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STATUTES IN OPPOSITION TO SB342

NRS 199.305 Preventing or dissuading victim, person acting on behalf of victim, or witness from reporting crime, commencing prosecution or causing arrest.

1. A person who, by intimidating or threatening another person, prevents or dissuades a victim of a crime, a person acting on his behalf or a witness from:

(a) Reporting a crime or possible crime to a:

- (1) Judge;
- (2) Peace officer;
- (3) Parole or probation officer;
- (4) Prosecuting attorney;
- (5) Warden or other employee at an institution of the department of corrections;

or

(6) Superintendent or other employee at a juvenile correctional institution;

(b) Commencing a criminal prosecution or a proceeding for the revocation of a parole or probation, or seeking or assisting in such a prosecution or proceeding; or

(c) Causing the arrest of a person in connection with a crime, or who hinders or delays such a victim, agent or witness in his effort to carry out any of those actions is guilty of a category D felony and shall be punished as provided in NRS 193.130.

2. As used in this section, "victim of a crime" means a person against whom a crime has been committed.

(Added to NRS by 1983, 1682; A 1995, 1177; 2001 Special Session, 228)

NRS 199.310 Malicious prosecution. A person who maliciously and without probable cause therefor, causes or attempts to cause another to be arrested or proceeded against for any crime of which he is innocent:

1. If the crime is a felony, is guilty of a category D felony and shall be punished as provided in NRS 193.130; and

2. If the crime is a gross misdemeanor or misdemeanor, is guilty of a misdemeanor.

[1911 C&P § 100; RL § 6365; NCL § 10049]—(NRS A 1967, 466; 1979, 1423; 1995, 1178)

LIBEL

NRS 200.510 Definition; penalties; truth may be given in evidence; jury to determine law and fact.

1. A libel is a malicious defamation, expressed by printing, writing, signs, pictures or the like, tending to blacken the memory of the dead, or to impeach the honesty, integrity, virtue, or reputation, or to publish the natural defects of a living person or persons, or community of persons, or association of persons, and thereby to expose them to public hatred, contempt or ridicule.

2. Every person, whether the writer or publisher, convicted of the offense is guilty of a gross misdemeanor.

3. In all prosecutions for libel the truth may be given in evidence to the jury, and, if it shall appear to the jury that the matter charged as libelous is true and was published for good motive and for justifiable ends, the party shall be acquitted, and the jury shall have the right to determine the law and the fact.

[1911 C&P § 163; A 1915, 423; 1919 RL § 6428; NCL § 10110]—(NRS A 1967, 473)

NRS 200.520 Publication defined. Any method by which matter charged as libelous may be communicated to another shall be deemed a publication thereof.

[1911 C&P § 164; RL § 6429; NCL § 10111]

NRS 199.200 Statement of what one does not know to be true. Every unqualified statement of that which one does not know to be true is equivalent to a statement of that which he knows to be false.

[1911 C&P § 91; RL § 6356; NCL § 10040]