
SENATE BILL NO. 105—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE CITY OF RENO)

FEBRUARY 13, 2003

Referred to Committee on Judiciary

SUMMARY—Aggregates value of property damaged or destroyed for purposes of determining penalty if one or more persons place graffiti on or otherwise deface property pursuant to scheme or continuing course of conduct. (BDR 15-375)

FISCAL NOTE: Effect on Local Government: Yes.
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 graffiti; aggregating the value of the property damaged or destroyed for purposes of determining the penalty if one or more persons place graffiti on or otherwise deface property pursuant to a scheme or continuing course of conduct; 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.** NRS 206.330 is hereby amended to read as follows:
2 206.330 1. Unless a greater criminal penalty is provided by a
3 specific statute, a person who places graffiti on or otherwise defaces
4 the public or private property, real or personal, of another, without
5 the permission of the owner is guilty of a public offense, as
6 prescribed in NRS 193.155, proportionate to the value of the
7 property damaged or destroyed and in no event less than a
8 misdemeanor.
9 2. *For purposes of determining the grade of the public*
10 *offense prescribed in NRS 193.155, the value of the property*
11 *damaged or destroyed from the commission of multiple offenses*



1 *may be aggregated if one or more persons commit the offenses*
2 *pursuant to a scheme or continuing course of conduct.*

3 3. A person who violates subsection 1 shall, in addition to any
4 other fine or penalty imposed:

5 (a) For the first offense, perform not less than 50 hours, but not
6 more than 99 hours, of community service.

7 (b) For the second offense, perform not less than 100 hours, but
8 not more than 199 hours, of community service.

9 (c) For the third and each subsequent offense, perform not less
10 than 200 hours of community service.

11 The community service assigned pursuant to this subsection must, if
12 possible, be related to the abatement of graffiti.

13 ~~[3-]~~ 4. The parent or legal guardian of a person under the age of
14 17 years who violates this section is liable for all fines and penalties
15 imposed against the person. If the parent or legal guardian is unable
16 to pay the fine and penalties resulting from a violation of this
17 section because of financial hardship, the court may require the
18 parent or legal guardian to perform community service.

19 ~~[4-]~~ 5. If a person who is 18 years of age or older is found
20 guilty of violating this section, the court may issue an order
21 suspending the driver's license of the person for a period not to
22 exceed 6 months in addition to any other penalty imposed. If such
23 an order is issued, the court shall require the person to surrender all
24 driver's licenses then held by the person. If the person does not
25 possess a driver's license, the court may issue an order prohibiting
26 the person from applying for a driver's license within the 6 months
27 immediately following the date of the order. The court shall, within
28 5 days after issuing the order, forward to the Department of Motor
29 Vehicles any licenses together with a copy of the order.

30 ~~[5-]~~ 6. The Department of Motor Vehicles:

31 (a) Shall not treat a violation of this section in the manner
32 statutorily required for a moving traffic violation.

33 (b) Shall report the suspension of a driver's license pursuant to
34 this section to an insurance company or its agent inquiring about the
35 person's driving record. An insurance company shall not use any
36 information obtained pursuant to this paragraph for purposes related
37 to establishing premium rates or determining whether to underwrite
38 the insurance.

39 ~~[6-]~~ 7. A criminal penalty imposed pursuant to this section is in
40 addition to any civil penalty or other remedy available pursuant to
41 another statute for the same conduct.

42 **Sec. 2.** This act becomes effective on July 1, 2003.

