

SENATE BILL NO. 264—SENATOR CEGAVSKE

MARCH 15, 2013

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing criminal procedure.
(BDR S-671)

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 criminal procedure; requiring the Advisory Commission on the Administration of Justice to identify and study certain issues relating to criminal procedure; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law establishes the Advisory Commission on the Administration of
2 Justice and directs the Commission, among other duties, to identify and study the
3 elements of this State’s system of criminal justice. (NRS 176.0123, 176.0125) This
4 bill requires the Commission to include certain items relating to overcriminalization
5 on an agenda for discussion.

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

1 **Section 1.** The Advisory Commission on the Administration
2 of Justice created pursuant to NRS 176.0123 shall, at a meeting held
3 by the Commission, include as an item on the agenda a discussion
4 of the following issues relating to overcriminalization:
5 1. A review of all criminal sentences.
6 2. A review of all criminal offenses which may be duplicative
7 or sanction the same or similar behavior.
8 3. An evaluation of the reclassification of certain misdemeanor
9 offenses to determine whether jail time is necessary and whether
10 such offenses may be more appropriately classified as civil
11 violations.



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1 4. An evaluation of certain felony offenses to determine
2 whether misdemeanor punishment may be more appropriate given
3 the disparate impacts a felony conviction may carry. The
4 Commission shall consider the lasting harm caused by the unlawful
5 act, the blameworthiness accompanying the offense and the impact
6 on future public safety.

7 **Sec. 2.** This act becomes effective on July 1, 2013.

