

SENATE BILL NO. 232—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE BOARD OF PAROLE COMMISSIONERS)

MARCH 4, 2003

Referred to Committee on Judiciary

SUMMARY—Makes various changes pertaining to duties and authority of State Board of Parole Commissioners. (BDR 16-551)

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

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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 the State Board of Parole Commissioners; authorizing the Chairman of the State Board of Parole Commissioners to appoint a person to serve as Secretary to the State Board of Pardons Commissioners; revising the provisions pertaining to the timing of certain hearings concerning violations of parole; revising certain provisions pertaining to the revocation of parole and discharge from parole; 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 213.017 is hereby amended to read as follows:
2 213.017 **1.** The ~~Executive Secretary~~ *Chairman* of the State
3 Board of Parole Commissioners shall ~~be the Secretary of the Board~~
4 ~~and shall perform such duties in connection therewith as the Board~~
5 ~~may require without additional compensation.~~ *appoint a person to*
6 *serve as Secretary of the State Board of Pardons Commissioners.*
7 **2.** *The Secretary must be selected on the basis of his training,*
8 *experience, capacity and interest in correctional services.*
9 **3.** *The Secretary shall perform such duties as are required by*
10 *the Board, including, but not limited to:*



- 1 (a) *Preparing the agenda for meetings of the Board;*
- 2 (b) *Providing notification to victims on behalf of the Board*
- 3 *and the State Board of Parole Commissioners; and*
- 4 (c) *Establishing and facilitating the procedures by which a*
- 5 *person may apply to have a fine or forfeiture remitted, a*
- 6 *punishment commuted, a pardon granted or his civil rights*
- 7 *restored by the Board.*

8 **Sec. 2.** NRS 213.1517 is hereby amended to read as follows:
9 213.1517 1. Where the inquiring officer has determined that
10 there is probable cause for a hearing by the Board, the Chief may,
11 after consideration of the case and pending the next meeting of the
12 Board:

- 13 (a) Release the arrested parolee again upon parole;
- 14 (b) Order the parolee to be placed in residential confinement in
- 15 accordance with the provisions of NRS 213.15193, 213.15195 and
- 16 213.15198; or
- 17 (c) Suspend his parole and return him to confinement.

18 2. The Chief shall take whichever action under subsection 1 he
19 deems appropriate within:

- 20 (a) Fifteen days if the prisoner was paroled by the Board.
- 21 (b) Thirty days if the prisoner was paroled by the authority of
- 22 another state and is under supervision in this state pursuant to NRS
- 23 213.215. This paragraph does not apply to a parolee who is retaken
- 24 by an officer of the sending state.

25 3. ~~HF~~ *Except as otherwise provided in subsection 4, if* a
26 determination has been made that probable cause exists for the
27 continued detention of a paroled prisoner, the Board shall consider
28 the prisoner's case within 60 days after his return to the custody of
29 the Department of Corrections or his placement in residential
30 confinement pursuant to subsection 1.

31 4. *If probable cause for continued detention of a paroled*
32 *prisoner is based on conduct which is the subject of a new*
33 *criminal charge, the Board may consider the prisoner's case*
34 *under the provisions of subsection 3 or defer consideration until*
35 *not more than 60 days after his return to the custody of the*
36 *Department of Corrections following the final adjudication of the*
37 *new criminal charge.*

38 **Sec. 3.** NRS 213.1519 is hereby amended to read as follows:
39 213.1519 1. Except as otherwise provided in subsection 2, a
40 parolee whose parole is revoked by decision of the Board for a
41 violation of any rule or regulation governing his conduct:

- 42 (a) Forfeits all credits previously earned to reduce his sentence
- 43 pursuant to chapter 209 of NRS; and



1 (b) Must serve such part of the unexpired maximum term of his
2 original sentence as may be determined by the Board. The Board
3 may restore any credits forfeited under this subsection.

4 2. A parolee released on parole pursuant to NRS 213.1215
5 whose parole is revoked for ~~[a violation of any rule or regulation~~
6 ~~governing his conduct.]~~ *having been convicted of a new felony:*

7 (a) Forfeits all credits previously earned to reduce his sentence
8 pursuant to chapter 209 of NRS;

9 (b) Must serve the entire unexpired maximum term of his
10 original sentence; and

11 (c) May not again be released on parole during his term of
12 imprisonment.

13 ~~[3. If a person, after his release on parole, is convicted in~~
14 ~~another jurisdiction of a crime and sentenced to imprisonment for a~~
15 ~~term of more than 1 year, he may be given a dishonorable discharge~~
16 ~~from parole.]~~

