

SENATE BILL NO. 472—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON
CHILD WELFARE AND JUVENILE JUSTICE)

MARCH 27, 2017

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing registration and community notification of juveniles adjudicated delinquent for committing certain sexual offenses. (BDR 5-345)

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

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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 crimes; revising provisions governing registration and community notification of juveniles adjudicated delinquent for committing certain sexual offenses; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law provides that a child who is adjudicated delinquent for committing
2 certain sexual offenses and who was 14 years of age or older at the time of the
3 commission of the sexual offense is required to register as a sex offender in the
4 same manner as an adult and is subject to community notification. (NRS 62F.220,
5 179D.0559, 179D.095) In addition, existing law prohibits the sealing of records
6 relating to a child while the child is subject to registration and community
7 notification as a juvenile sex offender. (NRS 62F.260) **Sections 18, 19 and 22** of
8 this bill remove and repeal those provisions, and **sections 4-14** of this bill enact
9 provisions governing the registration and community notification of juvenile sex
10 offenders.

11 **Sections 5 and 8** include certain offenses, called “aggravated sexual offenses,”
12 in the list of sexual offenses for which registration and community notification as a
13 juvenile sex offender is required. **Section 9** provides that a child who is adjudicated
14 delinquent for committing certain sexual offenses and who was 14 years of age or
15 older at the time of the commission of the sexual offense must: (1) register as a sex
16 offender with the juvenile court, the juvenile probation department or the Youth
17 Parole Bureau of the Division of Child and Family Services of the Department of
18 Health and Human Services, whichever entity is determined to be the appropriate



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19 entity by the juvenile court; and (2) update his or her registration information not
20 later than 48 hours after certain changes to that information. **Section 9** also
21 requires: (1) the juvenile court to order the parent or guardian of the child to ensure
22 that the child complies with the requirements for registration as a sex offender; and
23 (2) the parent or guardian of the child to notify the entity with which the child is
24 registered as a sex offender and, if appropriate, the local law enforcement agency if
25 the child runs away or otherwise leaves the placement for the child approved by the
26 juvenile court.

27 Under **section 10**, the juvenile court is required to: (1) notify the Central
28 Repository for Nevada Records of Criminal History when a child is adjudicated
29 delinquent for certain sexual offenses so that the Central Repository may carry out
30 the provisions of law governing the registration of the child as a sex offender; and
31 (2) inform the child and his or her parent or guardian that the child is subject to
32 certain requirements for registration and community notification applicable to sex
33 offenders. **Section 10** further prohibits the juvenile court from terminating its
34 jurisdiction over the child until the juvenile court relieves the child from the
35 requirement to register as a sex offender or orders that the child continue to be
36 subject to registration and community notification after the child becomes 21 years
37 of age.

38 **Section 11** provides that upon a motion by a child, a judge of the juvenile court
39 may exempt the child from the requirements for community notification applicable
40 to sex offenders or exclude the child from placement on the community notification
41 website, or both. Under **section 11**, the judge may not exempt a child from
42 community notification or exclude the child from the community notification
43 website if the child is adjudicated delinquent for certain aggravated sexual offenses.
44 The judge must hold a hearing on such a motion and must not exempt the child
45 from community notification or exclude the child from the community notification
46 website unless, at the hearing, the judge finds by clear and convincing evidence that
47 the child is not likely to pose a threat to the safety of others. **Section 11** further
48 authorizes the judge to reconsider its decision on a motion after considering certain
49 factors. Finally, if the judge exempts a child from community notification or
50 excludes the child from placement on the community notification website, or both,
51 the judge must notify the Central Repository and the child must not be subject to
52 community notification or be placed on the community notification website.

53 **Section 12** requires a judge of the juvenile court to hold a hearing when the
54 child reaches 21 years of age or on a date reasonably near that date. If the judge
55 finds by clear and convincing evidence that the child has been rehabilitated and
56 does not pose a threat to the safety of others, the judge must relieve the child from
57 the requirement for registration and community notification as a sex offender.
58 However, if the judge determines that the child has not been rehabilitated or poses a
59 threat to the safety of others, the judge must order that the child is subject to
60 registration and community notification in the manner provided for adult sex
61 offenders.

62 **Section 13** provides that the juvenile court may not refer to a master any
63 finding, determination or other act required to be made by the juvenile court
64 pursuant to **sections 11 and 12**.

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

1 **Section 1.** NRS 62A.030 is hereby amended to read as
2 follows:

3 62A.030 1. "Child" means:



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- 1 (a) A person who is less than 18 years of age;
- 2 (b) A person who is less than 21 years of age and subject to the
3 jurisdiction of the juvenile court for an unlawful act that was
4 committed before the person reached 18 years of age; or
- 5 (c) A person who is otherwise subject to the jurisdiction of the
6 juvenile court as a juvenile sex offender pursuant to the provisions
7 of ~~NRS 62F.200, 62F.220 and 62F.260.~~ *sections 4 to 14,*
8 *inclusive, of this act.*

9 2. The term does not include:

- 10 (a) A person who is excluded from the jurisdiction of the
11 juvenile court pursuant to NRS 62B.330;
- 12 (b) A person who is transferred to the district court for criminal
13 proceedings as an adult pursuant to NRS 62B.335; or
- 14 (c) A person who is certified for criminal proceedings as an
15 adult pursuant to NRS 62B.390 or 62B.400.

16 **Sec. 2.** NRS 62B.410 is hereby amended to read as follows:

17 62B.410 Except as otherwise provided in NRS 62F.110 and
18 ~~62F.220,~~ *sections 10 and 12 of this act,* if a child is subject to the
19 jurisdiction of the juvenile court, the juvenile court:

- 20 1. May terminate its jurisdiction concerning the child at any
21 time, either on its own volition or for good cause shown; or
- 22 2. May retain jurisdiction over the child until the child reaches
23 21 years of age.

24 **Sec. 3.** Chapter 62F of NRS is hereby amended by adding
25 thereto the provisions set forth as sections 4 to 14, inclusive, of this
26 act.

27 **Sec. 4.** *As used in sections 4 to 14, inclusive, of this act,*
28 *unless the context otherwise requires, the words and terms defined*
29 *in sections 5 to 8, inclusive, of this act have the meanings ascribed*
30 *to them in those sections.*

31 **Sec. 5.** *“Aggravated sexual offense” means:*

32 1. *Battery with intent to commit sexual assault pursuant to*
33 *NRS 200.400;*

34 2. *An offense involving the administration of a drug to*
35 *another person with the intent to enable or assist the commission*
36 *of a felony pursuant to NRS 200.405, if the felony is listed in*
37 *NRS 179D.097;*

38 3. *An offense involving the administration of a controlled*
39 *substance to another person with the intent to enable or assist the*
40 *commission of a crime of violence pursuant to NRS 200.408, if the*
41 *crime of violence is listed in NRS 179D.097;*

42 4. *An offense listed in NRS 179D.097, if the offense is subject*
43 *to the additional penalty set forth in NRS 193.165;*

44 5. *An offense listed in NRS 179D.097, if the offense results in*
45 *substantial bodily harm to the victim;*



1 6. Any sexual offense if the juvenile has previously been
2 adjudicated delinquent, or placed under the supervision of the
3 juvenile court pursuant to NRS 62C.230, for a sexual offense; or

4 7. An attempt or conspiracy to commit an offense listed in
5 this section.

6 **Sec. 6.** "Community notification" means notification of a
7 community pursuant to the provisions of NRS 179D.475.

8 **Sec. 7.** "Community notification website" has the meaning
9 ascribed to it in NRS 179B.023.

10 **Sec. 8. 1.** "Sexual offense" means:

11 (a) Sexual assault pursuant to NRS 200.366;

12 (b) An offense involving pornography and a minor pursuant to
13 NRS 200.710 to 200.730, inclusive;

14 (c) Lewdness with a child pursuant to NRS 201.230;

15 (d) An attempt or conspiracy to commit an offense listed in
16 paragraph (a), (b) or (c), if punishable as a felony;

17 (e) An offense that is determined to be sexually motivated
18 pursuant to NRS 175.547 or 207.193; or

19 (f) An aggravated sexual offense.

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

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

24 (b) At least 13 years of age and the offender was not more than
25 4 years older than the victim at the time of the commission of the
26 offense.

27 **Sec. 9. 1.** Notwithstanding any other provision of law, a
28 child who is adjudicated delinquent for an unlawful act that would
29 have been a sexual offense if committed by an adult and who was
30 14 years of age or older at the time of the commission of the
31 unlawful act shall:

32 (a) Register initially, as required by NRS 179D.445, with the
33 juvenile court, the director of juvenile services or the Youth Parole
34 Bureau in the jurisdiction in which the child was adjudicated, as
35 determined by the juvenile court; and

36 (b) Not later than 48 hours after a change of his or her name,
37 residence or employment or student status, the issuance of or a
38 change to the driver's license or identification card issued to the
39 child by this State or any other jurisdiction or a change in the
40 description of the motor vehicle registered to or frequently driven
41 by the child, if any, update the juvenile court, the director of
42 juvenile services or the Youth Parole Bureau, as applicable, of
43 such a change.

44 2. The juvenile court shall order the parent or guardian of a
45 child who is subject to the requirements of subsection 1 to:



1 (a) *Ensure that while the child is subject to the jurisdiction of*
2 *the juvenile court, the child complies with the requirements of*
3 *subsection 1; and*

4 (b) *If the child runs away or otherwise leaves the placement*
5 *for the child approved by the juvenile court, inform the juvenile*
6 *court, the director of juvenile services or the Youth Parole Bureau,*
7 *as applicable, that the child has run away or otherwise left the*
8 *placement and, if appropriate, make a report to the local law*
9 *enforcement agency of the jurisdiction in which the child was*
10 *placed.*

11 3. *The juvenile court, director of juvenile services or Youth*
12 *Parole Bureau, as applicable, shall immediately provide the*
13 *information provided by a child or the parent or guardian of a*
14 *child pursuant to subsection 1 or 2 to the Central Repository.*

15 **Sec. 10.** 1. *In addition to any other action authorized or*
16 *required pursuant to the provisions of this title, if a child is*
17 *adjudicated delinquent for an unlawful act that would have been a*
18 *sexual offense if committed by an adult and was 14 years of age or*
19 *older at the time of the commission of the unlawful act, the*
20 *juvenile court shall:*

21 (a) *Notify the Central Repository of the adjudication so that*
22 *the Central Repository may carry out the provisions for*
23 *registration and community notification of the child pursuant to*
24 *NRS 179D.010 to 179D.550, inclusive, and sections 4 to 14,*
25 *inclusive, of this act.*

26 (b) *Inform the child and the parent or guardian of the child*
27 *that the child is subject to registration and community notification*
28 *pursuant to NRS 179D.010 to 179D.550, inclusive, and sections 4*
29 *to 14, inclusive, of this act.*

30 2. *The juvenile court may not terminate its jurisdiction over*
31 *the child for the purposes of carrying out the provisions of*
32 *sections 4 to 14, inclusive, of this act until the juvenile court,*
33 *pursuant to section 12 of this act, has relieved the child from being*
34 *subject to the requirements for registration and community*
35 *notification pursuant to NRS 179D.010 to 179D.550, inclusive, or*
36 *ordered that the child is subject to registration and community*
37 *notification pursuant to NRS 179D.010 to 179D.550, inclusive.*

38 **Sec. 11.** 1. *Notwithstanding any other provision of law and*
39 *except as otherwise provided in this subsection, upon a motion by*
40 *a child, the juvenile court may exempt the child from community*
41 *notification or exclude the child from placement on the*
42 *community notification website, or both, if the juvenile court finds*
43 *by clear and convincing evidence that the child is not likely to pose*
44 *a threat to the safety of others. The juvenile court shall not exempt*
45 *a child from community notification or exclude the child from*



1 *placement on the community notification website if the child is*
2 *adjudicated delinquent for committing an aggravated sexual*
3 *offense.*

4 *2. At the hearing held on a motion pursuant to this section,*
5 *the juvenile court may consider any evidence, reports, statements*
6 *or other material which the juvenile court determines is relevant*
7 *and helpful to determine whether to grant the motion.*

8 *3. In determining at the hearing whether the child is likely to*
9 *pose a threat to the safety of others, the juvenile court shall*
10 *consider the following factors:*

11 *(a) The number, date, nature and gravity of the act or acts*
12 *committed by the child, including, without limitation, whether the*
13 *act or acts were characterized by repetitive and compulsive*
14 *behavior.*

15 *(b) The family controls in place over the child.*

16 *(c) The plan for providing counseling, therapy or treatment to*
17 *the child.*

18 *(d) The history of the child with the juvenile court, including,*
19 *without limitation, reports concerning any unlawful acts which*
20 *the child has admitted committing, any acts for which the juvenile*
21 *court placed the child under a supervision and consent decree*
22 *pursuant to NRS 62C.230 and any prior adjudication of*
23 *delinquency or need of supervision.*

24 *(e) The results of any psychological or psychiatric profiles of*
25 *the child and whether those profiles indicate a risk of recidivism.*

26 *(f) Any physical conditions that minimize the risk of*
27 *recidivism, including, without limitation, physical disability or*
28 *illness.*

29 *(g) The impact of the unlawful act on the victim and any*
30 *statements made by the victim.*

31 *(h) The safety of the community and the need to protect the*
32 *public.*

33 *(i) The impact that registration and community notification*
34 *pursuant to NRS 179D.010 to 179D.550, inclusive, and sections 4*
35 *to 14, inclusive, of this act will have on the treatment of the child.*

36 *(j) Any other factor that the juvenile court finds relevant to the*
37 *determination of whether the child is likely to pose a threat to the*
38 *safety of others.*

39 *4. If the juvenile court exempts a child from community*
40 *notification or excludes a child from placement on the community*
41 *notification website, or both, the juvenile court shall notify the*
42 *Central Repository so that the Central Repository may carry out*
43 *the determination of the juvenile court.*

44 *5. Upon good cause shown, the juvenile court may reconsider*
45 *the granting or denial of a motion pursuant to this section, and*



1 reverse, modify or affirm its determination. In determining
2 whether to reverse, modify or affirm its determination, the juvenile
3 court:

4 (a) Shall consider:

5 (1) The factors set forth in subsection 3;

6 (2) The extent to which the child has received counseling,
7 therapy or treatment and the response of the child to any such
8 counseling, therapy or treatment; and

9 (3) The behavior of the child while subject to the
10 jurisdiction of the juvenile court, including, without limitation, the
11 behavior of the child during any period of confinement.

12 (b) Shall not exempt a child from community notification or
13 exclude a child from placement on the community notification
14 website unless the juvenile court finds by clear and convincing
15 evidence that the child is not likely to pose a threat to the safety of
16 others.

17 **Sec. 12.** Except as otherwise provided in sections 4 to 14,
18 inclusive, of this act:

19 1. If a child has been adjudicated delinquent for a sexual
20 offense, the juvenile court shall hold a hearing when the child
21 reaches 21 years of age, or at a time reasonably near the date on
22 which the child reaches 21 years of age, to determine whether the
23 child should be subject to registration and community notification
24 pursuant to NRS 179D.010 to 179D.550, inclusive.

25 2. At the hearing pursuant to this section, the juvenile court
26 may consider any evidence, reports, statements or other material
27 which the juvenile court determines is relevant and helpful to
28 determine whether to grant the motion.

29 3. If the juvenile court finds by clear and convincing evidence
30 at the hearing that the child has been rehabilitated to the
31 satisfaction of the juvenile court and that the child is not likely to
32 pose a threat to the safety of others, the juvenile court may relieve
33 the child from being subject to registration and community
34 notification pursuant to NRS 179D.010 to 179D.550, inclusive.

35 4. If the juvenile court does not find by clear and convincing
36 evidence at the hearing that the child has been rehabilitated to the
37 satisfaction of the juvenile court and that the child is not likely to
38 pose a threat to the safety of others, the juvenile court shall:

39 (a) Order that the child is subject to registration and
40 community notification pursuant to NRS 179D.010 to 179D.550,
41 inclusive;

42 (b) Notify the Central Repository of the adjudication of the
43 child and the determination of the juvenile court that the child
44 should be subject to registration and community notification
45 pursuant to NRS 179D.010 to 179D.550, inclusive, so that the



1 *Central Repository may carry out the provisions for registration*
2 *and community notification pursuant to those sections; and*

3 *(c) Inform the child that he or she is subject to registration and*
4 *community notification pursuant to NRS 179D.010 to 179D.550,*
5 *inclusive.*

6 *5. In determining at the hearing whether the child has been*
7 *rehabilitated to the satisfaction of the juvenile court or is likely to*
8 *pose a threat to the safety of others, the juvenile court shall*
9 *consider the following factors:*

10 *(a) The number, date, nature and gravity of the act or acts*
11 *committed by the child, including, without limitation, whether the*
12 *act or acts were characterized by repetitive and compulsive*
13 *behavior.*

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

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

19 *(d) The behavior of the child while subject to the jurisdiction*
20 *of the juvenile court, including, without limitation, the behavior of*
21 *the child during any period of confinement.*

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

24 *(f) Any physical conditions that minimize the risk of*
25 *recidivism, including, without limitation, physical disability or*
26 *illness.*

27 *(g) The impact of the unlawful act on the victim and any*
28 *statements made by the victim.*

29 *(h) The safety of the community and the need to protect the*
30 *public.*

31 *(i) Any other factor that the juvenile court finds relevant to the*
32 *determination of whether the child has been rehabilitated to the*
33 *satisfaction of the juvenile court and whether the child is likely to*
34 *pose a threat to the safety of others.*

35 *6. The juvenile court shall file written findings of fact and*
36 *conclusions of law setting forth the basis and legal support for any*
37 *decision pursuant to this section.*

38 *7. If, pursuant to this section, the juvenile court orders that a*
39 *child is subject to registration and community notification*
40 *pursuant to NRS 179D.010 to 179D.550, inclusive, the jurisdiction*
41 *of the juvenile court terminates, and the child is subject to*
42 *registration and community notification pursuant to NRS*
43 *179D.010 to 179D.550, inclusive, for the period specified in*
44 *NRS 179D.490.*



1 **Sec. 13. 1.** *The juvenile court may not refer to a master any*
2 *finding, determination or other act required to be made by the*
3 *juvenile court pursuant to sections 11 and 12 of this act.*

4 **2.** *As used in this section, “master” has the meaning ascribed*
5 *to it in Rule 53 of the Nevada Rules of Civil Procedure.*

6 **Sec. 14.** *The records relating to a child must not be sealed*
7 *pursuant to the provisions of NRS 62H.100 to 62H.170, inclusive,*
8 *while the child is subject to registration and community*
9 *notification pursuant to NRS 179D.010 to 179D.550, inclusive.*

10 **Sec. 15.** NRS 62H.110 is hereby amended to read as follows:
11 62H.110 The provisions of NRS 62H.100 to 62H.170,
12 inclusive, do not apply to:

13 1. Information maintained in the standardized system
14 established pursuant to NRS 62H.200;

15 2. Information that must be collected by the Division of Child
16 and Family Services pursuant to NRS 62H.220;

17 3. Records that are subject to the provisions of ~~NRS 62F.260;~~
18 *section 14 of this act;* or

19 4. Records relating to a traffic offense that would have been a
20 misdemeanor if committed by an adult.

21 **Sec. 16.** NRS 62H.120 is hereby amended to read as follows:

22 62H.120 Any decree or order entered concerning a child within
23 the purview of this title must contain, for the benefit of the child, an
24 explanation of the contents of NRS 62H.100 to 62H.170, inclusive,
25 and, if applicable, ~~NRS 62F.260;~~ *section 14 of this act.*

26 **Sec. 17.** NRS 179D.035 is hereby amended to read as follows:

27 179D.035 **1.** “Convicted” includes, but is not limited to, an
28 adjudication of delinquency by a court having jurisdiction over
29 juveniles if:

30 ~~H-1~~ **(a)** The adjudication of delinquency is for the commission
31 of a sexual offense that is listed in ~~NRS 62F.200;~~ *section 8 of this*
32 *act;* and

33 ~~I-1~~ **(b)** The offender was 14 years of age or older at the time of
34 the offense.

35 **2.** *The term does not include an adjudication of delinquency*
36 *by a court having jurisdiction over juveniles if, pursuant to section*
37 *12 of this act, the court has relieved the juvenile from being*
38 *subject to registration and community notification pursuant to*
39 *NRS 179D.010 to 179D.550, inclusive.*

40 **Sec. 18.** NRS 179D.0559 is hereby amended to read as
41 follows:

42 179D.0559 **1.** “Offender convicted of a crime against a child”
43 or “offender” means a person who, after July 1, 1956, is or has
44 been ~~F~~



1 ~~—(a) Convicted~~ **convicted** of a crime against a child that is listed
2 in NRS 179D.0357. ~~}; or~~

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

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

9 **Sec. 19.** NRS 179D.095 is hereby amended to read as follows:

10 179D.095 1. “Sex offender” means a person who, after
11 July 1, 1956, is or has been ~~};~~

12 ~~—(a) Convicted~~ **convicted** of a sexual offense listed in NRS
13 179D.097. ~~}; or~~

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

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

21 **Sec. 20.** NRS 179D.450 is hereby amended to read as follows:

22 179D.450 1. If the Central Repository receives notice from a
23 court pursuant to NRS 176.0926 that an offender has been convicted
24 of a crime against a child, pursuant to NRS 176.0927 that a sex
25 offender has been convicted of a sexual offense or pursuant to ~~NRS~~
26 ~~62F.220~~ **section 10 of this act** that a juvenile has been adjudicated
27 delinquent for an offense for which the juvenile is subject to
28 registration and community notification pursuant to NRS 179D.010
29 to 179D.550, inclusive, **and sections 4 to 14, inclusive, of this act,**
30 the Central Repository shall:

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

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

38 2. If the offender or sex offender named in the notice is granted
39 probation or otherwise will not be incarcerated or confined, the
40 Central Repository shall:

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



1 (b) ~~Immediately~~ *Except as otherwise provided in section 11 of*
2 *this act, immediately* provide community notification concerning
3 the offender or sex offender pursuant to the provisions of
4 NRS 179D.475.

5 3. If an offender or sex offender is incarcerated or confined and
6 has previously been convicted of a crime against a child as
7 described in NRS 179D.0357 or a sexual offense as described in
8 NRS 179D.097, before the offender or sex offender is released:

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

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

14 (I) The duty to register initially with the appropriate law
15 enforcement agency in the jurisdiction in which the offender or sex
16 offender was convicted if the offender or sex offender is not a
17 resident of that jurisdiction pursuant to NRS 179D.445;

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

23 (III) The duty to register in any other jurisdiction during
24 any period in which the offender or sex offender is a resident of the
25 other jurisdiction or a nonresident who is a student or worker within
26 the other jurisdiction;

27 (IV) If the offender or sex offender moves from this State
28 to another jurisdiction, the duty to register with the appropriate law
29 enforcement agency in the other jurisdiction;

30 (V) The duty to notify the local law enforcement agency
31 for the jurisdiction in which the offender or sex offender now
32 resides, in person, and the jurisdiction in which the offender or sex
33 offender formerly resided, in person or in writing, if the offender or
34 sex offender changes the address at which the offender or sex
35 offender resides, including if the offender or sex offender moves
36 from this State to another jurisdiction, or changes the primary
37 address at which the offender or sex offender is a student or worker;
38 and

39 (VI) The duty to notify immediately the appropriate local
40 law enforcement agency if the offender or sex offender is, expects to
41 be or becomes enrolled as a student at an institution of higher
42 education or changes the date of commencement or termination of
43 the offender or sex offender's enrollment at an institution of higher
44 education or if the offender or sex offender is, expects to be or
45 becomes a worker at an institution of higher education or changes



1 the date of commencement or termination of the offender or sex
2 offender's work at an institution of higher education; and

3 (2) Require the offender or sex offender to read and sign a
4 form stating that the requirements for registration have been
5 explained and that the offender or sex offender understands the
6 requirements for registration, and to forward the form to the Central
7 Repository.

8 (b) The Central Repository shall:

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

11 (2) ~~Provide~~ *Except as otherwise provided in section 11 of*
12 *this act, provide* community notification concerning the offender or
13 sex offender pursuant to the provisions of NRS 179D.475; and

14 (3) Provide notification concerning the offender or sex
15 offender to the appropriate local law enforcement agencies and, if
16 the offender or sex offender will reside upon release in a jurisdiction
17 which is outside of this State, to the appropriate law enforcement
18 agency in that jurisdiction.

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

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

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

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

31 (c) Immediately provide community notification concerning the
32 offender or sex offender pursuant to the provisions of
33 NRS 179D.475.

34 **Sec. 21.** NRS 179D.490 is hereby amended to read as follows:

35 179D.490 1. An offender convicted of a crime against a child
36 or a sex offender shall comply with the provisions for registration
37 for as long as the offender or sex offender resides or is present
38 within this State or is a nonresident offender or sex offender who is
39 a student or worker within this State, unless the period of time
40 during which the offender or sex offender has the duty to register is
41 reduced pursuant to the provisions of this section.

42 2. Except as otherwise provided in subsection 3 ~~§~~ *and section*
43 *12 of this act*, the full period of registration is:

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



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

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

5 ➔ exclusive of any time during which the offender or sex offender
6 is incarcerated or confined.

7 3. If an offender or sex offender complies with the provisions
8 for registration:

9 (a) For an interval of at least 10 consecutive years, if the
10 offender or sex offender is a Tier I offender; or

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

15 ➔ during which the offender or sex offender is not convicted of an
16 offense for which imprisonment for more than 1 year may be
17 imposed, is not convicted of a sexual offense, successfully
18 completes any periods of supervised release, probation or parole,
19 and successfully completes a sex offender treatment program
20 certified by the State or by the Attorney General of the United
21 States, the offender or sex offender may file a petition to reduce the
22 period of time during which the offender or sex offender has a duty
23 to register with the district court in whose jurisdiction the offender
24 or sex offender resides or, if he or she is a nonresident offender or
25 sex offender, in whose jurisdiction the offender or sex offender is a
26 student or worker. For the purposes of this subsection, registration
27 begins on the date that the Central Repository or appropriate agency
28 of another jurisdiction establishes a record of registration for the
29 offender or sex offender or the date that the offender or sex offender
30 is released, whichever occurs later.

31 4. If the offender or sex offender satisfies the requirements of
32 subsection 3, the court shall hold a hearing on the petition at which
33 the offender or sex offender and any other interested person may
34 present witnesses and other evidence. If the court determines from
35 the evidence presented at the hearing that the offender or sex
36 offender satisfies the requirements of subsection 3, the court shall:

37 (a) If the offender or sex offender is a Tier I offender, reduce the
38 period of time during which the offender or sex offender is required
39 to register by 5 years; and

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



- 1 **Sec. 22.** NRS 62F.200, 62F.220 and 62F.260 are hereby
2 repealed.
3 **Sec. 23.** This act becomes effective upon passage and
4 approval.

TEXT OF REPEALED SECTIONS

62F.200 “Sexual offense” defined.

1. As used in this section and NRS 62F.220 and 62F.260, unless the context otherwise requires, “sexual offense” means:

- (a) Sexual assault pursuant to NRS 200.366;
- (b) Battery with intent to commit sexual assault pursuant to NRS 200.400;
- (c) Lewdness with a child pursuant to NRS 201.230; or
- (d) An attempt or conspiracy to commit an offense listed in this section.

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

62F.220 Certain duties of juvenile court with respect to juvenile sex offenders; jurisdiction of juvenile court not terminated until child no longer subject to registration and community notification.

1. If a child who is 14 years of age or older is adjudicated delinquent for an unlawful act that would have been a sexual offense if committed by an adult, the juvenile court shall:

(a) Notify the Central Repository of the adjudication of the child, so the Central Repository may carry out any provisions for registration of the child pursuant to NRS 179D.010 to 179D.550, inclusive; and

(b) Inform the child and the parent or guardian of the child that the child is subject to registration and community notification pursuant to NRS 179D.010 to 179D.550, inclusive.

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



62F.260 Records not sealed during period of registration and community notification. The records relating to a child must not be sealed pursuant to the provisions of NRS 62H.100 to 62H.170, inclusive, while the child is subject to registration and community notification as a juvenile sex offender pursuant to NRS 179D.010 to 179D.550, inclusive.

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* S B 4 7 2 R 2 *