

SENATE BILL NO. 282—SENATOR SHAFFER (BY REQUEST)

MARCH 13, 2003

Referred to Committee on Judiciary

SUMMARY—Prohibits and enhances penalties for certain acts concerning alcohol and controlled substances in state parks. (BDR 35-1156)

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 state parks; prohibiting a person from possessing, consuming or being under the influence of an alcoholic beverage in a state park; enhancing the penalty for possessing, consuming or being under the influence of a controlled substance in a state park; providing a penalty; 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 407 of NRS is hereby amended by adding
2 thereto a new section to read as follows:
3 ***1. It is unlawful for a person to possess, consume or be under***
4 ***the influence of an alcoholic beverage in a state park.***
5 ***2. A person who violates this section is guilty of a***
6 ***misdemeanor.***
7 ***3. As used in this section, “alcoholic beverage” has the***
8 ***meaning ascribed to it in NRS 202.015.***
9 **Sec. 2.** NRS 453.3345 is hereby amended to read as follows:
10 453.3345 1. Unless a greater penalty is provided in NRS
11 453.333 or 453.334, and except as otherwise provided in NRS
12 193.169, any person who ~~violates~~:
13 ***(a) Violates*** NRS 453.321, 453.322 or 453.323:



1 ~~[(a)]~~ (1) On the grounds of a public or private school, a
2 playground, public park, public swimming pool, recreational center
3 for youths or a video arcade;
4 ~~[(b)]~~ (2) On a campus of the University and Community
5 College System of Nevada;
6 ~~[(c)]~~ (3) Within 1,000 feet of the perimeter of such a school
7 ground or campus, playground, park, pool, recreational center or
8 arcade; or
9 ~~[(d)]~~ (4) Within 1,000 feet of a school bus stop from 1 hour
10 before school begins until 1 hour after school ends during scheduled
11 school days ~~[(h)]~~; or
12 (b) *Violates NRS 453.336 or 453.411 on the grounds of a state*
13 *park,*
14 must be punished by imprisonment in the state prison for a term
15 equal to and in addition to the term of imprisonment prescribed by
16 statute for the crime. The sentence prescribed by this section runs
17 consecutively with the sentence prescribed by statute for the crime.
18 2. This section does not create a separate offense but provides
19 an additional penalty for the primary offense, whose imposition is
20 contingent upon the finding of the prescribed fact.
21 3. For the purposes of this section:
22 (a) "Playground" means any outdoor facility, intended for
23 recreation, open to the public and in any portion thereof containing
24 one or more apparatus intended for the recreation of children, such
25 as a sliding board, teeterboard, sandbox or swingset.
26 (b) "Recreational center for youths" means a recreational facility
27 or gymnasium which regularly provides athletic, civic or cultural
28 activities for persons under 18 years of age.
29 (c) "School bus" has the meaning ascribed to it in NRS 483.160.
30 (d) "Video arcade" means a facility legally accessible to persons
31 under 18 years of age, intended primarily for the use of pinball and
32 video machines for amusement and which contains a minimum of
33 10 such machines.

