D.216, 179D.220, 179D.230, 179D.240, 179D.250, 179D.260, 179D.270, 179D.290, 179D.350, 179D.360, 179D.365, 179D.370, 179D.380, 179D.390, 179D.400, 179D.410, 179D.420, 179D.430, 179D.510, 179D.530, 179D.600, 179D.605, 179D.610, 179D.620, 179D.630, 179D.640, 179D.650, 179D.660, 179D.700, 179D.710, 179D.720, 179D.730, 179D.740, 179D.750, 179D.760, 179D.770 and 179D.800 are hereby repealed.

Sec. 57. This act becomes effective on July 1, 2008.

