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MOCK-UP

PROPOSED AMENDMENT TO
SENATE BILL NO. 299

PREPARED FOR ATTORNEY GENERAL
APRIL 2, 2003

PREPARED BY THE LEGAL DIVISION

NOTE: THIS DOCUMENT SHOWS PROPOSED AMENDMENTS IN
CONCEPTUAL FORM. THE LANGUAGE AND ITS PLACEMENT IN THE
OFFICIAL AMENDMENT MAY DIFFER.

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) green bold italic underlining is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~green bold double strikethrough~~ is language proposed to be deleted in this amendment and (5) green bold dashed underlining is deleted language in the original bill that is proposed to be retained in this amendment.

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

- 1 **Section 1.** Chapter 212 of NRS is hereby amended by adding thereto
2 a new section to read as follows:
3 1. ***Except as otherwise provided in subsection 4, a prisoner who is***
4 ***in lawful custody or confinement, other than residential confinement,***
5 ***shall not, knowingly and with the intent to escape from lawful custody or***
6 ***confinement, manufacture, possess or have in his custody or control any***
7 ***key, picklock, bolt cutters, wire cutters, saw, digging tool, rope, ladder,***
8 ***hook or any other tool or item adapted, designed or commonly used for***
9 ***the purpose of escaping or attempting to escape from lawful custody or***
10 ***confinement, whether or not such an escape or attempted escape actually***
11 ***occurs.***
12 2. ***A prisoner who violates any provision of subsection 1 and who is***
13 ***in lawful custody or confinement for a charge, conviction or sentence***
14 ***for:***
15 (a) ***A felony, shall be punished for a category B felony by***
16 ***imprisonment in the state prison for a minimum term of not less than 1***
17 ***year and a maximum term of not more than 6 years, and may be further***
18 ***punished by a fine of not more than \$5,000.***

1 (b) A gross misdemeanor or misdemeanor, shall be punished for a
2 gross misdemeanor.

3 3. A sentence imposed upon a prisoner pursuant to this section:

4 (a) Is not subject to suspension or the granting of probation; and

5 (b) Must run consecutively after the prisoner has served any
6 sentences imposed upon him for the offense or offenses for which the
7 prisoner was in lawful custody or confinement when he violated the
8 provisions of subsection 1.

9 4. The provisions of this section do not apply to a prisoner who
10 commits an act described in subsection 1 if the act is authorized by the
11 warden, sheriff, administrator or other person responsible for
12 administering the prison, or his designee, and the prisoner performs the
13 act in accordance with the directions or instructions given to him by that
14 person.

15 **Sec. 2.** This act becomes effective upon passage and approval.

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