

ASSEMBLY BILL NO. 105—COMMITTEE ON JUDICIARY  
(ON BEHALF OF THE BOARD OF PAROLE COMMISSIONERS)

FEBRUARY 13, 2003

Referred to Committee on Judiciary

SUMMARY—Provides additional credits against sentence of parolee under certain circumstances. (BDR 16-550)

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 parole; providing additional credits against the sentence of a parolee under certain circumstances; and providing other matters properly relating thereto.

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

- 1     **Section 1.** Chapter 209 of NRS is hereby amended by adding  
2     thereto a new section to read as follows:  
3     1. *In addition to any credits earned pursuant to NRS 209.447,*  
4     *an offender who is on parole as of January 1, 2004, or who is*  
5     *released on parole on or after January 1, 2004, for a term less*  
6     *than life must be allowed for the period he is actually on parole a*  
7     *deduction of 10 days from his sentence for each month he serves*  
8     *if:*  
9     (a) *He is current with any fee to defray the costs of his*  
10    *supervision pursuant to NRS 213.1076; and*  
11    (b) *He is current with any payment of restitution required*  
12    *pursuant to NRS 213.126.*  
13    2. *In addition to any credits earned pursuant to subsection 1*  
14    *and NRS 209.447, the Director may allow not more than 10 days*  
15    *of credit each month for an offender:*



\* A B 1 0 5 R 1 \*

1 (a) *Who is on parole as of January 1, 2004, or who is released*  
2 *on parole on or after January 1, 2004, for a term less than life;*  
3 *and*

4 (b) *Whose diligence in labor or study merits such credits.*

5 3. *An offender is entitled to the deductions authorized by this*  
6 *section only if he satisfies the conditions of subsection 1 or 2, as*  
7 *determined by the Director. The Chief Parole and Probation*  
8 *Officer or other person responsible for the supervision of an*  
9 *offender shall report to the Director the failure of an offender to*  
10 *satisfy those conditions.*

11 4. *Credits earned pursuant to this section must, in addition to*  
12 *any credits earned pursuant to NRS 209.443, 209.446, 209.4465,*  
13 *209.447, 209.448 and 209.449, be deducted from the maximum*  
14 *term imposed by the sentence.*

15 5. *The Director shall maintain records of the credits to which*  
16 *each offender is entitled pursuant to this section.*

17 **Sec. 2.** NRS 209.432 is hereby amended to read as follows:

18 209.432 As used in NRS 209.432 to 209.451, inclusive, *and*  
19 *section 1 of this act*, unless the context otherwise requires:

20 1. "Offender" includes:

21 (a) A person who is convicted of a felony under the laws of this  
22 state and sentenced, ordered or otherwise assigned to serve a term of  
23 residential confinement.

24 (b) A person who is convicted of a felony under the laws of this  
25 state and assigned to the custody of the division of parole and  
26 probation of the department of public safety pursuant to  
27 NRS 209.4886.

28 2. "Residential confinement" means the confinement of a  
29 person convicted of a felony to his place of residence under the  
30 terms and conditions established pursuant to specific statute. The  
31 term does not include any confinement ordered pursuant to NRS  
32 176A.530 to 176A.560, inclusive, 176A.660 to 176A.690, inclusive,  
33 213.15105, 213.15193 or 213.152 to 213.1528, inclusive.

34 **Sec. 3.** NRS 209.447 is hereby amended to read as follows:

35 209.447 1. An offender who is sentenced after June 30, 1991,  
36 for a crime committed before July 1, 1985, and who is released on  
37 parole for a term less than life must, if he has no serious infraction  
38 of the terms and conditions of his parole or the laws of this state  
39 recorded against him, be allowed for the period he is actually on  
40 parole a deduction of 2 months for each of the first 2 years, 4  
41 months for each of the next 2 years, and 5 months for each of the  
42 remaining years of the term, and pro rata for any part of a year  
43 where the actual term served is for more or less than a year. Credit  
44 must be recorded on a monthly basis as earned.



\* A B 1 0 5 R 1 \*

1 2. An offender who is sentenced after June 30, 1991, for a  
2 crime committed on or after July 1, 1985, and who is released on  
3 parole for a term less than life must, if he has no serious infraction  
4 of the terms and conditions of his parole or the laws of this state  
5 recorded against him, be allowed for the period he is actually on  
6 parole a deduction of 10 days from his sentence for each month he  
7 serves.

8 3. An offender is entitled to the deductions authorized by this  
9 section only if he satisfies the conditions of subsection 1 or 2, as  
10 determined by the Director. The Chief Parole and Probation Officer  
11 or other person responsible for the supervision of an offender shall  
12 report to the director the failure of an offender to satisfy those  
13 conditions.

14 4. Credits earned pursuant to this section must, in addition to  
15 any credits earned pursuant to NRS 209.443, 209.446, 209.4465,  
16 209.448 and 209.449 ~~§~~ *and section 1 of this act*, be deducted from  
17 the maximum term imposed by the sentence.

18 5. The Director shall maintain records of the credits to which  
19 each offender is entitled pursuant to this section.

20 **Sec. 4.** NRS 213.1518 is hereby amended to read as follows:

21 213.1518 1. If a parolee violates a condition of his parole, he  
22 forfeits all or part of the credits earned by him pursuant to NRS  
23 209.447 *and section 1 of this act* after his release on parole, in the  
24 discretion of the Board.

25 2. A forfeiture may be made only by the Board after proof of  
26 the violation and notice to the parolee.

27 3. The Board may restore credits forfeited for such reasons as it  
28 considers proper.

29 4. The Chief Parole and Probation Officer shall report to the  
30 Director of the Department of Corrections any forfeiture or  
31 restoration of credits pursuant to this section.

32 **Sec. 5.** This act becomes effective on January 1, 2004.

