

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.

~

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; 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 1** also revises the
10 purposes for which money collected from collection fees imposed by a court may
11 be used. **Section 4** of this bill authorizes a juvenile court to impose the same
12 collection fees for delinquent fines, administrative assessments, fees, restitution and



* S B 1 0 6 R 1 *

13 certain other payments as a court may impose against a criminal defendant pursuant
14 to **section 1**. **Section 4** authorizes a juvenile court to enter a civil judgment against
15 a child or the parent or guardian of the child for any delinquent fines, administrative
16 assessments, fees, restitution or other payments required in a juvenile court
17 proceeding and authorizes the juvenile court to take certain actions if the juvenile
18 court has entered such a civil judgment. Moreover, if the juvenile court has entered
19 a civil judgment against a person who is not indigent and the juvenile court
20 determines that the person has failed to make reasonable efforts to satisfy the civil
21 judgment, **section 4** authorizes the juvenile court to punish the person for contempt.
22 **Section 4** also provides that if a civil judgment entered by the juvenile court is
23 unsatisfied and the person against whom the judgment is entered is convicted of a
24 crime, the unsatisfied portion of the civil judgment must be included in the sentence
25 for that crime.

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

40 **Section 9** of this bill authorizes a juvenile court to establish a restitution
41 contribution fund. Under **section 9**, all expenditures from the restitution
42 contribution fund: (1) must be authorized by the juvenile court; and (2) must
43 provide restitution to victims of unlawful acts committed by children or, if the
44 source of the money is a grant, gift, donation, bequest or devise, must be made in
45 accordance with the terms of the grant, gift, donation, bequest or devise. **Section 10**
46 of this bill authorizes the juvenile court to waive all or part of any community
47 service imposed against a child by the juvenile court upon good cause shown in
48 exchange for a monetary contribution to the restitution contribution fund and
49 requires the juvenile court to set forth in an administrative order that is available for
50 public inspection a formula for determining the amount of a contribution to the
51 fund and the manner in which the contribution must be made. **Section 6** of this bill
52 authorizes an agreement for the informal supervision of a child to require the child
53 to make a monetary 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,
4 whether or not the fine, administrative assessment, fee or restitution
5 is in addition to any other punishment, and the fine, administrative
6 assessment, fee or restitution or any part of it remains unpaid after
7 the time established by the court for its payment, the defendant is



* S B 1 0 6 R 1 *

1 liable for a collection fee, to be imposed by the court at the time it
2 finds that the fine, administrative assessment, fee or restitution is
3 delinquent, of:

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

6 (b) Not more than \$500, if the amount of the delinquency is
7 \$2,000 or greater, but is less than \$5,000.

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

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

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

17 (b) Request that the court take appropriate action pursuant to
18 subsection 3.

19 (c) Contract with a collection agency licensed pursuant to NRS
20 649.075 to collect the delinquent amount and the collection fee. The
21 collection agency must be paid as compensation for its services an
22 amount not greater than the amount of the collection fee imposed
23 pursuant to subsection 1, in accordance with the provisions of the
24 contract.

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

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

39 (b) Request that a prosecuting attorney undertake collection of
40 the delinquency, including, without limitation, the original amount
41 *of the civil judgment entered pursuant to paragraph (a)* and the
42 collection fee, by attachment or garnishment of the defendant's
43 property, wages or other money receivable.

44 ~~(b)~~ (c) Order the suspension of the driver's license of the
45 defendant. If the defendant does not possess a driver's license, the



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

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

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

25 (a) Except as otherwise provided in paragraph (d), if the money
26 is collected by or on behalf of a municipal court, the money must be
27 deposited in a special fund in the appropriate city treasury. The city
28 may use the money in the fund only to develop and implement a
29 program for the collection of fines, administrative assessments, fees
30 and restitution ~~(1)~~ *and to hire additional personnel necessary for
31 the success of such a program.*

32 (b) Except as otherwise provided in paragraph (d), if the money
33 is collected by or on behalf of a justice court or district court, the
34 money must be deposited in a special fund in the appropriate county
35 treasury. The county may use the money in the special fund only to
36 ~~develop~~ :

37 (1) *Develop* and implement a program for the collection of
38 fines, administrative assessments, fees and restitution ~~(1)~~ *and to hire
39 additional personnel necessary for the success of such a program;
40 or*

41 (2) *Improve the operations of a court by providing funding
42 for:*

43 (1) *A civil law self-help center; or*



1 ***(II) Court security personnel and equipment for a***
2 ***regional justice center that includes the justice courts of that***
3 ***county.***

4 (c) Except as otherwise provided in paragraph (d), if the money
5 is collected by a state entity, the money must be deposited in an
6 account, which is hereby created in the State Treasury. The Court
7 Administrator may use the money in the account only to develop
8 and implement a program for the collection of fines, administrative
9 assessments, fees and restitution in this State ***H and to hire***
10 ***additional personnel necessary for the success of such a program.***

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

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

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

29 2. The provisions of this section do not apply to indigent
30 persons.

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

32 176.075 1. Except as otherwise provided in subsection 2,
33 when a person is sentenced to pay a fine or forfeiture without an
34 accompanying sentence of imprisonment, the court may, pursuant to
35 NRS 176.064, ***or section 4 of this act,*** order that the person be
36 confined in the city or county jail or detention facility for a period of
37 not more than 1 day for each \$75 of the amount until the
38 administrative assessment and the fine or forfeiture are satisfied.

39 2. The provisions of this section do not apply to indigent
40 persons.

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

43 ***1. Except as otherwise provided in this subsection, if,***
44 ***pursuant to this title, a child or a parent or guardian of a child is***
45 ***ordered by the juvenile court to pay a fine, administrative***



1 *assessment, fee or restitution or to make any other payment and*
2 *the fine, administrative assessment, fee, restitution or other*
3 *payment or any part of it remains unpaid after the time established*
4 *by the juvenile court for its payment, the juvenile court may enter*
5 *a civil judgment against the child or the parent or guardian of the*
6 *child for the amount due in favor of the victim, the state or local*
7 *entity to whom the amount is owed or both. The juvenile court*
8 *may not enter a civil judgment against a person who is a child*
9 *unless the person has attained the age of 18 years, the person is a*
10 *child who is determined to be outside the jurisdiction of the*
11 *juvenile court pursuant to NRS 62B.330 or 62B.335 or the person*
12 *is a child who is certified for proper criminal proceedings as an*
13 *adult pursuant to NRS 62B.390.*

14 2. *Notwithstanding the termination of the jurisdiction of the*
15 *juvenile court pursuant to NRS 62B.410 or the termination of any*
16 *period of supervision or probation ordered by the juvenile court,*
17 *the juvenile court retains jurisdiction over any civil judgment*
18 *entered pursuant to subsection 1 and retains jurisdiction over the*
19 *person against whom a civil judgment is entered pursuant to*
20 *subsection 1. The juvenile court may supervise the civil judgment*
21 *and take any of the actions authorized by the laws of this State.*

22 3. *A civil judgment entered pursuant to subsection 1 may be*
23 *enforced and renewed in the manner provided by law for the*
24 *enforcement and renewal of a judgment for money rendered in a*
25 *civil action.*

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

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

32 (b) *Not more than \$500, if the amount of the judgment is*
33 *\$2,000 or greater, but is less than \$5,000.*

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

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

41 (a) *Except as otherwise provided in this paragraph, report the*
42 *judgment to reporting agencies that assemble or evaluate*
43 *information concerning credit. If the judgment was entered*
44 *against a person who was less than 21 years of age at the time the*



1 *judgment was entered, the judgment cannot be reported pursuant*
2 *to this paragraph until the person reaches 21 years of age.*

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

5 *(c) Contract with a collection agency licensed pursuant to NRS*
6 *649.075 to collect the judgment and the collection fee. The*
7 *collection agency must be paid as compensation for its services an*
8 *amount not greater than the amount of the collection fee imposed*
9 *pursuant to subsection 4, in accordance with the provisions of the*
10 *contract.*

11 *6. If the juvenile court determines that a child or the parent*
12 *or guardian of a child against whom a civil judgment has been*
13 *entered pursuant to subsection 1 has failed to make reasonable*
14 *efforts to satisfy the civil judgment, the juvenile court may take*
15 *any of the following actions:*

16 *(a) Order the suspension of the driver's license of a child for a*
17 *period not to exceed 1 year. If the child is already the subject of a*
18 *court order suspending the driver's license of the child, the*
19 *juvenile court may order the additional suspension to apply*
20 *consecutively with the previous order. At the time the juvenile*
21 *court issues an order suspending the driver's license of a child*
22 *pursuant to this paragraph, the juvenile court shall require the*
23 *child to surrender to the juvenile court all driver's licenses then*
24 *held by the child. The juvenile court shall, within 5 days after*
25 *issuing the order, forward to the Department of Motor Vehicles*
26 *the licenses, together with a copy of the order. The Department of*
27 *Motor Vehicles shall report a suspension pursuant to this*
28 *paragraph to an insurance company or its agent inquiring about*
29 *the driving record of a child, but such a suspension must not be*
30 *considered for the purpose of rating or underwriting.*

31 *(b) If a child does not possess a driver's license, prohibit the*
32 *child from applying for a driver's license for a period not to*
33 *exceed 1 year. If the child is already the subject of a court order*
34 *delaying the issuance of a license to drive, the juvenile court may*
35 *order any additional delay in the ability of the child to apply for a*
36 *driver's license to apply consecutively with the previous order. At*
37 *the time the juvenile court issues an order pursuant to this*
38 *paragraph delaying the ability of a child to apply for a driver's*
39 *license, the juvenile court shall, within 5 days after issuing the*
40 *order, forward to the Department of Motor Vehicles a copy of the*
41 *order.*

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



1 (d) Enter a finding of contempt against a child or the parent or
2 guardian of a child and punish the child or the parent or guardian
3 for contempt in the manner provided in NRS 62E.040. A person
4 who is indigent may not be punished for contempt pursuant to this
5 subsection.

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

9 8. If the juvenile court enters a civil judgment pursuant to
10 subsection 1 and the person against whom the judgment is entered
11 is convicted of a crime before he or she satisfies the civil
12 judgment, the court sentencing the person for that crime shall
13 include in the sentence the civil judgment or such portion of the
14 civil judgment that remains unpaid.

15 **Sec. 5.** (Deleted by amendment.)

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

17 62C.210 1. An agreement for informal supervision may
18 require the child to:

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

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

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

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

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

33 (4) Voluntarily agrees to participate in the program of
34 restitution through work;

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

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

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

42 (d) Engage in any combination of the activities set forth in this
43 subsection.

44 2. If the agreement for informal supervision requires the child
45 to participate in a program of restitution through work or complete a



1 program of cognitive training and human development, the
2 agreement may also require any or all of the following, in the
3 following order of priority if practicable:

4 (a) The child or the parent or guardian of the child, or both, to
5 the extent of their financial ability, to pay the costs associated with
6 the participation of the child in the program, including, but not
7 limited to:

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

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

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

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

19 62D.030 1. If a child is alleged to be delinquent or in need of
20 supervision, the juvenile court shall advise the child and the parent
21 or guardian of the child that the child is entitled to be represented by
22 an attorney at all stages of the proceedings.

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

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

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

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

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

38 5. Except as otherwise provided in *subsection 6 and* NRS
39 424.085, if the juvenile court appoints an attorney to represent a
40 child and:

41 (a) The parent or guardian of the child is not indigent, the parent
42 or guardian shall pay the reasonable fees and expenses of the
43 attorney.



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

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

7 (a) *The parent or guardian:*

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

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

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

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

16 (5) *Is housed in a public or private mental health facility;*
17 *or*

18 (b) *After considering the particular circumstances of the*
19 *parent or guardian, including, without limitation, the seriousness*
20 *of the charges against the child, the monthly expenses of the*
21 *parent or guardian and the rates for attorneys in the area in which*
22 *the juvenile court is located, the juvenile court determines that the*
23 *parent or guardian is financially unable, without substantial*
24 *hardship to the parent or guardian or his or her dependents, to*
25 *obtain qualified and competent legal counsel.*

26 7. Each attorney, other than a public defender, who is
27 appointed under the provisions of this section is entitled to the same
28 compensation and expenses from the county as is provided in NRS
29 7.125 and 7.135 for attorneys appointed to represent persons
30 charged with criminal offenses.

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

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

36 2. *The juvenile court may apply for and accept grants, gifts,*
37 *donations, bequests or devises which the director of juvenile*
38 *services shall deposit with the county treasurer for credit to the*
39 *fund.*

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

44 4. *The juvenile court shall:*



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

3 (b) *If the source of the money is a grant, gift, donation,*
4 *bequest or devise, expend the money, to the extent permitted by*
5 *law, in accordance with the terms of the grant, gift, donation,*
6 *bequest or devise.*

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

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

11 (a) *In exchange for a monetary contribution to the restitution*
12 *contribution fund, the juvenile court may, in its discretion and*
13 *upon good cause shown, waive all or part of any community*
14 *service which the juvenile court has ordered a child to perform.*

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

17 (1) *A formula for determining the amount of the*
18 *contribution to the restitution contribution fund pursuant to this*
19 *section; and*

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

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

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

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

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

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

34 62E.100 Except as otherwise provided in NRS 62E.100 to
35 62E.300, inclusive **H**, and sections 9 and 10 of this act:

36 1. The provisions of NRS 62E.100 to 62E.300, inclusive, and
37 sections 9 and 10 of this act apply to the disposition of a case
38 involving any child who is found to be within the purview of this
39 title.

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

43 (a) The juvenile court may issue any orders or take any actions
44 set forth in NRS 62E.100 to 62E.300, inclusive, and sections 9 and



1 **10 of this act** that the juvenile court deems proper for the disposition
2 of the case; and

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

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

7 483.443 1. The Department shall, upon receiving notification
8 from a district attorney or other public agency collecting support for
9 children pursuant to NRS 425.510 that a court has determined that a
10 person:

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

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

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

18 2. The notice must include:

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

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

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

22 3. If a person who receives a notice pursuant to subsection 1
23 does not, within 30 days after receiving the notice, comply with the
24 subpoena or warrant or satisfy the arrearage as required in NRS
25 425.510, the Department shall suspend the license without providing
26 the person with an opportunity for a hearing.

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

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

33 (a) A notice from the district attorney or other public agency
34 pursuant to NRS 425.510 that the person has complied with the
35 subpoena or warrant or has satisfied the arrearage pursuant to that
36 section, ~~†~~ from a district judge that a delinquency for which the
37 suspension was ordered pursuant to NRS 176.064 has been
38 discharged ~~†~~ **or from a judge of the juvenile court that an**
39 **unsatisfied civil judgment for which the suspension was ordered**
40 **pursuant to section 4 of this act has been satisfied;** and

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

43 6. The Department shall not require a person whose driver's
44 license was suspended pursuant to this section to submit to the tests
45 and other requirements which are adopted by regulation pursuant to



1 subsection 1 of NRS 483.495 as a condition of the reinstatement of
2 the license.
3 **Sec. 13.** This act becomes effective upon passage and
4 approval.

⑩



* S B 1 0 6 R 1 *