
SENATE BILL NO. 106—COMMITTEE ON JUDICIARY
(ON BEHALF OF THE COMMISSION ON STATEWIDE
JUVENILE JUSTICE REFORM)

FEBRUARY 11, 2013

Referred to Committee on Judiciary

SUMMARY—Revises various provisions relating to judicial administration. (BDR 14-509)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to judicial administration; revising provisions governing the collection of delinquent fines, administrative assessments, fees, restitution and other payments imposed in criminal and juvenile court proceedings; revising provisions governing the appointment of an attorney in juvenile court proceedings; revising provisions concerning the approval or rejection of the recommendations of a master of the juvenile court; authorizing a juvenile court to establish a restitution contribution fund; authorizing the waiver of all or part of any community service imposed by the juvenile court in exchange for a monetary contribution to a restitution contribution fund; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law authorizes a court to impose a collection fee for certain delinquent
2 fines, administrative assessments, fees and restitution and authorizes the court to
3 take certain actions to collect such delinquent payments. (NRS 176.064) **Section 1**
4 of this bill authorizes the court to enter a civil judgment for the amount of any
5 unpaid fines, administrative assessments, fees and restitution imposed against a
6 criminal defendant. Under **section 1**, the civil judgment may be enforced and
7 renewed in the same manner as a judgment for money rendered in a civil action,
8 and a person who is not indigent and who has not satisfied the civil judgment
9 within a certain period may be punished for contempt. **Section 4** of this bill



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10 authorizes a juvenile court to impose the same collection fees for delinquent fines,
11 administrative assessments, fees, restitution and certain other payments as a court
12 may impose against a criminal defendant. **Section 4** authorizes a juvenile court to
13 enter a civil judgment against a child or the parent or guardian of the child for any
14 delinquent fines, administrative assessments, fees, restitution or other payments
15 required in a juvenile court proceeding and authorizes the juvenile court to take
16 certain actions if the juvenile court has entered such a civil judgment. Moreover, if
17 the juvenile court has entered a civil judgment against a person who is not indigent
18 and the juvenile court determines that the person has failed to make reasonable
19 efforts to satisfy the civil judgment, **section 4** authorizes the juvenile court to
20 punish the person for contempt. **Section 4** also provides that if a civil judgment
21 entered by the juvenile court is unsatisfied and the person against whom the
22 judgment is entered is convicted of a crime, the unsatisfied portion of the civil
23 judgment must be included in the sentence for that crime.

24 Existing law requires a juvenile court to appoint an attorney to represent a child
25 who is alleged to be delinquent or in need of supervision under certain
26 circumstances. If the parent or guardian of a child for whom the juvenile court has
27 appointed an attorney is not indigent, the parent or guardian is required to pay the
28 reasonable fees and expenses of the attorney. If the parent or guardian of the child
29 is indigent, the juvenile court may order the parent or guardian to reimburse the
30 county or State in accordance with his or her ability to pay. (NRS 62D.030) Under
31 **section 7** of this bill, the juvenile court is required to find that the parent or
32 guardian of a child is indigent if the parent or guardian: (1) receives public
33 assistance, resides in public housing, has an income that is less than 200 percent of
34 the federally designated poverty standard, is incarcerated or is housed in a public or
35 private mental health facility; or (2) is financially unable, without substantial
36 hardship to the parent or guardian or his or her dependents, to obtain qualified and
37 competent legal counsel.

38 **Section 5** of this bill revises the procedure by which a judge of the juvenile
39 court approves or rejects the recommendations of a master of the juvenile court or
40 directs a hearing de novo before the juvenile court.

41 **Section 9** of this bill authorizes a juvenile court to establish a restitution
42 contribution fund. Under **section 9**, all expenditures from the restitution
43 contribution fund: (1) must be authorized by the juvenile court; and (2) must
44 provide restitution to victims of unlawful acts committed by children or, if the
45 source of the money is a grant, gift, donation, bequest or devise, must be made in
46 accordance with the terms of the grant, gift, donation, bequest or devise. **Section 10**
47 of this bill authorizes the juvenile court to waive all or part of any community
48 service imposed against a child by the juvenile court in exchange for a monetary
49 contribution to the restitution contribution fund and requires the juvenile court to
50 set forth in an administrative order that is available for public inspection a formula
51 for determining the amount of a contribution to the fund and the manner in which
52 the contribution must be made. **Section 6** of this bill authorizes an agreement for
53 the informal supervision of a child to require the child to make a monetary
54 contribution to a restitution contribution fund.

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

1 **Section 1.** NRS 176.064 is hereby amended to read as follows:
2 176.064 1. If a fine, administrative assessment, fee or
3 restitution is imposed upon a defendant pursuant to this chapter,



1 whether or not the fine, administrative assessment, fee or restitution
2 is in addition to any other punishment, and the fine, administrative
3 assessment, fee or restitution or any part of it remains unpaid after
4 the time established by the court for its payment, the defendant is
5 liable for a collection fee, to be imposed by the court at the time it
6 finds that the fine, administrative assessment, fee or restitution is
7 delinquent, of:

8 (a) Not more than \$100, if the amount of the delinquency is less
9 than \$2,000.

10 (b) Not more than \$500, if the amount of the delinquency is
11 \$2,000 or greater, but is less than \$5,000.

12 (c) Ten percent of the amount of the delinquency, if the amount
13 of the delinquency is \$5,000 or greater.

14 2. A state or local entity that is responsible for collecting a
15 delinquent fine, administrative assessment, fee or restitution may, in
16 addition to attempting to collect the fine, administrative assessment,
17 fee or restitution through any other lawful means, take any or all of
18 the following actions:

19 (a) Report the delinquency to reporting agencies that assemble
20 or evaluate information concerning credit.

21 (b) Request that the court take appropriate action pursuant to
22 subsection 3.

23 (c) Contract with a collection agency licensed pursuant to NRS
24 649.075 to collect the delinquent amount and the collection fee. The
25 collection agency must be paid as compensation for its services an
26 amount not greater than the amount of the collection fee imposed
27 pursuant to subsection 1, in accordance with the provisions of the
28 contract.

29 3. The court may, on its own motion or at the request of a state
30 or local entity that is responsible for collecting the delinquent fine,
31 administrative assessment, fee or restitution, take any or all of the
32 following actions, in the following order of priority if practicable:

33 (a) *Enter a civil judgment for the amount due in favor of the*
34 *state or local entity that is responsible for collecting the delinquent*
35 *fine, administrative assessment, fee or restitution. A civil judgment*
36 *entered pursuant to this paragraph may be enforced and renewed*
37 *in the manner provided by law for the enforcement and renewal of*
38 *a judgment for money rendered in a civil action. If the court has*
39 *entered a civil judgment pursuant to this paragraph and the*
40 *person against whom the judgment is entered is not indigent and*
41 *has not satisfied the judgment within the time established by the*
42 *court, the person may be dealt with as for contempt of court.*

43 (b) Request that a prosecuting attorney undertake collection of
44 the delinquency, including, without limitation, the original amount
45 *of the civil judgment entered pursuant to paragraph (a)* and the



1 collection fee, by attachment or garnishment of the defendant's
2 property, wages or other money receivable.

3 ~~(b)~~ (c) Order the suspension of the driver's license of the
4 defendant. If the defendant does not possess a driver's license, the
5 court may prohibit the defendant from applying for a driver's
6 license for a specified period. If the defendant is already the subject
7 of a court order suspending or delaying the issuance of the
8 defendant's driver's license, the court may order the additional
9 suspension or delay, as appropriate, to apply consecutively with the
10 previous order. At the time the court issues an order suspending the
11 driver's license of a defendant pursuant to this paragraph, the court
12 shall require the defendant to surrender to the court all driver's
13 licenses then held by the defendant. The court shall, within 5 days
14 after issuing the order, forward to the Department of Motor Vehicles
15 the licenses, together with a copy of the order. At the time the court
16 issues an order pursuant to this paragraph delaying the ability of a
17 defendant to apply for a driver's license, the court shall, within 5
18 days after issuing the order, forward to the Department of Motor
19 Vehicles a copy of the order. The Department of Motor Vehicles
20 shall report a suspension pursuant to this paragraph to an insurance
21 company or its agent inquiring about the defendant's driving record,
22 but such a suspension must not be considered for the purpose of
23 rating or underwriting.

24 ~~(e)~~ (d) For a delinquent fine or administrative assessment,
25 order the confinement of the person in the appropriate prison, jail or
26 detention facility, as provided in NRS 176.065 and 176.075.

27 4. Money collected from a collection fee imposed pursuant to
28 subsection 1 must be distributed in the following manner:

29 (a) Except as otherwise provided in paragraph (d), if the money
30 is collected by or on behalf of a municipal court, the money must be
31 deposited in a special fund in the appropriate city treasury. The city
32 may use the money in the fund only to develop and implement a
33 program for the collection of fines, administrative assessments, fees and
34 restitution.

35 (b) Except as otherwise provided in paragraph (d), if the money
36 is collected by or on behalf of a justice court or district court, the
37 money must be deposited in a special fund in the appropriate county
38 treasury. The county may use the money in the special fund only to
39 develop and implement a program for the collection of fines,
40 administrative assessments, fees and restitution.

41 (c) Except as otherwise provided in paragraph (d), if the money
42 is collected by a state entity, the money must be deposited in an
43 account, which is hereby created in the State Treasury. The Court
44 Administrator may use the money in the account only to develop



1 and implement a program for the collection of fines, administrative
2 assessments, fees and restitution in this State.

3 (d) If the money is collected by a collection agency, after the
4 collection agency has been paid its fee pursuant to the terms of the
5 contract, any remaining money must be deposited in the state, city
6 or county treasury, whichever is appropriate, to be used only for the
7 purposes set forth in paragraph (a), (b) or (c) of this subsection.

8 **Sec. 2.** NRS 176.065 is hereby amended to read as follows:

9 176.065 1. Except as otherwise provided in subsection 2,
10 when a person is sentenced to both fine and imprisonment, or to pay
11 a forfeiture in addition to imprisonment, the court may, pursuant to
12 NRS 176.064, *or section 4 of this act*, order that the person be
13 confined in the state prison, the city or county jail or a detention
14 facility, whichever is designated in the person's sentence of
15 imprisonment, for an additional period of 1 day for each \$75 of the
16 amount until the administrative assessment and the fine or forfeiture
17 are satisfied or the maximum term of imprisonment prescribed by
18 law for the offense committed has elapsed, whichever is earlier, but
19 the person's eligibility for parole is governed only by the person's
20 sentence of imprisonment.

21 2. The provisions of this section do not apply to indigent
22 persons.

23 **Sec. 3.** NRS 176.075 is hereby amended to read as follows:

24 176.075 1. Except as otherwise provided in subsection 2,
25 when a person is sentenced to pay a fine or forfeiture without an
26 accompanying sentence of imprisonment, the court may, pursuant to
27 NRS 176.064, *or section 4 of this act*, order that the person be
28 confined in the city or county jail or detention facility for a period of
29 not more than 1 day for each \$75 of the amount until the
30 administrative assessment and the fine or forfeiture are satisfied.

31 2. The provisions of this section do not apply to indigent
32 persons.

33 **Sec. 4.** Chapter 62B of NRS is hereby amended by adding
34 thereto a new section to read as follows:

35 *1. Except as otherwise provided in this subsection, if,*
36 *pursuant to this title, a child or a parent or guardian of a child is*
37 *ordered by the juvenile court to pay a fine, administrative*
38 *assessment, fee or restitution or to make any other payment and*
39 *the fine, administrative assessment, fee, restitution or other*
40 *payment or any part of it remains unpaid after the time established*
41 *by the juvenile court for its payment, the juvenile court may enter*
42 *a civil judgment against the child or the parent or guardian of the*
43 *child for the amount due in favor of the victim, the state or local*
44 *entity to whom the amount is owed or both. The juvenile court*
45 *may not enter a civil judgment against a person who is a child*



1 *unless the person has attained the age of 18 years, the person is a*
2 *child who is determined to be outside the jurisdiction of the*
3 *juvenile court pursuant to NRS 62B.330 or 62B.335 or the person*
4 *is a child who is certified for proper criminal proceedings as an*
5 *adult pursuant to NRS 62B.390.*

6 *2. Notwithstanding the termination of the jurisdiction of the*
7 *juvenile court pursuant to NRS 62B.410 or the termination of any*
8 *period of supervision or probation ordered by the juvenile court,*
9 *the juvenile court retains jurisdiction over any civil judgment*
10 *entered pursuant to subsection 1 and retains jurisdiction over the*
11 *person against whom a civil judgment is entered pursuant to*
12 *subsection 1. The juvenile court may supervise the civil judgment*
13 *and take any of the actions authorized by the laws of this State.*

14 *3. A civil judgment entered pursuant to subsection 1 may be*
15 *enforced and renewed in the manner provided by law for the*
16 *enforcement and renewal of a judgment for money rendered in a*
17 *civil action.*

18 *4. If the juvenile court enters a civil judgment pursuant to*
19 *subsection 1, the person or persons against whom the judgment is*
20 *issued is liable for a collection fee, to be imposed by the juvenile*
21 *court at the time the civil judgment is issued, of:*

22 *(a) Not more than \$100, if the amount of the judgment is less*
23 *than \$2,000.*

24 *(b) Not more than \$500, if the amount of the judgment is*
25 *\$2,000 or greater, but is less than \$5,000.*

26 *(c) Ten percent of the amount of the judgment, if the amount*
27 *of the judgment is \$5,000 or greater.*

28 *5. In addition to attempting to collect the judgment through*
29 *any other lawful means, a victim, a representative of the victim or*
30 *a state or local entity that is responsible for collecting a civil*
31 *judgment entered pursuant to subsection 1 may take any or all of*
32 *the following actions:*

33 *(a) Report the judgment to reporting agencies that assemble or*
34 *evaluate information concerning credit.*

35 *(b) Request that the juvenile court take appropriate action*
36 *pursuant to subsection 6.*

37 *(c) Contract with a collection agency licensed pursuant to NRS*
38 *649.075 to collect the judgment and the collection fee. The*
39 *collection agency must be paid as compensation for its services an*
40 *amount not greater than the amount of the collection fee imposed*
41 *pursuant to subsection 4, in accordance with the provisions of the*
42 *contract.*

43 *6. If the juvenile court determines that a child or the parent*
44 *or guardian of a child against whom a civil judgment has been*
45 *entered pursuant to subsection 1 has failed to make reasonable*



1 *efforts to satisfy the civil judgment, the juvenile court may take*
2 *any of the following actions:*

3 *(a) Order the suspension of the driver's license of a child for a*
4 *period not to exceed 1 year. If the child is already the subject of a*
5 *court order suspending the driver's license of the child, the*
6 *juvenile court may order the additional suspension to apply*
7 *consecutively with the previous order. At the time the juvenile*
8 *court issues an order suspending the driver's license of a child*
9 *pursuant to this paragraph, the juvenile court shall require the*
10 *child to surrender to the juvenile court all driver's licenses then*
11 *held by the child. The juvenile court shall, within 5 days after*
12 *issuing the order, forward to the Department of Motor Vehicles*
13 *the licenses, together with a copy of the order. The Department of*
14 *Motor Vehicles shall report a suspension pursuant to this*
15 *paragraph to an insurance company or its agent inquiring about*
16 *the driving record of a child, but such a suspension must not be*
17 *considered for the purpose of rating or underwriting.*

18 *(b) If a child does not possess a driver's license, prohibit the*
19 *child from applying for a driver's license for a period not to*
20 *exceed 1 year. If the child is already the subject of a court order*
21 *delaying the issuance of a license to drive, the juvenile court may*
22 *order any additional delay in the ability of the child to apply for a*
23 *driver's license to apply consecutively with the previous order. At*
24 *the time the juvenile court issues an order pursuant to this*
25 *paragraph delaying the ability of a child to apply for a driver's*
26 *license, the juvenile court shall, within 5 days after issuing the*
27 *order, forward to the Department of Motor Vehicles a copy of the*
28 *order.*

29 *(c) If the civil judgment was issued for a delinquent fine or*
30 *administrative assessment, order the confinement of the person in*
31 *the appropriate prison, jail or detention facility, as provided in*
32 *NRS 176.065 and 176.075.*

33 *(d) Enter a finding of contempt against a child or the parent or*
34 *guardian of a child and punish the child or the parent or guardian*
35 *for contempt in the manner provided in NRS 62E.040. A person*
36 *who is indigent may not be punished for contempt pursuant to this*
37 *subsection.*

38 *7. Money collected from a collection fee imposed pursuant to*
39 *subsection 4 must be deposited and used in the manner set forth in*
40 *subsection 4 of NRS 176.064.*

41 *8. If the juvenile court enters a civil judgment pursuant to*
42 *subsection 1 and the person against whom the judgment is entered*
43 *is convicted of a crime before he or she satisfies the civil*
44 *judgment, the court sentencing the person for that crime shall*



1 *include in the sentence the civil judgment or such portion of the*
2 *civil judgment that remains unpaid.*

3 **Sec. 5.** NRS 62B.030 is hereby amended to read as follows:

4 62B.030 1. The juvenile court may order a master of the
5 juvenile court to:

- 6 (a) Swear witnesses.
- 7 (b) Take evidence.
- 8 (c) Make findings of fact and recommendations.
- 9 (d) Conduct all proceedings before the master of the juvenile
10 court in the same manner as a district judge conducts proceedings in
11 a district court.

12 2. Not later than 10 days after the evidence before a master of
13 the juvenile court is closed, the master shall file with the juvenile
14 court:

- 15 (a) All papers relating to the case;
- 16 (b) Written findings of fact; and
- 17 (c) Written recommendations.

18 3. A master of the juvenile court shall provide to the parent or
19 guardian of the child, the attorney for the child, the district attorney,
20 and any other person concerned, written notice of:

- 21 (a) The master's findings of fact;
- 22 (b) The master's recommendations;
- 23 (c) The right to object to the master's recommendations; and
- 24 (d) The right to request a hearing de novo before the juvenile
25 court as provided in subsection ~~4~~ 5.

26 4. After reviewing the recommendations of a master of the
27 juvenile court and any objection to the master's recommendations,
28 the *judge of the* juvenile court shall ~~+~~ *sign a written order to:*

- 29 (a) Approve the master's recommendations, in whole or in part,
30 and order the recommended disposition; *or*
- 31 (b) Reject the master's recommendations, in whole or in part,
32 and order such relief as may be appropriate. ~~+~~ *or*

33 ~~—(c) Direct a~~

34 *5. An order issued pursuant to subsection 4 must provide*
35 *notice that:*

36 *(a) The approval or rejection of the master's recommendations*
37 *will not become effective until 6 days after the master provides*
38 *notice of the master's recommendations pursuant to subsection 3;*
39 *and*

40 *(b) A hearing de novo before the juvenile court may be ordered,*
41 *and the master's recommendations will not be binding,* if, not later
42 than 5 days after the master provides notice of the master's
43 recommendations, a person who is entitled to such notice files with
44 the juvenile court a request for a hearing de novo before the juvenile
45 court.



1 ~~5.1~~ 6. A recommendation of a master of the juvenile court is
2 not effective until expressly approved by the juvenile court as
3 evidenced by the signature of a judge of the juvenile court.

4 **Sec. 6.** NRS 62C.210 is hereby amended to read as follows:

5 62C.210 1. An agreement for informal supervision may
6 require the child to:

7 (a) Perform community service, ~~or~~ provide restitution to any
8 victim of the acts for which the child was referred to the probation
9 officer ~~or~~ *or make a monetary contribution to a restitution*
10 *contribution fund established pursuant to section 9 of this act;*

11 (b) Participate in a program of restitution through work that is
12 established pursuant to NRS 62E.580 if the child:

13 (1) Is 14 years of age or older;

14 (2) Has never been found to be within the purview of this
15 title for an unlawful act that involved the use or threatened use of
16 force or violence against a victim and has never been found to have
17 committed such an unlawful act in any other jurisdiction, unless the
18 probation officer determines that the child would benefit from the
19 program;

20 (3) Is required to provide restitution to a victim; and

21 (4) Voluntarily agrees to participate in the program of
22 restitution through work;

23 (c) Complete a program of cognitive training and human
24 development pursuant to NRS 62E.220 if:

25 (1) The child has never been found to be within the purview
26 of this title; and

27 (2) The unlawful act for which the child is found to be within
28 the purview of this title did not involve the use or threatened use of
29 force or violence against a victim; or

30 (d) Engage in any combination of the activities set forth in this
31 subsection.

32 2. If the agreement for informal supervision requires the child
33 to participate in a program of restitution through work or complete a
34 program of cognitive training and human development, the
35 agreement may also require any or all of the following, in the
36 following order of priority if practicable:

37 (a) The child or the parent or guardian of the child, or both, to
38 the extent of their financial ability, to pay the costs associated with
39 the participation of the child in the program, including, but not
40 limited to:

41 (1) A reasonable sum of money to pay for the cost of policies
42 of insurance against liability for personal injury and damage to
43 property during those periods in which the child participates in the
44 program or performs work; and



1 (2) In the case of a program of restitution through work, for
2 industrial insurance, unless the industrial insurance is provided by
3 the employer for which the child performs the work; or

4 (b) The child to work on projects or perform community service
5 for a period that reflects the costs associated with the participation
6 of the child in the program.

7 **Sec. 7.** NRS 62D.030 is hereby amended to read as follows:

8 62D.030 1. If a child is alleged to be delinquent or in need of
9 supervision, the juvenile court shall advise the child and the parent
10 or guardian of the child that the child is entitled to be represented by
11 an attorney at all stages of the proceedings.

12 2. If a parent or guardian of a child is indigent, the parent or
13 guardian may request the appointment of an attorney to represent
14 the child pursuant to the provisions in NRS 171.188.

15 3. Except as otherwise provided in this section, the juvenile
16 court shall appoint an attorney for a child if the parent or guardian of
17 the child does not retain an attorney for the child and is not likely to
18 retain an attorney for the child.

19 4. A child may waive the right to be represented by an attorney
20 if:

21 (a) A petition is not filed and the child is placed under informal
22 supervision pursuant to NRS 62C.200; or

23 (b) A petition is filed and the record of the juvenile court shows
24 that the waiver of the right to be represented by an attorney is made
25 knowingly, intelligently, voluntarily and in accordance with any
26 applicable standards established by the juvenile court.

27 5. Except as otherwise provided in *subsection 6 and* NRS
28 424.085, if the juvenile court appoints an attorney to represent a
29 child and:

30 (a) The parent or guardian of the child is not indigent, the parent
31 or guardian shall pay the reasonable fees and expenses of the
32 attorney.

33 (b) The parent or guardian of the child is indigent, the juvenile
34 court may order the parent or guardian to reimburse the county or
35 State in accordance with the ability of the parent or guardian to pay.

36 6. *For the purposes of paragraph (b) of subsection 5, the*
37 *juvenile court shall find that the parent or guardian of the child is*
38 *indigent if:*

39 (a) *The parent or guardian:*

40 (1) *Receives public assistance, as that term is defined in*
41 *NRS 422A.065;*

42 (2) *Resides in public housing, as that term is defined in*
43 *NRS 315.021;*

44 (3) *Has a household income that is less than 200 percent of*
45 *the federally designated level signifying poverty;*



1 (4) *Is incarcerated pursuant to a sentence imposed upon*
2 *conviction of a crime; or*

3 (5) *Is housed in a public or private mental health facility;*
4 *or*

5 (b) *After considering the particular circumstances of the*
6 *parent or guardian, including, without limitation, the seriousness*
7 *of the charges against the child, the monthly expenses of the*
8 *parent or guardian and the rates for attorneys in the area in which*
9 *the juvenile court is located, the juvenile court determines that the*
10 *parent or guardian is financially unable, without substantial*
11 *hardship to the parent or guardian or his or her dependents, to*
12 *obtain qualified and competent legal counsel.*

13 7. Each attorney, other than a public defender, who is
14 appointed under the provisions of this section is entitled to the same
15 compensation and expenses from the county as is provided in NRS
16 7.125 and 7.135 for attorneys appointed to represent persons
17 charged with criminal offenses.

18 **Sec. 8.** Chapter 62E of NRS is hereby amended by adding
19 thereto the provisions set forth as sections 9 and 10 of this act.

20 **Sec. 9. 1.** *The juvenile court may establish, with the county*
21 *treasurer as custodian, a special fund to be known as the*
22 *restitution contribution fund.*

23 2. *The juvenile court may apply for and accept grants, gifts,*
24 *donations, bequests or devise which the director of juvenile*
25 *services shall deposit with the county treasurer for credit to the*
26 *fund.*

27 3. *The fund must be a separate and continuing fund, and no*
28 *money in the fund reverts to the general fund of the county at any*
29 *time. The interest earned on the money in the fund, after*
30 *deducting any applicable charges, must be credited to the fund.*

31 4. *The juvenile court shall:*

32 (a) *Expend money from the fund only to provide restitution to*
33 *a victim of an unlawful act committed by a child; and*

34 (b) *If the source of the money is a grant, gift, donation,*
35 *bequest or devise, expend the money, to the extent permitted by*
36 *law, in accordance with the terms of the grant, gift, donation,*
37 *bequest or devise.*

38 5. *The juvenile court must authorize any expenditure from*
39 *the fund before it is made.*

40 **Sec. 10. 1.** *If a juvenile court has established a restitution*
41 *contribution fund pursuant to section 9 of this act:*

42 (a) *In exchange for a monetary contribution to the restitution*
43 *contribution fund, the juvenile court may, in its discretion, waive*
44 *all or part of any community service which the juvenile court has*
45 *ordered a child to perform.*



1 (b) *The juvenile court shall set forth in a written*
2 *administrative order:*

3 (1) *A formula for determining the amount of the*
4 *contribution to the restitution contribution fund pursuant to this*
5 *section; and*

6 (2) *The manner in which the contribution must be made.*

7 ↪ *The juvenile court shall make available for public inspection*
8 *the written administrative order described in this paragraph.*

9 2. *The provisions of this section do not:*

10 (a) *Create a right on behalf of a child to the waiver of all or*
11 *part of any community service to be performed by the child in*
12 *exchange for a monetary contribution to a restitution contribution*
13 *fund established pursuant to section 9 of this act; or*

14 (b) *Establish a basis for any cause of action against the State*
15 *of Nevada or its officers or employees for denial of a waiver of all*
16 *or part of any community service to be performed by a child in*
17 *exchange for a monetary contribution to a restitution contribution*
18 *fund established pursuant to section 9 of this act.*

19 **Sec. 11.** NRS 62E.100 is hereby amended to read as follows:

20 62E.100 Except as otherwise provided in NRS 62E.100 to
21 62E.300, inclusive ~~H~~, *and sections 9 and 10 of this act:*

22 1. The provisions of NRS 62E.100 to 62E.300, inclusive, *and*
23 *sections 9 and 10 of this act* apply to the disposition of a case
24 involving any child who is found to be within the purview of this
25 title.

26 2. In addition to any other orders or actions authorized or
27 required by the provisions of this title, if a child is found to be
28 within the purview of this title:

29 (a) The juvenile court may issue any orders or take any actions
30 set forth in NRS 62E.100 to 62E.300, inclusive, *and sections 9 and*
31 *10 of this act* that the juvenile court deems proper for the disposition
32 of the case; and

33 (b) If required by a specific statute, the juvenile court shall issue
34 the appropriate orders or take the appropriate actions set forth in the
35 statute.

36 **Sec. 12.** NRS 483.443 is hereby amended to read as follows:

37 483.443 1. The Department shall, upon receiving notification
38 from a district attorney or other public agency collecting support for
39 children pursuant to NRS 425.510 that a court has determined that a
40 person:

41 (a) Has failed to comply with a subpoena or warrant relating to a
42 proceeding to establish paternity or to establish or enforce an
43 obligation for the support of a child; or

44 (b) Is in arrears in the payment for the support of one or more
45 children,



1 ↪ send a written notice to that person that his or her driver's license
2 is subject to suspension.

3 2. The notice must include:

4 (a) The reason for the suspension of the license;

5 (b) The information set forth in subsections 3, 5 and 6; and

6 (c) Any other information the Department deems necessary.

7 3. If a person who receives a notice pursuant to subsection 1
8 does not, within 30 days after receiving the notice, comply with the
9 subpoena or warrant or satisfy the arrearage as required in NRS
10 425.510, the Department shall suspend the license without providing
11 the person with an opportunity for a hearing.

12 4. The Department shall suspend immediately the license of a
13 defendant if so ordered pursuant to NRS 176.064 ~~††~~ *or section 4 of*
14 *this act.*

15 5. The Department shall reinstate the driver's license of a
16 person whose license was suspended pursuant to this section if it
17 receives:

18 (a) A notice from the district attorney or other public agency
19 pursuant to NRS 425.510 that the person has complied with the
20 subpoena or warrant or has satisfied the arrearage pursuant to that
21 section, ~~††~~ from a district judge that a delinquency for which the
22 suspension was ordered pursuant to NRS 176.064 has been
23 discharged ~~††~~ *or from a judge of the juvenile court that an*
24 *unsatisfied civil judgment for which the suspension was ordered*
25 *pursuant to section 4 of this act has been satisfied;* and

26 (b) Payment of the fee for reinstatement of a suspended license
27 prescribed in NRS 483.410.

28 6. The Department shall not require a person whose driver's
29 license was suspended pursuant to this section to submit to the tests
30 and other requirements which are adopted by regulation pursuant to
31 subsection 1 of NRS 483.495 as a condition of the reinstatement of
32 the license.

33 **Sec. 13.** This act becomes effective upon passage and
34 approval.

