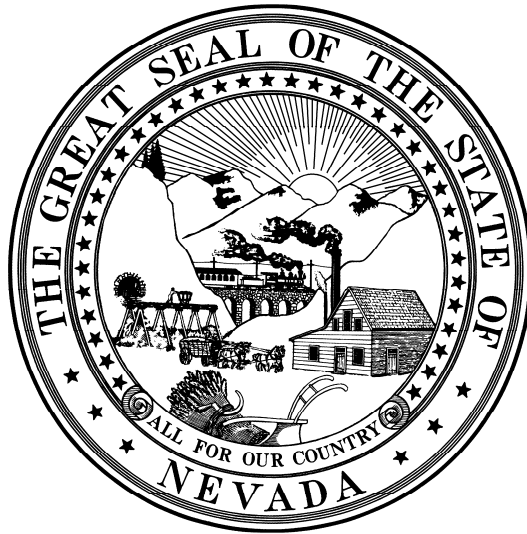


Nevada Revised Statutes



**Certain Laws Relating to Sex Offenders,
Offenders who are Convicted of a
Crime Against a Child, and Parole
that Replace Provisions Enjoined from
Enforcement in ACLU v. Mastro**

Printed 10/2010

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PREFACE

This booklet was prepared to provide access to certain laws relating to sex offenders, offenders who are convicted of a crime against a child, and parole as those laws existed prior to the enactment of Assembly Bill No. 579 (2007) and Senate Bill No. 471 (2007). The laws set forth in this booklet are now the current law because on October 7, 2008, the United States District Court for the District of Nevada permanently enjoined the State of Nevada from enforcing A.B. 579 and S.B. 471 in *ACLU of Nevada v. Masto et al.*, Case No. 2:08-cv-00822-JCM-PAL. Based on the reasoning in *Finger v. State*, 117 Nev. 548 (2001) and *Johnson v. Goldman*, 94 Nev. 6 (1978), the statutory changes made by Assembly Bill No. 579 (2007) and Senate Bill No. 471 (2007) have been rendered null and void by the order of the district court, and the NRS provisions pertaining to sex offenders that existed before the enactment of those bills remain in effect as if those bills were never enacted. AGO 2010-01 (4-8-2010)

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NRS 62A.050 “Community notification” defined. “Community notification” means notification of a community pursuant to the guidelines and procedures established by the Attorney General for juvenile sex offenders pursuant to [NRS 179D.800](#).
(Added to NRS by 2003, 1023)

COMMUNITY NOTIFICATION

NRS 62F.200 “Sexual offense” defined. As used in [NRS 62F.200](#) to [62F.260](#), inclusive, unless the context otherwise requires, “sexual offense” means:

1. Sexual assault pursuant to [NRS 200.366](#);
2. 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. Lewdness with a child pursuant to NRS 201.230; or
5. An attempt to commit an offense listed in this section.

(Added to NRS by 2003, 1080)

NRS 62F.210 Applicability of provisions. Except as otherwise provided in subsection 2 of [NRS 62F.260](#), the provisions of [NRS 62F.200](#) to [62F.260](#), inclusive, do not apply to a child who is subject to registration and community notification pursuant to [NRS 179D.350](#) to [179D.800](#), inclusive, before reaching 21 years of age.

(Added to NRS by 2003, 1081)

NRS 62F.220 Additional duties of juvenile court with respect to juvenile sex offender; jurisdiction of juvenile court not terminated until child no longer subject to community notification.

1. In addition to any other action authorized or required pursuant to the provisions of this title, if a child is adjudicated delinquent for an unlawful act that would have been a sexual offense if committed by an adult or 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) 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.

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, until the child is no longer subject to community notification as a juvenile sex offender pursuant to [NRS 62F.200](#) to [62F.260](#), inclusive.

(Added to NRS by 2003, 1081)

NRS 62F.230 Notification to local law enforcement agency.

1. If a child has been adjudicated delinquent for a sexual offense or a sexually motivated act, the probation officer or parole officer, as appropriate, assigned to the child shall notify the local law enforcement agency in whose jurisdiction the child resides that the child:

(a) Has been adjudicated delinquent for a sexual offense or a sexually motivated act; and

(b) Is subject to community notification as a juvenile sex offender.

2. If the probation officer or parole officer, as appropriate, assigned to the child is informed by the child or the parent or guardian of the child that the child has changed the address at which the child resides or if the probation officer or parole officer otherwise becomes aware of such a change, the probation officer or parole officer shall notify:

(a) The local law enforcement agency in whose jurisdiction the child last resided that the child has moved; and

(b) The local law enforcement agency in whose jurisdiction the child is now residing that the child:

- (1) Has been adjudicated delinquent for a sexual offense or a sexually motivated act; and
- (2) Is subject to community notification as a juvenile sex offender.

(Added to NRS by 2003, 1081)

NRS 62F.240 Power of juvenile court to relieve child of being subject to community notification.

1. If a child who has been adjudicated delinquent for a sexual offense or a sexually motivated act has not previously been relieved of being subject to community notification as a juvenile sex offender, the juvenile court may, at any appropriate time, hold a hearing to determine whether the child should be relieved of being subject to community notification as a juvenile sex offender.

2. If the juvenile court determines at the hearing that the child has been rehabilitated to the satisfaction of the juvenile court and that the child is not likely to pose a threat to the safety of others, the juvenile court may relieve the child of being subject to community notification as a juvenile sex offender.

(Added to NRS by 2003, 1082)

NRS 62F.250 Hearing to determine whether to deem child adult sex offender; termination of registration and community notification. Except as otherwise provided in [NRS 62F.200](#) to [62F.260](#), inclusive:

1. If a child who has been adjudicated delinquent for a sexual offense or a sexually motivated act is not relieved of being subject to community notification as a juvenile sex offender before the child reaches 21 years of age, the juvenile court shall hold a hearing when the child reaches 21 years of age to determine whether the child should be deemed an adult sex offender for the purposes of registration and community notification pursuant to [NRS 179D.350](#) to [179D.800](#), inclusive.

2. If the juvenile court determines at the hearing that the child has been rehabilitated to the satisfaction of the juvenile court and that the child is not likely to pose a threat to the safety of others, the juvenile court shall relieve the child of being subject to registration and community notification.

3. If the juvenile court determines at the hearing that the child has not been rehabilitated to the satisfaction of the juvenile court or that the child is likely to pose a threat to the safety of others, the juvenile court shall deem the child to be an adult sex offender for the purposes of registration and community notification pursuant to [NRS 179D.350](#) to [179D.800](#), inclusive.

4. In determining at the hearing whether the child has been rehabilitated to the satisfaction of the juvenile court and whether the child is not likely to pose a threat to the safety of others, the juvenile court shall consider the following factors:

(a) The number, date, nature and gravity of the act or acts committed by the child, including:

- (1) Whether the act or acts were characterized by repetitive and compulsive behavior; and
- (2) Whether the act or acts involved the use of a weapon, violence or infliction of serious bodily injury.

(b) The extent to which the child has received counseling, therapy or treatment, and the response of the child to any such counseling, therapy or treatment.

(c) Whether psychological or psychiatric profiles indicate a risk of recidivism.

(d) The behavior of the child while subject to the jurisdiction of the juvenile court, including the behavior of the child during any period of confinement.

(e) Whether the child has made any recent threats against a person or expressed any intent to commit any crimes in the future.

(f) Any physical conditions that minimize the risk of recidivism, including physical disability or illness.

(g) Any other factor that the juvenile court finds relevant to the determination of whether the child has been rehabilitated to the satisfaction of the juvenile court and whether the child is not likely to pose a threat to the safety of others.

5. If a child is deemed to be an adult sex offender pursuant to this section, the juvenile court shall notify the Central Repository so the Central Repository may carry out the provisions for registration of the child as an adult sex offender pursuant to [NRS 179D.450](#).

(Added to NRS by 2003, 1082; A 2005, 2873)

NRS 62F.260 Records not sealed during period of community notification; delinquent act of child who has been deemed adult sex offender deemed criminal for certain purposes and records relating to such child must not be sealed.

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 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.

(Added to NRS by 2003, 1082)

SENTENCE AND JUDGMENT

SEX OFFENDERS AND OFFENDERS CONVICTED OF
A CRIME AGAINST A CHILD**NRS 176.0926 Crime against child: Notice of conviction to Central Repository; defendant informed of duty to register; effect of failure to inform.**

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](#).

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

(1) 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](#);

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

(4) 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) 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 that the requirements for registration have been explained to him.

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.

(Added to NRS by 1997, 1666; A 1999, 1284; 2001, 2050; 2003, 564; 2005, 2860)

NRS 176.0927 Sexual offense: Notice of conviction to Central Repository; defendant informed of duty to register; effect of failure to inform.

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:

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

(4) 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) 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.

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](#) to [179D.550](#), inclusive.

(Added to NRS by 1997, 1667; A 1999, 1285; 2001, 2051; 2003, 565; 2005, 2861)

LIFETIME SUPERVISION

NRS 176.0931 Special sentence for sex offenders; petition for release from lifetime supervision.

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](#) to [179D.550](#), inclusive;

(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.

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](#).

(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.

(Added to NRS by 1995, 414; A 1997, 1671; 2001, 2789; 2003, 1381; 2005, 2862)

TERMS AND CONDITIONS

NRS 176A.410 Required terms and conditions for sex offenders; powers and duties of court; exceptions.

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](#). (Added to NRS by 1997, 1667; A 2001, 2051; 2003, 566; 2005, 2862)

Substantive Revisions Made After 2005.

This section was further amended by section 4 of Senate Bill No. 354 (2007), ch. 418, Stats. 2007, at p. 1916, to provide that as a condition of probation, a sex offender may reside at a facility that houses more than three persons who have been released from prison only if the facility is a facility for transitional living for released offenders that is licensed pursuant to chapter 449 of NRS.

This section was further amended by section 1 of Assembly Bill No. 325 (2009), ch. 300, Stats. 2009, at p. 1293, to require a person convicted of certain sexual offenses who is placed on probation or a suspended sentence to get approval from the "Chief Parole and Probation Officer or his designee" instead of the "parole and probation officer assigned to the defendant" before the person may have contact with a victim or witness who testified against the person. In addition, A.B. 325 requires the written agreement authorizing such contact to be signed and agreed to by the Chief Parole and Probation Officer or his designee.

PUBLIC ACCESS TO CERTAIN INFORMATION**NRS 179B.250 Establishment of community notification website; information to be included with each inquiry; duties, authorizations and prohibitions of Central Repository.**

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. For each inquiry to the community notification website, the requester must 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. For each inquiry to the community notification website made by the requester, the Central Repository shall:

(a) Explain the levels of notification that are assigned to sex offenders pursuant to [NRS 179D.730](#); and

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

4. 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 disclose to the requester information 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. 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;

(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. 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.

(6) The number of the street block, but not the specific street number, of any location where the offender is currently:

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

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

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

(I) The offense that was committed, including a citation to 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) The tier level of notification assigned to the offender.

6. If a search of the statewide registry results in a match pursuant to paragraph (d) of subsection 5, the Central Repository shall not provide the requester with any information that is included in the record of registration for the offender other than the information required pursuant to paragraph (d) of subsection 5.

7. 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. 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. 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.

(Added to NRS by 1997, 1646; A 1999, 1289; 2003, 2829, 2845; 2005, 2868)

GENERAL PROVISIONS

NRS 179D.030 “Community notification” defined. “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.

(Added to NRS by 1997, 1647)

NRS 179D.035 “Convicted” defined. “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 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 sexual offense that is listed in paragraph (b) of subsection 2 of [NRS 62F.260](#).

(Added to NRS by 1999, 1290; A 2001, 1311, 2795; 2003, 45, 1122, 1389)

NRS 179D.055 “Nonconsensual” defined. “Nonconsensual” means against the victim’s will or under conditions in which a person knows or reasonably should know that the victim is mentally or physically incapable of resisting, consenting or understanding the nature of the person’s conduct.

(Added to NRS by 1999, 1290)

NRS 179D.060 “Offense that poses a threat to the safety or well-being of others” defined.

1. “Offense that poses a threat to the safety or well-being of others” includes, but is not limited to, an offense that involves:

- (a) A victim less than 18 years of age;
- (b) A crime against a child as defined in [NRS 179D.210](#);
- (c) A sexual offense as defined in [NRS 179D.410](#);
- (d) A deadly weapon, explosives or a firearm;
- (e) The use or threatened use of force or violence;
- (f) Physical or mental abuse;
- (g) Death or bodily injury;
- (h) An act of domestic violence;
- (i) Harassment, stalking, threats of any kind or other similar acts;
- (j) The forcible or unlawful entry of a home, building, structure, vehicle or other real or personal property; or
- (k) The infliction or threatened infliction of damage or injury, in whole or in part, to real or personal property.

2. The term includes any offense listed in subsection 1 that is committed in this state or another jurisdiction, including, but not limited to, an offense prosecuted in:

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

(Added to NRS by 1997, 1648)

NRS 179D.120 “Worker” defined.

1. “Worker” means a person 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 or 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.(Added to NRS by 1999, 1291)

RECORD OF REGISTRATION

NRS 179D.150 Contents. Except as otherwise provided in [NRS 179D.530](#), a record of registration must include, if the information is available:

1. Information identifying the offender, including, but not limited to:
 - (a) The name of the offender and all aliases that he has used or under which he has been known;
 - (b) A complete physical description of the offender, a current photograph of the offender and the fingerprints of the offender;
 - (c) The date of birth and the social security number of the offender;
 - (d) The identification number from a driver's license or an identification card issued to the offender by this State or any other jurisdiction; and
 - (e) Any other information that identifies the offender.
2. Information concerning the residence of the offender, including, but not limited to:
 - (a) The address at which the 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 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.
4. Information concerning the 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 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 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 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 number and a description of all motor vehicles registered to or frequently driven by the offender.
8. The level of community notification assigned to the offender.
9. The following information for each offense for which the offender has been convicted:
 - (a) The court in which he was convicted;
 - (b) The name under which he was convicted;
 - (c) The name and location of each penal institution, school, hospital, mental facility or other institution to which he was committed;

- (d) The specific location where the offense was committed;
 - (e) The age, the gender, the race and a general physical description of the victim; and
 - (f) 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.
- (Added to NRS by 1997, 1648; A 1999, 1292; 2003, 568)

NRS 179D.170 Record and information concerning offender provided to Federal Bureau of Investigation. Upon receiving from a local law enforcement agency, pursuant to NRS 179D.010 to 179D.550, inclusive:

1. A record of registration;
 2. Fingerprints or a photograph of an offender;
 3. A new address of an offender; or
 4. Any other updated information,
- ↳ the Central Repository shall immediately provide the record of registration, fingerprints, photograph, new address or updated information to the Federal Bureau of Investigation.
- (Added to NRS by 1997, 1650; A 2003, 569)

REGISTRATION OF OFFENDERS CONVICTED OF A CRIME AGAINST A CHILD

GENERAL PROVISIONS

NRS 179D.200 Definitions. As used in [NRS 179D.200](#) to [179D.290](#), inclusive, unless the context otherwise requires, the words and terms defined in [NRS 179D.210](#) to [179D.220](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by 1997, 1650; A 1999, 1293)

NRS 179D.210 “Crime against a child” defined. “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 of the victim.
2. False imprisonment pursuant to NRS 200.460, unless the offender is the parent 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, but is not limited to, 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, but is not limited to, 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.

(Added to NRS by 1997, 1650; A 1999, 1293)

NRS 179D.214 “Nonresident offender who is a student or worker within this State” and “nonresident offender” defined. “Nonresident offender who is a student or worker within this State” and “nonresident offender” mean an offender convicted of a crime against a child 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.240](#).

(Added to NRS by 1999, 1291)

NRS 179D.216 “Offender convicted of a crime against a child” and “offender” defined.

1. “Offender convicted of a crime against a child” and “offender” mean a person who, after July 1, 1956, is or has been:

- (a) Convicted of a crime against a child that is listed in [NRS 179D.210](#); or
- (b) Adjudicated delinquent or found guilty by a court having jurisdiction over juveniles of a crime against a child that is listed in subsection 6 of [NRS 179D.210](#).

2. The term includes, but is not limited to, a nonresident offender who is a student or worker within this state.

(Added to NRS by 1999, 1291)

NRS 179D.220 “Registration” defined. “Registration” means registration as an offender convicted of a crime against a child pursuant to [NRS 179D.200](#) to [179D.290](#), inclusive.

(Added to NRS by 1997, 1650)

REQUIREMENTS AND PROCEDURE

NRS 179D.230 Registration after conviction; duties and procedure; offender informed of duty to register; effect of failure to inform; duties and procedure upon receipt of notification from another jurisdiction or Federal Bureau of Investigation.

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, the Central Repository shall:

- (a) If a record of registration has not previously been established for the 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, update the record of registration for the offender and notify the appropriate local law enforcement agencies.

2. If the offender named in the notice is granted probation or otherwise will not be incarcerated or confined, the Central Repository shall immediately provide notification concerning the offender to the appropriate local law enforcement agencies and, if the offender resides in a jurisdiction which is outside of this State, to the appropriate law enforcement agency in that jurisdiction.

3. If an offender is incarcerated or confined and has previously been convicted of a crime against a child, before the offender is released:

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

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

(I) 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](#);

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

(IV) 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 most recently 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) The duty to notify immediately the appropriate local law enforcement agency if the 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 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 to read and sign a form confirming that the requirements for registration have been explained to him and to forward the form to the Central Repository.

(b) The Central Repository shall:

(1) Update the record of registration for the offender; and

(2) Provide notification concerning the offender to the appropriate local law enforcement agencies and, if the 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 an offender with the information or confirmation form required by paragraph (a) of subsection 3 does not affect the duty of the 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 an offender convicted of a crime against a child is now residing or is a student or worker within this State, the Central Repository shall:

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

(b) Establish a record of registration for the offender with the assistance of the local law enforcement agency.

(Added to NRS by 1997, 1650; A 1999, 1293; 2001, 2053; 2001 Special Session, 226; 2003, 289, 569)

NRS 179D.240 Registration with local law enforcement agency within 48 hours; duties of offender and procedure; local law enforcement agency to inform offender of his duties after registration; establishment of record of registration; duty of local law enforcement agency when notified of certain information about offender who enrolls in or works at institution of higher education.

1. In addition to any other registration that is required pursuant to [NRS 179D.230](#), each offender who, after July 1, 1956, is or has been convicted of a crime against a child 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 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 shall be deemed a resident 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 resides or is present for 48 hours or more within an incorporated city that has a city police department, the offender shall be deemed a resident 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 is a nonresident offender who is a student or worker within this State, the 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 shall immediately notify the appropriate local law enforcement agency if:

(a) The 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 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 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 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 in the presence of an officer of the local law enforcement agency.

7. When an offender registers, the local law enforcement agency shall:

(a) Inform the offender of the duty to notify the local law enforcement agency if the offender changes the address at which he resides or changes the primary address at which he is a student or worker; and

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

8. After the 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.

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

(a) Establish a record of registration for the offender; and

(b) Provide notification concerning the offender to the appropriate local law enforcement agencies.

10. When an offender notifies a local law enforcement agency that:

(a) The 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 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.

(Added to NRS by 1997, 1651; A 1999, 1295; 2001, 2054; 2003, 571)

NRS 179D.250 Offender to notify appropriate agencies of change of address and provide updated information; duties and procedure.

1. If an offender convicted of a crime against a child changes the address at which he resides, including moving from this State to another jurisdiction, or changes the primary address at which he is a student or worker, not later than 48 hours after changing such an address, the offender shall provide the new address, in person, to the local law enforcement agency in whose jurisdiction he now resides and, in person or in writing, to the local law enforcement agency in whose jurisdiction he formerly resided and shall provide 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.

2. Upon receiving a change of address from an offender, the local law enforcement agency shall immediately forward the new address and any updated information to the Central Repository and:

(a) If the offender has changed an address within this State, the Central Repository shall immediately provide notification concerning the offender to the appropriate local law enforcement agency in whose jurisdiction the offender is now residing or is a student or worker and shall notify the local law enforcement agency in whose jurisdiction the offender last resided or was a student or worker; or

(b) If the offender has changed an address from this State to another jurisdiction, the Central Repository shall immediately provide notification concerning the offender to the appropriate law enforcement agency in the other jurisdiction and shall notify the local law enforcement agency in whose jurisdiction the offender last resided or was a student or worker.

(Added to NRS by 1997, 1652; A 1999, 1296; 2001, 2056)

NRS 179D.260 Verification form.

1. Except as otherwise provided in subsection 4, each year, on the anniversary of the date that the Central Repository establishes a record of registration for the offender, the Central Repository shall mail to the offender, at the address last registered by the offender, a nonforwardable verification form. The 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. An offender shall include with each verification form a current set of fingerprints, 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.

3. If the Central Repository does not receive a verification form from an offender and otherwise cannot verify the address or location of the offender, the Central Repository shall immediately notify the appropriate local law enforcement agencies.

4. The Central Repository is not required to complete the mailing pursuant to subsection 1:

(a) During any period in which an offender is incarcerated or confined or has changed his place of residence from this State to another jurisdiction; or

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

(Added to NRS by 1997, 1653; A 1999, 1297; 2001, 2056)

NRS 179D.270 Duration of duty to register; termination of duty; procedure; exceptions.

1. An offender convicted of a crime against a child shall comply with the provisions for registration for as long as the offender resides or is present within this state or is a nonresident offender who is a student or worker within this state, unless the duty of the offender to register is terminated pursuant to the provisions of this section.

2. Except as otherwise provided in subsection 5, if an offender complies with the provisions for registration for an interval of at least 15 consecutive years during which he is not convicted of an offense that poses a threat to the safety or well-being of others, the offender may file a petition to terminate his duty to register with the district court in whose jurisdiction he resides or, if he is a nonresident 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 establishes a record of registration for the offender or the date that the offender is released, whichever occurs later.

3. If the offender satisfies the requirements of subsection 2, the court shall hold a hearing on the petition at which the 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 is not likely to pose a threat to the safety of others, the court shall terminate the duty of the offender to register.

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

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

- (a) Is subject to community notification or to lifetime supervision pursuant to [NRS 176.0931](#) as a sex offender;
 - (b) Has been declared to be a sexually violent predator, as defined in [NRS 179D.430](#); or
 - (c) Has been convicted of:
 - (1) One or more sexually violent offenses, as defined in [NRS 179D.420](#);
 - (2) Two or more sexual offenses, as defined in [NRS 179D.410](#), against persons less than 18 years of age;
 - (3) Two or more crimes against a child; or
 - (4) At least one of each offense listed in subparagraphs (2) and (3).
- (Added to NRS by 1997, 1653; A 1999, 1297; 2001, 2057)

PROHIBITED ACTS AND PENALTIES

NRS 179D.290 Prohibited acts; penalties.

1. Except as otherwise provided in subsection 2, an offender convicted of a crime against a child 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;
 - (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.200](#) to [179D.290](#), inclusive,
- is guilty of a category D felony and shall be punished as provided in NRS 193.130.

2. An offender convicted of a crime against a child 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.

(Added to NRS by 1997, 1654; A 1999, 1298; 2001, 2057; 2005, 2871)

REGISTRATION OF SEX OFFENDERS

GENERAL PROVISIONS

NRS 179D.350 Definitions. As used in [NRS 179D.350](#) to [179D.550](#), inclusive, unless the context otherwise requires, the words and terms defined in [NRS 179D.360](#) to [179D.430](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by 1997, 1654; A 1999, 1298)

NRS 179D.360 “Mental disorder” defined. “Mental disorder” means a congenital or acquired condition affecting the emotional or volitional capacity of a person which predisposes that person to the commission of violent sexual acts. The term includes, but is not limited to, a mental disorder that is listed in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association.

(Added to NRS by 1997, 1654)

NRS 179D.365 “Nonresident sex offender who is a student or worker within this State” and “nonresident sex offender” defined. “Nonresident sex offender who is a student or worker within this State” and “nonresident sex offender” mean a sex offender who is a student or worker within this State but who is not otherwise deemed a resident sex offender pursuant to subsection 2 or 3 of [NRS 179D.460](#).

(Added to NRS by 1999, 1291)

NRS 179D.370 “Personality disorder” defined. “Personality disorder” includes, but is not limited to, a personality disorder that is listed in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association.

(Added to NRS by 1997, 1654)

NRS 179D.380 “Qualified professional” defined. “Qualified professional” means a person who has received training in evaluating sex offenders and is:

1. A psychiatrist licensed to practice medicine in this state and certified by the American Board of Psychiatry and Neurology; or
2. A psychologist licensed to practice in this state.

(Added to NRS by 1997, 1654)

NRS 179D.390 “Registration” defined. “Registration” means registration as a sex offender pursuant to [NRS 179D.350](#) to [179D.550](#), inclusive.

(Added to NRS by 1997, 1654)

NRS 179D.400 “Sex offender” defined.

1. “Sex offender” means a person who, after July 1, 1956, is or has been:
 - (a) Convicted of a sexual offense listed in [NRS 179D.410](#); or
 - (b) Adjudicated delinquent or found guilty by a court having jurisdiction over juveniles of a sexual offense listed in subsection 19 of [NRS 179D.410](#).

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

- (a) A sexually violent predator.
- (b) A nonresident sex offender who is a student or worker within this State.

(Added to NRS by 1997, 1654; A 1999, 1298; 2001, 2795; 2003, 1389)

NRS 179D.410 “Sexual offense” defined. “Sexual offense” means any of the following offenses:

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.
 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 section.
 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 section.
 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.
 12. Indecent or obscene exposure pursuant to NRS 201.220.
 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 punished as a felony.
 16. An attempt or conspiracy to commit an offense listed in subsections 1 to 15, inclusive.
 17. An offense that is determined to be sexually motivated pursuant to NRS 175.547 or 207.193.
 18. An offense committed in another jurisdiction that, if committed in this State, would be an offense listed in this section. This subsection includes, but is not limited to, an offense prosecuted in:
 - (a) A tribal court.
 - (b) A court of the United States or the Armed Forces of the United States.
 19. 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, but is not limited to, 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.
- (Added to NRS by 1997, 1654; A 1999, 1299; 2001, 2796; 2003, 572, 1389)

NRS 179D.420 “Sexually violent offense” defined. “Sexually violent offense” means any of the following offenses:

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 NRS 200.400.
4. An offense involving pornography and a minor pursuant to NRS 200.710.
5. An attempt to commit an offense listed in subsections 1 to 4, inclusive.
6. An offense that is determined to be sexually motivated pursuant to NRS 175.547.

7. An offense committed in another jurisdiction that, if committed in this state, would be an offense listed in this section. This subsection includes, but is not limited to, an offense prosecuted in:

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

8. Any other offense listed in [NRS 179D.410](#) if, during the commission of the offense, the offender engaged in or attempted to engage in:

- (a) Sexual penetration of a child less than 12 years of age; or
- (b) Nonconsensual sexual penetration of any other person.

(Added to NRS by 1997, 1655; A 1999, 1300)

NRS 179D.430 “Sexually violent predator” defined. “Sexually violent predator” means:

1. A person who:
 - (a) Has been convicted of a sexually violent offense;
 - (b) Suffers from a mental disorder or personality disorder; and
 - (c) Has been declared to be a sexually violent predator pursuant to [NRS 179D.510](#); or
2. A person who has been declared to be a sexually violent predator pursuant to the laws of another jurisdiction.

(Added to NRS by 1997, 1655; A 1999, 1300)

REQUIREMENTS AND PROCEDURE

NRS 179D.450 Registration after conviction; duties and procedure; sex offender informed of duty to register; effect of failure to inform; duties and procedure upon receipt of notification from another jurisdiction or Federal Bureau of Investigation.

1. If the Central Repository receives notice from a court pursuant to [NRS 176.0927](#) that a sex offender has been convicted of a sexual offense or pursuant to [NRS 62F.250](#) that a juvenile sex offender has been deemed to be an adult sex offender, the Central Repository shall:

(a) If a record of registration has not previously been established for the 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 sex offender, update the record of registration for the sex offender and notify the appropriate local law enforcement agencies.

2. If the sex offender named in the notice is granted probation or otherwise will not be incarcerated or confined or 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 Central Repository shall immediately provide notification concerning the sex offender to the appropriate local law enforcement agencies and, if the 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 the 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.

3. If a sex offender is incarcerated or confined and has previously been convicted of a sexual offense as described in [NRS 179D.410](#), before the sex offender is released:

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

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

(I) 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](#);

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

(IV) 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) The duty to notify immediately the appropriate local law enforcement agency if the 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 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 sex offender to read and sign a form confirming that the requirements for registration have been explained to him and to forward the form to the Central Repository.

(b) The Central Repository shall:

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

(2) If the sex offender is subject to community notification, arrange for the assessment of the risk of recidivism of the 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; and

(3) Provide notification concerning the sex offender to the appropriate local law enforcement agencies and, if the 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 sex offender with the information or confirmation form required by paragraph (a) of subsection 3 does not affect the duty of the 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 sex offender is now residing or is a student or worker within this State, the Central Repository shall:

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

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

(c) If the sex offender is subject to community notification, arrange for the assessment of the risk of recidivism of the 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.

(Added to NRS by 1997, 1655; A 1999, 1300; 2001, 2058; 2001 Special Session, 227; 2003, 289, 573, 1122)

NRS 179D.460 Registration with local law enforcement agency within 48 hours; duties of sex offender and procedure; local law enforcement agency to inform sex offender of his duties after registration; establishment of record of registration; duty of local law enforcement agency when notified of certain information about sex offender who enrolls in or works at institution of higher education.

1. In addition to any other registration that is required pursuant to [NRS 179D.450](#), each sex offender who, after July 1, 1956, is or has been convicted of 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 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 sex offender shall be deemed a resident 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 sex offender resides or is present for 48 hours or more within an incorporated city that has a city police department, the sex offender shall be deemed a resident 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 sex offender is a nonresident sex offender who is a student or worker within this State, the 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 sex offender shall immediately notify the appropriate local law enforcement agency if:

(a) The 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 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 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 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 a sex offender registers, the local law enforcement agency shall:

(a) Inform the sex offender of the duty to notify the local law enforcement agency if the 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 sex offender of the duty to register with the local law enforcement agency in whose jurisdiction the sex offender relocates.

8. After the 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 sex offender.

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

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

(b) Provide notification concerning the 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 the 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.

10. When a sex offender notifies a local law enforcement agency that:

(a) The 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 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.

(Added to NRS by 1997, 1657; A 1999, 1302; 2001, 2059; 2003, 575)

NRS 179D.480 Verification form.

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 a current set of fingerprints, 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 sex offender and otherwise cannot verify the address or location of the sex offender, the Central Repository shall immediately notify the appropriate local law enforcement agencies.

5. The Central Repository is not required to complete the mailing pursuant to subsection 1 or 2:

(a) During any period in which a 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.

(Added to NRS by 1997, 1658; A 1999, 1304; 2001, 2061)

NRS 179D.490 Duration of duty to register; termination of duty; procedure; exceptions.

1. A sex offender shall comply with the provisions for registration for as long as the sex offender resides or is present within this state or is a nonresident sex offender who is a student or worker within this state, unless the duty of the sex offender to register is terminated pursuant to the provisions of this section.

2. Except as otherwise provided in subsection 5, if a sex offender complies with the provisions for registration for an interval of at least 15 consecutive years during which he is not convicted of an offense that poses a threat to the safety or well-being of others, the sex offender may file a petition to terminate his duty to register with the district court in whose jurisdiction he resides or, if he is a nonresident 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 establishes a record of registration for the sex offender or the date that the sex offender is released, whichever occurs later.

3. If the sex offender satisfies the requirements of subsection 2, the court shall hold a hearing on the petition at which the 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 sex offender is not likely to pose a threat to the safety of others, the court shall terminate the duty of the sex offender 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).

(Added to NRS by 1997, 1659; A 1999, 1305; 2001, 2062)

SEXUALLY VIOLENT PREDATORS

NRS 179D.510 Petition by prosecuting attorney; procedure; access to records of sex offender; rights of confidentiality and privileges deemed waived.

1. If a sex offender is convicted of a sexually violent offense, or if a sex offender is convicted of a sexual offense and the sex offender previously has been convicted of a sexually violent offense, the prosecuting attorney may petition the court in which the sex offender was sentenced for a declaration that the sex offender is a sexually violent predator for the purposes of this chapter. The petition must be filed before the sex offender is released.

2. If the prosecuting attorney files a petition pursuant to subsection 1, the court shall schedule a hearing on the petition and shall order the sex offender to submit to an evaluation by a panel consisting of two qualified professionals, two persons who are advocates of victims' rights and two persons who represent law enforcement agencies. As part of the evaluation by the panel, the two qualified professionals shall conduct a psychological examination of the sex offender. The panel shall prepare a report of its conclusions, including, but not limited to, the conclusions of the two qualified professionals regarding whether the sex offender suffers from a mental disorder or personality disorder, and shall provide a copy of the report to the court.

3. If, after reviewing the report and considering the evidence presented at the hearing, the court determines that the sex offender suffers from a mental disorder or personality disorder, the court shall enter an order declaring the sex offender to be a sexually violent predator for the purposes of this chapter.

4. If the court determines that the sex offender does not suffer from a mental disorder or personality disorder, the sex offender remains subject to registration and community notification as a sex offender pursuant to the provisions of this chapter.

5. A panel conducting an evaluation of a sex offender pursuant to subsection 2 must be given access to all records of the sex offender that are necessary to conduct the evaluation, and the sex offender shall be deemed to have waived all rights of confidentiality and all privileges relating to those records for the limited purpose of the evaluation.

(Added to NRS by 1997, 1660)

NRS 179D.530 Contents of record of registration for sexually violent predator. In addition to the information that must be included in a record of registration pursuant to [NRS 179D.150](#), the record of registration for a sex offender declared to be a sexually violent predator must include a notation regarding whether the sex offender has previously received treatment for his mental disorder or personality disorder.

(Added to NRS by 1997, 1661)

PROHIBITED ACTS AND PENALTIES

NRS 179D.550 Prohibited acts; penalties.

1. Except as otherwise provided in subsection 2, a 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;
 - (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](#) to [179D.550](#), inclusive,
 ↪ is guilty of a category D felony and shall be punished as provided in NRS 193.130.
2. A 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.

(Added to NRS by 1997, 1661; A 1999, 1306; 2001, 2063; 2005, 2872)

CENTRAL REPOSITORY

NRS 179D.570 Duty to share information with certain agencies; requirements of information; regulations.

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](#).

(Added to NRS by 2005, 2871)

COMMUNITY NOTIFICATION OF SEX OFFENDERS

GENERAL PROVISIONS

- NRS 179D.600 Definitions.** As used in [NRS 179D.600](#) to [179D.800](#), inclusive, unless the context otherwise requires, the words and terms defined in [NRS 179D.605](#) to [179D.660](#), inclusive, have the meanings ascribed to them in those sections.
- (Added to NRS by 1997, 1661; A 1999, 1306)

NRS 179D.605 “Nonresident sex offender who is a student or worker within this State” and “nonresident sex offender” defined. “Nonresident sex offender who is a student or worker within this State” and “nonresident sex offender” mean a sex offender who is a student or worker within this State but who is not otherwise deemed a resident sex offender pursuant to subsection 2 or 3 of [NRS 179D.460](#).

(Added to NRS by 1999, 1291)

NRS 179D.610 “Sex offender” defined.

1. “Sex offender” means a person who, after July 1, 1956, is or has been:
 - (a) Convicted of a sexual offense listed in [NRS 179D.620](#); or
 - (b) Adjudicated delinquent or found guilty by a court having jurisdiction over juveniles of a sexual offense listed in subsection 19 of [NRS 179D.620](#).
 2. The term includes, but is not limited to:
 - (a) A sexually violent predator.
 - (b) A nonresident sex offender who is a student or worker within this State.
- (Added to NRS by 1997, 1661; A 1999, 1306; 2001, 2797; 2003, 1390)

NRS 179D.620 “Sexual offense” defined. “Sexual offense” means any of the following offenses:

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 punished 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 section.
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 section.
7. Abuse of a child pursuant to NRS 200.508, if the abuse involved sexual abuse or sexual exploitation and is punished as a felony.
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, if punished as a felony.
11. Open or gross lewdness pursuant to NRS 201.210, if punished as a felony.
12. Indecent or obscene exposure pursuant to NRS 201.220, if punished 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 punished as a felony.
16. An attempt or conspiracy to commit an offense listed in subsections 1 to 15, inclusive, if punished as a felony.
17. An offense that is determined to be sexually motivated pursuant to NRS 175.547 or 207.193.
18. An offense committed in another jurisdiction that, if committed in this State, would be an offense listed in this section. This subsection includes, but is not limited to, an offense prosecuted in:
 - (a) A tribal court.
 - (b) A court of the United States or the Armed Forces of the United States.
19. An offense of a sexual nature committed in another jurisdiction and punished as a felony, 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, but is not limited to, 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.

(Added to NRS by 1997, 1661; A 1999, 1307; 2001, 2797; 2003, 576, 1390)

NRS 179D.630 “Sexually violent predator” defined. “Sexually violent predator” has the meaning ascribed to it in [NRS 179D.430](#).

(Added to NRS by 1997, 1662)

NRS 179D.640 “Tier 1 level of notification” defined. “Tier 1 level of notification” means community notification pursuant to paragraph (a) of subsection 1 of [NRS 179D.730](#).

(Added to NRS by 1997, 1662)

NRS 179D.650 “Tier 2 level of notification” defined. “Tier 2 level of notification” means community notification pursuant to paragraph (b) of subsection 1 of [NRS 179D.730](#).

(Added to NRS by 1997, 1662)

NRS 179D.660 “Tier 3 level of notification” defined. “Tier 3 level of notification” means community notification pursuant to paragraph (c) of subsection 1 of [NRS 179D.730](#).

(Added to NRS by 1997, 1662)

GUIDELINES AND PROCEDURE

NRS 179D.700 Advisory Council for Community Notification; creation; members; vacancies; recommendations concerning notification.

1. There is hereby created an Advisory Council for Community Notification. The council consists of:

- (a) Three members, of whom no more than two may be of the same political party, appointed by the Governor; and
- (b) Four members, of whom no more than two may be of the same political party, appointed by the Legislative Commission.

2. Each member serves a term of 4 years. Members may be reappointed for additional terms of 4 years in the same manner as the original appointments.

3. A vacancy occurring in the membership of the council must be filled in the same manner as the original appointments.

4. The council shall consult with and provide recommendations to the Attorney General concerning guidelines and procedures for community notification.

(Added to NRS by 1997, 1662)

NRS 179D.710 Attorney General to establish guidelines and procedures; uniform application; scope.

1. The Attorney General shall consult with the Advisory Council for Community Notification and shall establish guidelines and procedures for community notification pursuant to [NRS 179D.600](#) to [179D.800](#), inclusive.

2. The guidelines and procedures established by the Attorney General must be designed to promote, to the extent practicable, the uniform application of the provisions of [NRS 179D.600](#) to [179D.800](#), inclusive.

3. The provisions of [NRS 179D.600](#) to [179D.800](#), inclusive, must not be construed to prevent:

(a) Law enforcement officers from providing the public with notification concerning persons who pose a threat to the safety of the public.

(b) A campus police department from providing the campus community with notification concerning persons who pose a threat to the safety of the campus community.

(Added to NRS by 1997, 1662; A 2003, 577)

NRS 179D.720 Assessment of risk of recidivism; factors considered; access to records of sex offender; rights of confidentiality and privileges deemed waived.

1. Except as otherwise provided in subsection 5, the Attorney General shall establish guidelines and procedures for assessing the risk of recidivism of each sex offender who resides within this state and each nonresident sex offender who is a student or worker within this state.

2. The guidelines and procedures must identify and incorporate factors relevant to the risk of recidivism of the sex offender, including, but not limited to:

(a) Conditions of release that minimize the risk of recidivism, including probation or parole, counseling, therapy or treatment;

(b) Physical conditions that minimize the risk of recidivism, including advanced age or debilitating illness; and

(c) Any criminal history of the sex offender indicative of a high risk of recidivism, including, but not limited to:

(1) Whether the conduct of the sex offender was found to be characterized by repetitive and compulsive behavior;

(2) Whether the sex offender committed the sexual offense against a child;

(3) Whether the sexual offense involved the use of a weapon, violence or infliction of serious bodily injury;

(4) The number, date and nature of prior offenses;

(5) Whether psychological or psychiatric profiles indicate a risk of recidivism;

(6) The response of the sex offender to treatment;

(7) Any recent threats against a person or expressions of intent to commit additional crimes; and

(8) Behavior while confined.

3. The assessment of the risk of recidivism of a sex offender may be based upon information concerning the sex offender obtained from agencies of this state and agencies from other jurisdictions.

4. Each person who is conducting the assessment must be given access to all records of the sex offender that are necessary to conduct the assessment, and the sex offender shall be deemed to have waived all rights of confidentiality and all privileges relating to those records for the limited purpose of the assessment.

5. The Attorney General may provide in the guidelines and procedures for a provisional waiver of the assessment of the risk of recidivism of any nonresident sex offender who is not likely to be a student or worker within this state for more than 30 consecutive days and who is not likely to pose a substantial threat to the safety of the public. If a nonresident sex offender is granted such a provisional waiver, the nonresident sex offender:

(a) Shall be deemed to be assigned provisionally a Tier 1 level of notification; and

(b) May be assessed and assigned any other level of notification pursuant to the provisions of [NRS 179D.600](#) to [179D.800](#), inclusive, and the guidelines and procedures for community notification established by the Attorney General if, at any time during the period of the provisional waiver, there is any cause to believe that the nonresident sex offender will be a student or worker within this state for an extended period or that he poses a threat to the safety of the public.

(Added to NRS by 1997, 1662; A 1999, 1308)

NRS 179D.730 Levels of notification; persons notified; when notification to include photograph; mandatory level of notification for certain sex offenders; existence of community notification website does not affect responsibility to provide notification.

1. Except as otherwise provided in this section, the guidelines and procedures for community notification established by the Attorney General must provide for the following levels of notification, depending upon the risk of recidivism of the sex offender:

(a) If the risk of recidivism is low, the sex offender must be assigned a Tier 1 level of notification, and the law enforcement agency in whose jurisdiction the sex offender resides or is a student or worker shall notify other law enforcement agencies that are likely to encounter the sex offender.

(b) If the risk of recidivism is moderate, the sex offender must be assigned a Tier 2 level of notification, and the law enforcement agency in whose jurisdiction the sex offender resides or is a student or worker shall provide notification pursuant to paragraph (a) and shall notify schools and religious and youth organizations that are likely to encounter the sex offender.

(c) If the risk of recidivism is high, the sex offender must be assigned a Tier 3 level of notification, and the law enforcement agency in whose jurisdiction the sex offender resides or is a student or worker shall provide notification pursuant to paragraphs (a) and (b) and shall notify the public through means designed to reach members of the public who are likely to encounter the sex offender.

2. If the sex offender is assigned a Tier 2 or Tier 3 level of notification and the sex offender has committed a sexual offense against a person less than 18 years of age, the law enforcement agency in whose jurisdiction the sex offender resides or is a student or worker shall provide the appropriate notification for Tier 2 or Tier 3 and, in addition, shall notify:

(a) Motion picture theaters, other than adult motion picture theaters, which are likely to encounter the sex offender; and

(b) Businesses which are likely to encounter the sex offender and which primarily have children as customers or conduct events that primarily children attend. Notification pursuant to this subsection must include a copy of a photograph of the sex offender. As used in paragraph (a), "adult motion picture theater" has the meaning ascribed to it in NRS 278.0221.

3. A sex offender must be assigned a Tier 3 level of notification if the sex offender has been:

(a) Declared to be a sexually violent predator;

(b) Convicted of three or more sexually violent offenses, and at least two of the offenses were brought and tried separately;

(c) Convicted of two sexually violent offenses and one or more nonsexually violent offenses, and at least two of the offenses were brought and tried separately;

(d) Convicted of one sexually violent offense and two or more nonsexually violent offenses, and at least two of the offenses were brought and tried separately;

(e) Convicted of two sexually violent offenses, and both offenses were brought and tried separately, and the sex offender has been arrested on three or more separate occasions for commission of a sexually violent offense, a nonsexually violent offense or an associated offense; or

(f) Convicted of one sexually violent offense and one nonsexually violent offense, and both offenses were brought and tried separately, and the sex offender has been arrested on three or more separate occasions for commission of a sexually violent offense, a nonsexually violent offense or an associated offense.

4. The existence of the community notification website must not be construed to affect, in any manner, the responsibility to provide notification pursuant to this section.

5. As used in this section:

(a) "Associated offense" includes any of the following offenses:

(1) Harassment pursuant to NRS 200.571.

(2) Stalking or aggravated stalking pursuant to NRS 200.575.

(3) Any offense related to obscenity pursuant to NRS 201.235 to 201.254, inclusive.

(4) Any offense related to obscene, threatening or annoying telephone calls pursuant to NRS 201.255.

(5) Any offense related to burglary or invasion of the home pursuant to NRS 205.060 to 205.080, inclusive.

(b) "Community notification website" has the meaning ascribed to it in NRS 179B.023.

(c) "Nonsexually violent offense" means an offense that:

(1) Involves the use or threatened use of force or violence against the victim; and

(2) Is not a sexual offense as defined pursuant to [NRS 179D.410](#).

(d) "Sexually violent offense" has the meaning ascribed to it in [NRS 179D.420](#).

(Added to NRS by 1997, 1663; A 1999, 1309; 2005, 2872)

NRS 179D.740 Notice to sex offender of level of notification assigned and procedure for reconsideration; exceptions. A sex offender who is assigned a Tier 2 or Tier 3 level of notification must be provided with notice indicating:

1. The level of notification he has been assigned; and

2. The procedures the sex offender must follow to request reconsideration of the level of notification, unless the level of notification is not subject to reconsideration pursuant to a specific statute.

(Added to NRS by 1997, 1664)

NRS 179D.750 Change in level of notification after unlawful or harmful act.

1. Except as otherwise provided in subsection 5 of [NRS 179D.720](#), if a sex offender has been assigned a level of notification pursuant to [NRS 179D.600](#) to [179D.800](#), inclusive, and the sex offender:

(a) Is convicted of an offense that poses a threat to the safety or well-being of others;

(b) Annoys, harasses, threatens or intimidates a victim of one of his sexual offenses; or

(c) Commits an overt act which is sexually motivated or involves the use or threatened use of force or violence and which causes harm or creates a reasonable apprehension of harm,

↳ the level of notification assigned to the sex offender may be changed in accordance with the guidelines and procedures established by the Attorney General pursuant to [NRS 179D.600](#) to [179D.800](#), inclusive.

2. As used in this section:

(a) "Sexual offense" includes, but is not limited to, a sexual offense punishable as a misdemeanor or gross misdemeanor.

(b) "Sexually motivated" means that one of the purposes for which the person committed the act was his sexual gratification.

(Added to NRS by 1997, 1664; A 1999, 1309)

NRS 179D.760 Reassessment of risk of recidivism; termination of notification; procedure; exceptions.

1. Except as otherwise provided in subsection 6, if a sex offender is subject to community notification for an interval of at least 10 consecutive years during which he is not convicted of an offense that poses a threat to the safety or well-being of others, the sex offender may petition the Attorney General for a reassessment of his risk of recidivism.

2. If the sex offender satisfies the requirements of subsection 1, the Attorney General shall arrange for a reassessment. The reassessment must be conducted in the same manner as an assessment of the risk of recidivism.

3. If the sex offender is assigned a Tier 1 level of notification before the reassessment is conducted, the sex offender may be:

(a) Reassigned the Tier 1 level of notification that he is currently assigned; or

(b) Relieved from being subject to community notification.

4. If the sex offender is assigned a Tier 2 or Tier 3 level of notification before the reassessment is conducted, the sex offender may be:

(a) Reassigned the level of notification that he is currently assigned; or

(b) Reassigned a level of notification that is one tier below the level of notification that he is currently assigned.

5. After receiving a reassessment pursuant to subsections 1 and 2, the sex offender may file another petition for a reassessment 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.

6. If a sex offender has been declared to be a sexually violent predator, the sex offender may not receive a reassessment pursuant to the provisions of this section.

(Added to NRS by 1997, 1664; A 1999, 1310)

NRS 179D.770 Disclosure of information by law enforcement agencies. The law enforcement agency in whose jurisdiction a sex offender resides or is a student or worker shall disclose information regarding the sex offender to the appropriate persons pursuant to the guidelines and procedures established by the Attorney General pursuant to [NRS 179D.600](#) to [179D.800](#), inclusive.

(Added to NRS by 1997, 1665; A 1999, 1310)

JUVENILE SEX OFFENDERS

NRS 179D.800 Attorney General to establish guidelines and procedures; disclosure of information; access to records of juvenile sex offender; rights of confidentiality and privileges deemed waived.

1. The Attorney General shall establish guidelines and procedures for community notification concerning juvenile sex offenders who are subject to the provisions of [NRS 62F.200](#) to [62F.260](#), inclusive. The guidelines and procedures for community notification concerning juvenile sex offenders must be, to the extent practicable, consistent with the guidelines and procedures for community notification concerning adult sex offenders established by the Attorney General pursuant to [NRS 179D.600](#) to [179D.800](#), inclusive.

2. Upon receiving notification from a probation officer or parole officer, as appropriate, assigned to a juvenile sex offender pursuant to [NRS 62F.200](#) to [62F.260](#), inclusive, the local law enforcement agency receiving the notification shall disclose information regarding the juvenile sex offender to the appropriate persons pursuant to the guidelines and procedures established by the Attorney General pursuant to [NRS 179D.600](#) to [179D.800](#), inclusive.

3. Each person who is conducting an assessment of the risk of recidivism of a juvenile sex offender must be given access to all records of the juvenile sex offender that are necessary to conduct the assessment, including, but not limited to, records compiled pursuant to title 5 of NRS, and the juvenile sex offender shall be deemed to have waived all rights of confidentiality and all privileges relating to those records for the limited purpose of the assessment.

(Added to NRS by 1997, 1665; A 2003, 1124)

SEXUAL ASSAULT AND SEDUCTION**NRS 200.366 Sexual assault: Definition; penalties.**

1. A person who subjects another person to sexual penetration, or who forces another person to make a sexual penetration on himself or another, or on a beast, against the will of the victim or under conditions in which the perpetrator knows or should know that the victim is mentally or physically incapable of resisting or understanding the nature of his conduct, is guilty of sexual assault.

2. Except as otherwise provided in subsections 3 and 4, a person who commits a sexual assault is guilty of a category A felony and shall be punished:

(a) If substantial bodily harm to the victim results from the actions of the defendant committed in connection with or as a part of the sexual assault, by imprisonment in the state prison:

(1) For life without the possibility of parole; or

(2) For life with the possibility of parole, with eligibility for parole beginning when a minimum of 15 years has been served.

(b) If no substantial bodily harm to the victim results, by imprisonment in the state prison for life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served.

3. Except as otherwise provided in subsection 4, a person who commits a sexual assault against a child under the age of 16 years is guilty of a category A felony and shall be punished:

(a) If the crime results in substantial bodily harm to the child, by imprisonment in the state prison for life without the possibility of parole.

(b) Except as otherwise provided in paragraph (c), if the crime does not result in substantial bodily harm to the child, by imprisonment in the state prison for life with the possibility of parole, with eligibility for parole beginning when a minimum of 20 years has been served.

(c) If the crime is committed against a child under the age of 14 years and does not result in substantial bodily harm to the child, by imprisonment in the state prison for life with the possibility of parole, with eligibility for parole beginning when a minimum of 20 years has been served.

4. A person who commits a sexual assault against a child under the age of 16 years and who has been previously convicted of:

(a) A sexual assault pursuant to this section or any other sexual offense against a child; or

(b) An offense committed in another jurisdiction that, if committed in this State, would constitute a sexual assault pursuant to this section or any other sexual offense against a child,
→ is guilty of a category A felony and shall be punished by imprisonment in the state prison for life without the possibility of parole.

5. For the purpose of this section, "other sexual offense against a child" means any act committed by an adult upon a child constituting:

(a) Incest pursuant to NRS 201.180;

(b) Lewdness with a child pursuant to NRS 201.230;

(c) Sado-masochistic abuse pursuant to NRS 201.262; or

(d) Luring a child using a computer, system or network pursuant to NRS 201.560, if punished as a felony.

(Added to NRS by 1977, 1626; A 1991, 612; 1995, 1186; 1997, 1179, 1719; 1999, 431; 2003, 2825; 2005, 2874)

PAROLE

RELEASE OF PRISONER ON PAROLE

NRS 213.1099 Limitations on Board’s power to release prisoners on parole.

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](#) until the law enforcement agency in whose jurisdiction the offender will be released on parole has been provided an opportunity to give the notice required by the Attorney General pursuant to [NRS 179D.600](#) to [179D.800](#), inclusive.

(Added to NRS by 1967, 526; A 1973, 844; 1975, 85; 1977, 414; 1981, 871; 1987, 509, 946; 1989, 1886; 1993, 2777; 1995, 28, 417, 1259, 1331, 2067, 2070; 1997, 589, 590, 591, 1686, 2508; 2001 Special Session, 200)

NRS 213.1243 Release of sex offender: Program of lifetime supervision; penalty.

1. The Board shall establish by regulation a program of lifetime supervision of sex offenders to commence after any period of probation or any term of imprisonment and any period of release on parole. The program must provide for the lifetime supervision of sex offenders by parole and probation officers.

2. Lifetime supervision shall be deemed a form of parole for:

(a) The limited purposes of the applicability of the provisions of NRS 213.1076, subsection 9 of NRS 213.1095, NRS 213.1096 and subsection 2 of NRS 213.110; and

(b) The purposes of the Interstate Compact for Adult Offender Supervision ratified, enacted and entered into by the State of Nevada pursuant to NRS 213.215.

3. A person who commits a violation of a condition imposed on him pursuant to the program of lifetime supervision is guilty of:

- (a) If the violation constitutes a minor violation, a misdemeanor.
 - (b) If the violation constitutes a major violation, a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000.
4. For the purposes of prosecution of a violation by a person of a condition imposed upon him pursuant to the program of lifetime supervision, the violation shall be deemed to have occurred in, and may only be prosecuted in, the county in which the court that imposed the sentence of lifetime supervision pursuant to [NRS 176.0931](#) is located, regardless of whether the acts or conduct constituting the violation took place, in whole or in part, within or outside that county or within or outside this State.
5. As used in this section:
- (a) "Major violation" means a violation which poses a threat to the safety or well-being of others and which involves:
 - (1) The commission of any crime that is punishable as a gross misdemeanor or felony or any crime that involves a victim who is less than 18 years of age;
 - (2) The use of a deadly weapon, explosives or a firearm;
 - (3) The use or threatened use of force or violence against a person;
 - (4) Death or bodily injury of a person;
 - (5) An act of domestic violence;
 - (6) Harassment, stalking or threats of any kind; or
 - (7) The forcible or unlawful entry of a home, building, structure or vehicle in which a person is present.
 - (b) "Minor violation" means a violation that does not constitute a major violation.
(Added to NRS by 1995, 415; A 1997, 512, 1189; 2005, 2879)

Substantive Revisions Made After 2005.

This section was further amended by section 5 of Senate Bill No. 354 (2007), ch. 418, Stats. 2007, at p. 1918, to provide certain conditions on where a sex offender may reside if the sex offender is subject to lifetime supervision. The sex offender may reside at a location only: (1) if the residence is approved by the parole and probation officer of the person; (2) if the facility houses more than three persons who have been released from prison, the facility is a facility for transitional living for released offenders that is licensed pursuant to chapter 449 of NRS; and (3) if the person keeps the parole and probation officer informed of his current address. The State Board of Parole Commissioners may choose not to impose one of those conditions if it finds that extraordinary circumstances exist and states those circumstances in writing.

This section was further amended by section 2 of Assembly Bill No. 325 (2009), ch. 300, Stats. 2009, at p. 1299, to require as a condition of lifetime supervision that the sex offender not have contact or communicate with a victim of the sexual offense or witness who testified against the sex offender or solicit another person to engage in such contact or communication on behalf of the sex offender, unless approved by the Chief Parole and Probation Officer or his designee and a written agreement is entered into and signed.

NRS 213.1245 Prisoner convicted of sexual offense: Mandatory conditions of parole.

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](#), 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](#) 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.

(Added to NRS by 1997, 1685; A 2001, 2068; 2003, 578)

Substantive Revisions Made After 2005.

This section was further amended by section 6 of Senate Bill No. 354 (2007), ch. 418, Stats. 2007, at p. 1919, to provide that as a condition of parole, certain offenders may reside at a facility that houses more than three persons who have been released from prison only if the facility is a facility for transitional living for released offenders that is licensed pursuant to chapter 449 of NRS.

This section was further amended by section 2.5 of Assembly Bill No. 325 (2009), ch. 300, Stats. 2009, at p. 1301, to require a person convicted of certain sexual offenses who is placed on parole to get approval from the “Chief Parole and Probation Officer or his designee” instead of the “parole and probation officer assigned to the defendant” before the person may have contact with a victim or witness who testified against the person. In addition, A.B. 325 requires the written agreement authorizing such contact to be signed and agreed to by the Chief Parole and Probation Officer or his designee.

NRS 213.1255 Prisoner convicted of sexual offense against child under 14: Additional conditions of parole required when appropriate.

1. In addition to any conditions of parole required to be imposed pursuant to [NRS 213.1245](#), as a condition of releasing on parole a prisoner who was convicted of committing an offense listed in subsection 2 against a child under the age of 14 years, the Board shall, when appropriate:

- (a) Require the parolee to participate in psychological counseling;
- (b) Prohibit the parolee from being alone with a child unless another adult who has never been convicted of a sexual offense is present; and
- (c) Prohibit the parolee from being on or near the grounds of any place that is primarily designed for use by or for children, including, without limitation, a public or private school, a center or facility that provides day care services, a video arcade and an amusement park.

2. The provisions of subsection 1 apply to a prisoner who was convicted of:
- (a) Sexual assault pursuant to paragraph (c) of subsection 3 of [NRS 200.366](#);
 - (b) Abuse or neglect of a child pursuant to subparagraph (1) of paragraph (a) of subsection 1 or subparagraph (1) of paragraph (a) of subsection 2 of NRS 200.508;
 - (c) An offense punishable pursuant to subsection 2 of NRS 200.750;
 - (d) Solicitation of a minor to engage in acts constituting the infamous crime against nature pursuant to subparagraph (1) of paragraph (a) of subsection 1 of NRS 201.195;
 - (e) Lewdness with a child pursuant to NRS 201.230;
 - (f) Luring a child or mentally ill person pursuant to NRS 201.560, if punished as a felony; or
 - (g) Any combination of the crimes listed in paragraphs (a) to (f), inclusive.
- (Added to NRS by 1997, 1722; A 1999, 470; 2001, 1142, 2800; 2003, 22, 1393)

NRS 213.130 Department of Corrections to determine eligibility for parole and provide data to Board; use of photographs related to offense when considering parole; meetings to consider prisoner for parole; notice to victim.

1. The Department of Corrections shall:
- (a) Determine when a prisoner sentenced to imprisonment in the state prison is eligible to be considered for parole;
 - (b) Notify the State Board of Parole Commissioners of the eligibility of the prisoner to be considered for parole; and
 - (c) Before a meeting to consider the prisoner for parole, compile and provide to the Board data that will assist the Board in determining whether parole should be granted.

2. If a prisoner is being considered for parole from a sentence imposed for conviction of a crime which involved the use of force or violence against a victim and which resulted in bodily harm to a victim and if original or duplicate photographs that depict the injuries of the victim or the scene of the crime were admitted at the trial of the prisoner or were part of the report of the presentence investigation and are reasonably available, a representative sample of such

photographs must be included with the information submitted to the Board at the meeting. A prisoner may not bring a cause of action against the State of Nevada, its political subdivisions, agencies, boards, commissions, departments, officers or employees for any action that is taken pursuant to this subsection or for failing to take any action pursuant to this subsection, including, without limitation, failing to include photographs or including only certain photographs. As used in this subsection, “photograph” includes any video, digital or other photographic image.

3. Meetings to consider prisoners for parole may be held semiannually or more often, on such dates as may be fixed by the Board. All meetings must be open to the public.

4. Not later than 5 days after the date on which the Board fixes the date of the meeting to consider a prisoner for parole, the Board shall notify the victim of the prisoner who is being considered for parole of the date of the meeting and of his rights pursuant to this subsection, if the victim has requested notification in writing and has provided his current address or if the victim’s current address is otherwise known by the Board. The victim of a prisoner being considered for parole may submit documents to the Board and may testify at the meeting held to consider the prisoner for parole. A prisoner must not be considered for parole until the Board has notified any victim of his rights pursuant to this subsection and he is given the opportunity to exercise those rights. If a current address is not provided to or otherwise known by the Board, the Board must not be held responsible if such notification is not received by the victim.

5. The Board may deliberate in private after a public meeting held to consider a prisoner for parole.

6. The Board of State Prison Commissioners shall provide suitable and convenient rooms or space for use of the Board.

7. If a victim is notified of a meeting to consider a prisoner for parole pursuant to subsection 4, the Board shall, upon making a final decision concerning the parole of the prisoner, notify the victim of its final decision.

8. All personal information, including, but not limited to, a current or former address, which pertains to a victim and which is received by the Board pursuant to this section is confidential.

9. For the purposes of this section, “victim” has the meaning ascribed to it in NRS 213.005. [12:149:1933; 1931 NCL § 11580]—(NRS A 1957, 333, 740; 1973, 844; 1977, 263; 1983, 1332, 1439, 1658; 1995, 408, 2067, 2069; 1997, 3245; 1999, 132, 1279; 2001 Special Session, 202)

Substantive Revisions Made After 2005.

This section was further amended by section 4 of Assembly Bill No. 117 (2009), ch. 148, Stats. 2009, at p. 524, to allow the State Board of Parole Commissioners to grant parole to a prisoner without a meeting if the Board anticipates that parole will be granted.

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